

By consulting the copy of it which is hereto annexed you will at once perceive the position of the lake intended by the negotiators of the Treaty.

For your further information on this point I inclose a copy of a report and map submitted to the Lieutenant-Governor of New Brunswick by Mr. Wilkinson, who surveyed, in the course of last autumn, that part of the Line of Boundary described in the Treaty of Washington, and who confirms the opinion above expressed with regard to the lake intended by the negotiators of the Treaty.

3. I now come to the third section above enumerated, namely, that part of the Line of Boundary from Lake Pohenagamook to the point on the north-west branch of the River St. John.

The Treaty provides that this part of the Boundary shall be laid down as follows:—

“Thence,” (*i. e.* from the outlet of the Lake Pohenagamook) “south-westerly, in a straight line, to a point on the north-western branch of the River St. John, which point shall be ten miles distant from the main branch of the St. John, in a straight line, and in the nearest direction: but if the said point shall be found to be less than seven miles from the nearest point of the summit or crest of the highlands that divide those rivers which empty themselves into the St. Lawrence from those which fall into the St. John then the said point shall be made to recede down the said north-west branch of the River St. John, to a point seven miles in a straight line from the said summit or crest.”

This is an essential part of the Boundary, to which much attention must be paid by you. The practical determination and delineation of it will probably be attended with difficulty and labour.

Fortunately, it seems to have been already pretty clearly ascertained, that from the main River St. John to the point on the north-west branch of the St. John, and thence to the crest of the dividing highlands, there will be found a considerably greater distance than the ten and seven miles required; consequently, we may hope that in this point, at least, the difficulty of demarcation will be materially lessened.

The governing principle of this part of the Line, to the full carrying out of which we must look, is, that the point to be established on the north-west branch of the St. John be at least seven miles from the nearest point of the summit or crest of the dividing highlands.

In proceeding to mark out this part of the Boundary the Commissioners will have, first, to settle which is the river intended by the Treaty as the north-west branch of the St. John.

Having determined this point, they will next have to agree upon the point on the main stream of the St. John, from which the straight line, ten miles in length, is to be drawn in the nearest direction to the point on the north-west branch of the St. John.

This being accomplished, they will have to ascertain authentically whether the last-mentioned point is seven miles distant from the nearest point of the summit or crest of the highlands designated in the Treaty.

If this fact shall have been already established in the affirmative by means of the joint or separate preparatory survey ordered by the Commissioners, as suggested in the early part of this despatch, the straight line may be traced at once from the Lake Pohenagamook to the point thus ascertained on the north-west branch of the St. John; and that point may be definitively laid down.

If, however, it should turn out to be less than seven miles distant from the nearest point of the crest of the highlands, it must be in that case brought down the north-west branch of the St. John until the stipulated distance of seven miles be obtained,

That the distance of the point on the north-west branch of the St. John to which the line from Lake Pohenagamook is to be drawn, should be at least seven miles from the crest of the dividing highlands is essential; but it is comparatively immaterial whether the line from the north-west branch of the St. John to the main St. John be a little more or a little less than ten miles in length. Provided that object be proximately attained, Her Majesty's Government will be satisfied.