

Highlands of the Treaty that will form the future Northern Boundary of the United States?—a Question which must be settled before the Treaty can be executed, and which involves considerations of great importance to Her Majesty's Colonies,—we deem it necessary to revert in the first place, to the original grant of Nova Scotia to Sir William Alexander, by King James I. in 1621; which as has been before shown, was admitted by the American Commissioners at the signing of the Treaty in 1783, to determine the boundary of the Colony of Massachusetts Bay. That grant is described in the following terms:—

“Omnes et singulas terras Continentis, ac insulas situatas et jacentes in Americâ intra caput seu promontorium communiter *Cap de Sable* appellat. Jacen.* prope latitudinem quadraginta trium graduum aut eo circa ab equinoctiali lineâ versus Septentrionem, á quo promontorio versus littus maris tenden ad occidentem ad stationem Sanctæ Mariæ navium vulgo *Sanctmareis Bay*. Et deinceps, versus Septentrionem per directam lineam introitum sive ostium magnæ illius stationis navium trajicien. quæ excurrit in terre orientalem plagam inter regiones Suriquorum et Etcheminorum vulgo *Suriquois* et *Etchemines* ad fluvium vulgo nomine *Sanctæ Crucis* appellat. Et ad scaturiginem remotissimam sive fontem ex occidentali parte ejusdem quise primum predicto fluvio immiscet. Unde per imaginariam directam Lineam quæ pergere per terram seu currere versus Septentrionem concipietur ad proximam navium Stationem, fluvium vel Scaturiginem in magno fluvio de Canada sese exonerantem. Et ab eo pergendo versus orientem per maris oris littorales ejusdem fluvii de Canada ad fluvium stationem navium portum aut littus communiter nomine de Gathepe vel Gaspee notum et appellatum.”

Extract from the Grant of Nova Scotia, 1621.

Of this passage, we submit the following literal translation:—

All and each of the lands of the Continent, and the islands situated and lying in America within the headland or promontory, commonly called Cape Sable, lying near the forty-third degree of latitude from the equinoctial line or thereabouts. From which promontory stretching westwardly, towards the North, by the sea-shore, to the Naval Station of St. Mary, commonly called St. Mary's Bay. From thence, passing towards the North by a straight line, the entrance or mouth of that great naval station, which penetrates the interior of the eastern shore betwixt the countries of the Souriquois and the Etchemins, to the river, commonly called the St. Croix. And to the most remote source or spring of the same on the western side, which first mingles itself with the aforesaid river. From whence, by an imaginary straight line, which may be supposed (concupietur)† to advance into the country, or to run towards the North, to the nearest naval station, river, or spring, discharging itself into the great River of Canada. And from thence advancing towards the East by the gulf shores of the said River of Canada, to the river, naval station, port, or shore, commonly known or called by the name of Gathepe or Gaspé.

Literal translation of the extract from the Grant of Nova Scotia, of 1621.

On the map A accompanying this Report, a dotted broken line is traced in red ink, which appears literally to conform to the language of the original grant of Nova Scotia as quoted above, and to be consistent with the knowledge possessed in those days of the intermediate country betwixt the mouth of the St. Croix River and the River St. Lawrence; a knowledge of which could only have been derived from the Indians passing between those points in the manner before alluded to, to carry on their traffic in furs. We perceive by the French names given to the Indian tribes in this grant, that all the information of the country contained in the grant was derived from the French; and that the direction to follow the St. Croix to its westernmost sources, is consistent with the very precise knowledge we now possess of the branches of that river. On the other hand, this direction to go to the westernmost sources of the St. Croix would appear to be without an object, unless it were to get into the adjacent waters of the Penobscot; and is it reasonable to suppose that the expression, “*versus Septentrionem ad proximam navium Stationem fluvium vel scaturiginem in magno fluvio de Canada sese exonerantem*,” could mean that the line

Reference to the map A., for a new construction of the description of the western boundary of Nova Scotia.

* The abbreviations are literally copied from the Charter.

† This term appears to point to the general practice of communicating betwixt the St. Croix and Quebec, by way of the rivers, as if it were said “the practice hitherto has been to go circuitously by the rivers, but the true boundary is to be conceived as a straight line.”