

*Extract from the Arguments of the British Agent under the
Treaty of 1794.*

If it can be shown that the river Secondine, so called by the Indians, is the river St. Croix, and that a line along the middle of it to its source, together with a line due north from its source, formed a part of the western boundaries of the province of Nova Scotia, and that the highlands formed the northern boundary line of this province at the time the treaty of peace was made, so as to form the northwest angle of Nova Scotia by these western and northern boundaries, the intention of the treaty of peace is at once ascertained in the great point in controversy.

All the French possessions upon the continent of North America being by that treaty (1763) ceded to Great Britain, the province of Quebec was created and established by the Royal Proclamation of the 7th October in that year, and bounded on the south by the highlands which divide the rivers that empty themselves into the river St. Lawrence from those which fall into the sea or Atlantic ocean; thereby altering the north boundary of the province of Nova Scotia from the southern shore of the river St. Lawrence to those highlands.

It is sufficient here to observe, that at the time the treaty of peace was made in 1783, the provinces of Quebec and Nova Scotia belonged to and were in possession of the crown of Great Britain, and that his Britannic Majesty at that time had an undoubted right to cede to the United States of America such part of these territories as he might think fit, and that in making the cession of the territory comprised within the boundaries of the United States, as described in the second article of the treaty of peace, his Majesty must be supposed to have used the terms describing these boundaries in the sense in which they had been uniformly understood in the British nation and recognized in public documents and acts of government. In this sense and in no other could they have been then understood, or can they now be claimed or insisted upon by the United States. In this sense and in no other is his Majesty bound to give the possession.

As then at the treaty of peace in 1783 the northern limit of the province of Nova Scotia was a line along the highlands which divide the rivers that empty themselves into the river St. Lawrence from those which fall into the sea, it unquestionably follows, that the northwest angle of Nova Scotia at the time of the treaty of peace in 1783 was that angle which was formed by a line drawn due north from the source of the river St. Croix to those highlands.

Can it be believed or for a moment imagined that in the course of human events so exact a coincidence could have happened between the actual, real boundaries of the province of Nova Scotia and the boundaries of it described in this treaty, (1783) if the latter had not been dictated and regulated by the former.