

Though the existence of the De Haro and Rosario channels was known to the negotiators of the Treaty of 1846, yet these passages were not even alluded to in that Treaty.

The Gulf of Georgia and the Strait of De Fuca were evidently and reasonably treated as one channel, to be connected by a centre line of demarcation, irrespective of the more or less navigable and tortuous passages, more or less known to have existed through the interposing archipelago. I would here beg to call particular attention to this argument:—If the line of the water boundary had been intended to apply to a navigable passage, why were the words "whole channel" used in securing the right of free navigation to both parties? These words are evidently superfluous if applied to one navigable channel separating two independent States—such a channel necessarily carrying with it a free right of navigation.

I will not here enter into the reasons why the plain words and obvious meaning of the Treaty, pointing to the middle of the space between the continent and Vancouver's Island, throughout the whole length of the line of water boundary, were departed from, and the De Haro passage to the extreme left contended for by the Americans, while we claimed that of Rosario on the extreme right. Apart from the various arguments advanced, and not without strong presumptive evidence, on both sides, it exactly suited the American view of the case to insist on this departure, as they might win everything on the De Haro standpoint, while they were certain

"of the Treaty, which, according to their literal tenor, should require the  
 "line to be traced along the middle of the channel (meaning, I presume,  
 "the whole intervening space) which separates the continent from Vancou-  
 "ver's Island. And I think I can safely assert that the Treaty of the 15th  
 "of June, 1846, was signed and ratified without any intimation to us  
 "whatever, on the part of the United States Government, as to the par-  
 "ticular direction to be given to the line of boundary contemplated by  
 "Art. I. of that Treaty."