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# NORTH AMERICAN BOUNDARY.

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PART II.

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C O R R E S P O N D E N C E

RELATING TO THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

UNITED STATES OF AMERICA,

UNDER THE

TREATY OF 1783.

---

*Presented to both Houses of Parliament by Command of Her Majesty.  
July, 1840.*

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LONDON:

PRINTED BY T. R. HARRISON.



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# CORRESPONDENCE

RELATING TO THE

## NORTH AMERICAN BOUNDARY.

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No. 1.

*Viscount Palmerston to Mr. Fox.*

Extract,

*Foreign Office, June 3, 1840.*

I SEND you herewith, three copies of the Report and Map, presented to Her Majesty's Government by Colonel Mudge and Mr. Featherstonhaugh, the Commissioners who were employed last year to survey the disputed Territory.

You will immediately transmit to Mr. Forsyth two copies of the report and of the Map, saying, that it is only within the last few days that these documents have been in the hands of Her Majesty's Government. That it will of course be the duty of Her Majesty's Government to lay this Report before Parliament; but that Her Majesty's Government wish, as a mark of courtesy and respect towards the Government of the United States, that a document, bearing upon a question of much interest and importance to the two countries, should, in the first place, be communicated to the President. You will further state that the British Government continues to feel an unabated desire to bring the long pending questions about the Boundary between the United States and the British Possessions in North America, to a final and satisfactory settlement.

It is obvious that these questions must be beset with various and considerable inherent difficulties, or they would not have remained open ever since the year 1783, notwithstanding the many and earnest endeavours made by both Governments to bring them to an adjustment.

But Her Majesty's Government do not abandon the hope, that the sincere desire which is felt by both Parties to arrive at an amicable arrangement, will at length be crowned with success.

The best clue to guide the two Governments in their future proceedings may perhaps be derived from an examination of the causes of past failure; and the most prominent among these causes has certainly been a want of correct information as to the topographical features and physical character of the district in dispute. This want of adequate information may be traced as one of the difficulties which embarrassed the Netherland Government in its endeavours to decide the points submitted to it in 1830.

It has been felt by the British Government, by the United States Government, and even by the Government of the contiguous State of Maine.

The British Government and the Government of the United States agreed therefore two years ago, that a survey of the disputed Territory, by a joint Commission, would be the measure best calculated to elucidate and solve the questions at issue.

The President accordingly proposed such a Commission, and the British Government consented to it; and it was believed by the British Government, that the general principles upon which the Commission was to be guided in its local operations, had been settled by mutual agreement, arrived at by means of a correspondence which took place between the two Governments in 1837 and 1838.

The British Government accordingly transmitted in April of last year, for the consideration of the President, the Draft of a Convention to regulate the proceedings of the proposed Commission.

The Preamble of that Draft recited textually, the agreement which had been come to, by means of notes which had been exchanged between the two Governments; and the articles of the Draft were framed, as Her Majesty's Government considered, in strict conformity with that agreement.

But the Government of the United States did not think proper to assent to the Convention so proposed.

That Government did not, indeed, allege that the proposed Convention was at variance with the result of the previous correspondence between the two Governments; but it thought that Convention would establish a joint Commission "of mere exploration and survey," and the President was of opinion that the step next to be taken by the two Governments, ought to bear upon its face stipulations which must necessarily lead to a final settlement under some form or other, and within a reasonable time. The United States' Government accordingly sent to you, for transmission to Her Majesty's Government, a counter Draft of Convention varying considerably, as Mr. Forsyth admitted, in some parts from the Draft as proposed by Her Majesty's Government. But Mr. Forsyth added, that the United States' Government did not deem it necessary to comment upon the alterations so made, as the text of the counter Draft would be found sufficiently perspicuous.

Her Majesty's Government certainly might have expected that some reasons would have been given, to explain why the United States' Government declined to confirm an arrangement which was founded on propositions made by that Government itself, and upon modifications to which that Government had agreed; or that, if the American Government thought that the Draft of Convention thus proposed to it, was not in conformity with the previous agreement, it would have pointed out in what respect the two differed.

Her Majesty's Government, however, in the present state of this question, concur with the Government of the United States in thinking that it is on every account expedient that the next measure to be taken by the two Governments should contain, in its details, arrangements which should necessarily lead to some final settlement; but they think that the Convention which they proposed last year to the President, instead of being framed so as to constitute a mere Commission of Exploration and Survey, did, on the contrary, contain stipulations calculated to lead to the final ascertainment of the boundary which is to be determined.

There was, however, undoubtedly an essential difference between the British Draft and the American counter Draft. The British Draft contained no provision embodying the principle of arbitration. The American counter Draft did contain such a provision.

The British Draft contained no provision for arbitration, because the principle of arbitration had not been proposed on either side during the negotiations upon which that Draft was founded, and because, moreover, it was understood at that time that the principle of arbitration would be decidedly objected to by the United States.

But as the United States' Government have expressed a wish to embody that principle in the proposed Convention, the British Government is perfectly willing to accede to that wish. You are therefore instructed to state to Mr. Forsyth that Her Majesty's Government consent to the two principles which form the main foundation of the American counter Draft; namely, first, that the Commission to be appointed should be so constituted as necessarily to lead to a final settlement of the questions at issue between the two countries; and secondly, that in order to secure such a result, the Convention by which the Commission is to be created should contain a provision for arbitration upon points as to which the British and American Commissioners may not be able to agree.

You will, at the same time, say that there are some matters of detail in the American counter Draft which Her Majesty's Government could not adopt, but that you will, by a very early opportunity, receive an amended Draft to be submitted to the consideration of the President; and that you will, at the same time, be instructed to propose to the President a local and temporary arrangement, for the purpose of preventing collisions within the limits of the disputed territory.

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INCLOSURE.

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REPORT of the British Commissioners appointed to Survey the Territory in dispute, between Great Britain and the United States of America, on the North-Eastern Boundary of the United States; with an Appendix.



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## REPORT.

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My Lord,

Foreign Office, April 16, 1840.

IN obedience to your Lordship's instructions, dated July 9th, 1839, requiring us to proceed to Her Majesty's Province of New Brunswick, for the purpose of making investigations respecting the "nature and configuration of the territory in dispute," between Her Majesty's Government and the Government of the United States of America, and to "report" which of the three following lines presents the best defined continuity of Highland range:—

"*First.*—The line claimed by the British Commissioners from the source of the Chaudière to Mars' Hill.

Points in the instructions to the Commissioners.

"*Secondly.*—The line from the source of the Chaudière to the point at which a line drawn from that source to the western extremity of the Bay of Chaleurs, intercepts the due north line.

"*Thirdly.*—The line claimed by the Americans from the source of the Chaudière to the point at which they make the due north line end."

We have the honour to present the following Report of our Proceedings, and of the results which we have arrived at, accompanied with a map marked A, of the territory in dispute, and of the countries adjacent to it, together with a sheet marked B, of extracts from other maps, and containing a section and a sketch, all of which are alluded to in this Report. The map A is adjusted according to the most recent observations for latitude and longitude; and is illustrated in as accurate and detailed a manner as the short period of time allotted for the service we have been employed upon admitted of, by a faithful delineation of the physical geography of all that portion of North America to which this important Question relates, which lies south of the River of St. Lawrence. Upon this map will be found delineated the sources and course of the rivers, as well as the Highlands mentioned in the Second Article of the Treaty of Peace of 1783, to wit, "the Highlands which divide those rivers that empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River." Also the sources and course of the minor streams running into the River St. Lawrence, and lying north of the River St. John, between 67° 48' and 71° west longitude. To all those natural features of the country, we have added and have placed upon the face of the map, in their respective localities, numerous barometrical altitudes, carefully taken, along the great Axis of Elevation, extending from the Bay of Chaleurs to the Highlands which separate the sources of the Chaudière River and the western branches of the St. John's River, from the western sources of the Penobscot River.

Descriptions of maps A & B appended to the Report.

We have to ask your Lordship's attention to the fact, that, upon reaching the scene of our operations, we learnt, that they were to be carried on in a wilderness, where not a human being was to be met with, with the exception of a few settlers upon the Roostuc River, about forty miles west of the St. John's River, and of a few wandering Indians employed in the chase, or occa-

sionally, of some American lumberers; and that our endeavours to procure from any quarter, correct topographical information of the interior of the disputed territory were unavailing, the most superficial and contradictory opinions being entertained upon the frontiers as to the sources of the streams, and as to the direction in which it would be most advisable to push our investigations, with a due regard to that economy of time which we were compelled to observe. This wilderness, thus situated, had never, we believe, been crossed in the direction it was necessary for us to take, by persons capable of describing the country with anything approaching to accuracy; and, consequently, all the maps which we had seen, proved in the end remarkably defective. Indeed, had we not been so fortunate as to engage in our service two intelligent Indians, who had become somewhat familiar with the country, by having frequently made it the scene of their hunting grounds, and whose rude maps traced upon sheets of the bark of the birch tree served often to guide us, a great portion of our time might have been lost in cutting our communications through forests and almost-impenetrable swamps, upon injudicious courses, for the purpose of transporting our provisions, instruments, and canoes. Thus engaged, we had not only to keep in view the main object of your Lordship's instructions, but to bring the general topography of the country into a more accurate form, in order that the map to be made, to accompany this Report, might be an intelligent exponent of the physical geography of the country. This became an important branch of our undertaking, which had to be applied to the whole area between the Bay of Chaleurs and the south-western sources of the St. John; from thence, north-westwardly to the Highlands claimed by the United States as the Highlands of the Treaty of 1783, in  $46^{\circ} 27'$ ; and eastwardly, from thence, at various points of the Highlands thus claimed by the United States, as far as the waters running into Lake Metis, in north latitude  $48^{\circ}$ . This last point was reached at the setting in of the winter season; and the party on that service had but just completed their observations, when they were compelled to hasten to the coast by very rigorous weather, ice having formed on the lakes and streams.

We have troubled your Lordship with these remarks and incidents, not for the purpose of showing that our duty was accompanied with a greater degree of personal inconvenience than was contemplated by us on accepting the charge we have been honoured with, but to account, in some measure, for the delay in the sending in of our Report. Your Lordship will please further to understand, that after our return to Fredericton, in New Brunswick, with the various information acquired under such circumstances as we have described, a great part of that information had to be applied to such Surveys of the northern parts of the Province of New Brunswick as existed in the Crown Land Office at Fredericton, in such manner as that, by transferring the results of our labours to the accurate outlines of the official surveys, a map worthy of the public confidence might be constructed; and that in consequence of its being enjoined upon us in our instructions, to return to England when the season should no longer permit us to continue our operations, we entrusted the task of filling up the outlines of the official surveys, to an intelligent person belonging to the Crown Land Office, who had been in our service in the capacity of Surveyor and Commissary;\* but the final result of his labours, owing to circumstances beyond his controul, and to adverse winds, arrived in England a month later than the period it was expected, and it has been only by using unremitting diligence, that we have been able to prepare the comprehensive map herewith submitted with this Report.

Before we enter upon a description of the physical geography of the disputed territory, we deem it important to call your Lordship's attention to the reasons which have induced us to defer the consideration of that portion of our Report, until we have brought under your observation other matters, the previous and well understanding of which, appears necessary to the perfect illustration of the true intent and meaning of the II<sup>nd</sup> Article of the Treaty of 1783; which Article we find no difficulty in reconciling with the natural features of the country.

\* Mr. John Wilkinson.

REVIEW OF THE DOCUMENTARY AND OTHER EVIDENCE BEARING ON THE QUESTION OF ANCIENT BOUNDARIES, PREVIOUSLY TO THE TREATY OF 1783.

Having found the physical geography of the disputed territory very much at variance with all the accounts of it to which we had had access, and perceiving that the popular opinions regarding it both in Great Britain and in the United States of America, owed their origin to the previous surveys and negotiations respecting the Boundary Question, some of which surveys we found singularly at variance with our own careful observations made on the spot, as to the heights of some leading points of the country, of vital importance to the question; we came to the conclusion, that the most significant of those previous estimates, and which were connected with important inferences, were conjecturally made, without knowledge of the truth, and that thus very incorrect statements had been submitted to the judgment of the Sovereign Arbitrator, to whom, under the Convention of the 29th of September, 1827, those previous surveys were to be referred. We shall, in the course of this Report, point out to your Lordship these inaccuracies in a more specific manner.

Erroneous estimates of heights made during the Survey of 1817, 1818.

Alive to the important bearing of this somewhat unexpected state of things, it became necessary for us immediately upon our arrival in England, to enter upon a more careful study of the diplomatic history of the dispute; in which was to be found those arguments which had been raised upon the erroneous statements we have alluded to, and which had taken so strong a hold upon the public mind in the United States of America.

The assumption consequent hereupon which is entertained in that country, that a particular range of Highlands north of the St. John's River, and running parallel with, and at no great distance from, the St. Lawrence, is the range of Highlands intended by the Treaty of 1783, seemed to have suggested to the Official Agents, employed by the American Government under the Vth Article of the Treaty of Ghent, the necessity of maintaining that the boundary proposed by the Treaty of 1783, was identical with the ancient provincial boundary between the Province of Quebec and Her Majesty's Province of Nova Scotia. This assertion, which appeared to derive plausibility from Mitchell's map,—a document admitted to have been much consulted by the Commissioners of both Governments at the negotiations which ended in the Treaty of 1783,—induced the British Official Agents, under the Treaty of Ghent, to take the opposite line, and to insist that the assertion was "altogether conjectural and incapable of satisfactory proof."

The voluminous conflicting documents which this point gave rise to, show how much the British Official Agents were misled by the general ignorance which existed of the interior parts of the territory in dispute. They were right in denying that the ancient provincial boundary was identical with the range of Highlands claimed on the part of the United States; but they were wrong in denying that the line of demarcation established by the ancient provincial boundary, was intimately connected with the boundary intended by the IIInd Article of the Treaty of 1783.

Second British Statement, p. 24.

When the American Agents asserted that the Treaty line and the ancient provincial boundary were identical, and when the British Agents denied that they were so, both Parties placed the question at issue upon grounds dangerous to their respective claims; for if it had been known that a range of Highlands corresponding with the terms of the Treaty, existed in a part of the territory which neither of the parties had examined, namely, south of the St. John, and lying in that oblique direction between the sources of the Chaudière and the Bay of Chaleurs, in which ran the line of demarcation of the ancient provincial boundary, the Americans would never have made their assertion; but, on the contrary, would probably have changed arguments with our own Commissioner and Agents. The United States are, however, committed, by the case which they laid before His Majesty the King of the Netherlands, to their assertion of the identity of the ancient provincial boundary with the line described in the IIInd Article of the Treaty

of 1783. But it is probable that a better knowledge of the interior of the disputed territory, than existed at the time of the submission of the case to His Majesty the King of the Netherlands, now obtains in the United States. Of this we had indications on our arrival in America, in August, 1839, when some of the American newspapers called loudly upon us to proceed to examine the line of Highlands claimed by them; and this, no doubt, with the view of drawing our attention from those parts of the country west of the St. John which lie along the eastern and western sources of the Penobscot. And the same newspapers at the termination of our labours, exhibited in not very courteous terms, their dissatisfaction with the course we had pursued, misrepresenting all our proceedings, denying that we had visited the line claimed by them, and insisting that if we had done so, we should have been compelled to report in favour of it. We relate these circumstances to your Lordship, to show that the very sanguine and almost universal opinion which obtains in the United States, and which has been so generally expressed there, in favour of the boundary line being to be found so near to the St. Lawrence, has been partly occasioned by the true line of boundary never having been practically examined, and of no report having been made in detail of its true nature; whilst the past surveys and negotiations, as well as the public attention in both countries, have been almost exclusively directed to the line brought forward by the Americans as the boundary intended by the Treaty of 1783. For although Mars' Hill was with great colour of justice proposed by the British Official Agents, as a point in that range of Highlands\*, at which the due north line should stop, in order to form the north-west angle of Nova Scotia, still no line "along the Highlands," had been surveyed or practically examined in a western direction from thence. The argument thus came conjecturally before the King of the Netherlands, and was left still more impotent by the denial, on our side, of any connection between the ancient provincial boundary and the line described in the II<sup>nd</sup> Article of the Treaty of 1783.

Public attention exclusively given to the American claim.

We have to remark, also, as a proof of the mistaken notions entertained in the United States, respecting their supposed Highlands, that if we, in accordance with their wishes, had confined our investigations to the line claimed by them, we should have come at once to the conclusion at which, on making it the last branch of our investigations, we have actually arrived, namely, that that line is deficient in every essential character requisite to make it conformable with the description of the boundary intended by the Treaty of 1783. Believing that they never would have invited us to expose the defects of the line claimed by them, if they had been aware of those defects, we must infer that they themselves, with some few exceptions, are without any practical knowledge of the real character of the line of boundary which they insist upon, some striking proofs of which we propose hereafter to adduce.

The arguments used consequent upon the Survey directed by the Treaty of Ghent, inapplicable to our present information of the country.

Your Lordship will gather, from what we have now stated, that the arguments found in the records of the past surveys and negotiations are, to a great extent, to be considered as inapplicable to the actual knowledge of the country, as ascertained by a careful investigation of it made by persons acquainted with the previous history of this territorial dispute. Notwithstanding the acknowledged ability, the unwearied industry, and integrity of the British Official Agents, whose labours are found in those records, the want of geographical information, and the ground taken by the Americans at the time, unavoidably led them to espouse and maintain many points, which it would be inconsistent in us to give countenance to. Hence, as we before have had the honour to state to your Lordship, we have found ourselves compelled, since our return to England, not only to examine a second time the diplomatic history of this dispute, but also to consult all those ancient documents which have been accessible to us, that are in any manner connected with the very important subject on which we are engaged.

We close these preliminary remarks by stating, that under these circum-

\* On ascending the River St. John from Woodstock, the gradual rise of the country is evident; and several miles before the traveller arrives at the stream called Des Chutes, he perceives that he is about to pass through a range of Highlands.

stances, it has appeared to us, that such a lucid exposition of the Boundary case as would be deemed useful and satisfactory by your Lordship, would be best made, by first reviewing, in a brief manner, the history of that part of North America connected with the disputed territory, with a view to discover how far the ancient descriptions of territorial demarcations therein coincide with the Boundary intended to be established for the United States, by the Second Article of the Treaty of 1783; and by then proceeding to a description of the physical geography of the country, and to an investigation of the three geographical lines, upon which we are required, by your Lordship's instructions, to report.

In doing this, we shall have to make a somewhat critical examination of the ancient Boundary of Nova Scotia, as described in the Grant of King James the First to Sir William Alexander, dated 10th of September, 1621. It will be seen from this examination, that reasonable grounds exist for supposing, that a singular perversion of the terms used in the description of that Boundary has long existed, and that the line of Boundary intended by the Grant of Nova Scotia, is so much at variance with that which has usually appeared on the greater number of maps, as entirely to change the nature of the Northern Boundary of the United States, from that which has hitherto been understood to be its direction.

It will be very satisfactory to us, if we shall be able to satisfy your Lordship, that there are reasonable grounds for thinking, that the true line of Boundary has been hitherto overlooked; and that, consequently, the line claimed by the State of Maine fails, upon examination, in every essential particular.

We preface this part of the subject with some notices which seem to be called for, of the periods when the earliest European adventurers began to frequent, and settle in, the countries contiguous to the St. Lawrence River and the Bay of Fundy, first called La Baie Française.

In 1506, Jean Denys de Honfleur published a map of Newfoundland.

In 1518, Baron Lery de Saint Just landed cattle at Isle du Sable.

In 1535, Jacques Cartier took possession of the country on the Saint Lawrence, and built a fort.

In 1540, the Sieur de Roberval commissioned Lieutenant-Governor for "les terres neuves de Canada, Hochelaga, Laguenay, et autres."

In 1541, Jacques Cartier fortified Cape Breton.

In 1598, the Sieur de la Roche appointed "Lieutenant-Général en Canada, Hochelaga, Terre-Neuve, Labrador, Rivière de la Grande Baie (Saint John's, in the Bay of Fundy), Norembegue (the present State of "Maine), et les terres adjacentes." His people subsisted on the cattle left eighty years before on Isle du Sable.

In 1603, the Sieur de Monts received letters patent, in which the word "Acadie" is first used as the name of the country. His grant is from "le 40me. degré de latitude jusqu'au 46me."

In 1604, the Sieur de Monts, with Champlain and Poitricourt, established themselves, during a winter, on a small island in Passamaquoddy River which island they named "Sainte Croix, et ce nom s'est ensuite communiqué "à la rivière \*."

\* L'Escarbot in his *Histoire de la Nouvelle France*, describes Passamaquoddy Bay, the Island of St. Croix, where De Monts wintered, and the aspect of the adjacent country, with sufficient accuracy, as we had occasion to observe in our visit there at the close of the year 1839. There ought not to have been much difficulty in identifying the "true St. Croix," under the Treaty of 1794. L'Escarbot says, "Quittans la Rivière St. Jean, ils vinrent suivant la côte à vingt lieues de là, en une grande Rivière (qui est proprement mer) où ils se campèrent en une petite isle au milieu "d'icelle." Passamaquoddy Bay is exactly twenty leagues from the River St. John. It has been asserted, that it was difficult to identify the St. Croix of De Monts, it having received its name from the ceremony usually practised by French adventurers, of planting a cross where they landed. But in an ancient map by L'Escarbot, from which our Extract No. 4 of Map B. is taken, various places are marked with a cross, thus †; but the true St. Croix is not so marked, and another reason is given for its name. After describing the Bay, he says: "Et d'autant qu'à deux lieues au-dessus, il y a des "ruisseaux qui viennent comme en croix se décharger dans ce large bras de mer, cette isle de la retraite "des Français fut appelée Sainte Croix." Accordingly, he gives to the river in his map the rude form of a cross, and designates the small island upon which they wintered, and where the remains of the encampment have since been found. It is deserving also of remark, that upon the same map, appear hills, apparently intended to represent ridges: the northern one being placed to the north of the sources of the waters that flow into the St. Lawrence, and the southern one being placed in a direction to divide the waters flowing in opposite directions.—Vide L'Escarbot, 1618, pp. 446, 447.

Examination proposed of the western boundary of the Grant of Nova Scotia in 1621.

First adventurers in Canada and Nova Scotia.

Fastes chronologiques, p. 13.  
Do. p. 21.

Do: p. 21.

L'Escarbot p. 408.

Do. p. 401.

Do. p. 408.

Do. p. 417.

Do. p. 441.

Map by L'Escarbot. Vide extract No. 4 of map B.

L'Escarbot, p. 545.

In 1606, Poitricourt carried l'Escarbot into North America with him.

Grant to the New  
Plymouth Colony,  
1606.

By these dates, we learn, that the French, from the year 1518 to 1604, had taken possession of the country, both on the River St. Lawrence, and on the River St. Croix, in the Bay of Fundy. Whereas it was only in the year 1606, that James the First made a grant to the New Plymouth Company, from the 34th to the 45th degree of north latitude, "provided "it was not occupied by any Christian Power." At this time, the French were cutting down timber, sowing grain, planting vines, &c., at various points between the Kennebec and the St. Croix Rivers.

Western boundary  
of the grant of  
1621, suggested by  
a practical  
knowledge of the  
country.

We introduce these comparative dates also to show, that the French occupied the country many years before James the First made his grant, in 1621, to Sir William Alexander; and that the description of the Boundary of Nova Scotia found in that grant, is to be taken not as vague and conjectural, but is to be taken as the description of a line of boundary of which some previous knowledge existed, and most probably by means of the commerce in Peltries carried on with the Indians of the country lying between the St. Lawrence and the Bay of Fundy.

The obscurity which has been thrown in past times over the territorial extent of Acadie, that country of which De Monts received letters patent in 1603, was occasioned by not attending to the Indian origin of the name, and to the repeated transfer of the name to other parts of the country to which the first settlers afterwards removed. Even before the appointment of De la Roche in 1598, as Lieutenant-General of the country, including those parts adjacent to the Bay of Fundy, the bay into which the St. Croix empties itself, was known by the Indians of the Morrisset tribe, which still inhabits New Brunswick, by the name of *Peskadumquodiah*, from *Peskadum*, Fish, and *Quodiah*, the name of a fish resembling the cod.\*

Origin of the word  
"Acadie."

The French, according to their usual custom, abbreviated the Indian name, which we sometimes, in the old records, read *Quadiac* and "Cadie," and at length we find it taking the general designation of "Acadie."

The English race, have turned the original Indian name, into *Passamaquoddy*, and the Indians of the district have long been by them familiarly called Quoddy Indians, as, by the French, they have been called *Les Acadiens*. To this day, the Morrisset Indians call the Bay by its original Indian name of *Peskadumquodiah*.

Map by Coronelli,  
dated 1689.  
Vide Extract  
No. 3, of Map B.

But De Monts, finding the position he had selected to winter in bleak and inconvenient, and very inferior to Port Royal (now Annapolis Royal), abandoned the St. Croix, and made a permanent settlement at Port Royal. The Peninsula, south-east of the Bay of Fundy, where this Port is, began thenceforward to be called "Acadie," and so continued to be known as late as 1689; for in an ancient map by *Coronelli*, Cosmographer to the Republic of Venice, and published at Paris, we find the Peninsula called "*Acadie*," whilst the country north of the Bay of Fundy, and watered by the St. John's River, is called "*Etechemins*."† Under the French these were frequently separate Governments; but during the constant wars carried on with the English, the possessions of France, including Canada, and all the country lying eastward of the British Colonies, were frequently occupied by the English, and afterwards again restored to France; as for instance, by the Treaty of St. Germain, in 1632, when "Canada and Acadia" were restored; by the Treaty of Breda, in 1667, when France was left with all her old possessions; and by the Treaty of Ryswick, in 1697, when a general restoration was made. The consequence of these frequent mutations was, that the French possessions, east, west, and south of the St. John's, were occasionally placed under one and the same jurisdiction, which for the time went by the name of "Acadie." The confusion thus produced in the ancient maps and records, was increased by a grant from the French Crown, of the country from the southern end of the Gut of Canso to the mouth of the Saint Lawrence, under the name of "Acadie."

Treaty of St. Ger-  
main, 1632.  
Treaty of Breda,  
1667.  
Treaty of Ryswick,  
1697.  
Many tracts of  
country receiving  
the name of  
"Acadie."

Treaty of Utrecht,  
1713, cession of  
"Acadie" to  
England.

In 1702, war broke out again, subsequently to which came the Peace of Utrecht, in 1713, when France ceded to England for ever her rights to "all Acadie, according to its ancient limits." The misunderstandings which now

\* The provincial name of this fish is Pollock, and it still continues to frequent that bay.

† Vide Map B, No. 3.

arose in the construction of this expression, ended in the war of 1756, and the annexation of all the possessions of France in North America to the British Empire. Conquest of Canada.

We have entered into this brief historical sketch, to draw your Lordship's attention to the fact, that the most ancient limits of Acadie are those described in the letters patent to De Monts in 1603, from the fortieth to *the forty-sixth degree of north latitude*; and that this parallel, when protracted through the disputed territory to the west, passes through the Highlands at the very point where they divide the sources of the Chaudière from the most western waters of the Penobscot. That these same Highlands continued from thence running south of the River St. John, in a north-east direction, as far as the western termination of the Bay of Chaleurs, appears to have been known at an early period. In proof of this, there is in the British Museum a map of Coronelli published in Paris, 1689, where the course of these Highlands is obviously laid down as a natural boundary line betwixt Canada and the British colonies; for the line is protracted the whole distance from the Bay of Chaleurs, in a south-west direction, as far as the Colony of Virginia, and separates the possessions respectively held by the English and French. Every thing to the north of that line is coloured yellow, and every thing to the south of it, including the Peninsula where Annapolis is, is coloured a light green. The distance upon this map of the most north-western branch of the Penobscot from the St. Lawrence, as well as the mean distance of the whole divisional line, and of its termination at the Bay of Chaleurs, is 100 miles by scale. This line represents with great fidelity, the position and course of the boundary line described in the II<sup>nd</sup> Article of the Treaty of 1783, and is identical with the boundary line of the Royal Proclamation of 1763.\*

Definition of the ancient limits of "Acadie."

Another Map by Coronelli, dated 1689.

Vide Extract No. 8, of Map B.

We also find proofs in various concessions made by the Crown of France in ancient times, that all its grants made further to the north than the limits of the patent of De Monts, were placed within the jurisdiction of the castle of St. Louis at Quebec; from whence the inference may be fairly drawn, that the country, north of the 46th parallel, was considered at all times to be within the jurisdiction of Quebec. We shall quote a passage from one of these grants, before we enter upon this branch of the subject in more detail.

"Concession de M. de la Barre, Gouverneur de Canada, et M. de Meules, Intendant de la Nouvelle France, à Renes d'Amours, Sieur de Aignancourt, de terres à la Rivière de Saint Jean, près de Medoctet, du 20 Septembre, 1684."

Concession of the Fief of Meductic, 1684.

The fief of Meductic thus conceded, lies north of the forty-sixth parallel of north latitude, and the feoffee is bound in the grant to bear "foi et hommage à Sa Majesté, au Chateau de St. Louis de cette ville. Donné à Quebec, le 20 Septembre, 1684."

Having established this point, we wish to advert to the pretensions set up at various periods, to a right which Massachusetts has been alleged to have had before the Peace of 1763, to extend her jurisdiction to the St. Lawrence River.

Claim of Massachusetts to go to the St. Lawrence.

Upon Mitchell's map we find a *due north line*, carried out from the head waters of the St. Croix to the River St. Lawrence, and intersecting it a few minutes to the east of the sixty-seventh degree of west longitude; and it has been argued in America †, that if the Royal Proclamation of 1763 had not extended the jurisdiction of the Province of Quebec, south of the River Saint Lawrence, the north-west angle of Nova Scotia would have been at the point of this intersection. In answer to this, it may be sufficient to observe, as has been briefly noted at page 12, that when James the First granted the Province of Nova Scotia, in 1621, to an English subject, the same country had been already conceded by the King of France, in 1603, to De Monts, as far as the 46th degree of north latitude, and that the territory north of that parallel to the shores of the St. Lawrence had already been for

Lands north of the 46th parallel possessed by France 80 years before the grant of 1621.

Claim of Massachusetts to go to the St. Lawrence, annulled by the restoration of the country to France, 1632.

\* Vide Map B, No. 8.

† Mr. Buchanan's Report from the Committee on foreign relations, to the Senate of the United States, July 4, 1838, p. 3.



eighty years under the jurisdiction of the French Governors of Canada. This bar to the English title to the country was made still more efficacious by the following cautious reservation in the grant of King James:—

“Si vel ipsa regna cultoribus prius vacua.”

But whatever claims could be asserted under a grant made under such circumstances, they were all necessarily extinguished by the full *restoration*, not *cession*, of the whole country comprehended in the grant of 1621 to its original possessor, by the Treaty of St. Germain in 1632. Under the grant therefore of 1621, the United States can maintain no claim to establish the proprietorship of the country on the part of Massachusetts.

We repeat, that although, in consequence of the restoration by Treaty in 1632, all English title derived from the grant of 1621, is to be considered invalid as against those holding under French titles, nevertheless, the boundary descriptions of the grant are to be taken as valid and binding with the United States, and were admitted to be so by the American Commissioners at the Treaty of 1783. These Gentlemen declared that the eastern boundary of Massachusetts was conterminous with the western boundary of Nova Scotia, indeed if this were not so, the United States would have no acknowledged eastern boundary. Massachusetts then having no claim of property as derived from the grant of 1621, must found any claim she may prefer, upon her Charter from William and Mary in 1691.\*

By this document, the territorial rights of the old Charter granted in 1606 to the New Plymouth Company, which had been forfeited, were restored, and other territories annexed, as follows:—

“The Colony of the Massachusetts Bay and Colony of New Plymouth, “the Province of Maine, the territory called Acadia, or Nova Scotia, and “all that *tract of land* lying between the said territories of Nova Scotia “and the said Province of Maine.”

The tract of land here spoken of, and which had been called *Sagadahoc*, had been granted on the 12th of March, 1664, by Charles the Second to his brother the Duke of York, and in that grant it is thus described:—

“Beginning at a certain place called or knowne by the name of Saint “Croix, next adjoining to New Scotland in America, and from thence extending along the sea coast unto a certaine place called Petuaquine or “Pemaquid, and so up the river thereof to the furthest head of same as it “tendeth northwards, and extending from thence to the River Kinebequi, and “so upwards by the *shortest course to the River Canada northward.*”

The Charter of 1691 also contained the following reservation:—

“Provided alwise that the said lands, islelands, or any premises by the “said letters patent, intended or meant to be granted, were not then actually “possessed or inhabited by any other Christian Prince or State.”

But, independent of the defect in this title which the previous occupation of the country by the French created, this charter, like the Grant of 1621, never gave anything more valid than a war title could give; for by the Treaty of Ryswick of 1697, the King of Great Britain agreed to restore to France all her possessions, as follows:—

“Pareillement, le dit Seigneur Roi de la Grande Bretagne *restituera* “au dit Seigneur Roi très-Chrestien tous les pays, isles, forteresses et colonies “en quelque partie du monde qu'ils soient situés, que les Français possédaient “avant la déclaration de la présente Guerre.”

By this act of restitution “the territory called *Accadia*, or Nova Scotia,” annexed by the Charter of William and Mary in 1691, to Massachusetts Bay, was restored to France, being part of her possessions before the declaration of war; and thus the right of Massachusetts to any part of the country north of the ancient limits of *Accadia*, which had occasionally in times of war

\* In corroboration of this, we quote the following passage from the pleadings in the “Case of the Provinces of Massachusetts Bay and New York, respecting the boundary line between the “two Provinces.—Boston, 1764.”

“That the inhabitants of the Massachusetts Bay can claim nothing at present but what is “granted them by their last Charter in 1691, all their other grants and charters being void in “themselves, or declared so in the Chancery of England.”

The description of the boundary of the Grant of 1621, valid as respects Massachusetts.

Charter of Massachusetts from William and Mary, 1691.

Grant of Charles II to the Duke of York, of the Sagadahoc lands, March 12, 1664.

Grant of Sagadahoc annulled by its restoration to France, 1697.

come under the power of England, was placed upon the same footing with any claim she might have preferred to Nova Scotia. This is substantially admitted in the "statement on the part of the United States," referred to His Majesty the King of the Netherlands, in the following passage:

"Great Britain, however, agreed by the Treaty of Ryswick of 20th September, 1697, to restore to France, 'all countries, islands, forts and colonies, wheresoever situated, which the French did possess before the declaration of war,' Acadia or Nova Scotia being clearly embraced by those expressions, and being thus severed from the British dominions, the clause of the Massachusetts Charter, which annexed that territory to Massachusetts, was virtually repealed, and became a nullity."

Since, therefore, Massachusetts can have no title but that which she derives from her ancient colonial connection with England, and since it has been shown that England had no title which she could convey to any part of the country previously to the Peace of Utrecht in 1713, it results, that the title of Massachusetts to the tract of land called Sagadahoc, in relation to its boundary to the north, was not settled at that period.

We shall proceed to show that the right of Massachusetts to go to the River St. Lawrence, was denied by the British Government before the establishment of the southern boundary of the Province of Quebec by the Royal Proclamation of 1763; and that the Question of the northern boundary of Massachusetts as respected the *Sagadahoc* territory, continued unsettled after that period.

The English title to any part of this country first began in 1713, at the Peace of Utrecht, when France ceded Acadie according to its ancient limits, which extended only to the forty-sixth degree of north latitude; and the English title to the remaining part of the country accrued at the Peace of 1763, without the northern boundary of Massachusetts ever having been defined by any act of the British Government from the earliest of those periods; we think it therefore manifest, that the northern boundary of Massachusetts has always stood nearly in the same relation to the Charter of 1691, that her eastern boundary stands in to that of 1621. But it will be useful to give a more detailed account of the state of the question touching the northern boundary of the tract called *Sagadahoc*, and of the discussions which took place respecting it, previously to the independence of the United States.

It has been stated that in the charter of the Colony of Massachusetts Bay, granted by William and Mary in 1691, the original grant of the Colony of Massachusetts, lying east of New Hampshire, which had been vacated\*, was revived; and the Province of Maine, the Sagadahoc country, and Nova Scotia were annexed to it.

The Province of Maine had been granted by Charles the First on the 3d of April, 1639, to Sir Ferdinando Gorges. It consisted of an area, comprehended between two lines, one extending from the coast, by the Piscataway River, 120 miles into the interior, and the other further east extending up the Kennebec River for the same distance. This area is marked out on many of the older maps, as well as on Mitchell's, and has its northern limit far to the south of the height of land described by Pownall, hereafter to be mentioned.

The Colony of Massachusetts had acquired Maine by purchase in 1677, from Sir Ferdinando Gorges, and by the Charter of 1691, acquired a war-title to the country intervening between the Kennebec and the territories of Nova Scotia. This country, in the grant by Charles the Second to his brother the Duke of York, in 1664, was bounded on the west by the Kennebec River, and so upwards by the shortest course to the River Canada northward. But the whole of this country was within the ancient limits of Acadie. The French had constructed a fort at the Kennebec, and at various points on the coast eastward from that river. These were subdued in 1654, by Major Sedgewick, under a Commission from Cromwell, who summoned the Sieur Charles de St. Etienne to surrender all that part of the country; and the summons being obeyed, he took possession of the French ports of Pentagoet (Penobscot), St. Jean, and Port Royal. On the 9th of August, 1656, Cromwell granted the country, under the Great Seal of England, to the same St. Etienne, to

Admission on the part of the United States, that the war grants were annulled by restoration. American Statement, p. 14.

First title of England to "Acadie" accrued in 1713.

Question examined as to the ancient Northern Boundary of Sagadahoc.

Grant of Maine by Charles 1st to Sir Ferdinando Gorges, 1639.

Maine purchased by Massachusetts, 1677.

\* A judgment was given against the Colony in the Court of Chancery, in the 36th year of Charles the 2nd, and the Letters Patent ordered to be "cancelled, vacated, and annihilated."

Thomas Temple, and to William Crowne, under the designation of "the country and territory called Acadia, and a part of the country called Nova Scotia:" and in the same year, Temple was sent out as Governor. Subsequently, in 1664, Charles II. granted the territory to the Duke of York, and annexed to the grant the country west of the St. Croix, as far as the Kennebec. But in 1667, the whole country was, by the 10th Article of the Treaty of Breda, restored to France, under the designation of "Le pays appelé l'Acadie, situé dans l'Amérique Septentrionale, dont le Roi très-Chrétien a autrefois joui."

In forming, then, a just estimate of the character of this grant of 1664, it is to be remembered that its substantial and most important feature is, that it gives "all the lands from the west side of Connecticut River to the east side of Delaware Bay," comprehending the territory of the present States of New York and New Jersey. The annexation, therefore, of the country between the Kennebec and the territories of Nova Scotia, or the Sagadahoc territory, to the grant of 1664, amounted, as we have before observed, to nothing but a war-title, which of course expired with the restitution of the country to France. This restitution, although agreed upon in 1667, only took place in 1670. In the "Mémoires des Commissaires du Roi et de ceux de Sa Majesté Britannique," are to be seen the documents of the Restitution then made by Sir Thomas Temple to the French authorities, with a particular description of the fort of Gemisick and its condition, by which we learn that this fort was on the River St. John, a few miles to the north of the forty-sixth degree of north latitude.

French fort of Gemesick, near the 46° of north latitude on the River St. John.

Grant to the Duke of York renewed in 1674, by Charles II.

False reason assigned in the official American Statement for the renewal. American Statement, p. 13.

In 1674 this grant was renewed to the Duke of York by his brother, Charles the Second, and in the official American statement we find the following erroneous assertion on this subject:—

"The Duke of York obtained from Charles the Second a subsequent confirmation of his grant, bearing date the 29th of June, 1674. This second grant, or confirmation, shows that in the restoration of Acadia, Great Britain did not mean to include any territory west of the St. Croix; and *the said confirmation was obviously asked and granted in order to remove any doubts on that subject.* The TERRITORY was afterwards governed under the authority of the Duke of York."

It is not difficult to clear up this mistake, the tendency of which is to mislead the public mind in America, as to the real motive of the renewal of the grant. In 1673, war having broke out with Holland, the territory of New York was surrendered, without resistance, to the commander of a Dutch squadron, and the inhabitants were sworn in to bear allegiance to the States General. By the Treaty of Peace signed at Westminster the succeeding year, 1674, the New Netherlands, or New York, were restored to England; and to obviate all difficulties that might arise in regard to titles to land, from the recent mutation in the sovereignty, the Duke of York solicited and obtained a renewal of the grant of 1664. The Governors sent out were Major Andros in 1674, and Thomas Dongan in 1682. But they were Governors of New York, and resided there. The renewal, therefore, of the grant of 1664 in 1674, was clearly not *asked* for or *granted* for reasons appertaining to the Sagadahoc territory, but arose out of the transfer, as stated, of the territory of New York; and the Sagadahoc territory was included in this last grant, as it had been in that of 1664, for the last grant is a mere copy of the first. As to acts of Government there by authority of these Governors, one only can be quoted. A fort was built at Pemaquid, near the Kennebec River, to curb the Indians, whom the wars of the Indian Sachem, commonly called King Philip, had rendered troublesome. This confirmation of the duke's grant, therefore, left his title to the Sagadahoc territory upon precisely the same footing on which it had stood before.

True reason for the renewal of the Grant of 1664.

On succeeding to the throne, his claims to that territory merged in his rights as Sovereign\*; then came the Charter of William and Mary, 1691, and subsequently to that, the Treaty of Ryswick, in 1697, which restored to the French every thing they had possessed before the declaration of war.

\* We quote the following passage from "the Case of the Provinces of Massachusetts Bay and New York," &c., before mentioned, forming part of the pleadings made on behalf of Massachusetts Bay in 1764, in order to show that it was the legal opinion in that Colony at that time, that all the lands of the Sagadahoc country belonged to the Crown up to 1691.

But the Royal Charter of 1691, even if it had not been annulled in relation to Sagadahoc, by the Treaty of Ryswick, furnishes no ground for a claim on the part of Massachusetts to go to the St. Lawrence; the words of the Charter are simply:—

“Those lands and hereditaments lying and extending between the said country or territory of Nova Scotia and the said river of Sagadahoc.” The furthest point, therefore, to which this north-western corner of Sagadahoc can be claimed, is the source of the river, which being the Kennebec River, is the point passed by the Highlands of the Treaty of 1783, in north latitude 46°, or nearly so. This Charter, then, gives no title beyond the head of that river. Indeed, the pretence to go from thence to the St. Lawrence, has been altogether discountenanced by intelligent Americans, who had carefully studied the subject, both before and after their Independence. Mr. Jasper Mauduit was the Agent in London, for the General Court of Massachusetts, immediately after the conquest of Canada; and the Royal Proclamation of 1763 having brought him into correspondence with the Board of Trade, on the subject of the northern boundary of Massachusetts, he writes to the General Court thus:—

“It appeared to me, that though the Duke of York’s original patent extended to the river of Canada, northward, yet that that was mentioned rather to preserve the national claim, than as intended by the Crown to be of force against itself.”

And Mr. Gallatin, a most acute statesman, and Plenipotentiary for the United States to negotiate the Treaty of Ghent, writes thus to their Secretary of State, December 25, 1814:—

“That northern territory is of no importance to us, and belongs to the United States, and not to Massachusetts, which has not the shadow of a claim to any land north of 45° to the eastward of Penobscot River, as you may easily convince yourself by recurring to her Charters.”

The Americans, however assert, that the King, not having the power to curtail the Chartered Limits of the Colony of Massachusetts Bay, by the Royal Proclamation of 1763; the effect of it was to reinstate the River St. Lawrence as the northern boundary of that Province; and this they say is proved by an opinion given by the Attorney and Solicitor-General, upon a case submitted to them, when they decided,—

“That the said tract of country, not having been yielded by the Crown of England to France by any Treaty, the conquest thereof by the French; created (according to the Law of Nations) only a suspension of the property of the former owners, and not an extinguishment of it.”

Now, it is obvious that this opinion is founded entirely upon the hypothesis that the country in question had never been restored to France by any Treaty, whereas we have seen that it had been twice restored, in 1667 and in 1697. But this opinion of the law officers did not sanction at all the right of Massachusetts to go to the St. Lawrence,—a right, as we have before seen, which was not granted by the Charter of 1691. The opinion is purely applied to the terms of the Charter of 1691, and not to those of the grant of 1664 to the Duke of York, and runs thus:—

“Upon considering the said case and questions, and the evidence laid before us, and what was alleged on all sides, it appears to us, that all the said tract of land lying between the rivers of Kennebec and St. Croix, is (among other things) granted by the said Charter to the inhabitants of the said Province, &c., &c.”

No inference can be drawn from this that they meant to sanction the right of Massachusetts to go to the St. Lawrence, although it is insinuated by the American statement.

“Upon the accession of the Duke of York to the Crown of England in 1684, all the title acquired by virtue of the grant aforesaid was merged in the Crown. This doctrine has always been established where the Gothic Governments have taken place. If it should now be disputed; and it should be supposed to remain King James’s private estate, yet there was a forfeiture at the time of his being in arms in Ireland, and King James’s private estate in Ireland upon one or both of those principles vested in the Crown. Therefore, whether the lands in the grant to the Duke of York, upon the abdication of King James came with the Crown to King William and Queen Mary, or whether they were forfeited, it is certain that before the Charter to the Massachusetts Province in 1691, the right was in the Crown.”

The Charter of William and Mary, of 1691, does not authorize the Colony of Massachusetts to go to the St. Lawrence.

Extract from Mr. Jasper Mauduit’s letter, June 9, 1764.

Mr. Gallatin’s Opinion, that the State of Massachusetts had no claim to go to the St. Lawrence.

Opinion of the law officers of the Crown, 1731.

The law opinion applies only to the Charter of 1691.

At a later period, a question of a wider range came before the Lords of the Board of Trade, viz: whether Massachusetts had any right whatever to lands contained in the Sagadahoc territory? It has already been stated, that this country was comprehended within the ancient limit of Acadie, and that it had been definitively ceded to Great Britain at the Peace of Utrecht. By the Treaty of Ryswick, in 1697, all title on the part of Massachusetts to this territory, was left upon the same footing with her title to Nova Scotia, which was admitted to be void. When that opinion was obtained from the law officers of the Crown in 1731, the Government of England considered the territory of Sagadahoc, as well as Nova Scotia, to belong to the Crown; and settlers had lands assigned to them in Sagadahoc, by the King's surveyor of Nova Scotia. It was in consequence of the remonstrances from Massachusetts on that account, that the *exparte* opinion of the law officers was given in 1731. But as the New England colonies were loyal and enterprising, and co-operated with the King's Government against the designs of the French in Canada, things were permitted to remain thus until the disputes with France were terminated.

Experte opinion of the law officers of the Crown given in 1731.

By the Charter of 1691, Massachusetts was forbid to issue grants in the Sagadahoc territory, it declared them not to be

"Of any force, validity or effect, until we, our heirs and successors, shall have signified our or their approbation of the same."

And it was upon the occasion of the agent of Massachusetts in London, Mr. Jasper Mauduit, soliciting the confirmation of some grants, that he wrote thus to the General Court of Massachusetts:—

"The Lords (Lords of Plantation), notwithstanding the opinion formerly given, 1731, are still disposed to think the right of the Province doubtful as to lands between Penobscot and St. Croix, because the case was MISSTATED to the *Attorney and Solicitor-General*; and that, whatever be the determination on this head, yet the Lords think that the Province can claim no right on the River St. Lawrence; because, the bounds of the charter, are from Nova Scotia to the River Sagadahoc; so that this *right cannot extend above the head of that river*. That, however, if the Province will pass an Act, empowering their agent to cede to the Crown, all pretence of right or title, they may claim under their charter, to the lands on the River St. Lawrence, destined by the Royal Proclamation to form part of the Government of Quebec, the Crown will then waive all further dispute concerning the lands as far as the St. Croix, and from the sea-coast of the Bay of Fundy to the bounds of the Province of Quebec, reserving to itself only the right of approbation as before. Mr. Jackson and I were both of us of opinion that *the narrow tract of land* which lies beyond the sources of all your rivers, and is watered by those which run into the River St. Lawrence, could not be an object of any great consequence to you, though it is absolutely necessary to the Crown, to preserve the continuity of the Government of Quebec."

Mr. Jasper Mauduit's letter to the General Court of Massachusetts, 1764.

Admits that the question was misstated to the law officers of the Crown in 1731.

North boundary of Massachusetts unsettled in 1764.

It is clear from this extract, that Massachusetts, at this period, had her Northern Boundary yet unsettled, and that the narrow *tract of land* is the tract extending from the head waters of the Kennebec to the St. Lawrence. But the enactment mentioned in this letter was never passed; and matters were precisely in the same state when the revolt broke out in the colonies; so that up to the Peace of 1783, Massachusetts had no regular jurisdiction ceded to her by the Crown, beyond the head of the Kennebec River.

From this statement it results that all grants, derived either from her or from Maine, of lands in the *disputed territory*, are without the sanction of any charter or other title acquired from Great Britain, except that acquired by cession at the signing of the Treaty of 1783. This remark is made, to place in a prominent point of view the exclusive possession and jurisdiction of Great Britain over the disputed territory, from the Peace of Utrecht, in 1715, to the present moment.

Exclusive possession and jurisdiction of Great Britain to the disputed territory.

It may therefore be safely asserted, that no act of the British Government in relation to the annexation of the Sagadahoc territory to the Colony of Massachusetts' Bay, gave that colony a title to any part of it beyond the description contained in the Charter of William and Mary (1691), viz:—

"All those lands and hereditaments lying and extending between the said county or territory of Nova Scotia, and the said river of Sagadahoc," which being construed as far as the sources of the Kennebec River, coincides with the most southerly source of the River Chaudière.

We come now to examine what the mutual understanding was upon concluding the Treaty of 1783, as to any one of the Boundary lines, and as to the correspondence of the language of the II<sup>nd</sup> Article of the Treaty with the previous opinion entertained about the territory in dispute, and with the natural features of that territory.

By Article I. of the Treaty of 1783, the independence of the thirteen United States, including New Hampshire and Massachusetts, was established; and Massachusetts extending furthest to the east of those States, adjoined the western boundary of the King's retained dominions, *to wit*, Nova Scotia. It will not be pretended from any quarter, that Great Britain intended to surrender, or did surrender, to the new nation then coming into political existence, any portion of the British North American Colonies, lying out of the ancient boundaries of the revolted Colonies.

No change in the ancient Boundaries of the revolted Colonies, made by the Treaty of 1783.

"All claims to the Government, property, and territorial rights of the same (the revolted Colonies), and every part thereof," were relinquished in that Article; but nothing more.

To the north, as it has been shown, the territorial rights of Massachusetts were undefined; but to the east they were limited by the waters of the St. Croix, that river being part of the north-west boundary of the Province of Nova Scotia, as described in the grant of James the First, in 1621. This was universally understood to be so by the colonists in the revolted Provinces, and was admitted by their Commissioners when they agreed upon the terms of the Treaty of Peace in 1783.

It appears, by reference to the "Secret Journals of Congress," vol. ii. p. 225 (published in 1824, forty-one years subsequently to the recognition of the independence of the United States), that, in contemplation of some expected negotiations for a peace, a Committee of the Congress, appointed for that purpose, recommended, February 23, 1779, amongst other things, that it ought to be insisted on as their ultimatum, that the bounds of the United States be acknowledged—"Easterly by the boundary settled between Massachusetts and Nova Scotia."

Secret Journals of Congress, vol. 2, p. 225.

And on the 19th of March of the same year, the Congress adopting the Report of the Committee, agreed to the following *ultima* :—

"That the thirteen United States are bounded north by a line to be drawn from the north-west angle of Nova Scotia, along the highlands which divide those rivers which empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River. And east, by a line to be drawn along the middle of St. John's, from its source to its mouth, in the bay of Fundy, or by a line to be settled and adjusted between that part of the State of Massachusetts Bay, formerly called the Province of Maine, and the Colony of Nova Scotia, agreeably to their respective rights, comprehending all islands within twenty leagues of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries, between Nova Scotia on the one part, and East Florida on the other part, shall respectively touch the Bay of Fundy, and the Atlantic Ocean."

Proposition of the Congress, in 1779, to make the St. John the boundary from its source to its mouth.

This passage is significant, inasmuch as it not only fixes the north-west angle of Nova Scotia to be at the source of the St. John, but especially states the mouth of that river to be, not in the Atlantic Ocean, but in the Bay of Fundy.

On the 14th of August, 1779, the Congress acting further upon the resolution of the 19th of March, "unanimously agreed to instructions to be given to the Commissioner (Mr. John Adams) appointed by them to negotiate a Treaty of Peace."

In these instructions, Article the 3rd, which recites the boundary intended to be claimed, repeats *verbatim* what the Congress agreed to on the 19th of March.

In 1782, when preliminaries were negotiating at Paris for peace, the Congress adopted (on the 20th August) a Report from one of their Committees appointed for the purpose, and which stated:—

"That they had collected facts and observations which they recommend to be referred to the Secretary for Foreign Affairs, to be by him digested, completed, and transmitted to the Ministers Plenipotentiary for negotiating a peace, for their information and use."

Amongst other things, the Committee report,—

“With respect to the boundaries of the States, &c., Massachusetts claims under the Charter granted by William and Mary, October, 1691,” &c.

“It is incumbent on us to show that the territorial rights of the thirteen United States, while in the character of British colonies, were the same with those defined in the instructions given to Mr. J. Adams on the 14th day of August, 1779.”

The proposition made in 1782, by the American negotiators, to make the St. John the boundary, rejected by the British Government.

The proposition abandoned, and the St. Croix substituted by the American negotiators.

Testimony of Mr. John Adams.

During the discussion of the preliminaries in 1782, the proposition contained in the Report of the Committee of Congress, and which was agreed to on the 19th of March, 1779, to make the River St. John the boundary from its source to its mouth, was again brought forward by the American Commissioners, but was peremptorily rejected by the English Government.

The American Commissioners then abandoned their proposition to make the River St. John the boundary, and agreed to substitute the St. Croix River. The same Mr. John Adams, when examined on oath by the Commissioners under the Treaty of Amity of 1794, for ascertaining the true St. Croix, stated that:—

“One of the American Commissioners at first proposed the River St. John, as marked on Mitchell’s map; but his colleagues observing, that as the St. Croix was the river mentioned\* in the Charter of Massachusetts Bay, they could not justify insisting on the St. John as an ultimatum, he agreed with them to adhere to the Charter of Massachusetts Bay.”

To another interrogatory, Mr. Adams replied:—

“The ultimate agreement, was to adhere to the Charter of Massachusetts Bay, and to the St. Croix River mentioned in it, which was supposed to be delineated in Mitchell’s map.”

At length, the boundary was definitely agreed upon, as we find it described in the II<sup>nd</sup> Article of the Treaty of Peace of 1783; and the dividing lines between the United States and the King’s dominions, were for ever declared to be as follows:—

Second Article of the Treaty of 1783.

“Article II. And that all disputes which might arise in future, on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries; viz. from the north-west angle of Nova Scotia; viz.: that angle which is formed by a line drawn due north from the source of the St. Croix River to the Highlands, along the said Highlands which divide those Rivers that empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the River Iroquois, or Cataraguy; thence along the middle of said river into Lake Ontario, through the middle of said lake, until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication, into Lake Erie; through the middle of said lake, until it arrives at the water-communication between that lake and Lake Huron; thence along the middle of said water-communication into the Lake Huron: thence through the middle of said lake to the water-communication between that lake and Lake Superior; thence through Lake Superior, northward of the Isles Royal and Philipeaux, to the Long Lake; thence through the middle of said Long Lake, and the water-communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof; and from thence, on a due west course, to the River Mississippi; thence by a line to be drawn along the middle of the said River Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude; south, by a line to be drawn due east, from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the River Apalachicola, or Catahouche; thence along the middle thereof, to its junction with the Flint River; thence straight to the Head of St. Mary’s River; and thence down along the middle of St. Mary’s River to the Atlantic Ocean;—east, by a line to be drawn along

\* He should have said “intended,” as the St. Croix is not named.



“the middle of the River St. Croix from its mouth in the Bay of Fundy, to its source; and from its source directly north, to the aforesaid Highlands, which divide the rivers that fall into the Atlantic Ocean from those which fall into the River St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean; excepting such islands as now are, or heretofore have been within the limits of the said Province of Nova Scotia.”

It will be observed that the phraseology of the Extract from the Secret Journals of the Congress, of the date of 19th of March, 1779, respecting the eastern boundary, has been transferred almost literally, into this II<sup>nd</sup> Article; with the exception, however, of the River St. Croix being substituted for the River St. John, and with the further exception of a line directed to be drawn due north from the source of the St. Croix River to the Highlands which were hereafter to be the northern limits of the United States in this quarter.

But as the word “Highlands” is, in this II<sup>nd</sup> Article of the Treaty, for the first time used in a manner that sets the language of the Article at variance with the clear and intelligible signification belonging to the Propositions quoted from the Secret Journals of the Congress, it may be useful to examine the process under which it has at length been brought into discussion, in a manner essentially to embarrass the execution of the Treaty. And this we shall do with some hope of being able to restore the term “Highlands” to its legitimate sense.

From the earliest period it had been known to the French and English settlers in that part of North America, that a great axis of elevation, or *height of land*, which had its origin in the English colonies, passed to the north-east, throwing down from one flank at about forty-five degrees north latitude, the head waters of the Connecticut River, which empties itself to the south into that channel of the Atlantic Ocean which separates Long Island from the Continent; and from the other flank, the head waters of the St. Francis River, which empties itself in a north-westerly direction into the River St. Lawrence. Further to the north-east, the head waters of the Kennebec and the most western sources of the Penobscot take their rise in the same height of land. These two rivers discharge themselves into the Atlantic Ocean, whilst the Chaudière River, the sources of which almost interlock with those of the two last-named rivers, empties itself into the Saint Lawrence, nearly opposite to Quebec. Equally close to the sources of the Chaudière and the Penobscot, and in about forty-six degrees of north latitude, the south-west branches of the St. John are derived from the same height of land. This river, after running for about 160 miles in a north-eastwardly course, nearly parallel to the same axis of elevation in which it takes its rise, turns to the south-east, and at the great falls of the St. John in north latitude  $47^{\circ} 2' 39''$ , passes through the same axis, and proceeds to discharge itself into the Bay of Fundy. It is further of importance to observe, that the trail or path of the Indian nations between the Atlantic Ocean and the River St. Lawrence, lay across that *height of land* from the earliest times; and that Quebec, which is situated on that part of the St. Lawrence where the river suddenly contracts in breadth, and which receives its name from the Indian word *Kebec*, signifying *narrow*, appears to have been a place of resort for the Indians, long before the white men visited the country.

Early notices of the Highlands of the Treaty of 1783.

Meaning of the word “Quebec.”

From Quebec, the Indians were wont to pass up the Chaudière in their bark canoes, carrying them across the Portages, and over the *height of land* to the waters of the Penobscot, and continuing down which to near the forty-fifth degree of north latitude, they then turned up one of its eastern branches, called Passadumkeag; whence, making a small portage of about two miles, they got into the westernmost waters of the St. Croix, and so reached the Bay of Fundy; performing the whole distance of about 275 miles by water, with the exception of perhaps twelve miles of portage, over which, according to the custom still in use by the North American Indians, they carried their light birch-bark canoes.

Route by Canoes from Quebec to the St. Croix as performed by the Indians.

The facility of reaching the River St. Lawrence by this route, was well-known to the first settlers, all of whom had for their principal object a trade



Letter from Sir  
Thomas Temple,  
Nov. 24, 1668.

with the Indians. There is a letter extant, from Sir Thomas Temple to the Lords of the Council, dated November 24, 1668, from which it appears, that the route was known to the French Court before that time, the "passage by land," evidently referring to the "height of land."

"M. Dubourg informs me, that the Most Christian King intended to "plant a Colony at Pentagoet (Penobscot), and make a *passage by land* to "Quebec, his greatest town in Canada, being but three days' journey distant."

Topographical  
description of North  
America, by T.  
Pownall, 1776.

This *height of land* was described in books, and most prominently set forth in maps, long before the revolt of the British Colonies, and the independence of the United States. In the map published by Lewis Evans of Philadelphia, in 1755, and which Governor Pownall annexed to his work in 1776, it is laid down with the supposed situation of the portages over it. Pownall thus speaks of it:—

"This River (the Kennebec), in the year 1754 and 1755, was talked "of as a route, by which an army might pass the best and shortest way to "attack Canada and Quebec. The route was supposed to be by an Indian "path, or carrying place, which going off from Kennebaeg, about eight or "ten miles above Noridgewaeg, in a north-west course of six or seven miles, "came to a pond which issued into the River Chaudière."

Although Pownall's work was published in London in 1776, the information was collected during the period he was Governor of Massachusetts, just previously to the war with France in 1756, and was at first intended for the impending contest. The map annexed to it was, as has been before observed, first published by Evans, in 1755, with the public assistance, and upon that Map, the Highlands which divide the St. Francis and the Chaudière, from the Connecticut, the Kennebec, and the Penobscot, are laid down and called "*Height of Land.*"

In the preface of Evans, dated August 9th, 1755, we find the following passage:—

"The Map, which these sheets accompany, and which they are intended "to explain, is presented to the public, when a longer time was indeed "necessary to have given it the degree of correctness that was intended it. "But the *present conjuncture of affairs in America, and the generous assistance of "the Assembly of Pennsylvania, have brought it to light.*"

The fact of its being published by the assistance of the Legislature, in addition to the great importance attached to it at that day, leaves the undeniable inference, that it must have been familiarly known in the British North American colonies; and that Franklin, Adams, and other leaders in the Congress, some of whom were Commissioners to treat for peace in 1782, must necessarily have consulted Pownall's work, published in 1776, at the commencement of hostilities with the revolted colonies, a period when the *height of land* was adverted to and described by him merely as a feature in the physical geography of that part of North America. When we look at certain passages in Pownall, and compare them with the language used in the Royal Proclamation of 1763, with the description of the future boundary proposed for the United States of America, found in the secret journals of the Congress, and with the terms of the Commissions of the Governors of Lower Canada and Nova Scotia, immediately after the Peace of 1763; the further inference is irresistible, that the Highlands mentioned in them are identical with the height of land we have been speaking of, and with the Highlands intended by the Second Article of the Treaty of 1783.

Highlands of the  
Treaty of 1783,  
identical with  
Pownall's "height  
of land."

And, as we have found no difficulty in reconciling the natural features of the country with the language of the Treaty, but, on the contrary, have practically worked out the accordance between them, we proceed to collate the proofs from Pownall, which establish their general identity.

Pownal, p. 14.

"The great portion of this country which lies east of Hudson's River "and Lake Champlain, lies in the form of a lunette, or a quarter of a circle. The "first part, beginning at Long Island Sound, runs nearly north and south, and "then, in about north latitude 45°, curves *away eastward* to the Gulf of St. "Lawrence.

"The highest part of this tract of mountains may be defined by a line "drawn north-westerly from the white hills (about 44° 10') to the 45th parallel "of north latitude.

"Going from the same line, in latitude 45° of the greatest height of these

“range of mountains, and following them to the east-northerly, they all seem to range as united, until again divided by the Bay of Chaleurs.

“Connecticut River. This river rises in north latitude  $45^{\circ} 10'$ , at the height of the land.

“A range, running hence across the east boundary line of New Hampshire, in latitude  $44^{\circ} 30'$ , and tending north-east, forms the height of the land between Kennebaeg and Chaudière Rivers.

“This River Kennebaeg, to begin from its principal branch, may be described as rising on the height of land in north latitude  $45^{\circ} 20'$ .

“From the head of the river to a little stream which falls into Agamuntaeg Pond, is a carrying place of about four miles, that is, the Indian carrying place; but I apprehend, that, if a body of men would transport any baggage which requires a depth of water before it can be embarked, the portage must be to, or near to, the Lake, about ten miles. This lake is the head of Chaudière River, and is about forty miles above the present settlements of the Canadians.

“All the heads of Kennebaeg, Penobscaeg, and Passamaquadda Rivers, are in the height of land running east-north-east.”

All this detailed information had been acquired by Governor Pownall, previously to the war of 1756, in surveys made with a view to military operations against Quebec, and which, it appears, extended to the eastern branches of the Penobscot, and the heads of the St. Croix, called by him Passamaquadda. Pownall's reconnaissances extend to the eastern branch of the Penobscot.

From these passages, we see that one result of his topographical researches was to establish the existence of a height of land or highland, where the Connecticut, the Kennebec, the Penobscot, and the Passamaquoddy took their rise—a circumstance, of itself, showing a real correspondence between the natural features of the country and the language of the Treaty of 1783. That this was generally known, may be inferred from the language of the Royal Proclamation of October 7, 1763.

From 1755 to the Peace of 1763, we have no evidence of any additional topographical information having been acquired by the British authorities, beyond the fact that there is a height of land in which the sources of the Connecticut take their rise, and which throws down in its north-easterly course, the waters of the St. Francis and of the Chaudière from its northerly flank, and those of the Connecticut, of the Kennebec, and of the Penobscot, from its southerly flank; we may therefore reasonably expect to find in the descriptions applicable to that part of the country which are contained in the public documents promulgated immediately after the Peace of 1763, a mere echo of the information produced by the explorations of Governor Pownall.

Immediately after the Peace, a Royal Proclamation, dated in 1763, was issued, which defined the limits of the Government of Quebec, in the following terms:—

“The Government of Quebec, bounded on the Labrador coast by the River St. John\*, and from thence by a line drawn from the head of that river, through the Lake St. John to the south side of the Lake Nepissin, from whence the said line crossing the River St. Lawrence and the Lake Champlain, in forty-five degrees of north latitude, passes along the High-lands which divide the rivers that empty themselves into the said River St. Lawrence, from those which fall into the Sea, and also along the north coast of the Bay des Chaleurs and the coast of the Gulf of St. Lawrence to Cape Rosiers, &c., &c.”

Royal Proclamation of the southern boundary of Quebec, 1763.

This is plainly an abbreviated method of copying the information given by Pownall, the course of the rivers being mentioned, but not their names. Pownall had said that the different ridges into which the country sometimes resolved itself, seemed “to range as united until again divided by the Bay of Chaleurs;” and we accordingly find that the whole of this range described by Pownall, is made the southern boundary of the Government of Quebec, and that that boundary is terminated by the “north coast of the Bay des Chaleurs.”

The description of the southern boundary of Quebec taken from Pownall.

Can there then be a doubt amongst intelligent men, that the Highlands mentioned in the Royal Proclamation are the identical highlands, or height The Highlands and rivers are

\* The River St. John here spoken of, lies on the north side of the Gulf of St. Lawrence.

therefore those which Pownall describes.

of land described in the Extracts from Pownall's work? or that the two classes of rivers, spoken of as being divided by those highlands (one class falling into the St. Lawrence, and the other into the Sea) are, on the one hand, the St. Francis and the Chaudière of Pownall, the *only* rivers which there empty themselves into the St. Lawrence: and on the other hand, the Connecticut, the Kennebec, and the Penobscot, the *only* rivers which from thence fall into the Atlantic Ocean? the Connecticut, rising, as Pownall states, "in 45° 10', "at the height of land between Kennebaeg and Chaudière," and the Kennebec and Penobscot, having their heads, as he also states, in the same height of land?

The western and eastern branches of the Penobscot spread across the southern face of the disputed territory.

It is further to be remarked, as may be seen by referring to the map, that the different branches of the Penobscot spread east and west nearly across the whole southern face of the disputed territory. The westernmost branch of the Penobscot rising in these highlands about two and a-half miles from an eastern branch of the Chaudière; whilst the easternmost source of the Mattawamkeag, which is a main branch of the Penobscot, rises more than one hundred miles distant from its western source; and is only separated from the monument erected at the northern source of the St. Croix, by a distance not exceeding six miles; and from another stream further to the north, which, though called also St. Croix, is a branch of the River Roostuc, by a distance not exceeding four miles.

It is not true, then, as has heretofore been stated, that the Royal Proclamation of 1763 is silent as to that part of the country intervening between the Highlands where they confessedly divide the St. Francis and the Chaudière, from the Connecticut, the Kennebec, and the Penobscot; and the further continuation of those Highlands in the direction of the Bay of Chaleurs; for it distinctly speaks of the Highlands as dividing the rivers that empty themselves into the St. Lawrence from those which fall into the sea; and we have now shown that the Penobscot, which is admitted to fall into the sea, actually extends nearly across the whole southern front of the disputed territory, having its most eastern source distant more than one hundred miles from its most western source, and the whole of its branches being thrown down by highlands, which we shall hereafter show to be a continuation of the highlands which divide it from the Chaudière.

That this was admitted by the Government of the State of Massachusetts, in 1792, before the separation of Maine from that State, is proved by a contract entered into by that State with Jackson and Flint, for the sale of a tract of Land bounded, to the east, by the St. Croix River, the tract being thus described:—

Jackson and Flint's purchase from Massachusetts in 1792, of lands bounded on the north by the Highlands of the Treaty of 1783.

"Westerly, by a line on the east side of the great eastern branch of Penobscot River, at the distance of six miles therefrom;  
 "Easterly, by the River Scoodiac (the St. Croix), and a line extending northerly from the source thereof to the Highlands; and  
 "Northerly, by the Highlands, or by the line described in the Treaty of Peace between the United States and His Britannic Majesty."

The western bounds of this grant are here covenanted to be formed by a line six miles distant from the eastern branch of Penobscot River, which line would run, by a just construction of the contract, to the source of that eastern branch, and no further. The northern limits were to be formed by the Highlands of the Treaty of 1783, and the eastern bounds by the River St. Croix, and a north line running to the Highlands. This method of description is a mere paraphrase of the boundary description of the Treaty; and the inference is clear, that the parties conceived the eastern branch of the Penobscot to take its rise in those Highlands. This is further proved in Greenleaf's Map of Maine in 1815, which was considered authority at that time, and the improved editions of which are the best authority in the United States up to the present day. On that map, the boundary line itself of the grant to Jackson and Flint is laid down six miles from the eastern branch of the Penobscot, and the point of departure of that line is taken from that part of the eastern branch which is opposite to the most western waters of the St. Croix. The line then continues to the source of the said eastern branch, where it stops, and where, unquestionably, the parties at that time conceived the Highlands of the Treaty to be. Mr. Greenleaf, in his "Statistical View of the District of Maine," published in 1816, further confirms this to have been

The extent of Jackson and Flint's purchase laid down on Greenleaf's map of Maine, of 1816.

the general understanding at that day, by describing *the highest points of land between the Atlantic and the Saint Lawrence*, as contained in a tract of country running north-easterly between the sources of the Du Loup, a branch of the Chaudière, and the east branch of the Penobscot.

The Proclamation of 1763 states also, that the line of boundary of the Government of Quebec, is to pass "along the north coast of the Bay of Chaleurs;" it does not state, as has been erroneously asserted, that the line passes along Highlands, which are on the north coast of the Bay of Chaleurs; but merely that it, the line, is to pass along the north coast, so as to place the whole of that part of the country, down to the water's edge of the bay, within the jurisdiction of Quebec. And it is a fact, which will hereafter be shown, that the Highlands do extend from the eastern sources of the Penobscot, to the Bay of Chaleurs, forming a perfect continuity of Highlands from that bay to the heads of the Chaudière.

The propriety of including all the settlements accustomed to be governed by French law, and professing, as the Canadians of those settlements did, the Roman Catholic Religion, was manifestly one of the motives for extending the jurisdiction of Quebec, wherever the settlements were French. This is evident, both from the language of the Proclamation of 1763, where the boundary line is directed to go 'also along the north coast of the Bay of Chaleurs,' because various fishing settlements were there; and from the recital of the same boundary in the Act 14 Geo. III, 1774, commonly called the Quebec Act, where the southern boundary is thus described:—

"All the territories, islands, and countries in North America, belonging to the Crown of Great Britain, bounded on the south by a line from the Bay of Chaleurs along the highlands which divide the rivers that empty themselves into the St. Lawrence from those which fall into the sea to a point in forty-five degrees of northern latitude, on the eastern bank of the River Connecticut."

No particular point of the Bay of Chaleurs is here mentioned at which this line is to begin, and there is nothing in this Act which forbids the jurisdiction of Quebec to go as far south as the southernmost point of the Bay of Chaleurs at Bathurst, in north latitude 47° 38'. But in the commission of Montague Wilmot, dated 21st of November, 1763, the Government of the Province of Nova Scotia is directed to "be bounded by the southern boundary of our Provinces of Quebec as far as *the Western extremity* of the "Bay des Chaleurs." And this is repeated in other commissions to governors at various periods. But as no part of the territory in dispute with the United States can lie east of the due north line from the source of the St. Croix, the Acts of the British Government touching the partitionment of lands between the Provinces of New Brunswick and Lower Canada, are not appropriate matters for discussion in the dispute with the United States. The real subject for discussion is purely the true direction of the highlands which "divide those rivers that empty themselves into the St. Lawrence, from those which fall into the Atlantic Ocean to the north-westernmost head of Connecticut River;" and is limited to that part of them which lies west of the due north line, and to the point at which the due north line from the sources of the St. Croix River comes to those highlands.

The southern boundary of Quebec intended to cover all Canadian Settlements.

Quebec Act, 14th Geo. III., 1774.

Commission of Montague Wilmot, 1763.

On a review of the preceding pages, it will be seen that we have shown, 1st. That the Colony of Massachusetts Bay acquired at no time any title to lands lying north of the *ancient limits of Acadia*, which extended only to the forty-sixth degree of north latitude.

2nd. That the height of land described by Evans and Pownall in 1755, extended to the eastern branches of the Penobscot.

3d. That the description of the southern boundary of the Province of Quebec in the Royal Proclamation of 1763, was derived from the information published by Evans, the highlands there spoken of being identical with the *height of land* laid down in Evans' map.

4th. That the Boundary description contained in the commission of Governor Wilmot and other governors; in the Quebec Act of 1774; in the Résolutions of the Congress in the Secret Journals; in the Royal Proclamation of 1763; and in the Treaty of 1783, are all identical with each other; and,—

Massachusetts has never acquired any title to lands north of 46° N. lat.

Lastly. That this was admitted to be so by the State of Massachusetts, by their public acts in 1792, and by their published maps in 1816.

This then is perhaps one of the most remarkable instances in the history of diplomacy, where the language of a Treaty professing to obviate the possibility of all future disputes on the subject of boundary betwixt two countries, should have produced the very disputes which have prevented the execution of that same Treaty. We beg attention, therefore, to the language of the II<sup>nd</sup> Article of the Treaty of 1783, and propose, first to show the cause of the obscurity, and next, to clear that obscurity up.

“ Article II. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared that the following are and shall be their boundaries: viz., from *the north-west angle of Nova Scotia*, viz., that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands, along the said highlands which divide those rivers that empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River.”

Had the parties to the Treaty, previously to its being concluded, agreed among themselves, and distinctly described where those Highlands were actually to be found upon the surface of the territory which was to be divided, then the north-west angle of Nova Scotia, where the Treaty directs the boundary to BEGIN, could easily have been ascertained: but no such agreement having been recorded, it remained in the power of either of the parties to refuse to acknowledge as the “Highlands” of the Treaty, those Highlands which the other party claimed to be such; and so to prevent the execution of the Treaty. For the Treaty directs the Boundary to begin at a point which *never had been determined or ascertained in any manner, or at any time*, either directly, or indirectly, notwithstanding all the American allegations to the contrary. That point therefore is to this moment a non-existent point, and must for ever remain so, until the parties agree upon the two lines mentioned in the Second Article, to wit, the “Highlands,” and “the due North Line,” the junction of which is to give the “North-west angle of Nova Scotia.” Now the “Highlands,” as we have shown at page 22, were laid down in the map of Evans, published in 1755, were mentioned in the Royal Proclamation of 1763, and are described by Pownall in his work dated 1776. The inference, therefore, is clear, that they were publicly known, and that they were the “Highlands” intended in the Treaty of 1783. We also have shown at page 24, that the Government of Massachusetts assigned these same Highlands in 1792, as the northern limit of a contract for land made with some of their own citizens. But the language of the Treaty, which places the beginning of the boundary at a non-existent point, is in opposition to the law of inductive science, and to the progress of all practical human business, for it directs the parties to go from the *unknown to the known*, and to commence at the end instead of the beginning. It is not therefore surprizing that the Treaty has not yet been executed; nor is it to be wondered at that the British Government should be urged to adopt as the Highlands of the Treaty, other Highlands than the true ones, for the obvious reason, that the adoption of such a boundary would give to the United States, the whole of the territory in dispute.

But the difficulty of ascertaining this north-west angle, is not the only difficulty which has hitherto presented an insurmountable obstacle to the execution of the Treaty; for it will be found that the nature of each of the two important lines, whose junction is to create the north-west angle, requires to be carefully reconsidered, before Her Majesty’s Government can be prepared to assert the British case upon its true merits.

Of these two lines, namely, the *Highlands*, and the *due North Line from the source of the St. Croix*, the first, when it shall be agreed upon, will give the Northern Boundary of the United States, from the north-western head of Connecticut River eastward, until it touches the due North Line; and the second will give the extreme eastern Boundary of the United States.

In entering upon the examination of the Question, where are those

Impossibility of executing the II<sup>nd</sup> Article, without first agreeing upon the line of Highlands.

Difficulties appertaining to the two lines mentioned in the II<sup>nd</sup> Article.

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 auteo 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.”

to the St. Lawrence from the sources of the St. Croix should be a due north line; at a time when no information existed of the interior of the country to be traversed by a due north line; and when it was not known whether there was a river or a naval station at the termination of that line; there being, in point of fact, neither the one nor the other? Compelled, therefore, to believe that a line drawn due north from the sources of the St. Croix River is not in accordance with the description contained in the grant, we proceed to a more critical examination of the language of the grant.

The boundary line is first directed, as will be seen by reference to the map, to proceed from Cape Sable to St. Mary's Bay by a course *towards* the north (*versus Septentrionem*). Now this course is laid down in the oldest maps, and *is rightly so laid down* in them, nearly *north-west*;—*versus Septentrionem* therefore here is equivalent to *north-west*. This is a fair deduction from the general description of the course, which is: '*versus Septentrionem à quo promontorio versus littus maris tendens ad occidentem*,' stretching westwardly towards the north, the term for which is *north-west*. That "*versus Septentrionem*" is to be grammatically construed in connection with "*tendens*" is evident, since the course is not said to be east or west of north; whilst if it were to be construed in connection with "*ab æquinoctiali Linea*," it would only serve to explain what could never be doubted, viz., that Nova Scotia was situated north and not south of the Equator.

From St. Mary's Bay, the course is, in like manner, directed to run '*versus Septentrionem*,' or north-west, across the entrance of the Bay of Fundy to the River St. Croix. And this is the true course as exhibited by the map.

But the next part of the course is not directed to be *versus Septentrionem*, but simply directs the St. Croix to be followed, tracing its course up the first stream which flows into it from its western bank, and up to "*its most remote source or spring*." And by referring to the map, it will be seen that nothing but a local knowledge, surprisingly exact for the times, could have suggested a description so consistent with the hydrography of the country.

Having reached the most remote spring where the Land Portage begins, we find the old course, "*versus Septentrionem*," or north-west, again enjoined, and directed to be followed by a straight line drawn in that direction to the *nearest naval station, river, or spring, discharging itself into the great river of Canada*. Such a course leads directly to the east branches of the Chaudière, which are in the 46th parallel of north latitude, and on the ancient confines of Acadia. This, however, was a war grant, extending, as grants of that character sometimes did, to the St. Lawrence, to wit, *to the nearest naval station in the Great River of Canada*.

Now Quebec, nearly opposite to which place the Chaudière empties itself, is a naval station, and there is none other on the river, or even on the Gulf of St. Lawrence, for a distance of about 375 miles eastward, till we come to the Bay of Gaspé, which is spoken of in the grant as the next naval station. The evident intention therefore of the grant was, not to limit it by a due north line from the sources of the St. Croix, but by a north-west line running from the westernmost waters of the St. Croix to a point in the St. Lawrence, opposite to Quebec. It cannot be denied that this interpretation of the language of the grant is consistent with a singularly exact knowledge, for the times, of the relative situations of the mouth of the St. Croix River, and of the head waters of the Chaudière; and that any other interpretation is inconsistent with any knowledge whatever of the interior of the country.

We consider also that this construction of the grant of Nova Scotia derives great weight from its being supported by ancient maps still extant. It would be deemed reasonable if it stood only upon its own merits; but confirmed as it is by Coronelli's map dated 1689, of which the extract on map B, No. 3, has been already alluded to in a note at p. 12, we have conceived ourselves in duty bound to submit these observations with the collateral evidence to your Lordship. At the period when this map was published, the nature of the boundary of the Grant of 1621 must have been well understood, and if the western boundary of that Grant had then been considered to be a north line from the head of the St. Croix, crossing the St. John and reaching to the St. Lawrence, it would have been so laid down on some of the maps, which



we do not find it to be. On the contrary, the maps of that period, as we see by the instance quoted from Coronelli, carry a boundary line from the head of the St. Croix, in a north-westerly and westerly direction, to the head waters of the Chaudière, always south of the River St. John, and in its progress westward, separating the head waters of the Penobscot and Kennebec from the head waters of the Chaudière. The original map from which we have copied the Extract No. 3, has an engraved dotted line running from the St. Croix to the Chaudière, the south side of which is edged with a red colour for the British Colonies, and the north side with a blue colour for the French Colonies\*. At what period the mistake occurred which led to the erroneous construction found in so many maps, the effect of which is to carry a due north line from the sources of the St. Croix to the St. Lawrence, we know not; but it appears to have been subsequent to the year 1689.

There is another point connected with this subject, upon which we proceed to make a few observations.

On Mitchell's map, the Bay of Chaleurs is laid down one degree and forty minutes too far to the east in respect of longitude, and about forty minutes too far to the north in respect of latitude. This remarkable error perhaps deceived the American negotiators at the Peace of 1783; and the claim they now make to derive support to their 'highlands' from the circumstance of the western termination of the Bay of Chaleurs appearing, upon Mitchell's map, to be only about thirty-five miles from the River St. Lawrence, is much favoured by this error. The true distance is nearer seventy-five miles. On the same map, the westernmost sources of the River St. John are laid down about thirty miles from the St. Lawrence, whilst the true distance is about sixty-two miles. A line† drawn upon Mitchell's map from the western termination of the Bay of Chaleurs to the westernmost branch of the St. John, would pass to the north of that river; and a line drawn upon that map from the easternmost branch of the Chaudière to the western termination of the Bay of Chaleurs, would, if agreed upon as a boundary, throw the River St. John into the United States; but a line drawn from the true geographical position of the western termination of the Bay of Chaleurs, to the westernmost sources of the River St. John, if agreed upon as the boundary, would throw that river far to the north of the boundary line, and therefore on the British side of it‡. This most erroneous protraction of Mitchell's map led us to examine and thoroughly to investigate the discussions connected with the original grant of Nova Scotia in 1621, and we so discovered, that all the reasonings advanced in the discussions upon the boundary described in the grant, were founded upon a translation of that grant furnished by the American documents, and that this translation had omitted to give the proper sense of that particular portion of it which governs the true construction of the boundary it describes, viz.: "Ad proximam navium stationem," a point of the utmost significance; for it may be that one reason for using the term "proximam" was to distinguish Quebec from Gaspé, which, as it respected the former, was to be considered as *ultimam*. And if this word "proximam" was significantly inserted in the original Latin, it seems to have been as significantly overlooked in the American translation. That translation is as follows:—

"All and singular the lands upon the Continent, and the islands, situate  
 "lying and being in America, within the head or promontory commonly  
 "called Cape Sable, in the latitude of forty-three degrees nearly or there-  
 "abouts, from that promontory along the shore stretching to the west to the  
 "Bay commonly called St. Mary's Bay, thence to the north by a direct line  
 "crossing the entrance or mouth of the great Bay, which extends eastward  
 "between the countries of the Siquois and Etchemins, so commonly called,  
 "to the river commonly called by the name of the Holy Cross, or the St.  
 "Croix, and to the furthest source or spring upon the western branch of  
 "the same, which first mingles its waters with those of the said river; thence  
 "by an imaginary direct line, to be drawn or run through the country, or over

\* There is also a map of Guillaume Delisle, first published, we believe, at Amsterdam in 1722, which confirms that of Coronelli. It was republished in Paris in 1783. Vide Map B, No. 7.

† We have drawn a red line between those points on the extract from Mitchell's Map, vide Map B, No. 1.

‡ Vide the red line on Map B, No. 2.

The erroneous protraction of a north line to the St. Lawrence, the western boundary of Nova Scotia, introduced at some period posterior to 1689.

Remarkable errors in Mitchell's map. Vide Nos. 1 & 2 of map B.

Insufficiency of the official American translation of the Grant of Nova Scotia of 1621.



“ the land to the north, to the *first bay*, river, or spring, emptying itself into  
 “ the great river of Canada, and from thence running to the east, along the  
 “ shores of the said river of Canada, to the river, *bay*, or harbour commonly  
 “ called and known by the name of Gachepe or Gaspée.”

It is to be observed of this translation, that all its inaccuracies are in perfect harmony as respects the results they produce, which are to turn away the attention of those who confide in it, from a literal interpretation of some very significant passages in the original Latin document; and the practical effect is to obscure the description of the boundary, in such a manner as greatly to prejudice the British claim. In the first place we find in this translation, ‘*versus Septentrionem*,’ which, as has been shown, is strictly equivalent to north-west, rendered every time it occurs, by the words “to the north;” so that by those words the readers of the translation must necessarily suppose a *due north line* to have been intended. Now, if the legitimate sense of ‘*versus Septentrionem*,’ be a *due north line*, where the boundary is directed to leave the westernmost waters of the St. Croix, why is not the same meaning to be applied to the words ‘*versus Septentrionem*,’ in the passage of the grant where the line is directed to cross the entrance of the Bay of Fundy, and where the course must of necessity be *north-west*? But if the words ‘*versus Septentrionem*,’ in that passage were to be construed ‘*due north*,’ and the line were to be so drawn, that line would never reach the St. Croix River, but would pass forty miles to the east of it. The words ‘*versus Septentrionem*,’ therefore, must be rendered in both these cases in a consistent manner, and not in such a way as is totally opposed to the known bearing of the St. Croix River from St. Mary’s Bay. The expression ‘*to the north*,’ in the American translation, is therefore clearly an incorrect interpretation of the original words ‘*versus Septentrionem per directam lineam*,’ or *towards the north by a straight line*; meaning that course which we have shown was north-west.

Next we have, “*ad proximam navium stationem, fluvium vel scaturiginem in magno fluvio de Canada sese exonerantem*,” rendered “to the first bay, river, or spring, emptying itself into the Great River of Canada,” as though any *bay* in the ordinary meaning of the word, viz., a place where boats could receive shelter, would fulfil the intention of the grant, and be a true rendering of the words ‘*proximam navium stationem*.’ If it be assumed that the intention of the grant was not to give a line of boundary taking its direction from the westernmost waters of the St. Croix, to a *known* roadstead or naval station, but merely to draw a *due north line* to the St. Lawrence, may it not reasonably be asked, why was not the line directed to run *ad Septentrionem in magno fluvio de Canada*? If such was the intention, the mentioning of a *bay* or a *river* was superfluous. It could not have been held important for defining the limits of the grant, that there should be either one or the other at the point where the boundary reached the St. Lawrence, if the boundary were to be a *due north line* continued till it struck the St. Lawrence. Neither was it known at that time that either bay or river existed in the part of the St. Lawrence to which the American translation would draw this line. The small unnavigable streams taking their rise from twenty to thirty miles south of the St. Lawrence and north of the St. John, were unknown at that period, and would not have been dignified with the name of rivers, had they been known, seeing that in our times they serve only to float Indian canoes, and the pine logs which are sent down the streams to be manufactured into deals by the saw-mills constructed near their mouths. But if the intention had been to establish a line betwixt the westernmost waters of the St. Croix and the roadstead or naval station of Quebec, the words ‘*ad proximam navium stationem, fluvium vel scaturiginem in magno fluvio de Canada sese exonerantem*,’ would be full of significancy, since the Chaudière River, and the roadstead or naval station of Quebec, are both there, to correspond accurately with the words of the grant.

We believe it will not be denied that the specific meaning of the word ‘*statio*,’ when referring to naval matters, is ‘*a roadstead where ships may ride*.’ Upon this occasion, the words ‘*navium stationem*,’ clearly prove this to have been intended, and not any small bay or indentation on the river coast. Now, as there is not any roadstead to be reached by a *due north line*, and there is not even a safe anchorage in that part of the River St. Lawrence which such a line

would strike, we are compelled therefore to choose between Quebec and Gaspé, each of which is a "Statio" in the sense of the grant; but Gaspé being twice as distant from the westernmost source of the St. Croix, as Quebec, this last must of course be considered the '*proximam stationem*.'

The same remark with respect to comparative distance, may be applied to the Chaudière, whose sources are nearer by one half, to the westernmost waters of the St. Croix than are any other sources of the small streams emptying themselves into the St. Lawrence, which could be reached by a *due north line*.

The American translation of the grant of Nova Scotia, which we have quoted, is an official one. It is printed in document 126 of the Houses of Representatives, forming No. I. of the appendix to the Message of the President of the United States, dated Washington, January, 1838, on the subject of the "Maine Boundary, Mr. Greely," &c.

The American translation, an official one.

The fact is worthy of attention, that the new construction which we have thought may justly be given to the boundary in the original Grant of 1621, carries the boundary to the very point where the American Congress, in 1779, and the American Commissioners for negotiating the Treaty of Peace of 1783, themselves placed the *north-west angle of Nova Scotia*, viz.: at the south-westernmost sources of St. John River, and at the Highlands which divide the rivers that empty themselves into the St. Lawrence, from those which fall into the Atlantic Ocean. And it is fair to infer that this general concurrence, so remarkably strengthened by the boundary descriptions in the ancient maps we have cited, has been caused by the known natural features of the country.

Having shown what was the probable intention of the Grant of Nova Scotia in 1621, as to the direction the boundary was to take, it will be useful at this point of the case, to trace out the process through which that passage in the II<sup>nd</sup> Article of the Treaty of 1783, which directs the eastern boundary of the United States to be run from the source of the St. Croix, *due north to the "Highlands,"* came to be adopted.

The Grant of 1621 says nothing about a *due north line*, or about any *Highlands*; it merely directs the boundary of Nova Scotia to run from the mouth of the St. Croix to its extreme western source, and thence by an imaginary line, to the nearest naval station *towards* the north; and no part of this boundary was to form an angle with any other line, as in the case of the Treaty of 1783. But a misconception of the import of the language of that Grant had long prevailed; the words *versus septentrionem*, and "*imaginariam lineam directam*" had been taken generally to mean a *direct north line*; and many maps had conformed to that version of the Grant. It is, however, only after the conquest of Canada in 1763, that we find a *due north line* from the River St. Croix, recognised upon any occasion. Previously to that conquest, the Commissions of the Royal Governors in Nova Scotia contain no description of any boundary of that Province. In those instruments, these officers are merely termed, "Captains General and "Governors in Chief, in and over our Province of Nova Scotia, or Acadia, "in America, with all the rights, members, and appurtenances thereunto "belonging."

First introduction of the term "due north line."

The first time we find a *due north line* mentioned, is in the Royal Commission to Montague Wilmot, Esq., for the Government of Nova Scotia, in the following words:—

First used in 1763 in the Commission of Montague Wilmot, Esq

"By the said River (St. Croix) to its source, and by a line drawn "*due north* from thence *to the southern boundary of our Colony of Quebec.*"

The same description of the boundary is contained in the Commission to Lord William Campbell, 11<sup>th</sup> of August, 1765; the words being,

"A line drawn *due north* from thence (*source of the St. Croix*) to the "*southern boundary of the Colony of Quebec.*"

And this description is repeated in the Commission to Francis Legge, Esq., 22<sup>nd</sup> of July, 1773.

It has before been shown by the Royal Proclamation of 1763, as by the subsequent Act of the 14<sup>th</sup> of George III., 1774, that the southern boundary of the Colony of Quebec, was a line running from near the sources of the River Chaudière to the Bay of Chaleurs; the *due north line* then mentioned in the three Commissions just alluded to, being directed to stop at the

Reason for the insertion of the words "due north line," in the II<sup>nd</sup> Article of the Treaty of 1783.

southern boundary of the Colony of Quebec, in like manner, as by the II<sup>nd</sup> Article of the Treaty of 1783, it is enjoined to stop at the "*Highlands.*" It appears therefore manifest, that the "southern boundary," and the "Highlands" are identical; and we think it equally so, that when the English Government, in 1782, rejected the American proposition to make the Saint John's River, from its source to its mouth, the boundary betwixt the two countries, and when the American Commissioners agreed to abandon their proposition that the northern boundary of the United States should go as far to the north as the St. John's, and when they consented to adopt the ancient boundary of the Colony of Massachusetts, viz.: the St. Croix boundary of Nova Scotia, it may be assumed that the joint Commissioners agreed to terminate the question, which had *been the subject of much contestation* betwixt them, by making the west boundary of Nova Scotia as described in Governor Wilmot's Commission of 1763, the eastern boundary of the United States; and thus it was that the term "*due north line,*" became a part of the II<sup>nd</sup> Article of the Treaty of Peace of 1783. Now, the reason for using the words "*due north line*" upon this occasion, was precisely that which gave rise to it in 1763. The English Government at that time, seeing that Pownall's *height of land* continued eastward from the westernmost branches of the Penobscot, to the eastern branches of that river, and onward, as far as the Bay of Chaleurs; and that the sources of the St. Croix River took their rise at some distance *to the south* of that "*height of land,*" which in the Royal Proclamation of 1763, had been first termed "*highlands,*" and was now to be declared the southern boundary of the Colony of Quebec; directed the interval between the source of the St. Croix and that southern boundary or "*Highlands,*" to be filled up by a *due north line*. This we believe to be the true history of the introduction of the words "*due north line,*" into the II<sup>nd</sup> Article of the Treaty of 1783.

Submitting the reasonableness of our conclusions, most carefully made from one step of deduction to another, we desire to contrast them with the very irrational and intolerable inconsistencies that obtrude themselves, when considering the results that present themselves in a contrary sense.

The American Commissioners, during the negotiations of 1782, who had for their principal object to push the frontier of the State of Massachusetts as far as possible to the north, and who were, no doubt, greatly incited to this object by the presence in the Commission of Mr. John Adams, a native of that State, after contending for the River St. John to be the boundary between the two countries from its mouth to its source, *at which last source, they declared the north-west angle of Nova Scotia to be,* finally agreed to abandon their proposition of going so far to the north, and consented to settle upon the ancient western boundary of Nova Scotia. The English Government had rejected the American proposition, to make the St. John the Boundary, because it was inexpedient that the Boundary of Massachusetts should go as far north as that river; yet, although no convention, treaty, or agreement of any kind between the two countries has, in the slightest degree, changed the relation between them, since that time, as respects this point, the Americans now say, that the same Article of the Treaty of 1783, gives them an indefeasible right to all the country sixty miles north of the very same river, which they had before formally abandoned all right to come up to from the south.

This pretension is as much opposed to common sense, as would be an assertion, that when the British Government denied to the United States any participation in the navigation of the River St. John, it intended to surrender the exclusive navigation of it for 150 miles of its course; and this becomes still more manifest, when we look to the impossibility of such a conclusion being in the contemplation of the British Commissioners, who had peremptorily, by Order of the King's Government, rejected the proposition to carry the Boundary of Massachusetts as far north as the St. John's River. How is it to be reconciled to the opinion which Dr. Franklin expresses of Mr. Strachey? In one of his letters, he designates this gentleman as a most *acute and shrewd person*; and in a letter to Mr. Livingston, dated 5th December, 1782\*, he further says of him:—

The abandonment of the St. John as a boundary, in 1782, by the American Government, and the pretension in our own times to go beyond it, irreconcilable.

\* Vide Franklin's printed private correspondence.

“After some weeks as Under-Secretary, Mr. Strachey arrived, *with whom we had much contestation about the Boundaries*, and other articles which he proposed. We settled some, which he carried to London, and returned with the propositions, some adopted, others omitted or altered, and new ones added, which you will see in Paper No. 2\*. We spent many days in discussing and disputing; and, at length, agreed on and signed the preliminaries, which you will receive by this conveyance.”

In addition to these considerations, we may add, that there does not appear in the proceedings of the Congress, as published in the Secret Journals of Congress, or in the records of the Proceedings of the American Commissioners, or in any publication of any kind whatever to which we have had access, the slightest intimation, that any individual in the revolted Colonies, up to the ratification of the Treaty of Peace in 1783, or for many years subsequent to that period, ever dreamed of proposing to carry the Boundary of Massachusetts to the north of the River St. John. So far from this, we have in addition to the proposition on the part of the United States, to carry their boundary as far to the north as the St. John's River, and which is mentioned at page 19, further evidence from the high authority of the Congress, that that river was the extreme limit to which they pretended to go.

We find it recorded in their secret journals, that a Committee of Congress, in a report dated 16th of August, 1782, endeavoured to show that the expression used in the Grant of 1664 to the Duke of York, to designate the beginning of that grant, viz.: “a certaine place called or knowne by the name of St. Croix,” meant the territory adjacent to the river, and not the river itself; we quote the following passage from their report. “The *place*, therefore, called St. Croix, adjoining to New Scotland, was most likely intended to describe the *lands* between the River St. Croix and St. John's. History does not inform us that any particular spot of them was known as St. Croix †. But as the first course of the grant to the Duke of York plainly runs from Nova Scotia to Massachusetts along the sea coast, it is probable that it was to begin at the first point in the country of St. Croix, on the coast. This must have been on St. John's River. *And as the last line of the grant is not closed*, it is more agreeable to the usage of those days, to adopt a natural boundary. *For this purpose St. John's River was obvious as far as its head*, and afterwards a line to the Great River of Canada.”

Secret Journals of the old Congress, Vol. iii. pp. 174, 175.

In this passage is contained a direct avowal that the northern boundary of Massachusetts had not been determined, and that the Congress, only four months before the preliminaries of peace were signed, entertained no pretension that the northern boundary of Massachusetts was to extend beyond the right bank of the St. John from its source. Since therefore, by the abandonment of all pretension to go up to that river, they virtually acknowledged its course to be entirely within the Royal territory, it results by an unavoidable consequence, that the rivers which the Treaty of 1783 described as discharging themselves into the St. Lawrence and into the Atlantic Ocean, must by necessity have been the Chaudière, the Kennebec, and the Penobscot. And this explains the omission of all mention of the River St. John in the Treaty; for in a Treaty, the express object of which was to define the boundaries of the United States, now for the first time separated from the parent country, it was obviously unnecessary even to allude to a river which confessedly rose and emptied itself within the King's retained dominions, and no part of the course of which lay within the territory intended to be ceded to the newly constituted State.

Reason why there was no mention of the River St. John in the Treaty.

This will more clearly appear by reference to the map; for if the north-west angle of Nova Scotia were,—as asserted by the American negotiators under their instructions from the Congress, as late as the 14th October, 1782,—at the source of the St. John, and if the boundary, as proposed by them, were to run from the source of that river, “along the Highlands which divide those rivers which empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River,” a distance not exceeding eighty miles, then

North-west angle of Nova Scotia.

\* This paper has never been produced.

† We have shown at page 11, that L'Escarbot designates the “particular spot,” and origin of the name, with great precision.

the line, in order to reach the Connecticut River, must of necessity run along the lofty Highlands which divide the Chaudière from the Kennebec and the Penobscot. It is manifest, therefore, that if the Treaty had directed the boundary to begin at the head of the Connecticut River, which is a known point, and to run along the Highlands in a north-easterly direction towards the Bay of Chaleurs, as described in the Royal Proclamation of 1763, the question would have been settled upon the first attempt.

And again, with respect to the American assertion that the north-west angle of Nova Scotia had always been a known and determined point, it is worthy of remark, that the proposition as originally made by the American Commissioners, and as provisionally agreed to by Mr. Oswald, the English Commissioner at Paris, the 5th of October, 1782, was in the following words:—

“The said States are bounded, north, by a line to be drawn *from the north-west angle of Nova Scotia*, along the Highlands which divide those rivers which empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River,” &c.

If then the British Government had ratified Mr. Oswald's Act, the proposition of the American Commissioners to make the south-westernmost sources of the River St. John the *north-west angle of Nova Scotia*, would have received the sanction of a Treaty; and, in fact, the II<sup>nd</sup> Article of the Treaty as ratified, differs in nothing from the proposition just cited, except in the insertion of the following words, immediately after “Nova Scotia,”—

“Viz., *that angle which is formed by a line drawn due north from the source of the St. Croix River to the Highlands.*”

So that we have the Americans *declaring* in 1782, that the north-west angle of Nova Scotia was at the sources of the St. John, while they now contend that this same angle has always been near the sources of the Metis. Yet these two points lie at a distance of 176 miles from each other.

But it can be proved even by one of the highest authorities amongst the Americans themselves, that the assertion, that the north-west angle of Nova Scotia is a known and determined point, is contrary to the fact. Mr. Sullivan, one of the most distinguished men the United States have produced, a Governor of the State of Massachusetts, and author of the “History of the District of Maine,” was selected on account of his admitted competency to the task, to be agent on the part of the United States, to the Commission constituted under the Treaty of 1794, to decide which was the true River St. Croix. Mr. Sullivan, in his argument before the Commission, says:—

“The Treaty contemplates a line running on the Highlands so as to divide the rivers which run into the St. Lawrence from those which fall into the Atlantic Ocean; but whether this is to be a direct or crooked line is not ascertained in the Treaty. If it divide those rivers as above expressed, there can be no pretence of its being a straight line. It is either in its general inclination or in its direct course to run to the north-westernmost head of Connecticut River. *There can be no angle existing, as known to any man, until those lines are formed, for the point of their inclination is but a mathematical deduction from a perfect recognition of the lines themselves.*”

“We find no place for this angle, prior to the Treaty of 1783, and are now left to form it by running the lines in that Treaty agreed upon.

“In order to determine that place as nearly as could be done, it was agreed that a certain river, which had heretofore been known and called by the name of the River St. Croix, and which had been deemed and received as the eastern boundary of the Province of Massachusetts Bay, should be taken as a part of the boundary, and that to fix a line from the source of that river to the Highlands, both as a line for the Government of Massachusetts and Nova Scotia, it should run due north; and that the limitation of that line should be in what should ultimately be found, *when the country should be explored, to be the Highlands.*”

“The Highlands had, in the year 1763, been made the boundary of Quebec, or the Lower Canada boundary, *but where the boundaries or Highlands are, is yet resting on the wing of imagination.*”

“We are as entire strangers to the Highlands, and the sources of the rivers on either side of them, as we are to the sources of the Nile. There can

Opinion of the American Statesman, Mr. Sullivan, that the north-west angle of the Treaty had no existence.

“be no doubt that the north-west angle of Nova Scotia is yet to be formed, and that this is to be done by forming the north-east angle of the State of Massachusetts.”

We consider these passages to be conclusive as to the impossibility of executing the Treaty of 1783, without the two Governments first agreeing upon the line of Highlands.

The abandonment of all pretension to go up to the St. John, was also a renunciation of all claim to participate in the navigation of that river; yet now the Americans claim the absolute possession and exclusive navigation of it, one hundred and fifty miles from its source eastwardly; a claim which involves the gratuitous surrender to a foreign Power, not only of our communications between Quebec and New Brunswick, but of a territory more than one hundred miles wide, which they never had possession of, and which is not necessary to them. Such a claim is surely incompatible with the “reciprocal advantages,” “the mutual convenience,” the “liberal equity and reciprocity,” the “security of perpetual peace and harmony,” recorded by the Preamble of the Treaty of 1783, as being the objects which the Contracting Parties intended to attain.

We come now to speak of the Treaty of Amity, Commerce, and Navigation with the United States, which directs the manner in which the River St. Croix is to be identified. By the Vth Article, a commission was appointed, consisting of one commissioner from each country, with power to choose a third. The three were to be sworn to decide according to evidence,

Treaty of Amity, &c., of 1794, to identify the St. Croix.

“What river is the River St. Croix intended by the Treaty?”

They were to furnish a description of the river; and to “particularise the latitude and longitude of its mouth and its source.”

And their decision was to be “final and conclusive.”

They had thus two objects to accomplish, one to identify the river, the other to fix the latitude and longitude of its source.

We have already shown—First, that the grant of Nova Scotia in 1621, made the westernmost waters of the St. Croix a part of its boundary; Secondly, that the boundary in the Charter of 1691 was thus described:—

“The territory called Accadia, or Nova Scotia, and all that tract of land lying between the said territories of Nova Scotia and the said Province of Maine;” and in another part of the said Charter in these terms:—

“The lands and hereditaments lying and being in the country or territory commonly called Accadia, or Nova Scotia, and all those lands and hereditaments lying and extending between the said country or territory of Nova Scotia, and the said River of Sagadahoc, or any part thereof.”

And thirdly, we have shown that the Congress in 1782 adopted a report from one of their Committees, which declared,—“With respect to the boundaries of the States, &c., Massachusetts claims under the Charter granted by William and Mary, October, 1691:” a declaration, which as we have remarked at page 20, Mr. John Adams, under oath, stated to have received the sanction of the American Plenipotentiaries upon concluding the preliminaries of peace in 1782. “One of the American Commissioners,” said Mr. Adams, “at first proposed the River St. John, as marked on Mitchell’s map, but his colleagues observing that as the River St. Croix was the river mentioned in the Charter of Massachusetts Bay, they could not justify insisting on the St. John as an ultimatum, he agreed with them to adhere to the Charter of Massachusetts Bay.”

We have thus a regular recognition of Massachusetts being bounded upon Nova Scotia, and of the most western waters of the St. Croix forming part of the boundary of Nova Scotia\*. And how was the duty of the Commissioners under the Treaty of 1794 performed?

Disregarding the obvious propriety of choosing the most western source of the river, they fixed upon the north branch; and this in the face of the most extraordinary evidence against their proceeding. For the Scoodeag, which is the known Indian name of the St. Croix, runs from its most western source to its mouth, under the same name of Scoodeag, whilst its northern branch, which comes in at the upper falls, bears the separate

Error of the Commissioners under that Treaty, in fixing the point of departure of the due north line twenty miles too far to the east.

\* In Evans’ map of 1755, the North boundary line, which appears in so many maps, takes its departure from the most western source of the St. Croix.

Meaning of the word Scoodeag-

name of *Cheputnaticook*. The westernmost sources of the Scoodeag are in a low, flat, lake country, consisting of many lakes running into each other, and hence the Indian name given to that part of the country and to the river; for *Scoodeag* means *low, swamp meadow*. Now the very continuity of its name should have convinced the Commissioners of the impropriety of deviating from that line. But the British Commissioner was overruled. He had, in conjunction with the American Commissioner, chosen an American gentleman, upon whose intelligence and integrity he relied, for the third Commissioner. This gentleman was, in point of fact, an umpire to decide all differences which might arise; and the American Commissioner having claimed a stream called *Magaguadavic*, lying still further to the east than the *Cheputnaticook*, to be the true St. Croix, the British Commissioner consented to a compromise, the result of which was, that although they made a correct decision as to the identity of the St. Croix, they practically decided to adopt the north source, as if it had been the most western source. That these gentlemen went out of the line of their duty, as prescribed in the Treaty of 1794, is evident; and much future expense and misunderstanding would have been saved, if their report had been restricted to the identification of the river. This will be seen by looking to the map.

The Saint John, like all other large rivers, occupies the lowest level of the country through which it flows, and holds its course through a valley of considerable breadth, which below Mars' Hill extends, in a modified manner, some distance to the westward of the bed of the river. The nearer a *due north line* could be brought to the Saint John, the better the chance was that it would run up that valley, whilst the further it lay to the west, the greater was the certainty of its missing that valley and of its more speedily meeting the highlands of the country. And this has in practice proved to be the case; for the exploratory north line drawn from the monument, reached no highlands until it came to Mars' Hill; whilst if the line had started from its true point, the westernmost waters of the *Scoodeag*, it would have reached the "highlands" about twenty-five miles south of Mars' Hill, near to the point where they separate the St. Croix (a tributary of the Roostuc) from the waters of the Meduxnakeag, which flows into the St. John. These highlands are distinctly visible from the American post at Houlton, and are about fifteen miles, magnetic west, from that post. This deviation of the Commissioners from their duty, which has had a most unfortunate influence upon the settlement of this great question, was besides highly prejudicial in another respect to the British rights. If it should be ultimately assented to, it will lose to Great Britain more than one million of acres of land.

Explanatory Article of 1798, made part of the Treaty of 1794.

In 1798, an explanatory Article was added to the Treaty of Amity of 1794, releasing the Commissioners from their obligation to conform to the provisions of the Vth Article of the Treaty, in respect to particularizing the *latitude and longitude* of the source of the River St. Croix; and declaring, amongst other things, that the decision of the said Commissioners "respecting the place" ascertained and described to be the source of the said River St. Croix shall be permanently binding "upon His Majesty and the United States."

The true source of the St. Croix, at its north-westernmost head.

Upon this, we beg to remark, that it has been made sufficiently manifest, that the Treaty of 1783 intended that the point of departure of the due north line should be at the westernmost source of the St. Croix, the description of the western limits of Nova Scotia having been regularly maintained unaltered in all the documents from the grant of 1621. The proceedings of Congress, also, as found in the secret journals, always speak of "*the boundary settled between Massachusetts and Nova Scotia,*" and of the line being to be settled "*agreeably to their respective rights.*"

To all these considerations, we add the important fact, that in the Vth Article of the Treaty of Ghent, it is stipulated that the ascertainment of the north-west angle of Nova Scotia, is to be made "in conformity with the provisions of the said Treaty of Peace of one thousand seven hundred and eighty-three." A fact which further confirms the general obligation to consider the most western waters of the St. Croix, as the true boundary of Nova Scotia.

The irresistible conclusion then presents itself, that it is indispensable to the faithful execution of the IInd Article of the Treaty of Peace of 1783, that



the commencement of *the due north line* be drawn from the north-westernmost source of the St. Croix; and that whatever mistakes may have hitherto crept in, during the attempt to settle this question, the two Powers, in order to execute the Treaty, must at last go back to that point. It is true that Her Majesty's Government may be considered, looking to the explanatory Article, as pledged to abide by the decision of the Commissioners under the Treaty of 1794, yet this pledge was given before the proceedings of those Commissioners were known to be in violation of the Treaty of 1783, and when the nature of their compromise was not understood. That compromise was one-sided in every respect. The acknowledgment that the river decided upon was the true St. Croix, could not have been avoided. The ample means of identifying it have long been public. But in return for that acknowledgment, Great Britain is asked, by the selection of a wrong point for the source of that river, to lose a territory of more than one million of acres of land, and has been subjected in consequence of that erroneous decision, to much expense and trouble, by the delay in the execution of the Treaty of 1783.

The Treaty of 1783 cannot be faithfully executed without commencing the due north line at the north-westernmost waters of the St. Croix.

If then, the United States had ground for refusing to be bound by the adjudication of the King of the Netherlands, under the Convention of the 29th of September, 1827, which by Article VII. of the Convention was to be taken as "final and conclusive," because his adjudication was a compromise, and not a decision upon points submitted to him, and was not conformable to the conditions required by the Treaty of 1783, how much better ground has Great Britain to refuse its sanction to the proceedings of the Commissioners of 1794, now that they are discovered to be in violation of the Treaty of 1783, at the same time that they are the main cause of the difficulties which have lain in the way of the execution of that Treaty!

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## PHYSICAL GEOGRAPHY OF THE COUNTRY.

THERE is no part of the surface of the globe where the tendency of the rock strata to run north-easterly and south-westerly in parallel ridges, is more strongly marked than in North America.

A slight inspection of the Map suffices to prove this. It is so much the inherent character of the Continent, that the Atlantic Coast, from the 30th to the 46th degree of North latitude, influenced by that geological principle, presents an outside line corresponding to the direction of the strata. From any part of the coast, north of the 35th degree, the country gradually rises in a north-west course to the Alleghany Mountains. These mountains consist of a belt of elevated land, varying from fifty to eighty miles in breadth, occupied by ridges running for the most part parallel to each other, in a mean direction of north-east and south-west, and separated by valleys, in many of which the heads of the Atlantic Rivers take their rise, flowing on until they are able to escape to the south-east, and to empty themselves into the Atlantic. In all these valleys the rocky beds conform, and even with greater constancy than in the ridges, to a north-easterly and south-westerly direction, and are always tilted up, more or less, at a considerable angle with the horizon. To the west of this system of mountains, the beds become horizontal for a great distance, and occupy that very extensive area usually called the valley of the Mississippi; but east of Lake Ontario the country falls once more under the influence before spoken of, and the River St. Lawrence runs parallel with the strata and ridges of the country, as well as with the direction of the coast. The investigations of individuals who have travelled extensively in North America, confirm what is obvious to local observers, that at some remote period, the waters have everywhere retired from higher levels. This is manifest in the valley through which the St. Lawrence flows. On the right bank of the river there is, for

The line of the Atlantic Coast in North America, influenced by the direction of the Rock Strata.

The course of the River St. Lawrence conforms to the direction of the Strata.

Retreat in ancient times of the waters



in North America,  
from higher levels.

some distance below Quebec, an alluvial border of land, part of the ancient bed of the stream, in many places twenty miles broad, bounded on the south-east by a more elevated country, along the crest of which, once the right bank of the river, various hills with occasional peaks are seen, much separated from each other, but once probably more united into a continuous, irregular, curved line, trending north-easterly and south-westerly.

The strata on each  
side of the St.  
Lawrence once  
united.

To the geological eye, this crest appears to have been, in remote times, united to the strata on the left bank of the St. Lawrence, the beds there following the same magnetic direction, and having the same mineralogical connection, until they reach the 48th parallel of north latitude at Chicoutami, in the vicinity of Lake St. John. This break in the continuity of the strata probably occurred on the retreat of the waters from their higher levels, leaving the great western lakes to discharge their surplus waters by the valley of the St. Lawrence. As the volume of water to be discharged diminished in quantity, the drainage would necessarily be carried on in the lowest level of the valley, and thus leave the broad alluvial border which has been before noticed.

The alluvial border  
on the right bank  
of the St. Law-  
rence, the ancient  
bed of the river.

On advancing in a north-westerly direction into the interior, from the mouth of the Bay of Fundy, we find a strong correspondence with the physical geography of the more southern portion of the American continent; here also the country rises in elevation, the strata follow the north-easterly and south-westerly direction, the ridges hold the same course, and are usually parallel to each other, but very much broken down and separated into detached parts by the action of powerful currents, which seem to have passed across this part of the continent, contemporaneously with the formation of the valley of the St. Lawrence.

Surface of the  
country in the  
disputed territory  
modified by the  
passage of powerful  
currents.

The remains of these abraded ridges are found strewed and deposited in every part of the country, and the banks of the River Saint John, and those of its tributary, the Roostuc, often consist of a depth of from twenty to thirty feet of the comminuted ruins of the older rocks. This state of things is most obvious between the parallels of west longitude  $67^{\circ} 50'$  and  $69^{\circ} 30'$ , the ridges having an uninterrupted continuation east and west of those points\*. Reverting to the gradual rising of the country from the Atlantic Coast, we find that we cannot give a more accurate description of it, than that which is contained in an American work before alluded to, the "Statistical View of the District of Maine," published by Mr. Greenleaf, in 1816. That Author thus describes it:—

Greenleaf's descrip-  
tion of the elevated  
district in Maine,  
1816.

"With the exception of a small tract at the eastern extremity, and some detached elevations along the central part of the north-western boundary, the *mountainous part* of the district may be included within an irregular line drawn from the line of New Hampshire, not far from the Saco River, thence proceeding north-easterly, and crossing Androscoggin River near Dixfield, Sandy River above Farmington, Kennebec River above Bangham, the west branch of the Penobscot at the Lake Pemmidumpcok, and to the *east branch of the Penobscot*, near the mouth of the Wassataquoick; thence north, so far as to include the heads of the Aroostook; thence, south-westerly to the head of the Moosehead Lake, and thence westerly to the boundary of the district, near the *sources of the Du Loup*. The greatest length of this section is from south-west to north-east about 160 miles, its greatest breadth about sixty miles, and it comprises about one-seventh part of the district. No observations have been made to ascertain and compare the height of the different elevations in this section, but from estimates which have been made on the falls of the rivers, proceeding from different parts of it, and from the much greater distance at which the mountains in the western parts are visible, it is evident that the western, and particularly the north-western part is much higher than the eastern, and the *section in its whole extent* may be considered as *presenting the highest points of land* between the Atlantic and the St. Lawrence."

His description  
agrees with the  
Highlands of the  
Treaty.

By reference to the map it will be seen that the southern edge of this section of elevated land, thus described, runs north-easterly from about  $43^{\circ} 20'$  to  $46^{\circ}$  north latitude; and that if it were further protracted easterly, it

\* This is shown by the section from the Bay of Chaleurs to the south-eastern sources of St. John's River, traced on the margin of the map.

would continue along that elevated part of the country, where we, in the map, place the axis of maximum elevation of the whole country to the Bay of Chaleurs. It will be seen also that the due north line of the Treaty, if drawn from the most western source of the St. Croix, would strike the southern line of Mr. Greenleaf's elevated section of country, precisely at those Highlands before spoken of at page 36, as separating the Meduxnakeag and the St. Croix of the Roostuc. Mr. Greenleaf has given a very just idea of the extent of this elevated country, considering how little general information existed on this subject at the period when he wrote. The breadth of his section, as he calls it, exceeds however the number of miles he has assigned to it; the distance from the Wassattaquoik to the elevated crest before spoken of as being the south-east limit of the ancient bed of the St. Lawrence being at least 100 miles.

We have delineated on the map the southern edge of the elevated country described by Greenleaf, and it will be seen that it runs far to the south of the Roostuc, and even of the elevated peak, called Mars' Hill, the peaks east of the Saint John, called Bear Mountains and Moose Mountain, and other lofty peaks in the range of Highlands extending to the Bay of Chaleurs. If the second Article of the Treaty of 1783 were to be expounded consistently with Greenleaf's description of the elevated part of this country, which description is known to be founded in truth, the *due north line*, which is directed to run only to the Highlands, would have accomplished its function on reaching the southern edge above mentioned; and we repeat, that a *due north line* from the most western waters of the St. Croix, must of necessity stop at those Highlands of which we have before spoken, which separate the St. Croix of the Roostuc from the Meduxnakeag, and which are connected with the axis of maximum elevation, of which we shall now proceed to speak.

There are various lines of what have once been continuous ridges, more or less elevated, traversing in a north-easterly direction this disputed territory, some of which have been so abraded and broken down that they are nearly obliterated, leaving only peaks at great distances from each other, but in the same magnetic direction. We shall only speak of three principal ones; the first in order being the ridge of which the Bald Mountains, rising in north latitude  $45^{\circ} 45'$ , form a conspicuous part, and which trends north-easterly by an irregular and much broken range, comprehending the Kataaden Mountain with the adjacent peaks, Mars' Hill, and other peaks, in the same direction. The other two ridges being, one of them the line of Highlands overlooking the Saint Lawrence, and claimed by the Americans to be the Highlands of the Treaty of 1783, and the other, the only line of Highlands which manifestly fulfils the intentions of the Treaty, and the character of which we shall now examine more in detail.

Description of the ridges in the disputed territory.

These two ridges, as will be apparent from an examination of the map, are the main branches of a common stem, which runs between the River Hudson of the State of New York and the Connecticut River, and which divides into two branches on reaching the forty-fourth degree of north latitude.

The southern branch\*, holding its course north-easterly, throws down from its south-east flank, the head-streams of the Connecticut River, those of the Androscoggin, and those of the Dead River (a branch of the Kennebec River), a little to the north of the forty-fifth degree of north latitude; whilst on the opposite or north-west flank the most southern head-streams of the Chaudière River take their rise. Continuing its north-easterly course, it separates the Du Loup, another branch of the Chaudière, from the most western sources of the Penobscot River which discharges itself into the Atlantic Ocean. This ridge is the one which Pownall describes, and which the Royal Proclamation of 1763 fixes as the southern boundary of the Government of Quebec, viz.:—

One of the ridges is identical with the "height of land" of Pownall, and the Highlands of the Royal Proclamation of 1763.

"The said line, crossing the River St. Lawrence and the Lake Champ-lain, in forty-five degrees of north latitude, passes along the Highlands which divide the rivers that empty themselves into the said River St. Lawrence, from those which fall into the sea."

Having separated the Du Loup from the western sources of the Penobscot, the ridge now tends more to the eastward, but always in a bold continuous manner, until it reaches west longitude  $69^{\circ} 40'$ , when the peaks become separated

\* Vide map A.

and forms a part of the axis of maximum elevation.

It passes south of the Roostuc River to the St. John; and, from the valley of the St. John eastward to the Bay of Chaleurs.

occasionally by wide gaps, the portions connecting the peaks being, nevertheless, very elevated. As it passes further to the east, its continuity becomes more interrupted, it assumes a character of much less elevation than it maintains west of seventy degrees of west longitude, so that when it reaches  $68^{\circ} 32'$  west longitude it takes a subordinate character, although it still continues to form a part of the axis of maximum elevation. Thence passing north-easterly, and intersected at times by the Roostuc River, west of the tributary stream called St. Croix, this ridge throws down the eastern branches of Penobscot to the south, and keeping its course by a well-defined elevation, south of the Roostuc, it strikes the valley of the River St. John, nearly opposite to the mouth of the Tobique River\*. From that point eastward, the country again rises rapidly in elevation, and preserves the same character in a continuous elevated range, interrupted only by a few slight depressions, until it approaches the shores of the Bay of Chaleurs.

The section of elevations which we have placed on the left margin of the map, taken between the extreme points, viz., the Bay of Chaleurs and the sources of the St. John, with the barometrical heights in English feet, will give a just view of the elevation of the country along the whole line. We have not been able, for want of room, to place upon this section all the barometrical elevations we have taken betwixt the River St. John and the Bay of Chaleurs. Neither do all the elevations taken by us appear on the map, the scale upon which it is projected not admitting of their being all placed on their respective localities.† That part of the section nearest to the Bay of Chaleurs only represents the height of the land on the northern face of that portion of the axis of maximum elevation which runs between the points above spoken of. A line running westerly from Bathurst, and a little to the south of Middle River, gives a series of elevations in English feet above the sea, from east to west, as far as Nictor Lake, where the line joins the series of elevations of the northern face, as follows: 236, 378, 550, 714, 815, 779, 802, 873, 1,049, 1,078, 850, 1,367, 1,934, 1,261, 819, 1,845, 2,110, 1,583, 1,846, 2,110. The distance upon which these elevations are distributed is about fifty-six miles; a few of these were taken upon conspicuous peaks, but the intervals between them are continuously of a lofty character. The general aspect of the whole line corresponds with its height, and is mountainous. The Nepisiquit River, which flows to the east, and which empties itself into the Bay of Chaleurs at Bathurst, takes its rise, together with its northern branches, in this chain; as likewise does the Upsalquitch, which flows to the north to join the Restigouche. From Nictor Lake, the axis continues to the River St. John, in a south-westerly direction, trending between the Tobique River and the Salmon River, in a bold continuous ridge, varying from 750 to 1,000 feet. On the west side of the St. John it reappears on the south bank of the Roostuc, near the Falls of this River, where it has an elevation of 710 feet. From thence, the section, with the heights expressed in English feet, exhibits the elevation of the country to the sources of the St. John. We have not continued it any further to the south-west, as the ridge from thence preserves a continuous lofty character to the head-waters of the Connecticut River, with an average height of about 2,000 feet. We thought it unnecessary to extend the section to so great a distance, nor could we have done it conveniently upon the proper scale.

This axis of maximum elevation is therefore the true Highlands of the Treaty of 1783.

We therefore present this axis of maximum elevation of the whole country as the true Highlands intended by the II<sup>nd</sup> Article of the Treaty of 1783, uniting to the character of "Highlands," as contra-distinguished from Lowlands, the condition required by the Treaty, of dividing the "rivers that empty themselves into the St. Lawrence from those which flow into the Atlantic Ocean, to the north-westernmost head of the Connecticut River." It will be seen hereafter, that this is the only part of the disputed territory where "Highlands" of a similar character are to be found.

\* This is admitted in the report of the American surveyor to Mr. Bradley, agent on the part of the United States, filed May 22, 1818, in the proceedings of the Commissioners under the V<sup>th</sup> Article of the Treaty of Ghent. His words are:—

"The next ridge we passed over on the line was at the fifty-first mile, it appears to connect with the ridges which form along the St. John River, and divides the waters of the River des Chutes from those of the Listook (Roostuc). This ridge, though of moderate height, appears somewhat higher than any we passed on the line south of it. Its extent to the west is apparently not great, but not particularly known. From the above ridge the land descends moderately to the Listook River." First Statement on the part of Great Britain, p. 59.

† See Appendix containing record of barometric observations.

The *northern branch* of the main trunk above mentioned, leaves the southern branch which we have just described in about forty-four degrees north latitude, and pursuing a more northerly course round the heads of the River St. Francis, passes to the north of the Lake St. Francis, and crosses the Chaudière, in the parallel of Lake Etchemin (north latitude  $46^{\circ} 25'$ ). From thence, running west and north of the last-mentioned lake, it may be said by its occasional peaks to hold a course nearly parallel to the River St. Lawrence, at a mean distance of about twenty miles, until it reaches the district of Gaspé. Of this northern branch it is to be remarked, that it is indebted to the character which has been given to it, of a ridge of Highlands, not to the circumstance of its being a true continuous chain, which actually divides waters running in opposite directions, but to the fact of a number of peaks, far removed from each other, falling nearly within the same magnetic direction. Observed from great distances, these isolated peaks naturally assume an apparent continuous character; but on nearing them, we find them separated by wide intervals, occasionally of twenty or thirty miles, of marshy tabular lands, where the heads of the streams, flowing in opposite directions, frequently overlap each other, so that the streams which flow south, in the greater number of cases, frequently rise far to the north of the heads of the streams which flow north into the St. Lawrence.

Description of the Highlands claimed by the United States as the Highlands of the Treaty of 1783.

For instance, the northern branch of the Mittaywawquam\*, a conspicuous western branch of the St. John, emptying itself into that river, in  $46^{\circ} 33'$  north latitude, takes its rise to the north of some of the most elevated of the peaks before spoken of, encircling them round from the west. Twenty-five miles east of those peaks occurs another group of like character. Here the sources of the Black River take their rise, about ten miles north of the peaks, which constitute a group, and in the same swamp where the streams called Ouelle and Du Loup take their rise, both of which empty themselves into the St. Lawrence. Forty miles further to the north-east is another set of very elevated peaks, the highest of which are called "Grande Fourche" and "Jean Paradis," both of which are passed on the Temisquata Portage. Here the peaks are almost contiguous to each other. But the source of the St. Francis, one of the tributaries of the St. John, which falls into it, in north latitude  $47^{\circ} 12'$ , rises north of those peaks, whilst the sources of the Rivière Verte and Rivière Trois Pistoles, both of which flow north into the St. Lawrence, take their rise south of the sources of the St. Francis, and of the peaks in question. Further to the north-east, the head-waters of the Rimousky take their rise so far to the south as almost to be joined to the head-waters of Green River, which discharges itself into the St. John, in north latitude  $47^{\circ} 17'$ , and the sources of the Metis †, which run into the lake of that name, take their rise near twenty miles south-east of the peaks, which form a part of that apparent continuous chain before spoken of.

This being a true description of the topographical nature of that line of country, where the Americans claim the "Highlands" of the Treaty of 1783 to be, it is superfluous to add that it is in every respect deficient in that most essential character which the Treaty requires it to have, viz. of dividing "those rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean."

The American Highlands do not divide rivers flowing in opposite directions.

In point of fact, no rivers are divided in their course, at any point of the country, along the line thus claimed by the Americans, as carrying out the intentions of the Treaty.

But your Lordship will have observed that the line thus claimed by the Americans, as the "Highlands" of the Treaty of 1783, is equally deficient in another point expressly named in the II<sup>nd</sup> Article of the Treaty, as the most essential character of the "Highlands" therein described, and the absence of which is an unqualified condemnation of these pretended "Highlands." The language of the II<sup>nd</sup> Article is:—

"Along the said Highlands which divide those rivers that empty themselves into the St. Lawrence, from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River."

We have shown, as the map will explain, that there are only two branches

\* The Canadians have corrupted this word into Daaquam. It means literally Mast River, from *mittay*, a mast; the immense quantity of spruce-trees growing in the swamps near its western heads, giving to the country the appearance of a forest of masts.

† This stream was named Beaver River when it was struck by the "due north" exploring line in 1818.

springing from the mountainous chain which runs between the Connecticut and the Hudson River, and that these branches separate near the parallel of forty-four degrees north latitude. *The southern branch*, it has been seen, gives rise to the north-westernmost head of Connecticut River; and continuing its course from the heads of that river in a north-easterly direction, actually separates the St. Francis and the Chaudière, the *only* rivers which empty themselves into the St. Lawrence, from the *only* rivers which fall into the Atlantic Ocean, viz., the *Androscoggin, the Kennebec, and the Penobscot*.

The southern branch continuing to head all the branches of the Penobscot across the whole breadth of the disputed territory, would, when reaching the due north line, fulfil in the most accurate manner the requirements of the Treaty. Wherever the *due north line* strikes the edge of this branch of the "Highlands" of the country, there would be the point of locality of the north-west angle of Nova Scotia mentioned in the Treaty. But the *northern branch*, which, on separating from the southern one, takes a course a little east of north, *leaves the north-westernmost head of Connecticut River from forty to fifty miles to the south*. This circumstance of itself is conclusive; for if this ridge had been (what it is not) continuous as far as the *due north line*, and if it had separated rivers flowing in opposite directions (which it does not), yet the simple fact of its having no connection with the "Highlands" where the Connecticut River takes its rise, and of its passing at a distance of from forty to fifty miles north, away from the sources of that river, would deprive it of all reasonable pretension to be the "Highlands" intended by the Treaty of 1783.

It now becomes our duty to lay before your Lordship an explanation of the manner in which it has been heretofore attempted by some of the official American Agents, to give to their so-called line of Highlands the character which the language of the II<sup>nd</sup> Article of the Treaty of 1783 requires that the "Highlands" of the Treaty should actually possess. Your Lordship will see in these details, that it has been apparently the policy of the parties in question to substitute fancy for reality, and to endeavour to boldly put forward as fact a state of things which was for the most part hypothetical and conjectural, in order to draw away the attention of the public in both hemispheres, from the real merits of the British claim, and to transfer it to their own spurious topography; and that it is by this expedient that they have so far succeeded in giving to a large territory, rightfully belonging to Her Majesty, a character of doubtful ownership, under cover of which, the increasing population of the State of Maine has been able to insinuate itself into various important points of the disputed territory, with the object, at length openly avowed, of taking possession of the whole country, as far as the crest which over-looks the River Saint Lawrence, from the point opposite to Quebec, as far as the Metis River.

The official documents, in which the expedients we have here alluded to, are worked out, are too voluminous to be quoted at length in this Report; but they are to be found annexed to the "First Statement on the part of Great Britain;" referring to which, we shall merely give an abstract, descriptive of their character.

In an extract from the British Commissioners' Report, at p. 148 of the "First Statement," &c., it appears that the Surveyors of the two Governments were directed by the joint Commissioners to "proceed upon an exploring survey, upon a line due north from the lake at the source of the River St. Croix, until they should arrive at some one of the streams or waters which are connected with the River St. Lawrence."

It is alleged in the British Commissioners' Report that this direction "was framed and inserted in the draft of the original instructions to the Surveyors, by the *Agent of the United States*, and this fact is not denied by him."

The sanctioning of this instruction was no doubt indiscreet on the part of the British Commissioner. The terms of the Treaty were not ambiguous; they enjoined the parties to run the due north line to the *Highlands*, and not to STREAMS RUNNING INTO THE SAINT LAWRENCE. By a just interpretation of the Treaty, it was manifest that the Saint Lawrence Rivers, there intended, were the St. Francis and the Chaudière; and not any of those *minor streams* which alone can be reached by a *due north line* drawn from the source of the St. Croix; but the joint instruction to the Surveyors to carry the due north line to the waters of the Saint Lawrence, was virtually a direction to extend the line to the Metis; and hence, the inadvertent concurrence of the British Com-

The American Highlands do not run to the head-waters of the Connecticut River.

Spurious topography presented by American surveyors.

Of which the proofs are to be found in the First Statement on the part of Great Britain, p. 148.

missioner in this instruction was made to carry along with it an implied sanction, on his part, of the gratuitous assumption, that the Metis flowed from the Highlands of the Treaty.

The American Agent was not slow to avail himself of the success of his manœuvre, and at the close of that survey of *the due north line*, he produced a map, exhibiting a chain of "Highlands" running *uninterrupted by any gap or depression whatever*, from the source of the Metis in west longitude  $67^{\circ} 55'$ , to the sources of the Ouelle, in west longitude  $70^{\circ}$ , writing in conspicuous characters over them these words:—

"The Highlands which divide the rivers emptying into the River Saint Lawrence, from those which fall into the Atlantic Ocean."

At the meeting of the Commissioners in 1819, the American Agent had the address to procure that fictitious map to be filed in the joint proceedings; so that when the misrepresentation in this map had attracted the attention of the British party in the joint Commission, and a motion was made to take the map off the files, the American Commissioner refused his consent to the proposition, and it thus became a part of the Records of the joint Commission. The Agent of the United States, however, in a rejoinder to a memorial from the British Agent on this subject, thought it necessary to declare his persuasion, "that the more scrupulously the lands which Mr. Johnson (the surveyor) states *that he saw* north of the River Saint John, and over part of which he is stated to have passed, should be surveyed, *the more would Mr. Johnson's description be corroborated*, and the more satisfactory would be the proof that they are the identical Highlands described in the Treaty."

American Commissioner refuses to consent to a fictitious map being taken off the files.

It seems that the American Agent believed that the British Commissioner would be compelled, on account of the nature of the country west from Mars' Hill, to maintain that the "Highlands" of the Treaty did not require that any *visible elevation*, after the manner of a conspicuous chain, should be a necessary quality in such Highlands, but that a table land sufficiently elevated to throw waters in opposite directions would be enough; and he, therefore, deemed it prudent to assume for the American argument, that Highlands of great visible elevation were an indispensable quality to satisfy the words of the Treaty; such being the character of the Highlands which Mr. Johnson, the American surveyor, stated that he had *seen*, and which he had depicted on his map.

In the following year, Mr. Johnson, it appears, was withdrawn from the survey, and a Mr. Burnham, on the part of the United States, was appointed to succeed him. This gentleman and Dr. Tiarks, the British astronomer, co-operated in a satisfactory manner in the examination of the country west of the due north line betwixt Lake Temisquata and the Metis. They appear to have sought to inform themselves with accuracy of the relative situation of the waters flowing into the Saint Lawrence and the Saint John, and came to the same conclusion in their maps and reports, that the streams flowing in the opposite directions, just mentioned, were not divided by Highlands, as Mr. Johnston had represented;

Fallacy of Mr. Johnson's map exposed by the joint survey of Mr. Burnham and Dr. Tiarks.

"And that so far from there being in these places a ridge separating the waters running in opposite directions, they found insulated points, without the least chain of connection."

Upon the delivering in of the maps and Reports of the New American Surveyor, the Agent of the United States, who had taken his stand upon *visible Highlands*, endeavoured to extricate his cause from the dilemma he had brought it into, by the following passage of his argument:—

Attempt of the American Commissioner to change the principle of his argument;—Vide First Statement on the part of Great Britain, p. 154.

"If the lands between the Restigouche and Metis *were not characterized by peculiar elevation*, compared with peaks and mountains which might exist in any other direction, still the argument in favour of their adoption, as the true Highlands, would remain unchanged; for it is particularly due north of the River St. Croix, that we are to look for the Highlands mentioned in the Treaty, since they are necessary to form the important angle in question. The word "Highlands" is not used merely to denote a single mountain, or a continued unbroken ridge of mountains, running in one direction" (this, however, was the ground he had taken in 1819, when he said Mr. Johnson's descriptions would be corroborated), "but generally to describe an elevated or mountainous region, of which the surface must necessarily be very unequal, such is commonly to be found in all sections of country in which numerous rivers take their rise; and since the very principle of gravity demonstrates that the general elevation of a

"country is greater at the source of a river than at its outlet, the *lands which separate rivers*, running in contrary directions, would naturally be considered as the Highlands which lay between, or divide them, particularly as relating to a country, the topography of which was not fully ascertained; a more definite description of such 'Highlands' was hardly possible to be given."

It further appears that, notwithstanding that Mr. Burnham, the new United States' Surveyor, who had co-operated with Dr. Tiarks, in 1820, had admitted the fallacy of Mr. Johnson's map, as far as respected that part of the country lying between the Lake Temisquata and the source of the Metis, yet the American Agent, at a meeting of the Commissioners, exhibited a map, entitled "A Map of the Country explored in the years 1817, 1818, 1819, and 1820, by order of the Commissioners, under the Vth Article of the Treaty of Ghent," signed "Hiram Burnham, United States Surveyor, under the Vth Article of the Treaty of Ghent," and upon this map re-appeared the fictitious Highlands of Mr. Johnson, extending west from Temisquata to the head waters of the Ouelle, with a *further spurious addition*, about eighty miles in extent, from thence to the head waters of the Chaudière; whilst no report connected with these inventions, or explanatory of them, was communicated with the map.

Another spurious map offered to the Commissioners by the American agent.

Protested against by the British agent, and challenged by him to be proved under oath. First Statement on the part of Great Britain, p. 158.

The British Agent lost no time in entering a protest against a map of so fictitious a character, and proposed that the American Surveyors should be examined, upon oath, as to their map being an accurate representation of the natural features of the country; offering at the same time to subject the map of the British Surveyors to the same kind of verification, by interrogatories to be prepared by the Agent of the United States. To this, the American Agent rejoined, that the map of the British Surveyors had "wholly omitted the greater part of the Highlands in the direction in which the boundary is claimed by the United States, thereby giving to his map an effect entirely partial; and thereupon insisting that this map (the map of the British Surveyors) *should not be received in evidence before the Commissioners*, and that the said map furnished by the Agent of the United States should be permitted to be filed."

The matter was finally disposed of by a decision of the Commissioners, entered upon their journal in the following words:—

"The Commissioners having duly considered the memorials of His Majesty's Agent of the 26th of September, and the answer thereto of the Agent of the United States of the 27th of September, and likewise the memorial, in reply, of His Majesty's Agent of the 29th of September, do order that all the reports and plans alluded to in the said memorials, be filed by the Secretary, except *the two general maps*. On the said general maps, no order allowing them to be filed is made, as the Commissioners differ in opinion; Commissioner Barclay being in favour of allowing the general map presented by His Majesty's Agent to be filed, and of excluding that presented by the Agent of the United States; and Commissioner Van Ness being of opinion that both of the said general maps ought to be filed, or neither of them. On the question of going into an examination, at this time, of the surveyors, under oath, the Commissioners differ in opinion; Commissioner Barclay being in favour of that course, and Commissioner Van Ness against it."

American Commissioner withholds his consent to have the surveyors examined under oath. Recapitulation of the conduct of the agents of the United States.

It appears, then, on a review of this singular proceeding, that in the year 1819, Mr. Johnson, the American Surveyor, attempted and succeeded in placing upon the files of the Joint Commissioners, a spurious and fictitious map. That in the succeeding year another American Surveyor, Mr. Burnham, was employed, who co-operated with the British Astronomer, Dr. Tiarks, in the investigation of that part of the country lying between Lake *Temisquata* and the source of the Metis. That they agreed in finding that part of the country void of such Highlands as Mr. Johnson had reported, viz.: a continuous chain of Highlands along the whole line. But that Mr. Burnham added to the western part of his map about eighty miles of continuous Highlands, of the existence of which no other proof than that map, was adduced by him. That the British Agent objected to this map, and presented a map by the British Surveyor, representing the country as Mr. Burnham and Dr. Tiarks had conjointly seen it, offering at the same time to have the Surveyors on both sides, examined, under oath, as to the accuracy of their respective maps. That the American Commissioner, however, declined acceding to the proposal; and because the map of the British Surveyor, which truly represented the state of the country, did not



contain the spurious Highlands of Mr. Johnson's map, he refused to consent to its being filed, unless the map of Mr. Burnham, with an addition of eighty miles of fictitious Highlands, were filed at the same time. *By this management, the British map, the correctness of which the Surveyors were prepared to prove under oath, was excluded as evidence in the case.*

The British map of Dr. Tiarks, excluded from the files.

By reference to the Map A, your Lordship will observe that no chain or ridge is found extending from the most southern source of the Ouelle to the easternmost sources of the Metjarmette, yet it is along a line extending between those two points that the American surveyor protracted his fictitious hills. As the verification or disproval of this ridge, was a matter of vital importance in the controversy about the Boundary, we were very careful to examine that part of the country, in order that our Report might effectually dispose of the matter one way or the other, consistently with the truth. We, therefore, after a careful examination of all that part of the country, between the mouth of the Mittaywawquam, where that river joins the River St. John, and the eastern sources of the Etchemin River, unhesitatingly declare that the ridge inserted in the American map is entirely fictitious, and that there is no foundation in the natural appearance of the country for such an invention. Had anything of the kind been there, we must unavoidably have seen it, and have crossed it on our way from the mouth of the Mittaywawquam to Lake Etchemin; the course of that fictitious ridge, as represented in the American map, lying six or seven miles east of the sources of the Mittaywawquam, and about ten miles east of Lake Etchemin. And it is singular enough that precisely at the point where the pretended ridge crosses the Mittaywawquam, and for many miles around, the country is a low flat swamp, the streams issuing from which have such a sluggish course, that there is scarcely a perceptible current, or one sufficiently established to give visible motion to a feather. Over no part of the country which we traversed from the St. John to Lake Etchemin, does the elevation exceed fifty feet, nor is there any visible elevation at any point of the course. It is only west of Lake Etchemin that the Highlands, claimed by the Americans as the Highlands of the Treaty of 1783, are found. These are visible from a distance of several miles, and are a portion of the Highlands which we have spoken of at p. 41 as the northern branch.

The Highlands laid down on the American maps from the southern source of the Ouelle, to the easternmost sources of the Metjarmette, are now found, upon an examination of the country, to be fictitious.

Of a still more singular character have been the whole of the proceedings relating to the point, which the Americans have thought proper to assert, is the north-west angle of Nova Scotia intended by the Treaty of 1783.

Proceedings of the American surveyors in relation to their assumed north-west angle of Nova Scotia.

It has already been stated, that in 1817, the British and American Commissioners, under the Vth Article of the Treaty of Ghent, directed their surveyors to run an exploratory line due north from the source of the St. Croix, "until they arrived at some one of the streams or waters which are connected with the River St. Lawrence."

These Surveyors, Colonel James Bouchette, Surveyor-General of Lower Canada, on the part of the British Government, and Mr. Johnson on the part of the United States, proceeded accordingly to survey a due north line, throughout a distance of ninety-nine miles from the St. Croix. In 1818, Mr. Odell having then been substituted for Colonel Bouchette, the exploratory due north line was further continued to the 145th mile from the St. Croix, at a point where it struck a stream flowing into Lake Metis, which they called Beaver River. Having reached that stream, these Surveyors did not extend their survey to the west, but returned to the south to examine the country about Mars' Hill. Nor is there any evidence of the Americans having, at any time, surveyed the country west of the due north line, even in order to trace out and establish that particular line which they claim to be the Highlands of the Treaty. On the contrary, we have their own confession that they have never done so; derived, too, from the highest authority, representing those most interested in the American claim. In proof of which we quote the following passages: from the Annual Address of Mr. Kent, the Governor of the State of Maine, to the convened Legislature of the State, dated January 2, 1839. Speaking of the proposal on the part of the American Government to that of Great Britain, for the establishment of a new Commission of Survey and Exploration; he says:—

The American Agents have never examined the country where they claim their Highlands to be.

"It is for you to judge, whether any beneficial effects, equal to the inconvenience and injury by the great delay which must be occasioned, are likely to result from a mere Commission of exploration and survey only, of the whole



“extent of the line, from the head of the St. Croix to the north-westernmost head of Connecticut River; especially since the examination and survey, which have been made during the past season by Maine, of the most important part, *which had not been sufficiently examined before.*”

Survey of the Commissioners of Maine in 1838.

The survey here spoken of as having been made during the then past season, was one entrusted to Mr. John C. Deane, Mr. M. P. Norton, and Mr. James Irish, as Commissioners of Maine, to whom Mr. William P. Parrott was attached as surveyor. The Report of these gentlemen, of which we shall have hereafter to speak, was made to Governor Kent, under date of December 31, 1838.

The Governor then proceeds to state, that neither the State of Maine, nor that of Massachusetts had ever “attempted any examination” of the line claimed by them, up to that period.

Admission made by the Governor of Maine in his annual address to the Legislature, dated January 2, 1839, that the Americans had never examined their own line.

“It is a fact worthy of notice, that this State and the Commonwealth of Massachusetts by their Land Agents, have surveyed and examined the whole line, as claimed by Great Britain, from Mars’ Hill to our Western Boundary, but have NEVER until the present year, attempted any examination of the true line, as claimed by us.”

Again, the Governor says:—

“And it is a singular fact, that after that time (1818), no American surveyor, or authorized agent, has ever examined or traced the height of land, or given any account of the character of the country, about the north-west angle of Nova Scotia.”

From these passages we must infer, that up to the close of the year 1838, the Americans had no evidence whatever of the existence of anything like a line of “Highlands,” corresponding to the language of the Treaty of 1783, in the place where they had all along asserted it to be. It was probably apprehended that the attempt to examine it would lay bare the fallacy of their pretension.

Commissioners of Maine instructed in 1838 to examine their Highlands.

The nature of the duty enjoined upon these Maine Commissioners, is explained in a letter addressed to Sir John Harvey, Her Majesty’s Lieutenant-Governor of the Province of New Brunswick, by the Governor of Maine, and dated September 25, 1838. They were “to move on a due north line towards the height of land where is to be found the spot which we claim as the north-west angle of Nova Scotia, and also in like manner, tracing and examining the northern line along the Highlands which divide the rivers falling into the St. Lawrence from those falling into the Atlantic Ocean.”

As the information to be communicated by the Report of these Commissioners was, by the Governor’s admission, the first geographical information the Legislature of Maine would possess about the nature of the country to which their claim relates, we quote another passage from his Annual Message communicating the results at which the Commissioners had arrived:—

Report of the Maine Commissioners of 1838, as described by Governor Kent. Their north-west angle of Nova Scotia, stated to be from 2,000 to 3,000 feet above the sea.

“Their Report, which I have the pleasure to transmit to you, will be read with interest and satisfaction. By that it appears that the exploring line was found marked to near the north-west angle; that the base of the country rises constantly and regularly from the monument at the head of the St. Croix to the angle; which is from two to three thousand feet above the level of the sea, and more than 500 feet higher than the Kedgewick, one of the streams running into the Bay of Chaleur near the said angle and the St. Lawrence waters; that the due north line, if continued to the valley below the north-west angle, actually strikes the St. Lawrence waters, and that the country is high, and even mountainous about this spot. And there is no difficulty in tracing a line westwardly along distinct and well defined Highlands, dividing waters according to the Treaty. The extensive and correct map\* of the north part of our State, and the southern portion of Canada, and the VERTICAL SECTION, as prepared by Mr. Parrott, the surveyor, with neatness, and accuracy, which accompany the report, add much to its value and interest. Taken together, they exhibit the true character of the country, and leave little or nothing to be desired illustrative of it.”

We now proceed to quote some passages from the Report of the Commissioners themselves, premising that the Governor in his annual message never asserts that they had executed any part of his instructions “tracing and examining

\* We have never seen this map.

"the northern line along the Highlands," which in his letter to Sir John Harvey, he stated was to be part of their duty; but he confines himself to saying:—

"And there is no difficulty in tracing a line westwardly along distinct and well defined Highlands." &c.

From the Commissioners' Report itself, it appears that they never attempted to enter upon that part of their duty; of which fact we also received authentic information when in the country. What the Commissioners do say, is:—

"The land at the northern part of the exploring line, and in the region round about it, is found to be sufficiently high to divide the rivers emptying themselves into the River Saint Lawrence from those which fall into the Atlantic Ocean."

In another passage they say:

"We also find by our exploration and examination, that there is no uncertainty or difficulty in tracing and locating the line from the north-west angle of Nova Scotia, westwardly, along distinct Highlands, which divide the rivers, &c., as described in the Treaty of 1783."

This extraordinary manner of speaking of the most important line of the Treaty of 1783, and which itself is the salient point of contention, is a proof that they had no facts to bring forward in support of their claim. That there is to be found "at the northern part of the exploring line, and in the region round about it, land which may be sufficiently high to divide the rivers," &c., is an assertion not worth refuting, when so vaguely made upon such an occasion. The Highlands at Temisquata are in that region, and only fifty miles from that point, and if they were continuous during a sufficient distance, they would divide all the waters flowing into the St. Lawrence from those flowing south, though not from those flowing into the Atlantic Ocean. The reason why the American Commissioners did not enter upon the examination of the country westwardly, is explained in the following passage:—

"The Metis River limited the explorations to the northward, and when the explorations in that region were interrupted by the weather, and could not be continued for the want of provisions, the exploring was continued south towards the monument."

In point of fact, these gentlemen turned back without having made any investigations in the neighbourhood of the Metis, the cold weather having set in with great rigour, and their provisions barely sufficing them for the journey back. If they had penetrated the country to the northward, and had discovered the apparent chain we have before spoken of at p. 41, whose peaks fall under the same magnetic direction, they would have found it continuing its course north-easterly, about eighteen miles distant, in a direction north, 47° west, from where the due north line strikes the Beaver River. And as the last-mentioned stream rises still further to the south-east than the point where it is struck by the north line, it is plain that the chain, instead of dividing at this point the streams running into the Saint Lawrence from any other waters, runs through the country at least twenty miles north of the points where the sources of the Metis a: c.

It being evident that the report of these gentlemen has thrown no light whatever upon the nature of the country west of their pretended north-west angle, we come back to the assertion of Governor Kent, that the said point is "from 2,000 to 3,000 feet above the level of the sea, and that the country is high, and even mountainous about that spot."

This assertion he makes upon the responsibility of his Commissioners; but the statement is so extremely at variance with the fact, and with the results of the careful observations which we made when in that part of the country, that we have felt ourselves bound to examine critically into the grounds which the Commissioners of Maine had for assuming a fictitious elevation, the exaggerated height of which they must have deemed necessary to the essential character of the spot which they have so strenuously claimed to be the north-west angle of the Treaty.

Of the altitude of this point, we have to report that it is rather under than over four hundred feet above the level of the sea; an estimate which we are not afraid to submit to the most rigid scrutiny, having, independently of our barometrical admeasurements, made other careful computations deduced from the current of the Metis, down to the point where it empties itself into the St. Lawrence, making a proper allowance for three falls upon the stream, one of

Language of the Report itself; of the Maine Commissioners of 1838.

The Commissioners of Maine turn back without examining their Highlands.

Examination of Governor Kent's assertion that the pretended north-west angle at the Metis, is from 2,000 to 3,000 feet above the level of the sea.

True height of the American north-west angle of Nova Scotia, not quite 400 feet.

them about 100 feet high, another about twenty-five feet, and a third about eight feet.\*

Explanation of the probable basis of the erroneous computation of the Maine Commissioners respecting the elevation of their north-west angle of Nova Scotia.

The following passages from the Report of these Commissioners, appear to furnish the key to the cause of the strange discrepancy betwixt these estimates.

“ Admitting the different streams (the Restigouche and its branches) to be of the same height above the level of the sea, the Metis or Beaver Pond is 531 feet higher, a base line from which, drawn south, will show a general inclined plane, descending from thence to the monument at the source of the River St. Croix, and that the general elevation of the Highlands will be *between two and three thousand feet* also above the level of the sea. **HERE IS THE PLACE** where the Treaty of 1783 describes the north-west angle of Nova Scotia to be.”

We find no materials specified in this Report to prove the existence of such a general inclined plane,” as the one here spoken of, save in the following passage:

“ According to the principal British surveyor, under the Vth Article of the Treaty of Ghent, in 1817, in Colonel Bouchette’s survey, vertical section and profile of the country from the monument, ninety-nine miles north, Sugar Mountain is shown to be the highest land upon or near the line in that distance from the monument, which is undoubtedly the fact. *They also exhibit a continual rise* in the base of the whole country, as indicated by the level of the streams, and the land over which the line passes, to the waters of the Restigouche. It shows the Meduxnakeag to be higher than the monument, and *the Presqu’Isle, the De Chute, the Aroostook, Saint John, and Grand Rivers, all rising successively, one higher than the other above the level of the sea.* And the Waggansis at the termination of the ninety-nine miles, is higher above the level of the sea than any river south of it. A copy of Colonel Bouchette’s Survey and profile is, for the purpose of illustration, annexed to our map.”

It being necessary in the execution of our duty to report the true elevation above the sea of that point where the official agents of Maine place their north-west angle of Nova Scotia, it has appeared to us not less necessary to account, if possible, for the wide difference between the 400 feet which we report, and the “from 2,000 to 3,000 feet” reported to their Government by the Commissioners of Maine. It is with great reluctance, therefore, that we state our conviction that it has originated in a singular delusion on the part of Col. Bouchette, Her Majesty’s Surveyor-General of Lower Canada; we therefore proceed as our duty enjoins us, to put your Lordship in possession of the truth, with regard to a mistake which we think has had much to do in creating in the United States erroneous ideas respecting the line claimed in that country as the “Highlands” of the Treaty of 1783.

We have already stated that Col. Bouchette was associated by the Joint Commission, in 1817, with Mr. Johnson the American Surveyor, for the purpose of running an exploratory North Line, and Col. Bouchette, after conducting the exploratory line, reported a section of elevations to the Commission under the following title:—

“Section showing the different Heights of Land between the Monuments at the Source of the St. Croix, and the First Waters of the Restigouche at the Extremity of the Exploring Line.”

Section reported by Mr. Bouchette.

This Section, which bears his official signature of “Jos. Bouchette, S. General,” exhibits an inclined profile of the country from the monument at the source of the St. Croix to the Great Waggansis, a stream flowing into the Restigouche, with several of the streams intersected by the *due North Line* in its course.

Vide Map B, No. 5.

We shall accompany this Report with a copy of Colonel Bouchette’s Section †,

\* The distance from the south end of Lake Metis to the mouth of the stream at the Saint Lawrence is about thirty-six miles in a straight line. There are three lakes, in all about thirteen miles long, leaving twenty-three miles of river. Allowing a fall of ten feet to the mile, which is an extravagant estimate, the height of the spot claimed by the Governor of Maine as being 2,000 to 3,000 feet above the level of the sea, would stand thus:

10 feet fall per mile for 23 miles	230 feet.
3 falls above-mentioned	133 "
Fall from the source of the Metis to the lake on a meandering course } for 12 miles	25 "

388 feet.

† The original section has a perpendicular scale at each extremity, which gives the elevation of the different points. We have been obliged on account of the diminutive Scale upon which we have

which is altogether erroneous. All the points on the Section being vitiated by one universal error which pervades it, we shall only specify one of those points, viz., That where the *due North Line* strikes the St. John. This point, the height of which we know by repeated barometrical measurements, and by actual *hand level* made from tide water to the Great Falls of the St. John, does not exceed 300 feet above the level of the sea, Colonel Bouchette has put down at 1,850 feet; making that point 1,000 feet above the level of the monument, and the monument 850 feet above the level of the sea.

As the section of Colonel Bouchette proceeds farther to the north, it proportionately ascends; so that the Great Waggansis is made to stand at 2,050 feet above the level of the sea, when probably its true elevation is only about 350. Reverting then to the passage quoted from the Report of the Maine Commissioners, where they say that the Metis is 531 feet higher than the Restigouche and its branches, and adding that height to the 2,050 feet allowed to the Waggansis, we have a total of 2,581 feet to represent what they have stated would be between *two and three thousand feet*.

We cannot doubt that this is the process by which they have arrived at their conclusion, and that their fallacious estimate is not the result of any observations made by themselves. To Colonel Bouchette's error of 1,700 feet, they have added a conjectural elevation between the Restigouche and Lake Metis, equally erroneous, making the sum total of error equal to 2,150 feet. We add that it is quite impossible for any surveyors having but a slight practical acquaintance with the nature of inequalities prevailing over the surfaces of countries, not to have perceived, whilst passing over that part of the country which is the subject of these estimates, that such estimates would be rejected as altogether erroneous, when its elevation was properly examined. But in proof how small the elevation of the surface [at this part is, the previous Reports of the American Surveyors themselves may be quoted. Mr. Johnson, in his Report to the American Agent, filed May 22, 1818, gives some description of the country, through which the North Line was run from the St. John's River to the Waggansis, at the ninety-ninth mile. He says:

Cause of the error of 2,150 feet, in the estimate of the American Agents.

"After rising the northwardly bank of the St. John, we found the country *mostly flat and swampy*, until about the ninety-first mile, where a moderate ridge divides the waters of Falls River from those of Grand River. North of Grand River, between the 93rd and 94th miles, is a ridge, which, though probably higher than any land we had passed over on the Line, appears not to be *of any considerable extent*. From this to the 98th mile we passed *through a large swamp*, which gives rise to the Waggansis of the Grand River."

Such is the character of the country all the way from the St. John River to the north bank of the Quotawamkedgwié, a tributary of the Restigouche, being, in fact, a succession of swamps with occasional low ridges of limited extent; the apparent height of the country being increased to the eye of inexperienced persons, by the deep beds which the Restigouche and its branches, especially the Quotawamkedgwié, have worn. After the ascent of the hill on the north bank of this last stream, the country descends gently the whole way to the point where the exploratory North Line strikes the stream which runs into Lake Metis. Now the point where the exploratory North Line leaves the St. John is only 300 feet above the level of the sea; it is evident, therefore, from what has been stated, that there is nothing on the whole Line from thence to the Metis that can

copied the original, vide Map B, No. 5, to express the figures in English feet, in the same line with the names of the points indicated. Beneath our copy of Colonel Bouchette's section, we have placed by way of comparison, an outline of our "Section of the country along the due north line," which is on the margin of Map A; with a few corresponding elevations at different points, in order to illustrate more clearly the great disproportions between the two sections, and which is at once seen by the following table.

	Col. Bouchette's Section.	The Section below.
The Monument .....	850	450
Park's .....	1,160	770
Meduxnekeag River.....	1,000	270
Presqu'île River .....	1,180	180
Land South of Mars Hill .....	1,470	500
Goosequick .....	1,350	200
River des Chutes.....	1,385	200
Roostuc River .....	1,470	180
River St. John.....	1,350	300
Great Waggansis River .....	2,065	400

further raise the general elevation of the country to any great extent; and as to the occasional ridges which have been alluded to, there is not one of them, even if it had any continuity, that has any connexion with that Line of Highlands claimed by the United States as the Highlands of the Treaty of 1783\*.

Review of some of the results of the preceding pages.

We have endeavoured in the preceding pages to explain how, from very inadequate causes, the Public in the United States have been led to entertain such strong but erroneous opinions of the right of that country to the disputed territory.

In regard to the ancient occupation of the country, we have shown that the concessions made by the Government of France in 1684, of lands lying north of the 46° of north latitude, were ordered to be held of the Governor of Quebec.

The Fief of Madawasca was granted in 1683, eight years before the date of the Charter of Massachusetts in 1691.

But the Fief of Madawasca† was granted by the French Government in 1683, one year before this last period, and eight years before the Charter of William and Mary was granted to the colony of Massachusetts in 1691; and although that Fief is held under its original title to this day, the United States nevertheless claim it as lying within the disputed territory. Other concessions of a similar character exist; and it could be proved that Canadian and New Brunswick jurisdiction obtained uninterruptedly in the disputed territory, up to the year 1814, without any adverse claim having been put in by the United States.

The due North Line run in 1817 and 1818 was only an exploratory one, not intended to bind the parties.

With respect to the due North Line which was run in 1817 and 1818, and which we have traced on the Map, a very general misunderstanding obtains respecting it. That line never was intended to have any validity as a practical execution of the Treaty, or to be anything but an experimental and exploratory Line, to aid in the examination of the country for discovering the "Highlands" of the Treaty. The joint Commissioners, indeed, did, as we have already stated, authorize an "actual survey" of a due North Line from the source of the St. Croix, and that survey was undertaken; but it was almost immediately afterwards abandoned, in consequence of the imperfection of the method adopted, and on account of the disagreement of the surveyors. As respects the due North Line, then, nothing has been accomplished by the two Governments. Nevertheless the United States, acting as though the due North Line had been surveyed, and agreed upon by both parties, and as though any part of the disputed territory adjacent to it had been formally ceded to them by Great Britain, have already taken possession of the country to within twelve miles of the town of Woodstock in New Brunswick, and have erected a strong military fort and barracks at a place called Houlton, which has been for some time garrisoned by a detachment of the United States' army.

Encroachment of the United States at Houlton.

There is yet another point to which we desire to draw the attention of your Lordship.

Vide Map A.

\* We have placed a section on the right margin of the map, showing approximately the level of the country between the Monument at the St. Croix and the point where the due North Line struck the Beaver River.

† The Fief of Madawasca is a tract of land entirely distinct, and at some distance from the settlements of Madawasca. These last are constituted by a continuous succession of small farms on each bank of the River St. John, extending from within five miles of the Great Falls of the St. John to even the vicinity of the mouth of the St. Francis. A person who reaches this last point from the sources of the St. John considers himself at the outskirts of the Madawasca settlements. We had some Frenchmen in our employment when on the Survey, whose parents lived in the more dense parts of the settlement nearer to the Madawasca River, and these men resided at the mouth of the St. Francis. Betwixt the St. Francis and Fish River many Americans are settled, and some even to the east of Fish River. Amongst the first Americans who began to settle in that part of the country, about 1823, was Mr. John Baker, who applied for a bill of naturalization to become a British subject, and asked for and received a premium from the British agricultural fund. All the settlers on the banks of the St. John, within the distance we have spoken of, are of French origin, and Roman Catholics, with the exception of a few Americans who have recently moved in there. The settlements first began near the Madawasca River, and continuing to extend west and south of that stream, have been constantly called the Madawasca Settlements the whole extent of their long line. There is a Roman Catholic chapel on the right bank of the St. John, about eight miles from the mouth of the Madawasca River, for the use of the upper part of these Settlements. Baker resides four miles still further to the west than this chapel, and was convicted in 1825 in the Supreme Court at Fredericton, for acts of resistance to the British laws, committed on the place where he has always dwelt. Fish River is about twelve miles from the Madawasca. Vide Map B, No. 6, where the houses of the settlers are laid down, from observation, on their respective localities.

Vide Map B, No. 6.

Had the award of the King of the Netherlands been accepted by both countries, the Treaty, nevertheless, could not have been executed; for when the line along the "thalweg" of the St. John had got to its termination up the St. Francis, and had taken its western departure from thence, according to that award, it never would, as we have heretofore shown, have come within forty to fifty miles of the "north-westernmost source of the *Connecticut River*," where the award of the King of the Netherlands directs it to go.

Impossibility of executing the award of the King of the Netherlands, shown by the features of the country now ascertained.

It is also to be remarked, that a fluctuating state of things such as existed in former times in that part of North America, of which the territory now in dispute with the United States forms a portion, could not fail to produce, at different periods, numerous maps, where the lines of demarcation between parties claiming adversely to each other, would be laid down in such a manner as to enforce, as much as possible, the claims of parties interested in the establishment of these several lines. Previously to the war with France, in 1756, when the great conflict for power in North America began between the two nations, many maps of North America were produced in England, in which the British claims were extended by lines of demarcation to the River St. Lawrence. These grew out of the war titles which have been spoken of; and new editions of such maps appeared, even after the grants made by the British crown had been virtually revoked by the various Treaties of Peace which have been enumerated. The British Colonies in North America were especially interested in keeping the French to the left bank of the St. Lawrence; and it was probably more with a view to the protection of those Colonies, than for the sake of mere dominion, that the British Government claimed all the country east of the Kennebec and north to the St. Lawrence. The claims of Great Britain, to that extent, are recorded upon various maps; but nevertheless we do not find that, either previously to the expulsion of French power from North America, when the whole country fell under the rule of the King of Great Britain, or subsequently to the Peace of 1763, the Northern Boundary of Massachusetts was ever settled. This being the case, the existence of maps published in England from the Peace of Utrecht in 1713, down to the present times, exhibiting the claims of Great Britain carried out to the River St. Lawrence, or even representing, *a due North Line*, reaching to supposititious "Highlands" near to the St. Lawrence, would furnish no evidence in support of the claim of Massachusetts to extend its territory to such Highlands; even if such Highlands existed at all, or if they could be traced to the north-westernmost head of Connecticut River, whither they are required by the Treaty to go.

Maps originating in a state of war, no evidence of property in the countries they represent.

By the Treaty of Utrecht in 1713, Great Britain acquired by cession from France, "all Acadie according to its ancient limits." These limits extended to the 46th degree of north latitude. By the Peace of 1763, France ceded to England the whole of her possessions north of the 46th degree, to the River St. Lawrence. The title of England had then, therefore, become clearly established to the whole of that country, whilst no evidence appears of the right of Massachusetts to any part of it.

The Boundary of Massachusetts had never been settled previously to the Peace of 1783; and nothing passed upon that occasion which could give to Massachusetts any reason to suppose that her Boundary would then be enlarged beyond her Charter limits. The policy of England necessarily changed with the acknowledgment of the independence of her old Colonies, and her protection was now peculiarly due to others rather than to those who had voluntarily estranged themselves from her connexion.

Yet the people of the United States, asserting claims so directly injurious to British Colonial interests, have not scrupled, by their Legislative authorities, to use the most violent language upon this subject, calling into question the integrity of Great Britain, and representing the just assertion of her right to the territory in dispute, as an act which dishonoured her\*. Imputations to this

\* We have spoken in strong terms in our Report of the popular opinion which obtains in the United States as to the right of that country to the territory in dispute; but the positiveness of that opinion cannot surprise us when we consider the tone of many of the official documents which have emanated from some of their legislative bodies upon this subject, and the language held by the press in that country. To illustrate this we quote a few passages from official documents, little calculated to give a just and temperate direction to public opinion:

Extract from a Report from the Legislature of Maine, transmitted by the Governor of that State to the President of the United States, on the 30th April, 1837. The words in Italics are so in the original:—

effect, accompanying statements of the American claims, founded upon such objectionable grounds as we have exposed in this report, have been diligently circulated throughout the United States, and in all the Capitals of Europe.

"The first object, starting-place, or terminus a quo, is this *north-west angle of Nova Scotia*. It is the corner of the British province, *designated by themselves*. It was presumed, and it is still believed, that they knew the identical spot; we have a right to demand of them to define it."

We have before shown that this term, "north-western angle of Nova Scotia," is of American origin, having been first used in the Congress of 1779, and that this point mentioned in the Treaty of 1783 must remain for ever a nonentity until the Highlands of the Treaty are agreed upon. Yet Great Britain is here charged with having *designated* that angle, and is taunted with keeping back information as to its locality.

Extract from a Report to the Senate of the United States, dated July 4, 1838, by Mr. Buchanan, Chairman of the Committee of Foreign Relations:—

"Enough has already been shown to fix with precision what was the acknowledged southern boundary of the Province of Quebec at the date of the Treaty in 1783, and what it has remained ever since. It was then clearly known to have been a line from the western extremity of the Bay of Chaleurs to a point on the eastern bank of the Connecticut, in latitude forty-five, and running along the Highlands, dividing the tributaries of the St. Lawrence from the sources of streams flowing into the sea. Where, then, was the north-west angle of Nova Scotia known to be at the date of the Treaty?"

"Were not, then, the Commissioners who framed the Treaty fully justified in the conviction, that when they established the point of beginning of the boundaries between the United States and Great Britain, at 'the north-west angle of Nova Scotia,' they were fixing it at a point long known and well established?"—Page 6.

It is to be regretted that the Hon. Chairman,—the general reasoning of whose Report is in harmony with the conclusion he here comes to,—had not answered his own queries, and informed the Senate that the only attempts ever made to establish that point were made, first by the Congress in 1779, and next by the American Negotiators in 1782, under instructions from the Congress to *fix the north-west angle of Nova Scotia at the source of the River St. John*. Had he deemed it expedient to furnish the Senate with that authentic piece of information, we may reasonably infer that that distinguished body would have hesitated to pass with unanimity, as they did upon the occasion, a resolution, that—

"After a careful examination and deliberate consideration of the whole controversy, between the United States and Great Britain, relative to the North-Eastern Boundary of the former, \* \* it entertains a perfect conviction of the justice and validity of the title of the United States to the full extent of all the territory in dispute, between the two powers."—Page 15.

Extract from the Report of the Governor of Maine, transmitted to the President of the United States, April 30, 1837:—

"In perfect accordance with this disposition to encroach, is a proposition of the British minister, Mr. Vaughan, that inasmuch as the highlands cannot be found by a due north direction from the monument, we should *vary west* until we should intersect them, *but not EAST!* Now, that in case a monument cannot be found in the course prescribed, you should look for it *at the left, but not the right*, seems to us a very *sinister* proposition. \* \* \* We have never explored the country there, and are expected to yield to such arrogant, extravagant, and baseless pretensions!"—Page 359.

In this inculpatory statement, the fact—which was familiarly known in the United States—is carefully suppressed, that the proposition to vary the exploration for highlands, west of the due North Line, came not from Sir Charles R. Vaughan, but from Mr. Livingston, Secretary of State of the United States, by instructions from President Jackson; and that Sir Charles R. Vaughan, who was disposed to favour the proposition, wished, before he assented to it, to guard himself against any inference that exploration was in consequence to be made East of the due North Line,—a precaution, which Mr. Livingston, by direction of the President, admitted the validity of, by assenting to it.

Extract from the same document:—

"We call upon the President and Congress; we invoke that aid and sympathy of our sister States which Maine has always accorded to them; we ask, nay, we demand, in the name of justice, how LONG we are to be thus trampled down by a foreign people?"—Page 362.

Extract from a letter of the Governor of Maine to the President of the United States:—

"Whatever may be urged to the contrary, it is confidently asserted, not only that the provisions of the Treaty of 1783 is imperative, but that it describes our Boundary with a precision which shames the British claim, and, connected with the making of that claim, casts a shade over the lustre of the British character."

Extract from a letter of the Governor of Maine to the Secretary of State of the United States:—

"Let me entreat you, then, to look at once at the exciting cause of the cupidity of Great Britain, and the anxiety of Maine, as to this profligate claim."

Message of Governor Fairfield to both branches of the Legislature, January, 1840:—

"The pretence of claim set up by Great Britain to the disputed territory, is palpably unfounded and unjust, and can be persevered in only through an utter disregard of the plain and unambiguous terms of the Treaty of 1783."

These being but a few instances, from a greater number, which we might quote, account in a great degree for the sympathy which has been created in the United States, for the claims preferred by the State of Maine.



All the material arguments and facts which have occurred to us, being thus brought under the notice of your Lordship, we proceed to close our Report with a summary of the foregoing pages.

I. We have, in the first place, endeavoured to show that we should have been acting inconsistently with the information which we possess, and with the facts which we have to report, if we had adopted the ground which the official British agents who have preceded us in the investigation of this Boundary Question, relied upon as essential to the maintenance of the British view of the Question; viz., that the Boundary intended to be established by the 2nd Article of the Treaty of 1783, was to be a line distinct from the southern boundary of the Province of Quebec as established by the Royal Proclamation of 1763. In opposition to that erroneous impression, we have felt it our duty to show that those lines were one and the same thing. Indeed the very definition of the point in the Treaty, viz., the coincidence of the due North Line with the Highlands, proves that the Commissioners for negotiating the Treaty of 1783, considered the "Highlands" of the Treaty to be one and the same thing with the Southern Boundary of the Province of Quebec; for if Nova Scotia had extended further to the north, or to the west, than the point where the due North Line was to intersect the Highlands, that point would have been the north-east angle of the State of Maine, but could not have been the north-west angle of Nova Scotia. For the true north-west angle would have been still further to the north or to the west, at whatever point the western boundary of Nova Scotia touched the southern boundary of the Province of Quebec.

General Summary  
of the Results  
shown by the pre-  
ceding pages of  
this Report.

II. We have given some historical notices of the periods when the lands on the River St. Lawrence and on the Bay of Fundy were first discovered and settled by the French, with a view to show that it was long posterior to the settlements thus made by the French that any part of those countries came into the occupation of the English; that every such occupation was incidental to a state of war; and that invariably, on the restoration of peace, every part of those countries so occupied *was restored* to France, down to the Peace of Utrecht in 1713.

III. We have shown that, in 1603, the Sieur de Monts received letters patent from his Sovereign, granting him the country now called Maine and New Brunswick, to the 46th degree of north latitude; in which letters patent the word "*Acadie*," was first used as the name of the country; and that, at the Peace of Utrecht in 1713, France made her first cession to England of any of her possessions in that part of North America, ceding for ever to the British crown "*all Acadie according to its ancient limits.*"

IV. We have endeavoured to show by various concessions granted by the French Government to its subjects, north of, and adjoining to, the 46° parallel of north latitude, that the Government of Quebec, when possessed by France, had jurisdiction as far south as that parallel.

V. By our Map A, we show that a line drawn along that parallel connects the head waters of the Chaudière River, with a point not more than five miles north of that branch of the St. Croix River, where a monument has been erroneously placed, and with a point not more than forty-two miles north from the most western waters of the St. Croix.

VI. We have endeavoured to show that the claims of the colony of Massachusetts' Bay to extend its territory to the St. Lawrence, in virtue of the Grant of the Sagadahoc country by Charles II. to the Duke of York in 1664; in virtue of the renewal of that Charter in 1674; and in virtue of the Charter granted by William and Mary in 1691, are without weight: seeing that the Grant of 1664 was revoked at the Treaty of Breda in 1667; and that the title to the Sagadahoc country accruing by the renewal of the Grant in 1674, as well as the title to Nova Scotia,—both of which countries, were annexed to the colony of Massachusetts' Bay in the Grant of 1691,—were revoked by the Treaty of Ryswick in 1697, *which restored to France all she had possessed before the declaration of war.*

VII. It is shown that the Charter of William and Mary of 1691 does not extend the Grant of the Sagadahoc country to the St. Lawrence, but only grants the lands "betweene the said country or territory of Nova Scotia and the said River of Sagadahoc, or any part thereof," so that the extreme interpretation of this Grant would require for the northern limit, a line passing between the head



water of the St. Croix River and the source of the Sagadahoc or Kennebec River, which would nearly coincide with a line passing between the western waters of the St. Croix and the Highlands which divide the Kennebec from the Chaudière.

VIII. We show that the northern boundary of the colony of Massachusetts' Bay had never been settled: that the right of that colony to go to the St. Lawrence was denied by the British Government soon after the Peace of Utrecht in 1713, and has never since been admitted; that as late as 1764, a question was entertained by the Lords of the Board of Trade whether Massachusetts had any right whatever to lands in the Sagadahoc territory; and that at the Peace of 1783, that question had not been settled.

We also adduce the opinions of some distinguished Americans that Massachusetts had no claim to go to the St. Lawrence.

IX. It is shown that there is no evidence of any expectation having been entertained on the part of the revolted colonies, that they would be permitted, at the restoration of peace, to have their boundary extended north of the River St. John; that on the contrary, the Congress in 1782 instructed the negociators to have, if possible, the north-west angle of Nova Scotia established at the western source of the St. John's River, and to propose that river from its source to its mouth as the boundary between the two countries; and that upon the Government of Great Britain refusing to admit their proposition, they abandoned it, and agreed "to adhere to the Charter of Massachusetts Bay, and to the St. Croix River mentioned in it."

X. It will appear that the phraseology used in those Instructions of Congress to their negociators, in which the north-west angle of Nova Scotia is stated to be at the source of the St. John, has been transferred to the 2d Article of the Treaty of 1783; the only difference being, that, in the latter, the River St. Croix is substituted for the River St. John, and that the highlands are directed to be reached from the St. Croix by a *due North Line*.

XI. We show that the "Highlands" of the Treaty had been, as early as 1755, described by Governor Pownall; and that he describes them as dividing the St. Francis and the Chaudière, from the Kennebec, and from *all the branches* of the Penobscot.

We also show that he states the different branches of the Penobscot to extend from west to east along the southern front of the country now called the disputed territory;

That the topographical description of the Southern Boundary of Quebec contained in the Royal Proclamation of 1763, and the description of the Boundary of Nova Scotia, contained in the commissions of some Royal Governors, were taken from Governor Pownall's paper;

And that the language used in the Boundary descriptions quoted from the Secret Journals of Congress, and the language used in the 2d Article of the Treaty of 1783, was but a copy of that which is to be found in the documents last mentioned.

XII. We have drawn the just inference, that the "Highlands" which Governor Pownall speaks of as throwing down both the western and eastern branches of the Penobscot, are the Highlands intended by the Treaty; and we have adduced the contract of Jackson and Flint with the State of Massachusetts in 1792, to show that the land then granted was bounded on the north by the Highlands, thus heading all the branches of the Penobscot; and that those "Highlands" were then understood by the Government of the State of Massachusetts to be the Highlands intended by the Treaty of 1783.

XIII. It is seen that the 2d Article of the Treaty of 1783, *can never be executed*, until the two Governments first agree which is the Line of Highlands that is to be intersected by the *due North Line*; since the Treaty directs the execution of the Article to begin at a point which can have no existence, until the *due North Line* has intersected Highlands acknowledged by both Governments to be those of the Treaty.

XIV. We have discovered by a critical examination of the Grant of Nova Scotia of 1621 in the original Latin, that the passage which describes the Western Boundary of the territory included in that Grant, and which boundary was agreed, at the time of the Treaty of 1783, to be the eastern boundary of Massachusetts in conformity with the provision contained in the Charter of Massachusetts of 1691, is susceptible of a new interpretation varying in important

particulars from the received one: and we show by a literal translation of the Latin, that the Boundary was intended to run from the most western waters of the St. Croix to the sources of the Chaudière; a line, which it has been seen, coincides in a very striking manner with the boundary in the Sieur De Monts' Grant of 1603.

XV. With reference to the great errors of Mitchell's map in latitude and longitude, we have suggested some remarkable considerations resulting therefrom. We have observed that if a line were protracted upon that map between the most western sources of the St. John and the western termination of the Bay of Chaleurs, and were adopted as the Boundary between the two countries, the River St. John would fall to the south of that line, and be within the United States. Whereas by a Line protracted between the above-mentioned points, *properly adjusted as to the latitude and longitude* as they exist on our map, the River St. John would be left on the British side, and to the north of the Boundary between the two countries. But though we have referred to Mitchell's map for the purpose of showing how the mistakes in that map may have contributed to account for the erroneous opinions prevailing in the United States about the Boundary Question, we are quite aware that Mitchell's map is not, and cannot be, any authority on this question: inasmuch as it is not mentioned or referred to, in any manner, in the Treaty. The Boundary must be determined by applying the words of the Treaty to the natural features of the country itself, and not by applying those words to any map.

XVI. It appears that in the discussions which have been hitherto had on the subject of the Grant of Nova Scotia in 1621, reference has always been had to an American translation of that Grant which was defective; and that all the omissions and inaccuracies in that defective translation singularly concur to obscure the nature of the claim which Her Majesty's Government is interested to maintain.

XVII. We have shown that the terms *due North Line* which were originally used in the Commission of Montague Wilmot, Esq., in 1763, were inserted in that instrument, because the sources of the St. Croix River being to the South of those of the Penobscot, it was necessary to direct a *due North Line* to be drawn from those sources as far as the Southern Boundary of the Colony of Quebec; a fact which goes far to identify that Boundary with the Highlands of the Treaty of 1783\*.

XVIII. In adverting to the proceedings of the Commissioners appointed under the Treaty of 1791, to identify the St. Croix River, we remark upon the erroneous establishment of the point of departure for the *due North Line*, which has had a disturbing influence upon all attempts subsequently made to execute the Treaty. Had the point of departure of the *due North Line* been established at the most western waters of the St. Croix, agreeably to a just construction of the Treaty of 1783, it would have intersected Highlands *south* of the Roostuc River; and any further protraction of the *due North Line* from that point of intersection could not have been proposed, the Treaty directing the *due North Line* to go to the Highlands, and not to any further point.

XIX. In that branch of our Report entitled "The Physical Geography of the Country," we have shown that the line of "Highlands" claimed by the United States to be the Highlands of the Treaty of 1783, even if it were continuous, which it is not, and if it divided the waters flowing in opposite directions, which it does not, passes at least fifty miles to the north of the "*North-Westernmost Head of Connecticut River*," and therefore could not by any reasoning be shown to be the "Highlands" of the Treaty of 1783; those Highlands being required by that Treaty to go to the north-westernmost head of Connecticut River.

\* The great principle of demarcation obtaining from the earliest periods in America, seems to have been the very convenient one that boundaries should pass, as far as it was practicable, clear of the sources of rivers flowing through the respective territories. This principle, no doubt, influenced the negotiations of the Treaty of 1783. When the Plenipotentiaries of the Congress proposed a line of demarcation which infringed this principle, viz., to make the River St. John the boundary between the two countries, and so admit the United States to the navigation of that river, it was instantly rejected.

Coronelli's map, dated A. D. 1689, which was published when France and England were at peace, shows that the principle obtained at that time, the northern boundary of the colony of New England running in that map along the sources of the Kennebec and Penobscot, and coming down from the sources of the Chaudière to the head waters of the St. Croix, in the manner we have supposed the Grant of Nova Scotia, in 1621, intended the Boundary to be.

XX. We have shown that the assumptions on the part of some of the official agents of the United States, both in relation to the continuity and to the dividing character of their "Highlands," and to the elevation above the sea of the point they have stated to be the north-west angle of Nova Scotia of the Treaty of 1783, are altogether unfounded in fact. That the conclusions upon which they have rested the American case, instead of being the legitimate results of practical investigation, are unsubstantial inventions brought forward in the absence of all real investigation; conveying erroneous ideas of the nature of the country; and calculated to mislead, not only their own authorities, but public opinion in the United States and in Europe, as to the merits of this question.

Conclusion.

In concluding this Report, we have to ask the indulgence of your Lordship if it should appear to be less complete than the importance of the subject required, or would have admitted of. The very short period allotted for our personal examinations of the disputed territory, was diligently employed by us, as long as the season permitted us to continue our investigations; nor were they discontinued until we had made ourselves acquainted with the natural features of the country to the extent required by the important end contemplated in our instructions.

We are also aware that the somewhat complicated history of this controversy might, in more able hands, have been treated with greater ability, yet we venture to ask your Lordship to rely upon the fidelity of all our statements. If we may be thought to have occasionally exceeded the precise line of our instructions, we rest our justification on the great anxiety we have felt to vindicate our country and our Government from imputations as offensive as they are unfounded. Intimately allied as Great Britain and the United States are, we have thought it due to a question which has somewhat endangered the peace happily subsisting between them, that we should frankly explain some of the causes why the two Governments have hitherto been defeated in their earnest attempt to bring the dispute to an equitable and amicable arrangement. If our strictures upon the conduct of some of the agents of the two Governments heretofore employed in ineffectual attempts to settle the Boundary Question, should give pain in any quarter, we can only say that the maintenance of British rights and the preservation of peace did not appear to us to admit of being compromised by personal considerations. We have, therefore, stated things as we found them to be, and have been impartial in the application of our remarks. Above all, we desire to say that we have not intended to insinuate a doubt as to the good faith of the Government of the United States in the progress of this matter. On the contrary, we have regretted to see that those irregularities on the part of some of its agents which it has been our duty to expose, could not fail to mislead that intelligent Government whose conduct during the negotiations has been uniformly marked by fairness. Notwithstanding the assertions which during so long a period have been confidently urged, that the United States alone can rightfully claim the territory in question, we hope to have proved that the claim of Great Britain does not, as has been alleged, rest upon vague and indefensible grounds, but that she has always had a clear and indefeasible title, by right and by possession, to the whole of the disputed territory: a title, it is true, which has hitherto been somewhat obscured by its rather complicated history, and by the want of that interest which countries in the state of a wilderness, and remote from the mother country, sometimes fail to inspire.

If it should be urged that the British agents, in whose hands this question has heretofore been, have sometimes taken different views of the subject, and consequently expressed themselves in a manner inconsistent with the reasonings which we have used, we may fairly attribute it to the want of that more accurate information which we possess at this time. But it becomes less surprising that they should have so acted under the disadvantageous circumstances we have alluded to, when we see that the people of Maine, whose legitimate home is continuous with the country in dispute, have not to this day examined the territory, as they might have done, with an accuracy that admitted of an impartial judgment being formed, whether their claim, as they have hitherto preferred it, was or was not truly in accordance with the language and intentions of the Treaty of 1783. It is not to be concealed, that they, who were so much inte-

rested in the decision of the question, and who, as it were, live upon the spot, have contributed little or nothing to clear up the difficulties attending upon the subject. Their acts seem principally to have been confined to surveying the land into townships to be settled by their own citizens, and leaving it to the next generations to assert the proprietorship of them. Time will prove or disprove our statements. We have had truth at all times for our guide, and now confidently declare, that if, upon concluding our investigations, we had found reason to believe that the claim of Great Britain was, in our judgment, a doubtful one, we should have reported that fact to your Lordship.

When this question shall receive a more calm and a more careful examination in the United States, we believe that the American people, who are eminently capable of forming a deliberate and sound judgment upon this grave question, will be anxious that it shall be decided according to the principles of strict justice, and consistently with the reverence due to that Treaty whence is dated the independence of their Government.

Finally, it gives us great satisfaction to be able to state to your Lordship, that we have carefully examined every branch of this important subject as it has come under our consideration; and that conscientiously believing that the claims of Great Britain to the whole of the disputed territory are founded in justice, and are in plain accordance with the 2nd Article of the Treaty of 1783, and with the physical geography of the country;

We report

That we have found a Line of Highlands, agreeing with the language of the 2nd Article of the Treaty of 1783, extending from the north-westernmost Head of the Connecticut River to the sources of the Chaudière, and passing from thence, in a north-easterly direction, *South of the Roostuc*, to the Bay of Chaleurs. The course of that Line is traced out on the map A, accompanying our Report. Upon the left margin of this map we have placed a section of the country along the Line as far as the Lake Keeaquawgam; and upon the right margin a perpendicular section along the exploratory due North line, accompanying them both with barometrical elevations.

We further report that there does not exist, in the disputed territory, any other Line of Highlands which is in accordance with the 2nd Article of the Treaty of 1783; and that the Line which is claimed on the part of the United States, as the Line of Highlands of the Treaty of 1783, does not pass nearer than from forty to fifty miles of the north-westernmost Head of Connecticut River, and therefore has no pretension to be put forward as the Line intended by the Treaty of 1783.

We have the honour to remain,

My Lord,

Your Lordship's most obedient and humble Servants,

G. W. FEATHERSTONHAUGH.

RICH. Z. MUDGE.

} Commissioners.



## APPENDIX

To the Report of the British Commissioners appointed in July, 1839, to explore and survey the Territory in dispute between the Governments of Great Britain and the United States of America, under the 2nd Article of the Treaty of Ghent.

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### RECORD OF BAROMETRIC OBSERVATIONS,

*Made on the line of the Maximum Axis of Elevation, from the head waters of the Penobscot and St. John's Rivers to the Bay of Chaleurs, for determining the Approximate Heights of Land.*

A LARGE portion of the disputed territory may be seen from the summit of Mars Hill, which is nearly 1,700 feet above the level of the sea. On the top of that hill a space has been cleared by cutting down the trees, and a framed stage has been erected, about twenty feet in height, for the purpose of obtaining a view of the distant country. This was done only a few years ago, to assist in the exploration undertaken by Captain Yule, of the Royal Engineers, as authorized by the House of Legislature of New Brunswick, for determining the best line for a rail-road from St. Andrews to Quebec.

The character of the country may be well discerned and understood from this insulated hill. It presents to the eye one mass of dark and gloomy forest to the utmost limits of sight, covering by its umbrageous mantle the principal rivers, minor streams, and scanty evidences of the habitation of man. The hill itself is also rarely distinguishable from any part of the surrounding territory; and it is only by the increased difficulty of the ascent that the traveller becomes aware of his approach to the summit.

In a country so unfavourable for the usual methods employed in determining geometric heights, barometers offered the only means towards obtaining that object, and fulfilling the conditions on that point, conveyed in the Instructions to the Commissioners by Lord Viscount Palmerston. A selection was accordingly made of such barometers as were supposed to be constructed on the most approved principles, and immediately available.

The barometers used for the above purpose were ten in number; viz.:—

*Two*, marked A and B, on Troughton's improved construction, provided with a gauge point, the brass box covering the cistern of mercury having two slits opposite to each other, the plane of the upper edges of which represent the zero or beginning of the scale: a screw at the bottom performs the office of adjusting the surface of the mercury to zero, by just shutting out the line of light below the zero point, as also of rendering the instrument portable for carriage, by forcing up the mercury to the top of the tube before it is reversed and placed in the case, which is conveniently formed by the tripod-stand, used in suspending the barometer for observation.

*Four*, numbered respectively 1, 2, 3, 4, on the construction of Mr. Howlett, Chief Draftsman in the Office of the Inspector General of Fortifications, Pall Mall. These barometers are not provided with a gauge-point, but have, marked on each, numbers indicative of the neutral point and capacity; the size of the bores of the tubes not rendering any correction for capillarity necessary.

*Four*, numbered 373, 374, 376, 377, made by M. Buntin of the Quai Pelletier, Paris. These barometers were procured from Paris by order of Lord Palmerston, having previously been compared, by the permission and aid of MM. Arago and Mathieu of the Royal Observatory at Paris, with the standard syphon in that establishment.

The construction is that of a syphon, having one leg perforated with a very delicate and minute point for the admission of air. The zero point is placed in the centre of the instrument, and at the upper and lower ends are two moveable verniers, which, when

adjusted as tangents to the upper and under surfaces of the mercury, measure the distance from the centre or zero, the sum of which is the height of the mercurial column in millimetres, tenths, and hundredths. The vernier is divided only to tenths of millimetres, but by the aid of a powerful microscope, which should always be used, the hundredth part may be correctly estimated.

The possession of these barometers proved of the greatest value towards the objects of the expedition. The advantages they possess of extreme lightness, perfection of division, and the great facility with which they are brought in a moment into the requisite position and adjustment for observation, give them a decided superiority over every other instrument of the same description, in a country abounding with such difficulties and obstacles for the transport of ordinary barometers as the disputed territory.

Three non-commissioned officers of the corps of Royal Sappers and Miners were carefully selected by Brigade Major Matson, by order of the Master General of the Ordnance, to accompany the expedition to America. The instruments were placed on board the "British Queen" steamer, at Blackwall, and arrived safely at New York. From thence they were conveyed by steam-vessels and rail-road to Boston, where they were again examined, and found to be in perfect order. From Boston to Bangor in Maine the conveyance was also by steam, and nothing occurred until the arrival of the expedition at that place, to alter their condition.

From Bangor to the frontier town of Houlton, the ordinary communication during the summer season was at that period by stage, over a road cleared through the woods, of the very worst description, partly in consequence of its not having been repaired for some considerable time before, but chiefly from its having been cut up by the transport of cannon and heavy wagons with ammunition and other stores for the military depôt and park of artillery at the Fort of Houlton during the same summer. Every expedient that could be devised for the protection of the instruments was adopted, the Paris barometers were held carefully and separately in the hand during the whole day and following night; and the remainder, which were much heavier, and which would, undoubtedly, have been broken or rendered unserviceable in any other position, were securely lashed outside the carriage at an angle of about 45°. Happily the stage was not actually overturned, though more than once on the point of being so; but the concussions were so severe, in crossing the cor-de-roy bridges (logs of timber laid across rivers and streams), added to the violent jolting occasioned by the wheels sinking into "honey pots" (holes in the road filled with mud and water) which could not be seen or avoided in a dark night, that the utmost apprehensions could not but be entertained for the safety of the barometers, and the condition in which they might be found on arriving at Frederickton.

The conveyance of the party and instruments from Houlton to Woodstock and Frederickton was also effected by stage; but the road was so far superior to that through Maine, that no fear could be felt of any other derangement of the barometers, than such as they might already have sustained.

On arriving at Frederickton, the Commissioners and their instruments were hospitably received by his Excellency, Sir John Harvey, into the Government-house, and a room was especially appropriated to the barometers at the top of the house, where they were carefully unpacked and examined on the following day.

*Extract from the Register of the Barometers.*

"On examining the barometers at the Government-house, to ascertain what injury they had sustained, in consequence of the violent jolting by carriage over the wretched roads in the State of Maine, the following results were noticed:—

Barometer A.	A slight escape of mercury outside the cistern.
" B.	No appearance of escape of mercury.
No. 1.	In good order.
" 2.	Ditto.
" 3.	Contained air.
" 4.	In good order.
" 373.	Contained air.
" 374.	Ditto.
" 376.	In good order.
" 377.	Ditto.

From the peculiar construction of Mr. Howlett's barometers, in case of admission of air into the tube, it is frequently practicable, by reversing the instrument several times successively, to disengage a large portion of it from the column of mercury; and in this instance, by pursuing that mode, the larger proportion of the air was expelled, and the reading was restored to within two-hundredths of an inch of the other barometers constructed on the same principle.

This difference from the construction of the usual mountain barometers consists in the absence of the usual elastic leathern bottom to the cistern, which, in common barometers, is forced up by a screw beneath to the height that may be necessary to bring the surface of the mercury in the cistern to the gauge point, or to force it to the top of the tube nearly, previously to the instrument being reversed for carriage.

In lieu of the leathern bottom a brass cap is placed within the body of the cistern, which, on the barometer being reversed, and so filling the tube with mercury, is screwed

tight against the bottom of the tube by means of a screw connected with it, and passing through the bottom of the cistern. The peculiarity attending this construction permits the expulsion of a large portion of intruding air, as was exemplified frequently during the course of the barometric observations through the disputed territory.

It is extremely difficult to account for the admission of air which was apparent in the French barometers, Nos. 373, 374, on examination at Frederickton, except that no instrument, however perfect in its construction, could, except by good fortune, escape injury to a certain extent, from the repeated and violent concussions and jolting through the State of Maine. The air was, indeed, partially, and apparently totally expelled by frequently reversing, as with Mr. Howlett's barometers when in a similar condition, and the instruments returned nearly to their readings with the others.

In the frequent use of the Paris barometers, in the course of the exploration, it was found, by experience, that they require a peculiar management. The tubes being manufactured of glass of extreme thinness to avoid capillary action, in moving the instrument for observation, or for the purpose of putting it into the leathern case, caution is required not to do so too suddenly, the weight of the mercury when quickly forced against the end of the tube having a tendency to break it; and the perforation in the open leg being so minute, that the air which enters to fill the space occupied by the mercury when in a position for observation, has not time to escape, if the mercury be suddenly forced back again by an impulsive movement resulting from want of caution in inverting the barometer to a position for observation.

During the stay of the Commissioners at the Government-house at Frederickton, the barometers were frequently compared, the temperatures of the attached and detached thermometers carefully taken, and the value of each, with reference to the others, accurately ascertained and registered.

The attached thermometers of A and B were both divided to the Centigrade and Fahrenheit's scales;

No. 1, 2, 3, and 4. to Fahrenheit's only;  
and No. 373, 374, 376, and 377 to Centigrade.

The detached thermometers were

*Four*, ingeniously connected by a folding arm, to barometers No. 1, 2, 3, 4, divided to Fahrenheit's scale.

*Two* of Fahrenheit's scale; and

*Two* Centigrade ditto, of a very delicate and sensible kind, made by M. Bunten, and purchased in Paris at the same time with the barometers.

Every arrangement having been made, and every assistance given by his Excellency Sir John Harvey, Chief Justice Chipman, Mr. Odell the Surveyor-General, and the other authorities at Frederickton, to secure a successful passage through the disputed territory, the Commissioners securely placed the barometers on board a horse boat, and proceeded up the river St. John to the Great Falls, where Sir John Caldwell had hospitably provided for their accommodation, and had preceded them for that purpose some days.

On arriving at that part of the river the nearest to Mars Hill, they disembarked with the barometers, and proceeded to ascend to the summit; having previously placed the instruments in a position for observation, and registered the readings in a barn on a height above the river, known as Pomphret's Barn, and notable for its connexion with the survey undertaken by order of the House of Assembly of New Brunswick, towards the construction of a railroad from St. Andrews to Quebec.

The barometers were then conveyed to the summit of Mars Hill, and placed against the stage erected on it by the same parties, for the purpose of seeing over the tops of the trees and investigating the nature of the country within view. The summit of the hill had also been partially cleared, to effect the same object more completely; and there being no shelter, and the wind blowing fresh at the time, the vibration of the mercury was so great that it became necessary to remove the instruments to a position about five feet below the summit; where, by means of lighting fires to keep off the numerous flies, the operation was at length completed.

On returning to Pomphret's Barn, the barometers and thermometers were again observed and registered.

The party then embarked, and proceeded to the Great Falls; the Commissioners being kindly received and entertained under the hospitable roof of Sir John Caldwell; and the instruments being placed in a small wooden building which he obligingly appropriated for the purpose, where they were soon after carefully registered and compared, and left for further observation: their condition being found similar to that of the preceding comparisons at Frederickton.

In order to obtain correct barometric heights above the sea, it is obviously necessary that simultaneous observations should be made at the stations the heights of which are desired to be known, and at that forming the standard level, the height of which is known or presumed, either by previous barometrical measurement, or determined by the spirit level, or by actual measurement to the surface of the ocean.

By examining the geographical character of the disputed territory on the map, it will readily be seen that the Great Falls on the river St. John form a position well suited to the last mentioned object; viz., that of constituting the standard point to which the barometrical altitudes throughout the country to the east and west might be referred. That part of the condition requiring the height of the said standard point above the sea to be known, had fortunately been previously fulfilled by order of the House of Legis-



lature of New Brunswick. Pursuant to their orders, a series of levels had been made from high tide at Chapel Bar, a few miles below Frederickton, to the summit of the Great Falls. The details are published in their Journal, of which the following is an extract.

*“Levels on the River St. John from Frederickton to the Great Falls.”*

	Distance.	Height. Inches.
“ From Frederickton to the confluence of tide below Chapel Bar	4:47:57	
“ Confluence of tide to French Chapel	3:15	43
“ French Chapel to Cliffs Bar	7:52	129
“ Cliffs Bar to the head of Bear Island	5:70:40	227
“ Bear Island to Nacawakac	8:54	
“ Nacawakac to Meductic	4:68:50	55
“ Meductic to Eel River	9:25	220
“ Eel to Griffith’s Island	9:43	168
“ Griffith’s Island to Macmullans	12:26	144
“ Macmullans to Presquisle	8:8	
“ Presquisle to Rivière du Chûte	14:77	375
“ Rivière du Chûte to Tobique	12:71	765
“ Tobique to Great Falls	21:12	
“ Total	Miles 125:39:47	2127. <sup>3</sup>

The total rise is 2127 inches, or 177 feet 3 inches, on the distance of 125 miles, 39 chains, and 47 links, to the basin on the River St. John at the foot of the Great Falls.

Height of the basin at the foot of the Great Falls above the tide at	Feet.	Inches.
Chapel Bar	177	3
Perpendicular height of the Great Falls	74	0
Descent through Rocky Channel	45	6
Total	296	9

The total height of the bed of the River St. John above the tide at Chapel Bar being 296 feet 9 inches.

The levels here detailed, and conducted by a surveyor of approved skill and character, are not, however, the only evidences of the accuracy of the above measurement. It will be hereafter shown that the height of the same station is deduced by barometric measurement from the Bay of Chaleurs; and the result is such that no doubt whatever can exist of the fidelity of the above statement.

Three barometers were conveyed across that part of New Brunswick from the Great Falls to the Bay of Chaleurs, and observations made at two points in that Bay, viz., near the mouth of the Jacquet River, and at Bathurst, a town on the south side of the Bay; the mean results of which give a height of *four hundred and sixty-seven feet from the high water mark in the Bay, to the Observatory at the Great Falls of St. John.* The height, by a mean of five barometric observations, from the basin below the Great Falls to the Observatory above the Great Falls, was found to be 205 feet; and including 177 feet 3 inches, as determined by levels from the high tide mark at Chapel Bar, with the addition of 8 feet for the height of the barometer above the ground on which the Observatory was placed, gives a total height of *three hundred and ninety feet for the height of the Observatory above the tide at Chapel Bar on the River St. John,* the mouth of which is in the Bay of Fundy.

The same height as before stated, measured barometrically from the Bay of Chaleurs, was found to be 467 feet, making a difference of 77 feet between the two measurements; the result being, supposing the respective measurements to be correct, that the high water mark in the Bay de Chaleurs, is to that amount below the level of high water mark in the Bay of Fundy.

In the American Ephemeris for the present year, published at Boston, is given a table showing the rise of the spring tides at several ports and places on the coast of America, including the Bay of Fundy; and it is therein stated that the latter have been ascertained by recent observations. According to the computations resulting therefrom, it would appear that at Cumberland Fort Basin, at the head of the Bay of Fundy, the greatest rise for the preceding year at that place was *eighty-one feet sixty-five hundredths.*

Chapel Bar, from its position, being fifty miles up and distant from the mouth of the River St. John, may be assumed to be the equivalent of Cumberland Fort, for the purposes of the same computation; as being subject to the same laws which have the tendency and effect to force the tide waters to a higher level at a distant point in any estuary, than to any other point nearer to its mouth.

In the same Ephemeris is also given the height of the water at spring tide, at Prince Edward’s Island, in the Gulf of St. Lawrence, not far distant from the Bay de Chaleurs; which, by the same computation, would show a total rise of six feet and nine-tenths on the shore of Prince Edward’s Island.

The rise of the tide north of this point, has not been ascertained by the authors of the American Ephemeris; and for want of other data, as also with reference to the peculiar

formation of the Gulf of St. Lawrence, Bathurst, in the Bay of Chaleurs, is assumed as the equivalent of Prince Edward's Island.

The difference between the two inferences above stated, viz., the greatest height of tide at Chapel Bar, in the Bay of Fundy, 81.65 feet, and at Bathurst, in the Bay of Chaleurs, 6.9 feet, is 74.75 feet: and the same, calculated by barometrical measurement, amounts to 77 feet, showing a total difference of little more than 2 feet between the two results.

This accordance is far beyond what could be looked for under the most favourable circumstances, and with every condition present to render barometrical observations most worthy of confidence. Barometers have, perhaps, been more extensively used on the Ordnance Surveys of England and Ireland, and their results have been compared with those deduced from trigonometrical measurement, on a greater scale and with more perfect materials than in any other part of the world: the experience of which has proved that heights computed from barometrical observations, cannot be inferred *with certainty*, within ten feet of the truth.

In exploring the disputed territory, barometers were adopted, as has been before observed, as the only means which the condition of the country admitted for obtaining the approximate heights of land; and had the difficulty of transport been less, and had it been practicable to use larger instruments in taking depressions and elevations, the results would have still been liable to doubt, inasmuch as the trees on the summits of all the hills, with the exception of one or two, vary from 60 to 120 feet or more in height; rendering observations uncertain, at least, to that amount of difference. It is not attempted, therefore, to insist that by any practicable process, a result such as has been shown above, could be obtained, so as to entitle it to perfect confidence; but it is such that a justifiable ground of conviction must remain, that the height of the Observatory at the Great Falls has been determined within comparatively very narrow limits.

The Great Falls having been, accordingly, fixed upon as a standard in reference to the travelling barometers, barometer No. 1 was selected for the purpose, and placed in the upper floor of the building in which it had been previously deposited, and compared with the others, at the height of thirteen feet above the level of the ground.

This was the only place available for the purpose, combining, at the same time, safety and shelter. The sides of the building were of wood, but not lined; and the shingles of the roof were so far open at intervals, that the air had free admission. Corporal MacGregor, of the Royal Sappers and Miners, who had been long employed on the survey of Ireland, and was accustomed to take angles with theodolites, was selected to keep a register of the instrument. His orders were given to him in writing, accompanied with a proper form, to be pursued in the register, of the height of the barometer, of the attached and detached thermometers, and the state of the weather and wind, to be recorded three times daily, viz.—at eight o'clock, A. M., at noon, and at four, P. M.

This register was maintained from the 13th of September to the 24th of October inclusive; between which periods observations were made as nearly simultaneous as possible, from the head waters of the Penobscot to the Bay of Chaleurs, during the progress of the exploration.

The line of proceeding having been determined, barometers B, No. 4, and No. 337, were placed in the charge of Mr. Wightman, an intelligent and competent surveyor of Frederickton, who had been recommended by his Excellency Sir John Harvey. His previous knowledge and long practice with instruments, shortly enabled him to understand the readings and different adjustments of each. He was also supplied with two of Bunten's delicate thermometers for registering the independent temperature of the air. One divided to Fahrenheit, the other to the Centigrade scale. And he performed the duties required of him, as far as the difficulties of the undertaking would permit, through a country which was before almost entirely unknown, with the utmost care and circumspection. The barometers confided to him were selected as being amongst the most perfect. He succeeded in reaching the Bay of Chaleurs with two of them in good order; viz.—Troughton's marked B, and Bunten's syphon 377. No. 4 suffered by accident, as might be expected out of the number; and both the detached thermometers were broken after arriving at the Bay of Chaleurs,—a subject of regret and inconvenience, of course,—but the main object having been already accomplished, of comparatively little importance. In making the usual correction for the strata of air, where the record is found deficient in registering the state of the temperature by the detached thermometer, that of the attached thermometer has been used, an approximation sufficiently near to prevent any great source of error, or to affect the computations, except in a trifling degree; as the barometers, when set up for observation, were always allowed to stand for at least a quarter of an hour, so as to render the temperature of the mercury and surrounding air as nearly equal as possible.

Mr. Wightman was also provided with written instructions, to record the state of the barometers at least three times every day, at the same hours as those appointed for register at the Great Falls, and at all other times when any great difference of level was perceptible.

The remaining barometers by Troughton, marked A

No.	2
No.	3
No.	373
No.	376

were retained by the Commissioners, and conveyed to the westward of the Great Falls to the head waters of the Penobscot and St. John's Rivers.

Of this number, all, excepting No. 374, were successfully carried to the extreme source of the River Roostuck, the Lake Wallagasquiguan, called in some maps Allasquegamook; or windy lake, forming the head waters of the River Allegash, where the expedition halted for the first time to rest. Barometer 374 was broken by accident in a canoe on the 13th of September, but was less to be regretted, as being one of those found to be defective at Frederickton.

Advantage was taken of the stay of the expedition at the lake, to place the barometers in a secure position for observation, and to record them at the same hours appointed for the like purpose at the Great Falls.

On the arrival of the expedition at Quebec, an opportunity offered for a second comparison of heights, as computed from barometric measurement, and those derived, and obtained, by direct means, in the usual manner.

The citadel of Quebec on Cape Diamond, offered a convenient means for the purpose, and care was taken to profit by it.

Colonel Oldfield, the Commanding Engineer in Canada, afforded every facility, as also by granting access to the plans in his office, containing the requisite information.

The citadel is situated on the summit of the precipice overlooking the River St. Lawrence: and what is termed the "Old Cavalier," stands on the highest point of it, to which any direct measurement had been made. The height from the floor of the platform of the Cavalier to high-water mark in the St. Lawrence, was found to be 333 feet, 3 inches; and the operation was commenced, of comparing the computed barometric height with the same. Barometer 376 was chiefly used for the purpose, as having been kept uninjured and unimpaired throughout the expedition, and as never having sustained derangement of any kind: being indeed as perfect as when delivered from the Royal Observatory at Paris.

Barometers A and No. 2 were also recorded; but barometer A had experienced injury by some unknown means some time before; as was evident by the escape of the mercury perceptible outside the glass cistern, to which it adhered in small globules: and barometer No. 2, on being placed on the Cavalier, was found to contain air which resisted every means adopted for its expulsion.

The operation was commenced on the 26th of October, and repeated on the 30th following.

First, by observing the barometers on the platform of the Citadel, after allowing them to remain a sufficient time to bring the mercury nearly to the external temperature; frequently reversing the instrument, and reading and recording at each reversal. The barometers were then carefully carried through the town of Quebec to the Queen's Wharf, and placed at a little distance from the walls of a building sheltered from the sun, nine feet from high-water mark, which was registered on a post in front of the wharf, where the operation of reading and reversing, and again reading, was frequently repeated. They were then restored as quickly as possible to their original position on the platform of the Citadel, and registered as before with the like precautions; when the difference between the last and the original readings was found to be about  $\frac{1}{10}$  of a millimetre, and the mean of the two results was adopted for the height of the mercurial column at the platform. The barometers being suspended 3 feet above it.

The computed height by this first operation amounts to  $331\frac{1}{10}$ .

On the 26th of October the barometers were first observed on the Queen's wharf; next on the citadel, and again at the Queen's wharf. The difference between the sum of the readings at the first and second operation on the Queen's wharf being  $\cdot 025$  of a millimetre.

The computed height by the second operation amounts to  $332\frac{4}{10}$ , being so near an approximation to the actual height, as measured by the Royal Engineer's Department, viz., 333 feet, 3 inches, that little need be said in favour of barometers when properly constructed and kept in good order, and when sufficient time can be commanded for careful observation.

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Subjoined are the registers of the barometers, made during the course of the expedition, commencing with the Great Falls.

NORTH-EASTERN BOUNDARY.

7

GREAT FALLS.

Date.	Bar. No. 1.	Ther. A.	Ther. D.	Weather.
September 13, 8 A.M.	29.510	45	42	Fine weather; wind north-west.
12	29.604	42	42	
4 P.M.	29.606	49	47	
14, 8	29.508	43	40	Fine weather; wind north-west.
12	29.601	46	44	
4	29.606	60	57	
15, 8	29.850	47	45	Fine weather; wind south-west.
12	29.808	59	58	
4	29.802	66	65	
16, 8	29.620	56	55	Rain, ended 9 A.M., dull weather for the rest of the day; wind south-west.
12	29.665	62	62	
4	29.663	62	61	
17, 8	29.710	57	56	Rain since 9 A.M.; wind west.
12	29.677	60	59	
4	29.675	62	60	
18, 8	29.635	57	57	Dull weather till 3 P.M., rain afterwards; wind south-east.
12	29.558	60	60	
4	29.430	65	65	
19, 8	29.230	60	59	Rain till noon, fine afterwards; wind north-west.
12	29.254	62	60	
4	29.302	62	61	
20, 8	29.505	49	49	Fine weather; wind south.
12	29.505	61	63	
4	29.454	66	66	
21, 8	29.605	47	47	Fine weather; wind west.
12	29.655	47	48	
4	29.655	46	55	
22, 8	29.505	43	43	Dull weather and frequent showers of rain during the day; wind west.
12	29.370	46	45	
4	29.210	50	50	
23, 8	29.045	59	58	Dull weather till 11 A.M., fine afterwards; wind north-west.
12	29.125	60	60	
4	29.145	64	63	
24, 8	29.285	45	45	Fine weather; wind west.
12	29.258	53	53	
4	29.258	58	57	
25, 8	29.354	41	41	Fine weather; wind north-west.
12	29.330	50	49	
4	29.315	60	59	
26, 8	29.170	45	45	Rain all day; wind north.
12	29.035	47	47	
4*	28.910	49	50	
27, 8	29.330	39	40	Fine weather; wind south-west.
12	29.330	52	54	
4	29.265	57	56	
28, 8	29.435	37	39	Fine weather; wind north-west.
12	29.497	45	47	
4	29.525	48	47	
29, 8	29.668	35	37	Fine weather; wind north-west.
12	29.675	46	47	
4	29.710	49	49	
30, 8	29.847	35	35	Fine weather; wind south.
12	29.847	44	47	
4	29.825	58	58	

\* Minimum.

## APPENDIX TO REPORT OF COMMISSIONERS ON

## GREAT FALLS—(Continued.)

Date.		Bar. No. 1.	Ther. A.	Ther. P.	Weather.
October	1, 8 A.M.	29.825	35	37	Fine weather; wind north-west.
	12	29.825	47	48	
	4 P.M.	29.767	48	50	
2,	8	29.659	41	43	Cloudy weather; wind south-west.
	12	29.563	51	52	
	4	29.465	52	52	
3,	8	29.205	48	49	Rain till noon; fine afterwards.
	12	29.164	52	52	
	4	29.126	54	54	
4,	8	29.184	44	44	Showery all day and wind blowing fresh from the north-west; shower of snow at 5 P.M.
	12	29.287	43	42	
	4	29.420	43	45	
5,	8	29.888	59	34	Fine weather; wind north-west.
	12	29.935	59	41	
	4	30.035	50	50	
6,	8	30.178	52	32	Fine weather; wind south.
	12	30.178	42	46	
	4*	30.185	59	60	
7,	8	29.944	32	31	Dull weather and showery afternoon; wind south.
	12	29.869	43	45	
	4	29.810	46	37	
8,	8	29.810	47	48	Cloudy till noon, fine afterwards; wind north.
	12	29.842	57	57	
	4	29.810	60	61	
9,	8	29.810	52	52	Fine weather; wind north-west.
	12	29.737	57	57	
	4	29.696	65	64	
10,	8†	29.430	50	50	Rain till noon, fine afterwards; wind north-east.
	12	29.468	53	53	
	4	29.486	57	56	
11,	8	29.730	35	36	Fine weather; wind north-west.
	12	29.704	42	44	
	4	29.662	53	54	
12,	8	29.753	32	33	Fine weather; wind south.
	12	29.778	45	43	
	4	29.725	58	57	
13,	8	29.468	45	47	Dull weather; wind south.
	12	29.417	49	49	
	4	29.410	56	57	
14,	8	29.690	44	44	Fine weather; wind south.
	12	29.726	45	45	
	4	29.710	50	50	
15,	8	29.710	43	44	Fine weather; wind west.
	12	29.684	50	52	
	4	29.705	61	62	
16,	8	29.810	40	40	Fine weather; wind south.
	12	29.844	59	52	
	4	29.825	65	66	
17,	8	29.686	45	45	Fine weather till noon; showery afterwards; wind south.
	12	29.675	52	53	
	4	29.610	53	53	
18,	8	29.710	46	46	Dull weather and showery afternoon; wind south.
	12	29.578	51	52	
	4	29.524	53	53	

\* Maximum.

† Remarkable fall and sudden rise in the barometer.

## GREAT FALLS—(Continued.)

Date.	Bar. No. 1.	Ther. A.	Ther. D.	Weather.
19, 8 A.M.	29·524	48	48	Dull and hazy weather; wind north-east; fall of snow during the night.
12	29·543	45	45	
4 P.M.	29·543	39	40	
20, 8	29·834	29	29	Cloudy weather; wind north-west.
12	29·886	31	31	
4	29·944	33	34	
21, 8	30·134	29	30	Cloudy weather till noon; fine afterwards.
12	30·182	32	33	
4	30·124	43	44	
22, 8	29·973	25	26	Dull weather; wind south.
12	29·882	37	35	
4	29·810	37	38	
23, 8	29·910	34	35	Cloudy weather; wind south.
12	29·844	37	39	
4	29·710	42	43	
24, 8	29·210	44	45	Rain till noon, cloudy afterwards; wind north-west.
12	29·186	47	49	
4	29·330	48	48	

In concluding the observations at the Great Falls Observatory, it is proper to remark, that they were discontinued sooner than was intended, owing to misapprehension of one of the surveyors, who returned in charge of the canoes and party by way of the Great Falls to Frederickton. Having left the Commissioners intending to explore their way to Quebec, after penetrating to the extreme limits of the disputed territory, he concluded the operations to be completed, and carried Corporal Macgregor with those in his charge back to Frederickton.

The period, however, of the register at the Great Falls, includes all the important observations made on the line of the great axis of elevation from the head waters of the Penobscot and St. John's Rivers to Bathurst, in the Bay of Chaleurs.

Operations for determining the approximate height of Mars Hill. August, 1839.  
Four barometers were selected for this purpose, viz.,—

Barometer B.  
No. 1.  
No. 377.  
No. 376.

They were placed 3 feet above the floor in Pomphret's Barn, and having been allowed to remain a short time, until the mercury acquired nearly the temperature of the air, were carefully registered. The instruments were then conveyed to the summit of Mars Hill, and again observed, as also 5 feet below the summit, where they were obliged to be removed for shelter. Fires were lighted to obtain smoke to keep off the flies, but at such a distance as not to prejudice the observations.

The operations at the top of Mars Hill being completed, the barometers were again placed in the same position as before in Pomphret's Barn, and carefully read and registered. The detail is as follows.

Station.	Barometer.	Height.	Ther. A.	Ther. D.	Remarks.
At Pomphret's Barn near the River St. John, at the foot of Mars Hill, 10 A.M.	A.	29·391	18½ C.	18½	
	No. 1.	29·424	64 F.	65 F.	
	376	746·8	18 C.	18½ C.	
Summit of Mars Hill, 2 P.M.	No. 1.	28·087	66 F.	62 F.	
	373	711·3	18½ C.	16½ C.	
	376	711·9	18 C.	17 C.	
Five feet below summit, 2½ P.M.	No. 1.	28·098	66½ F.	62	
	373	712·5	17½ F.	16 C.	
	—	712·0	17 C.	16 C.	
	376	711·8	17 C.	16 C.	

## OBSERVATIONS ON MARS HILL—(Continued.)

Station.	Barometer.	Height.	Ther. A.	Ther. D.	Remarks.
Five feet below the summit, 2nd Reading.	No. 1.	28·088	66½ F.	6½ F.	Fine weather, very warm; a brisk wind on the summit, which rendered it necessary to remove the barometers, at first placed against the wooden stage erected on the summit, into shelter five feet below.
	373	712·6	17 C.	16 C.	
	—	712·0	17 C.	16 C.	
	376	711·8	17 C.	16 C.	
Again at Pomphret's Barn 4 P.M.	No. 1.	29·553	69 F.	64 F.	
	373	749·7	18·5 C.	19 C.	
	376	750·0	18·5 C.	19 C.	

With reference to the important ulterior objects of the expedition, the visit to Mars Hill was performed with all the rapidity possible. The access to it is through woods and cedar swamps, the difficulties of which have occasioned more than one failure in the attempt. It became, therefore, expedient to convey only the lightest and most portable barometers to the summit; and Barometer A, being the heaviest, and most liable to injury, was left behind. An error occurred in the first register of Barometer No. 373, which was therefore excluded.

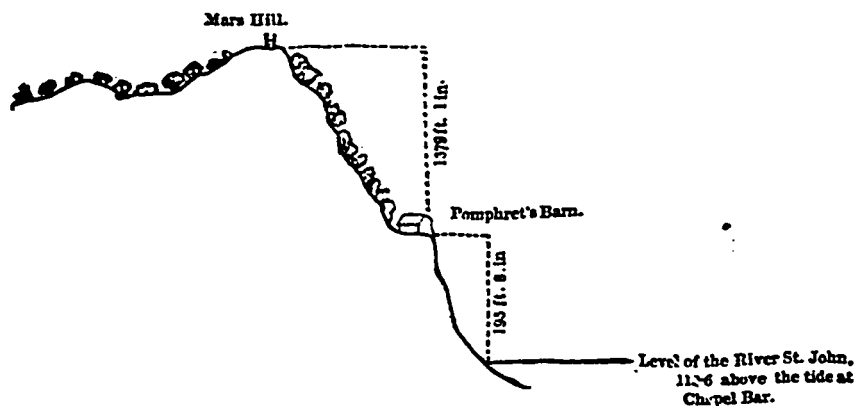
The result of the computations gives 1379 feet 1 inch from Pomphret's Barn to the summit of Mars Hill.

The height of Pomphret's Barn, above the River St. John, as ascertained by levelling by the Railroad Surveyors, was found to be 195 feet 8 inches.

And the height of the Rivière du Châte, above high water at Chapel Bar, 113 feet 6 inches.

The total height, therefore, of Mars Hill, above the tide at Chapel Bar, is 1688 feet 3 inches.

## EXPLANATORY DIAGRAM.



Mr. Wightman was dispatched from the Great Falls, towards the Bay of Chaleurs, with a sufficient party, on the 8th of September, to explore the country, of which the Indians knew but little, and other information was almost entirely wanting.

He proceeded down the River St. John to the mouth of the Tobique. To the head of Nictau Lake, and thence to the Bay of Chaleurs, which he struck near the mouth of the Jaquet River. From that point he proceeded to Bathurst, a small fishing town in the Bay, and returned up the Middle River by the head of the Nictau Lake to the Great Falls, where, on the 14th of November, an opportunity offered of comparing the barometers he carried with him with the French Syphen Barometer 373, excepting No. 4, which had become unserviceable; when the accordance was remarkable and highly satisfactory, as follows:—

	Bar.	Height.	Th. A.	Th. D.
Nov. 14. Comparison of Barometers at the Great Falls, 14 feet below the observatory.	373	751·4	+ 1 C.	+ 2 C.
	377	751·3	+ 2	+ 2
	B.	29·576	35 F.	35 F.

Record of the Barometric Observations from the Mouth of the Tobique to the Bay of Chaleurs, and returning to the Great Falls.

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 10, 8 A.M.	At Poikok, on Tobique, 40 feet above the river.	B.	29.420	66 F.	19 C.	Wind south-west, moderate; some broken clouds.
		No. 4	29.448	68 F.	66½ F.	
		377	739.9	19	19	
12	On Tobique, 3 miles below Red Rapids.	B.	29.420	71 F.	21½ C.	Wind west-south-west, moderate; clear sky.
		No. 4	29.435	72 F.	68½ F.	
		377	747.	21½ C.	21 C.	
4 P.M.	Mouth of Trout Brook, on Tobique, 15 feet above the river.	B.	29.380	69 F.	20½ C.	Wind west-south-west; clear sky.
		No. 4	29.375	69 F.	70 F.	
		377	745.6	22 C.	21	
No corresponding observations for determining the above heights.						
Sept. 11, 8 A.M.	Four miles above Red Rapids, on Tobique, 20 feet above river.	B.	29.449	61½ F.	16½ C.	Same as yesterday.
		No. 4	29.519	61 F.	63 F.	
		377	749.4	17½ C.	16½ C.	
Height of the above station above the tide at Chapel Bar, 148 feet.						
12	Half a mile above Three Brooks, on the Tobique.	B.	29.453	62 F.	16½ C.	Weather the reverse.
		No. 4	29.513	67 F.	61½ F.	
		377	748.7	17 C.	16½ C.	
Height of the above station above the sea at Chapel Bar, 166 feet.						
4 P.M.	At Plaster Rocks, on the Tobique.	B.	29.404	61½ F.	16½ C.	Thunder shower at 7 o'clock, P.M.
		No. 4	29.447	..	..	
		377	747.4	16 C.	..	
Height of the above station above the sea at Chapel Bar, 180 feet.						
Sept. 12, 8 A.M.	Eight miles above the Wapshoot, on the Tobique.	B.	29.503	53½ F.	12 C.	Wind supposed west-south-west, not certain; tolerably clear; cloudy at 9 o'clock.
		No. 4	29.560	57 F.	54 F.	
		377	749.7	11½ C.	11½ C.	
No corresponding observations for determining the above height.						
12	At Banks Budeaux, three miles below Gulquat, on the Tobique.	B.	29.531	54 F.	12 C.	Cloudy, beginning to drop rain; cleared off at 3 P.M.
		No. 4	29.586	55 F.	52½ F.	
		377	751.0	..	12 C.	
No corresponding observations for determining the above height.						
4 P.M.	At mouth of the Gulquat, on the Tobique.	B.	29.522	58 F.	14½ C.	Weather cloudy.
		No. 4	29.580	59½ F.	57½ F.	
		377	750.3	14½ C.	13½ C.	
No corresponding observations for determining the above height.						
Sept. 13, 8 A.M.	Two miles above Gulquat, on the Tobique.	B.	29.571	43 F.	44½ F.	Cloudy; wind north-west.
		No. 4	29.624	43½ F.	44½ F.	
		377	752.5	7 C.	6½ C.	
12	Same station.	B.	29.511	48 F.	48½ F.	Cloudy.
		No. 4	29.560	48 F.	49½ F.	
		377	751.6	9½ C.	9 C.	
4 P.M.	Same station.	B.	29.389	47½ F.	47½	Cloudy.
		No. 4	29.434	48½ F.	48½	
		377	751.6	8½ C.	8½	
Height by mean of the three sets of observations, 331 feet.						
Sept. 14, 12	On Tobique, five miles above the last station.	B.	29.691	51 F.	54 F.	Clear weather; wind west.
		No. 4	29.758	50½ F.	52½ C.	
		377	755.8	12 C.	12 C.	
Height, 282 feet.						
4 P.M.	At Blue Mountain Brook.	B.	29.690	58 F.	59 F.	Ditto.
		No. 4	29.743	59½ F.	58 F.	
		377	755.0	15 C.	14½ C.	



## Record of the Barometric Observations, &amp;c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 15, 8 A.M.	Same station.	B.	29·800	33 F.	36	Weather clear; wind west.
		No. 4	29·845	32½ F.	32	
		377	757·8	+0½ C.	+2	
12	Top of Blue Mountain.	B.	28·502	59 F.	58 F.	Brisk south-west wind.
		No. 4	28·556	59½ F.	57½ F.	
		377	684·1	15 C.	14½ C.	
Height of the Blue Mountain, 1603 feet.						
4 P.M.	Mouth of Blue Mountain Brook.	B.	29·720	58 F.	59 F.	Brisk south-west wind; cloudy.
		No. 4	29·772	59 F.	58 F.	
		377	755·2	14½ C.	14½ C.	
Height of the Blue Mountain Brook by mean of three sets of observations, 422 feet.						
Sept. 16, 8 A.M.	Same station.	B.	29·583	56½ F.	58 F.	South-west wind, and rain.
		No. 4	29·629	57½ F.	57 F.	
		377	752·0	14 C.	14 C.	
12	Three miles above Blue Mountain Brook.	B.	29·581	59½ F.	61	Wind south-west; moderate. little, or no rain.
		No. 4	29·624	57½ F.	60	
		377	751·9	14 C.	17½	
Height, 467 feet.						
4 P.M.	Four miles below Nictau.	B.	29·532	59 F.	59 F.	Wind south-west; moderate rain.
		No. 4	29·584	61 F.	59½ F.	
		377	750·6	15½ C.	14½ C.	
Sept. 17, 8 A.M.	Same station.	B.	29·586	56 F.	57 F.	Calm and rainy.
		No. 4	29·630	56½ F.	57 F.	
		377	752·	13½ C.	13½ C.	
12	Same station.	B.	29·578	58 F.	59 F.	Pretty heavy rain; wind uncertain.
		No. 4	29·619	60 F.	58 F.	
		377	751·6	15 C.	15½ C.	
4 P.M.	Same station.	B.	29·568	59 F.	60 F.	Rain ceased; calm.
		No. 4	29·615	61 F.	59 F.	
		377	751·6	15½ C.	15 C.	
Sept. 18, 8 A.M.	Same station.	B.	29·556	60 F.	58 C.	Wind north-east, very light, and rain.
		No. 4	29·594	60 F.	..	
		377	743·6	15 C.	..	
Height by mean of five sets of observations, 475 feet.						
12	Two Miles above North Fok.	B.	29·426	61 F.	60½ F.	Calm and cloudy.
		No. 4	29·482	61½ F.	60 F.	
		377	748·0	16½ C.	16 C.	
Height, 539 feet.						
4 P.M.	Eight miles up North Fork.	B.	29·726	60 F.	..	Wind north-east; very light, and rain.
		No. 4	29·319	60 F.	58 F.	
		377	743·0	15 C.	..	
Height, 509 feet.						
Sept. 19, 7½ A.M.	Nine miles up North Fork.	B.	29·005	58 F.	59 F.	Wind light, south- west; weather clearing off; slight rain from 4 P.M. yesterday till 11 to-day.
		No. 4	29·058	59 F.	59 F.	
		377	736·8	15½ C.	15½ C.	
Height, 586 feet.						
4 P.M.	First portage, about twenty miles from Nictau.	B.	29·048	57½ F.	57 F.	Beginning to clear off; wind north- west, and very light.
		No. 4	29·099	60 F.	57 F.	
		377	738·1	14½ C.	13½ C.	
Sept. 20, 8 A.M.	Same station.	B.	29·258	48 F.	60 F.	Fine weather; some light clouds; wind north-west.
		No. 4	29·313	49½ F.	59½ F.	
		377	743·4	9½ C.	16 C.	
Height by mean of two sets of observations, 608 feet.						

Record of the Barometric Observations, &c.—(Continued).

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 20, 12	At second portage.	B.	29·224	60 F.	60 F.	Fine weather.
		No. 4	29·279	60½ F.	59½ F.	
		377	742·8	15½ C.	16 C.	
Height, 642 feet.						
4 P.M.	At Ambrose Bear's Camp.	B.	29·324	44 F.	60 C?	Calm and pleasant weather.
		No. 4	29·351	45 F.	43½	
		377	746·1?	7 C.	15 C?	
Sept. 21, 8 A.M.	At Ambrose Bear's Camp. 1½ miles below Cedar Brook.	B.	29·188?	61 F.	44 F.	Fine clear morning; wind north-west.
		No. 4	29·288?	63½ F.	59 F.	
		377	741·8?	15¼ C.	7 C.	
Height, 806 feet (doubtful).						
12	Onemileabove Cedar Brook.	B.	29·340	52½ F.	11 C.	Fine clear weather; wind north-east; fresh breeze.
		No. 4	29·375	59½ F.	53 F.	
		377		12½ C.	12 C.	
5½ P.M.	At Upper Forks.	B.	29·304	45 F.	45 F.	Fine clear weather; wind uncertain.
		No. 4	29·360	48 F.	44½ F.	
		377	745·1	8 C.	7½ C.	
Sept. 22, 8 A.M.	At Upper Forks, fourth portage.	B.	29·206	38 F.	39 F.	Slight rain.
		No. 4	29·250	39 F.	39 F.	
		377	737·7	4 C.	4 C.	
Height, by mean of two sets of observations, 663 feet.						
12	Two miles above Upper Forks.	B.	29·108	46 F.	48 F.	Brisk south wind and heavy rain; mercury sank ·018 of an inch in 15' after the observation.
		No. 4	29·051	46 F.	45 F.	
		377	737·3	8 C.	8½ C.	
Height, 528 feet (doubtful).						
Sept. 23, 8 A.M.	Two miles above Upper Forks.	B.	28·704	56½ F.	59 F.	Wind west-south-west; weather partially cleared up.
		No. 4	28·744	57 F.	57 F.	
		377	729·1	14½ C.	15 C.	
12	Same station.	B.	28·756	56 F.	55 F.	Weather the same; this day secured depôt of provisions from attacks of animals.
		No. 4	28·808	57½ F.	55 F.	
		377	731·0	14 C.	13 C.	
4 P.M.	Same station.	B.	28·794	56 F.	56½ F.	Fine weather.
		No. 4	28·840	57 F.	56 F.	
		377	731·9	14 C.	14 C.	
Height, by mean of three sets of observations, 703 feet.						
Sept. 24, 8 A.M.	Two and a half miles above Upper Forks.	B.	28·816	43 F.	..	
		No. 4	28·864	43½ F.	427	
		377	734·9	6 C.	..	
Height, 771 feet.						
12	Three miles below Nictau Lake.	B.	28·837	50½ F.	50 F.	Alternate sunshine and showers all day; wind south-west.
		No. 4	28·887	51½ F.	51 F.	
		377	733·2	11 C.	10 C.	
Height, 764 feet.						
4 P.M.	Head of Nictau Lake.	B.	28·804	49 F.	49 F.	
		No. 4	28·852	50½ F.	50 F.	
		377	732·3	10½ C.	9½ C.	
Height, 782 feet.						
Sept. 25, 8 A.M.	Head of Nictau Lake.	No. 4	28·917	39	36	Fine weather.
		377	733·9	2½		
		Height, 772 feet.				

## Record of the Barometric Observations, &amp;c.—(Continued).

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 25, 8½ A.M.	Near the top of Bald Mountain.	No. 4 377	27·258 691·0	41 F. 3½ C.	38 F. 3½ C.	Fine and clear sunshine all day; wind, light breeze south-west.
Height, 2,407 feet.						
9½ A.M.	Top of Bald Mountain.	No. 4 377	27·164 688·7	42½ F. 5½ C.	41 F. 5 C.	
Height of Bald Mountain, 2,496 feet.						
3 P.M.	Near the top of Bald Mountain, as before.	No. 4 377	27·270 691·4	50 F. 8 C.	45 F. 7 C.	
2½ P.M.	Head of Nictau Lake.	No. 4 377	28·923 733·65	50½ F. 11 C.	50 F. 10½ C.	
4 P.M.	Same station.	B. No. 4 377	28·878 28·930 733·9	46 F. 49 F. 8½ C.	46 F. 46 F. 8 C.	
Height by first set . . . 746·2 Height by second ditto . . . 765·9						
NOTE.—This second is to be preferred, the first observations not having been simultaneous with those at the Great Falls. The height will be further noticed.						
Sept. 26, 8 A.M.	Head of Nictau Lake.	B. No. 4 377	28·746 28·796 730·65	43 F. 43 F. 6½ C.	44 F. 43 F. 6½ C.	Heavy rain began at 6 A.M.; brisk south-west wind.
Height, 782 feet.						
12	Same station.	B. No. 4 377	28·602 28·654 726·9	47 F. 47½ F. 7½ C.	46½ F. 45½ F. 7½ C.	Continued rain.
Height, 785 feet.						
4 P.M.	Same station.	B. No. 4 377	28·448 28·495 722·7	47½ F. 49½ F. 9½ C.	49½ F. 49½ F. 9½ C.	Continued rain; wind the same; ceased at 10 P.M.; wind came round to north-west, and a heavy gale.
This result is rejected on account of the peculiar conditions of the atmosphere.						
Sept. 27, 8 A.M.	Same station.	B. No. 4 377	28·808 28·853 734·6	39 F. 48 F. 4½ C.	41 F. 46½ F. 4½ C.	Fine clear weather; brisk north-west wind.
Rejected also; the observations being discordant.						
12	On rising ground three miles north east from the head of Nictau Lake.	B. No. 4 377	27·958 28·008 710·3	46½ F. 48 F. 8½ C.	47 46½ 8½	
Height, 1,670 feet.						
2 P.M.	On the line, — miles from Nictau Lake, upon the ridge between Tobique and Nipisiquit waters.	No. 4 377	27·718 703·	51 9	37	
Height, 2,092 feet.						
4 P.M.	On the line, — miles from Nictau Lake, on a branch of the Nipisiquit.	B. No. 4 377	27·864 27·906 706·5	47 F. 49 F. 9 C.	48 F. 48 F. 9 C.	Wind south-west; fresh breeze; somewhat cloudy.
Sept. 28, 8 A.M.	Same station.	B. No. 4 377	27·962 28·003 710·5	32½ F. 34 F. + 0½ C.	32 F. 32 F. 0 C.	Cloudy; no rain from 10 last night to 4 this morning; gale from south-west, with rain.
12	Same station.	B. No. 4 377	28·007 28·053 711·7	37 F. 38½ F. 3 C.	38 F. 37 F. 3 C.	
Height from mean of three sets of observations, 1,718 feet.						

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 28. 1½ P.M.	One mile north-east from last station, on a conical hill.	B.	27·696	36½ F.	36 F.	
		No. 4	27·758	36½ F.	36 F.	
		377	703·9	2¼ C.	2 C.	
Height, 2,043 feet.						
3	Two miles from last station, on a small brook running to the right.	No. 4	28·063	42 F.	39 F.	Clear weather.
		377	711·0	6½ C.		
		Height, 1,722 feet.				
4	One mile from last station.	B.	27·608	36 F.	36 F.	
		No. 4	27·663	41 F.	35 F.	
		377	701·6	3 C.	2¼ C.	
Height, 2,145 feet.						
Sept. 29. 8 A.M.	At a small brook running to the right.	B.	28·188	32 F.	30 F.	Fine clear weather; wind south-west.
		No. 4	28·239	32 F.	30 F.	
		377	716·6	1 C.	1 C.	
Height 1,729 feet. See above, 1,722 feet, and below, 1,716 feet.						
11½	Same station.	B.	28·208	38 F.	38 F.	Fine clear weather; wind south-west.
		No. 4	28·254	38 F.	37½ F.	
		377	717·2	3½ C.	3¼ C.	
Height, 1,716 feet. Mean height, 1,722 feet, by three sets of observations.						
1½ P.M.	One and a half mile from last night's station, on a very high peak.	B.	27·688	36 F.	37 F.	
		No. 4	27·715	40 F.	35 F.	
		377	703·2	2½ C.	2½ C.	
Height, 2,213 feet.						
3½	Two miles from last night's station, at a small stream descending rapidly to the right, valley running east.	B.	28·392	41 F.	41 F.	Cloudy throughout the day.
		No. 4	28·433	41½ F.	41 F.	
		377	721·7	5½ C.	5 C.	
Height, 1,580 feet.						
6	At a valley descending south, on the side of a range of hills forming the division between Nipisquit and Upsalquatch waters.	B.	28·468	41 F.	41 F.	
		No. 4	28·500	44 F.	41 F.	
		377	722·5	5½ C.	5 C.	
Height, 1,508 feet.						
Sept. 30. 8 A.M.	Same station.	B.	28·576	26 F.	28 F.	Fine weather; wind west.
		377	726·2	- 2¼ C.	- 2 C.	
		Height, 1,498 feet; and above, 1,508 feet. Mean height, 1,503 feet, by two sets of observations.				
9½	One mile and a half east-north-east from last station.	B.	28·176	33½	32½ F.	Fine weather; wind south.
		No. 4	28·225	36		
		377	716·5	+ 1		
Height, 1882 feet.						
12	Three miles from last station but one.	B.	28·040	39 F.	41 F.	
		No. 4	28·088	39½ F.	41 F.	
		377	713·	4 C.	5½ C.	
Height, 2045 feet.						
4 P.M.	At — miles from first station of this day, on a small brook running north-west.	B.	28·952	39 F.	38½ F.	
		No. 4	28·972	41 F.	38½ F.	
		377	735·7	4½ C.	3	
Height, 1,134 feet.						

## Record of the Barometric Observations, &amp;c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 30. 5½ P.M.	On a small stream running south-east from first station of this day.	B. No. 4 377	28·620 28·660 727·5	37½ F. 42 F. 4½ C.	38 F. 38 F. 3 C.	
			Height, 1453 feet.			
Oct. 1. 8 A.M.	At a small brook running south from station, on side of range of hills dividing Nipisiquit and Upsalquatch waters.	B. 377	28·608 727·2	32 F. 0 C.	32 F. 0 C.	
			Height, 1469 feet.			
10	Two miles from last station, at a very small brook running to the right.	B. 377	28·940 735·6	37 F. 3½ C.		
			Height, 1154 feet.			
12	— miles from last station, on the head of a lumber road.	B. 377	28·982 736·2	45½ F. 8 C.	35½ F. 7½ C.	
			Height, 1143 feet.			
2 P.M.	At a lumber camp, on a stream running north.	B. 377	29·694 754·5	50 F. 11 C.	50½ F. 10 C.	
			Height, 495 feet.			
3	One and a half mile from last station, on top of land, the river being in a deep hollow.	B.	29·280	50 F.		
			Height, 873 feet.			
3½	Half a mile north of last station, on a hill.	B. 377	28·886 732·1	48 F. 10 C.		
			Height, 1195 feet.			
5½	One and a half mile north from last station.	B. 377	29·266 743·5	43½ F. 7 C.	43 F. 6 C.	
Oct. 2. 8 A.M.	Same station.	B. No. 4 377	29·140 29·137 740·8	40½ F. 40 F. 6 C.	42 F. 40½ F. 5½ C.	Fine weather; wind north-west.
5	Same station.	B. No. 4 377	28·956 28·960 735·7	50 F. 53½ F. 10 C.	50 F. 50 F. 10 C.	
			Mean height, 844 feet, by three sets of observations.			
12	On west branch of Apsalquatch River, half a mile above Forks.	B. No. 4 377	29·726 29·704 755·0	55 F. 56 F. 14 C.	58 F. 57 F. 14½ C.	Looks like a storm.
			Height, 221 feet.			
Oct. 3. 4 P.M.	Three miles south-west, up a brook.	B. No. 4 377	28·792 28·740 731·7	50 F. 53 F. 10½ C.	48½ F. 49 F. 9½ C.	Rain; cleared off at noon.
Oct. 4. 8 A.M.	Same station.	B. No. 4 377	28·760 28·750 730·9	41 F. 43 F. 5½ C.	41 F. 41 F. 5 C.	Rain all night; still raining.
12	Same station.	B. No. 4 377	28·860 28·858 733·2	38 F. 39 F.	37½ F.	Still raining.

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 4. 4 P.M.	Same station.	B.	29·034	35	35	Thick snow storm.
		No. 4	29·035	36	35	
		377	736·6	1½	1½	
Mean height, 725 feet, by four sets of observations. Owing to the disturbed condition of the atmosphere the results of this day do not accord very satisfactorily.						
Oct. 5. 8 A.M.	Three-quarters of a mile from last station.	B.	29·200	31 F.	30 F.	Fine weather : wind north-west.
		377	745·4	+ 0½ C.	- 1 C.	
1	Entrance of Ramsay's Portage Road, main south branch of Upsalquatch, six and a half miles above Falls.	B.	39·068	42 F.	42 F.	Fine weather : wind north-west.
		377	764·0	5½ C.	5½ C.	
Height, 271 feet.						
4	Ramsay's Camp, foot of little south-east branch.	B.	29·810	40 F.	36 F.	Fine weather : wind north-west.
		377	757·4	3 C.	3 C.	
Oct. 6, 7½ A.M.	Same station.	B.	29·976	22	22	Fine weather : wind north-west.
		337	762·1	5	5	
Mean height, 541 feet, by two sets of observations.						
10	Two miles east of Ramsay's Camp.	B.	29·420	35 F.	36 F.	Fine weather : wind north-west.
		377	747·8	2 C.	2 C.	
Height, 1,048 feet.						
1½ P.M.	Four and a half miles east of Ramsay's Camp, in a chasm 300 or 400 feet deep.	B.	29·800	51 F.	50½ F.	Fine weather : wind north-west.
		377	757·1	11 C.	9½ C.	
Height, 743 feet.						
3½	One mile and a half east of last station on top of a hill.	B.	29·054	55 F.	12½ C.	Fine weather : wind north-west.
		377	737·5			
Height, 1,432 feet.						
5½	One mile east of last station but one.	B.	29·100	45 F.	7 C.	Fine weather : wind north-west.
		377	739·0			
Oct. 7, 6½ A.M.	Same station.	B.	28·896	28 F.	28½ F.	Fine weather : wind north-west.
		377	734·1	1½ C.	2 C.	
Mean height, 1,327 feet, by two sets of observations.						
8	One mile east of last station.	B.	28·700	39 F.	28½ F.	Fine weather : wind north-west.
		377	729·5	1½ C.	2 C.	
1½ P.M.	Five miles east from last station.	377	736·6	10½ C.		Cloudy, with light wind, all the latter part of the day.
4	Seven and a half miles from first station of this day.	B.	28·992	52 F.	52 F.	
		377	736·4	11½ C.	11 C.	
Height, 1,218 feet.						
5½	Edge of the River Jacquet.	B.	29·732	49 F.		Cloudy, with light wind, all the latter part of the day.
		377	755·4	10 C.		
Oct. 8, 7½ A.M.	Same station.	B.	29·782	47 F.		Cloudy, with light wind, all the latter part of the day.
		377	756·8	8½ C.		
Height, 406 feet.						
8½	Fifty feet below top of bank above last station.	B.	29·260	50 F.		Cloudy, with very light west wind.
		377	743·7	13½ C.		
Height, 897 feet.						

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 8. 12	At a brook in a deep ravine running west.	B. 377	29-609 752-2	53 F. 12½ C.	53 F. 11½ C.	
	Height, 631 feet.					
4 P.M.	North side of Blue Mountain.	B. 377	29-076 739-0	57½ F. 14½ C.		
	Height, 1,064 feet.					
10	One mile north-west of camp on Jacquet River. Hill considerably higher on the left.	B. 377	29-106 739-7	55 F. 13½ C.		Fine clear weather; wind north.
	Height, 1,044 feet.					
Oct. 9. 8 A.M.	Two miles north-north-west of camp on Blue Mountains.	B. 377	29-242 742-9	45 F. 7 C.		
	Height, 820 feet.					
12	Two miles north-west of last station.	B. 377	29-312 744-7	48½ F. 9 C.		
4 P.M.	Same station.	B. 377	29-226 742-4	37½ F. 8½ C.		
	Mean height, 779 feet, by two sets of observations.					
Oct. 10. 8 A.M.	Three miles from yesterday's Camp, near Big-hole Brook.	B. 377	29-280 754-0	47 F. 8½ C.	47 F. 47 C.	
	Height, 1,318 feet.					
12	Postage road leading from Nash's Creek, two miles back from main shore road.	B. 377	29-696 754-4			
	Height, 172 feet.					
5½ P.M.	Bay des Chaleurs, four miles below Jacquet River, thirty feet above sea level.	B.	29-846	49		
Oct. 11. 8 A.M.	Former station on Bay des Chaleurs.	B.	30-140	38 F.		
	Observation doubtful, and rejected.					
Oct. 13. 12	Bathurst (Bay des Chaleurs) on a hill eighty feet above the sea level.	B. 377	28-849 758-0	56 F. 14½ C.	58 F. 58 C.	
4 P.M.	Same station.	B.	29-788	61	62	
Oct. 14. 8 A.M.	Same station.	B. 377	30-149 766-1	54 12½		
	Height of Observatory at the Great Falls, above the Bay des Chaleurs, by mean of all the observations and barometers, 467 feet.					
Oct. 15, 5 P.M.	Eight miles up Middle River ascending from Bay des Chaleurs to the Great Falls.	B. 377	29-896 759-4	43 F. 6 C.		Clear weather; light north-west wind.
	Height, 154 feet.					
Oct. 16, 8½ A.M.	Falls of Middle River.	B. 377	29-844 757-8	44 F. 8 C.		
	Height, 390 feet.					

NORTH-EASTERN BOUNDARY.

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 16, 11½ A.M.	At Burnt Camp.	B. 377	29-669 753·7	57 F. 14 C.		
			Height, 559 feet.			
2½ P.M.	Camp two miles north-west of Burnt Camp.	B. 377	29-470 749·0	60 F. 15½ C.		
			Height, 699 feet.			
4½	Ferguson's Lower Camp.	B. 377	29-350 745·5	56 F. 13 C.		Brisk west wind; and cloudy.
			Height, 801 feet.			
Oct. 17, 6½ A.M.	Same station.	377	743·1	9 C.		
			Height, 791 feet.			
9	Ferguson's Upper Camp.	B. 377	29-214 741·9	56 F. 13 C.	55 F. 55 F.	
			Height, 842 feet.			
11½	Ferguson's Upper Camp, as before.	B. 377	29-196 741·9	62 F. 16½ C.	60 F. 60 F.	
			Height, 791 feet. Mean height, 795 feet, by two sets of observations.			
4½ P.M.	Camping Place.	B. 377	28-606 735·8	56 F. 13 C.	55 F.	
			Height, 1,067 feet.			
Oct. 18,	Above Ferguson's Upper Camp, going up Middle River.	B. 377	29-036 737·55	40 F. 4½ C.	40 F. 40 F.	
			Height, 985 feet.			
10½ A.M.	Two miles west of last station.	B. 377	18-89. 733·7	39½ F. 4½ C.		
			Height, 1,135 feet.			
12	Three quarters of a mile west of last station.	B. 377	28-730	40 F.		
1 P.M.	At Large Brook, quarter of a mile west of last station.	B. 377	29-006 737·0	42 F. 6 C.	42 F. 42 F.	Weather very thick and cloudy.
Oct. 19, 8 A.M.	At Large Brook. miles above Ferguson's Upper Camp.	B. 377	29-890 734·2	36 F. 2½ C.		
			Height, 928 feet.			
10	On a hill.	377	723·8	-2 C.		
			Height, 1318 feet.			
11½	On top of a range of hills running south-west.	377	717·7	+1 C.		
			Height, 1,539 feet.			
1 P.M.	(No locality specified.)	B. 377	28-430 722·2	33 F. +0½ C.		
			Height, 1,369 feet.			
3	(No locality specified.)	377	713·4	+2		
			Height, 1,712 feet.			



*Record of the Barometric Observations, &c.—(Continued.)*

ate.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 19. 4 P.M.	(No locality specified.)	B. 377	28·508 724·2	32 F. 0		
			Height, 1,300 feet.			
Oct. 20. 7½ A.M.	(No locality specified.)	B. 377	28·728 729·7	20 F. -6½ C.		
			Height, 1,330 feet.			
8½	Three-quarters of a mile west of last station: 100 feet below top of hill.	377	725·5	-6 C.		
			Height, 1,485 feet.			
10½	In a small brook running south.	377	733·4	-3 C.		
			Height, 1,266 feet.			
11	Top of an irregular ridge.	377	725·5	-4 C.		
			Height, 1,559 feet.			
2½ P.M.	Top of a ridge.	B. 377	28·164 715·5	26 F. -4 C.		
			Height, 1,977 feet.			
4	At a ravine running west into a deep valley on the right.	B. 377	28·958 735·7	26½ -3½		
			Height, 1,237 feet.			
Oct. 21, 8 A.M.	Same station.	B. 377	29·188 741·2	25 F. +3½ C.		
			Height, 1,188 feet.			
8½	North side of ridge.	377	735·5	-3 C.		
			Height, 1,408 feet.			
12	No locality named.	B. 377	29·650 735·7	30 F. -1 C.		
			Height, 839 feet.			
4½ P.M.	Head of Upsalquatch Lake.	B. 377	29·664 733·4	29 C. -1½ C.		
			Height, 750 feet.			
Oct. 22, 7½ A.M.	Same station.	B. 377	28·350 720·2	30 F. -0½ C.		
			Height, 758 feet.			
9½	Mountain half a mile west from Upsalquatch Lake.	B. 377	28·350 740·6	35½ F. +1½ F.		A snow squall; but after the observation.
			Height, 1,707 feet.			
½ P.M.	Brook running into Nipisiquit.	B. 377	29·150 740·6	35½ F. +1½ C.		
			Height, 1,034 feet.			
1½	Large brook running south-east.	B. 377	29·040 737·65	35 F. +2 C.		Brisk westerly wind.
			Height, 1,064 feet.			

Record of the Barometric Observations, &c.—(Continued.)

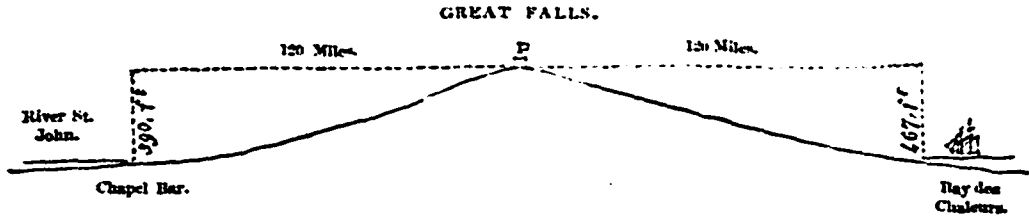
Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.	
Oct. 23. 7½ A.M.	Same station.	B. 377	29·162 740·8	22½ F. -4½			
Height, 1,009 feet.							
NOTE.—This discordance with the foregoing is owing to neither of the observations being simultaneous with those at the Great Falls.							
11	Top of a conical hill.	B. 377	27·884 708·3	30 F. -1 C.		Day mild and cloudy; wind west in the forenoon; in the afternoon south; and rain at night.	
Height, 2,186 feet.							
12	In a battery.	B. 377	28·642 729·3	-34 +1½			
Height, 1,500 feet.							
4½ P.M.	At a brook.	B. 377	28·986 736·4	43 F. +6½ C.			
Height, 1,020 feet.							
Oct. 24. 8 A.M.	At a brook.	B. 377	28·470 724·0	41 F. +5		Rain till noon; cloudy afterwards; wind north-west (at Great Falls).	
Height, 1,059 feet.							
10	At a large brook.	B. 377	28·536 725·1	43 F. -6½		In the morning, wind south; at noon, changed to north-west, and blew smartly; heavy rain till 3 o'clock, P.M.	
Height, 590 feet.							
Oct. 25. 1½ P.M.	Head of Nictau Lake.	B. 377	29·338 745·5	44 F. 7 C.			
4½ P.M.	Same station.	B. 377	29·346 745·5	38½ F. 3½ C.			
Oct. 26, 8 A.M.	Same station.	B. 377	29·321 745·2	32 +0½		Cloudy morning.	
Height, 780 feet.							
The above height is deducted from observations made on the Queen's Wharf at Quebec: the barometers referred to each other being distant 250 miles. The same height obtained by former observations referred to the Great Falls; (the barometers, in those cases, being distant about 60 miles from each other,) is as follows:—							
785 feet.							
772							
765							
782							
785							
—							
Mean 777 feet.							
Oct. 27. 12	At Bare's Camp.	B. 377	29·200 751·5	53½ F. 12½ C.			
4 P.M.	Lower Portage on the Nictau stream.	B. 377	29·236 741·2	52 F. 12½ C.			
Oct. 28. (No time stated).	Same station.	B. 377	19·228 742·3	43 F. 6½ C.		Weather hazy.	
(No time stated).	Ridge on south side of river.	B. 377	28·482 723·5	46 F. 9½ C.			
11½ A.M.	Side of river, one mile below Portage.	B. 377	29·220 742·1	46 F. 8½ C.			
Oct. 29, 8 A.M.	Forks of Nictau Lake.	B. 377	29·254 743·4	43 F. 6½ C.			

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.	
Oct. 29. 12	Five miles below Nietau, 8 feet above water.	B. 377	29·300 744·1	47 F. 8½ C.		Calm and cloudy all day; begins to clear off.	
4 P.M.	Same station.	B. 377	28·890 736·2	47½ F. 8½ C.			
Oct. 30. 8 A.M.	Same station.	B. 377	28·930 734·9	38½ F. 39½ C.			
	At Halley Brook.	B. 377	28·894 734·1	42½ F. 6 C.			
3½ P.M.	On a ridge.	B. 377	28·742 729·8	42 F. 5 C.			
	On the declivity of a hill.	B. 377	28·858 733·0	35 F. +2 C.			
9½ A.M.	On height of land.	B. 377	28·600 726·8	40½ 5			
Height, 1,513 feet.							
Oct. 31, 7 A.M.	Same station.	B. 377	28·852 732·6	35 +2			
8	One mile south-west of last station.	B. 377	28·860 728·8	36 +3			
9½	On flat land.	B. 377	28·802 731·5	38 3½			
10	On height of land.	B. 377	28·720 729·7	38 F. 4 C.			
	At Beddel's Camp.	B. 377	28·748 730·0	36 3½			
Nov. 1. 7½ A.M.	At Forks of Cedar Brook.	B. 377	29·200 741·4	32 F. 0 C.			
Height, 651 feet.							
8½	Half a mile north-west of Fork.	B. 377	29·008 737·0	34 F. +1 C.			
Height, 826 feet.							
8½	Three-quarters of a mile from Forks.	377	735·7	+2 C.			
Height, 873 feet.							
12	At Perkins Brown's branch of Little River.	B. 377	29·156 740·0	36½ F. 2½ C.			
Height, 718 feet.							
3½ P.M.	At branch of Little River.	377	745·7	+4 C.			
Height, 519 feet.							
Nov. 2. 8 A.M.	On the road, four miles from Michaux.	B. 377	29·402 746·8	30 F. -1 C.			
Height, 577 feet.							
Subsequent to the 26th of October, the heights given are mere rough approximations; the observations at the Great Falls having been discontinued, as before observed. The thermometric register is also deficient, owing to both the detached thermometers having been broken. The correction in such cases for the strata of air has been therefore merely conjectural.							

On a review of the above register, and of the results obtained therefrom, it will be seen that the most remarkable are the inferences respecting the difference of level between the sea at high water in the Bay des Chaleurs, and the same in the Bay of Fundy, and the height of Nictau Lake as deduced from the Great Falls, and subsequently from Quebec.

The particulars of the first have been already detailed, and it will not, therefore, be necessary to recapitulate them here; but a small diagram is annexed explanatory of the results obtained, and intended to represent a section of the country from Chapel Bar to the Great Falls, distant about 120 miles, and from thence to Bathurst in the Bay des Chaleurs, about the same distance: the former part of the section being in a direction north-east, and the latter to the north of west:—

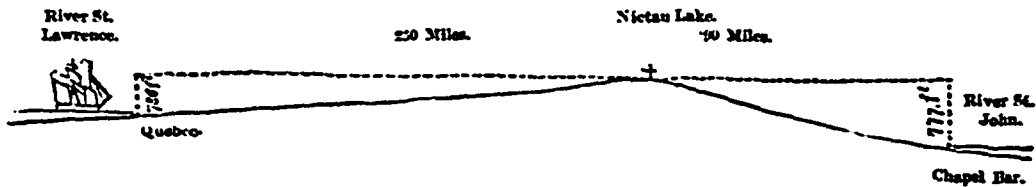


Showing a barometric difference of altitude between high water mark, in the Bay des Chaleurs and Chapel Bar in the River St. John, in the Bay of Fundy, of 77 feet.

The second case is equally remarkable, and not the less worthy of observation.

The height of Nictau Lake, one of the sources of the Tobique River, was ascertained by barometrical measurement, made during several successive days in the latter part of September, to have an altitude above high water, at Chapel Bar, of 777 feet, by reference to the fixed barometer at the Great Falls.

One month subsequently, viz., on the 26th of October, an opportunity offered of comparing the same height with that obtained from Quebec, at high water mark in the River St. Lawrence. The result so obtained, 786 feet, leaves little room to desire a more satisfactory proof of the fidelity of the whole series of observations, and of the just deductions stated in the Report, that the line of maximum elevation is continuous from the south of the river Rostook to the Bay of Chaleurs. The following section is nearly in a direct line a little to the west of north from Quebec to the Nictau Lake, and south-west from Nictau Lake to Chapel Bar:—



Barometric observations for determining the height of the Observatory at the Great Falls. The Barometers used for this purpose were as follows:—

	A
	B
No.	1
	2
	3
	4
	373
	374
	376
	377

On the 2nd of September the above barometers were carefully read and registered in the Observatory, and the temperatures of the attached and detached thermometers also taken.

Barometer A was left stationary in the Observatory, and the remainder conveyed to the basin below the Great Falls, where they were placed in a sheltered position, five feet above the water, and carefully registered.

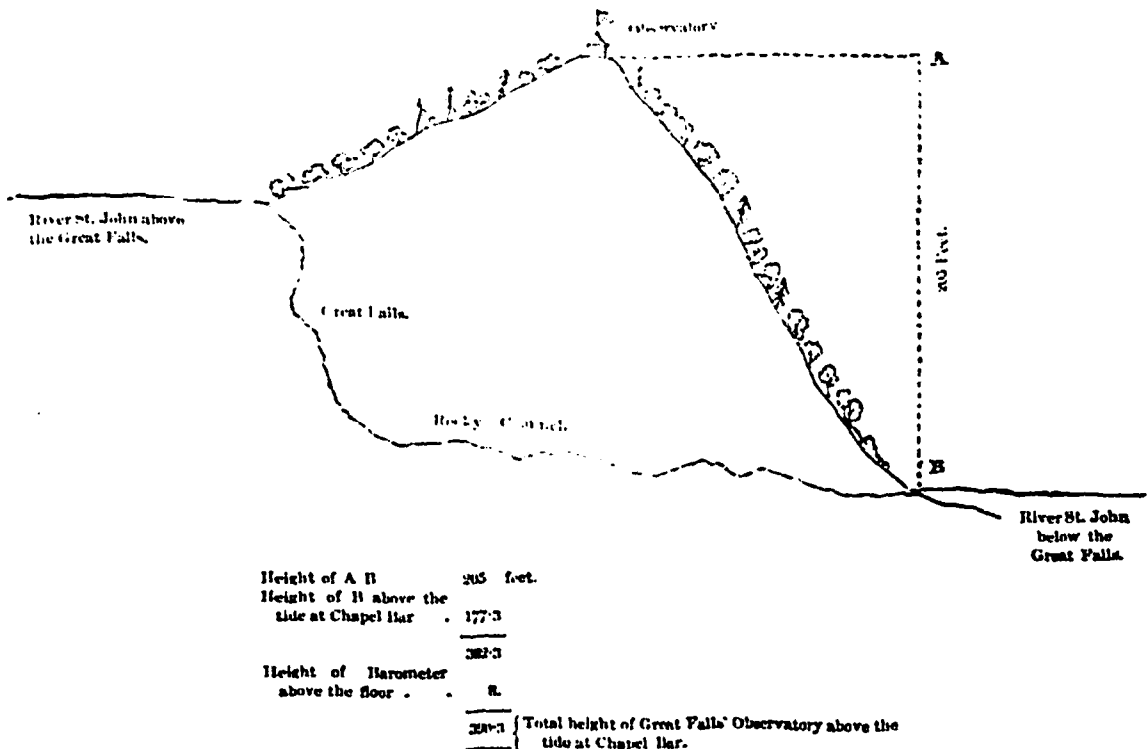
They were afterwards replaced, as soon as possible, in the Observatory, and the register repeated. The difference in the reading before and after the removal and replacement was trifling. The following is a detail:—

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.		
Sept. 2, 3 P.M.	In the Observatory at the Great Falls, three feet above the ground.	A.	29.740	24 C.	20½ C.		
		B.	29.712	23 C.	20½ C.		
		No. 1	29.735	68½ F.	70		
		2	29.739	68½ F.	72		
		3	29.720	67½ F.	70		
		4	29.746	68	70		
		373	754.7	21 C.	21		
		374	754.8	21 C.	21		
		376	755.2	21 C.	21		
		377	754.75	21 C.	21		
		" 5 P.M.	Five feet above the River, below the Great Falls.	B.	29.790	24 C.	
				No. 1	29.881	76 F.	73½ F.
				2	29.838	76½ F.	73½ F.
3	29.812			78½ F.	73½ F.		
4	29.838			79 F.	73½ F.		
373	756.8			23 C.	23 C.		
374	756.85			23½ C.	23 C.		
376	757.3			23 C.	23 C.		
377	757.25			24 C.	23 C.		
" 5½ P.M.	In the Observatory above the Great Falls, after the foregoing observations.			A.	29.730	22½ C.	22 C.
		B.	29.680	21½ C.	22 C.		
		No. 1	29.717	74 F.	75 F.		
		2	29.737	74 F.	75 F.		
		3	29.695	74½ F.	75 F.		
		4	29.718	72½ F.	75 F.		
		373	754.15	20 C.	18½ C.		
		374	754.3	20 C.	18½ C.		
		376	754.3	20 C.	18 C.		
		377	754.3	20 C.	18 C.		

Height of the Observatory at the Great Falls above the River below the Great Falls, 205 feet.

DIAGRAM.



Having made every arrangement for exploring the disputed territory, with the intention of penetrating through the same to its utmost western limits, the Commissioners and party, with the remaining barometers, left the Great Falls on the 9th of September, and arrived at Tobique, a station occupied by a military store and a few dwelling-houses, nearly opposite the river of that name, the same night.

The station of Tobique is distant about six miles from the termination of the portage road, cut as a communication between the rivers St. John and Roostuck, the confluence of the latter with the former being about five miles north of the confluence of the Roostuck with the St. John.

A short distance from the junction of the Roostuck with the St. John, the navigation is interrupted by falls of no great elevation, but quite impassable. It became, therefore, necessary to transport the canoes by a portage cut for the purpose. The Commissioners and party traversed the portage road from Tobique to the river Roostuck above the Falls, conveying the instruments by hand; and they established their first camp at the termination of the portage, about a mile distant from Fort Fairfield,—a work of some strength, recently erected by the State of Maine, to command the access to the Roostuck.

A wanton and unprovoked attack had been made on this fort two nights preceding by a party of lumberers, unfortunately led on by persons of superior station, who had provided themselves with arms by breaking open the Government store at Tobique. The attack was prevented before it could take effect, by the watch-fires of the Americans, which betrayed the approach of the hostile party who fled, after receiving and returning the fire of the sentry, leaving behind some of their arms in their hurry to escape.

This unforeseen and untoward occurrence appeared to threaten at first a serious, if not a total, interruption to the proceedings and arrangements, of the Commissioners. It had been publicly known, and stated to the Governor of Maine, that their intention was to penetrate into the interior of the disputed territory by way of the Roostuck; and their arrival at that river, and consequent passage under the walls of the fort, had been fixed and intended for the day on which the meditated attack took place. Some delay in collecting all the canoes had, however, fortunately occurred, to detain the party at the Great Falls beyond the expected time, and the good sense of the Commander of Fort Fairfield at once led him to perceive, that the Commissioners, and those under their orders, had no connection with the parties who endeavoured to commit this lawless, mischievously-timed, and unjustifiable aggression.

Having politely received the visit and explanation of the Commissioners, he ordered he boom to be raised which obstructed the navigation of the river; and on the following day, viz. the 11th of September, the party passed the barrier.

It may appear superfluous to remark, that the orders to the Commissioners being special, and limited to one object, it was no part of their duty to make a reconnoissance of a military character, or to examine into the construction or strength of Fort Fairfield; but statements having been made in the American newspapers, implying that their operations had reference to the future establishment of military posts, it becomes necessary to state, that, in profiting by the passport of the Governor of the State of Maine, and by the politeness of the Commandant of Fort Fairfield, they felt themselves precluded from making the slightest examination into the nature of its defences.

Before leaving the camp it had been determined to explore to the summit of a hill immediately above the Falls of the Roostuck, and evidently connected in its character with the heights on the opposite side, the connection being interrupted by the river which is precipitated over the ledge of rocks forming the junction. The top of the hill was as usual covered with tall trees, and from the summit of one, bearings were taken in several directions.

*Record of Barometric Observations made at the First Camp on the Roostuck.*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Sept. 11, 8 A.M.	First Camp on the Roostuck, six miles above the confluence with the River St. John. The Falls intervening.	A.	29·142	14½ C.	14½ C.
		No. 2	29·524	58 F.	58 F.
		3	29·491	58 F.	58 F.
		373	748·55	14½ C.	14½ C.
		374	748·96	15 C.	14½ C.
		376	748·1	14½ C.	14½ C.
Height, 180 feet.					
" 1 A.M.		376	748·5	18 F.	18½ C.
" 2	Two miles below the Camp, five feet above the River.	376	749·0	18 C.	18½ C.
" 2½	Summit of Hill.	376	734·85	18 C.	18½ C.
		..	736·35	..	..
" 4	At Camp on return.	..	747·4	18 C.	18½
Height, 710 feet.					

Heavy rain coming on, accompanied with a strong wind which agitated the surface of the river, to an extent to threaten danger to the heavy loaded canoes, the party halted earlier than was intended.

The camp was formed on the right bank of the river, below the confluence of the little Madawasca which falls in on the opposite side. Night had closed in, accompanied with continued heavy rain and wind, before their party and stores could be placed under shelter.

The following day the expedition proceeded and made considerable progress, though some delay was occasioned by one of the Indians, who found that the labour required was more unremitting and constant than was consistent with the ordinary habits of the savage tribes, whose exertions, when driven by hunger to obtain subsistence, usually terminate with the acquirement of a sufficiency for present wants. At the remonstrance, however, of the other excellent Indian guide, he was at last induced to proceed, though he never afterwards proved either a diligent or useful auxiliary. The proceedings and daily advancement were uninterrupted, until the arrival of the party at the Forks of the Roostuck, so termed by the junction of the rivers Milenekak and Manasawgun, being the channels of two of the sources of the Roostuck, which, from that point, loses its name.

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 13, 6 A.M.	Camp on Roostuck, ten feet above the right bank of the River.	*374	753·85	+ 3 C.	+ 4 C.	
		373	753·7	3 C.	4 C.	
Height, 291 feet.						
7½	Top of Hill, distant two miles.	373	734·3	5½ C.	6 C.	Temperature of air, at 10½ A.M., +11 C.; Ditto of river, + 9 C.; no fog or mist; cloudy but clear.
		374	734·75	5½ C.	6 C.	
8½	Again at Camp.	373	753·6	7 C.	6 C.	
10½	.. ..	374	754·0	7 C.	6 C.	
Height, 918 feet.						
Sept. 14, 1 A.M.	At the foot of a Hill, on on the right bank of the Roostuck.	373	755·2	13½ C.	13½ C.	Temperature of air, at 6 A.M., 26½ F.; Ditto, — 1½ C.; ice and hoar frost.
		376	755·7	13½ C.	13½ C.	
1½	On the summit.	373	745·05	12½ C.	12 C.	
		376	745·35	12½ C.	12 C.	
2	Again at the foot of the hill, as before.	373	755·25	14½	14 C.	
		376	755·60	14½	14 C.	
6	Summit of Hill, height 678 feet. Camp, 288 feet.					
Sept. 15, 7 A.M.	.. ..	..	..	..	..	Temperature of air, 28 F.
		..	..	..	..	
1 P.M.	At Forks on Roostuck.	373	751·25	16½ C.	60 F.	
		376	751·3	16½ C.	60 F.	
9	.. ..	..	..	..	..	Temperature of air, 59°; ditto of Ri- ver, 54°.
Height, 625 feet.						
Sept. 16, 3½ P.M.	Foot of Hill, on River Roostuck.	373	750·0	16½	60½ F.	
		376	750·3	16½	60½ F.	
4	Top of Hill.	373	747·1	16½ C.	60 F.	
		376	747·45	16½ C.	60 F.	
4½	Again at foot of Hill.	373	750·1	16 C.	60½ F.	
		376	750·15	16 C.	60½ F.	
Summit of Hill, height 654 feet.						
Sept. 17, 12½	On River Roostuck.	373	749·75	17½ C.	17 C.	
		376	750·2	17½ C.	17 C.	
Height, 537 feet.						

\* Barometer No. 374 was broken this day in one of the canoes.

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 17, 1 P.M.	Summit of Hill above the River on the right bank.	373	739.5	16 C.	16 C.	
		376	740.1	16 C.	16 C.	
Height, 912 feet.						
8	At the Camp, six miles above St. Croix.	373	749.8	12½ C.	13½ C.	
		376	750.2	12½ C.	13½ C.	
		A.	29.545	13 C.	13½ C.	
		No. 2	29.570	55½ F.	58 F.	
		3	29.531	55½ F.	56½ F.	
Height, 554 feet.						
10½	.. ..	..	..	..	..	Temperature of air, 58° F.; ditto of river, 55°.
Sept. 18, 8 P.M.	Camp on the Roostuck, right bank (called Po- tatoe Camp.)	A.	29.469	56 F.	53 F.	
		No. 2	29.495	55 F.	54½ F.	
		3	29.471	55 F.	53 F.	
11 P.M.	.. ..	373	747.9	12½ C.	12½ C.	Temperature of air, 57°; ditto of wa- ter, 57°. Rain all the after- noon and night; wind south-west, and very little of it.
		376	748.3	12½ C.	12½ C.	
Height, 565 feet.						

The party arrived at the forks of the Roostuck, formed by the junction of the Millenakak and Manasawgun Rivers, on the 19th of September.

For the preceding three days the state of the main river had given warning, that the navigation would thereafter become difficult, so as to render the ascending to either, or both, of the sources of the above-named tributaries hard, if not impracticable. But the fulfilment of the chief objects of the expedition altogether depending on the successful accomplishment of the undertaking, the Commissioners had no alternative, and first attempted the Millenakak, the southernmost of the two, with a small squadron of the light canoes and a few axemen, leaving the strength of the party at the forks to await their return.

The character of the Millenakak proved to be a succession of shoals and rapids, requiring great strength and skill to propel the canoes against the force of the stream, at the same time rendering proportionate care indispensable, to avoid the numerous rocks which everywhere abound.

The ordinary log canoes, constructed by hollowing out a single tree, are capable of receiving severe shocks with comparatively little injury; but the frail Indian bark canoes, made of the lightest materials for carriage across the portages, and covered with a single sheet of birch bark, are easily damaged by collision, and soon destroyed. The stream, shortly after leaving the forks, began to assume the character of a mountain torrent, here and there further embarrassed by the accumulation of huge trunks of trees, carried down by the floods at the annual melting of the snow. These barriers occasionally extended completely across the river, entirely blocking up the passage. Where they consisted of only a few trees, by dint of hard labour and the vigorous application of the axe, a channel was cut through just wide enough for the canoes to pass; and in the case of too great an accumulation of fallen timber to permit of that expedient, it became necessary to unload and drag them over the obstruction. After overcoming a succession of such difficulties, the ascent of the Millenakak to a large lake at its source was length attained. Barometric observations were made on the following morning at the camp, which had been formed on the east side of the lake.

Record of the Barometric Observations, &c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Sept. 20, 8 A.M.	Camp on the east side of the Lake Millenakak.	373	741.35	12 C.	12½ C.
		376	742.0	12 C.	12½ C.
Height, 678 feet.					



The return down the river was not accomplished without an equal proportion of risk and exertion. The descent was more rapid, but more dangerous, the rapidity of the stream being as difficult to control in descending, as it had been to surmount in the ascent. The canoes were frequently half filled with water, and one was actually swamped, but so near to the margin of the river that it was easily forced towards the shore, and soon emptied.

At length arriving at the camp at the forks, the Commissioners had the satisfaction of finding the party they had left there refreshed by the rest; and an Indian, who had refused to accompany them up the Millenekak, professing to be sick and unable to move, well enough to proceed on the following day. This was the same Indian before alluded to; and, although no doubt he was fatigued with the constant labour of the preceding nine days, it was suspected that his illness was more assumed than real, and proceeded either from fear or indolence, probably from a mixture of both.

On the 21st of September, the expedition proceeded to explore the second tributary to the Roostuck, the river Manasawgun, which, after a repetition of difficulties and obstructions similar to those experienced on the Millenekak, they happily accomplished. The subsistence of the party altogether depended on the success of the attempt, the expenditure of provisions having proved greater than was expected, with no other prospect of a fresh supply than such as was *hoped* to be found at the lake Wallagasquigum, yet some days journey distant.

The following Thermometric Observations were made during the ascent of the river, with a view to infer the proximity of the lakes, which were known to form its source, by the expected increase of temperature of the larger body of fresh water, their actual position being conjectural and inferred only from the Indian statements.

8 A.M.	Temperature of Air	. . .	49°
	River	. . .	54
11.	Temperature of Air	. . .	49
	River	. . .	57
4 P.M.	Temperature of Air	. . .	50
	River	. . .	59
* 5½.	Temperature of Air	. . .	45
	River	. . .	60

At the camp on the lake on the following morning, September 22;

7 A.M.	Temperature of Air	. . .	45°
9½.	Ditto	. . .	48
	Water	. . .	57

The party having succeeded in arriving at the third lake above the Manasawgun, prepared to ascend to the summit of a mountain above it on the following day. Barometric Observations were accordingly made as here detailed.

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 23, 8½ A.M.	Camp on 3rd Lake above the River Manasawgun.	A.	28·75	55 F.	55 F.	
		No. 2	28·749	56½ F.	57 F.	
		3	28·690	56½ F.	56½ F.	
		373	728·2	13 C.	55½ F.	
		376	728·8	13 C.	56 F.	
Height, 676 feet.						
12½	Top of mountain.	A.	27·638	53 F.	53 F.	
		No. 2	27·685	56 F.	56 F.	
		3	27·632	56 F.	56 F.	
		373	701·45	12½ C.	12½ C.	
		376	701·65	12½ C.	12½ C.	
Height, 1,833 feet.						
3 P.M.	Near the top, descending.	376	707·0	12 C.	12 C.	
		373	706·6	12 C.	12 C.	
Height, 1,636 feet.						
6	At bottom of mountain on the portage at Camp.	A.	28·822	12 C.	10½ C.	
		No. 2	28·867	57 F.	53 F.	
		3	28·815	55 F.	50 F.	
		373	731·0	10½ C.	10½ C.	
		376	731·5	11 C.	10 C.	

\* Lake half a mile distant.

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 24, 8 A.M.	Same station.	A.	28·886	44	44	
8½	.. .. .	No. 2	28·915	43½	44	Temp. of air, 47° water, 50° (Still water ascending from Lake.)
		3	28·862	43½	44	
		373	732·8	7	7	
		376	733·5	7	7	
Sept. 26, 8 A.M.	At Camp near the brook running to the north, being the dividing line of the waters, running south-west into the Manasawgun and Roostuck, and north-west to the 4th Lake (Wallagasquigwam) and Allegash.	A.	28·462	8½ C.	8 C.	
		No. 2	28·502	47½ F.	46½ F.	
		3	28·445	..	..	
		373	722·0	8½ C.	8½ C.	
		376	722·85	8½ C.	8½ C.	
Height, 1,059 feet.						

Subsequently to commencing the ascent of the Manasawgun River, not a little anxiety had been felt and expressed by some of the party to obtain intelligence of the expedition dispatched from the Great Falls, under the charge of Captain Hansard, of New Brunswick, who had been recommended by Sir John Harvey to convey a stock of provisions up the River St. John to the mouth of the Allegash, and thence up that river to Lake Wallagasquigwam.

Captain Hansard, with a party of French canoemen from the Settlement of Madawaska, and an experienced Indian guide, had left the Great Falls the day following the departure of the Commissioners, with a supply of provisions for their future use. His instructions were to proceed up the St. John's to the confluence of the Allegash, and to explore that river to its source, which was known to be the Lake Wallagasquigwam, or Fourth Lake, being the most remote of a series of lakes from its mouth.

To this point the Commissioners intended to penetrate by means of the Roostuck, with its lakes and portages. They took with them what was deemed to be an ample allowance of salt pork and biscuit, to accomplish that object, and to subsist the party until they should receive a fresh supply, which was to be deposited by Captain Hansard in a small island, nearly in the middle of Lake Wallagasquigwam. Although every precaution had been taken in ascending the Roostuck to prevent a wasteful expenditure of the provisions, the consumption was much greater than had been expected. On arriving at the head waters of the Roostuck they became nearly exhausted, and some intelligence of the arrival of the party dispatched from the Great Falls, by way of the Allegash, was anxiously looked for. Although no doubt was originally entertained that the navigation of the Allegash would be found perfectly practicable, yet it could not be considered as altogether certain, within the projected time, at least, as the river was very low for the season, and fallen timber or some like contingency, to which such expeditions are liable in countries little known, might have occurred to impede altogether or delay its progress to a serious extent.

It was not, therefore, without great satisfaction to the leaders, and a more noisy expression of joy from others, that the first signals of relief were heard. The distant reverberation, caused by the discharge of two muskets, which came from the expected direction, and the appearance within a few hours afterwards of two scouts dispatched by Captain Hansard two days in advance, to meet the party expected in an opposite direction, gave great satisfaction to all. This was further increased by the information that two moose had been killed, one of them of such a size as to secure a future supply of fresh meat, a luxury duly appreciated by those who had been subsisting up to that period on salt provisions only. The Commissioners immediately pushed forward with a small squadron of light canoes to join Captain Hansard, chiefly for the purpose of sending back, with as little delay as possible, a sufficient supply to maintain the party, who had yet some difficult portages and navigation to perform before they could arrive at the shores of the Lake Wallagasquigwam.

This lake, from its elevated position and size, is subject to great agitation from the force of wind. On the night of the arrival of the Commissioners on the beach opposite to where Captain Hansard's encampment had been made, a storm occurred from the north-west, to render the passage hazardous: they accordingly bivouacked close to the margin, and effected their purpose on the following morning. They found on their arrival the relief party, well posted in a spot abounding with hard wood for firing sufficient for several days. The island which had been originally fixed on for the purpose did not prove large enough, or contain wood proper for fuel. No fatal accident occurred to any of the party in crossing this dangerous sheet of water, though such an event had nearly happened.

The canoe conveying the Commissioners' servants was upset nearly in the middle, and but for the presence of mind of the parties, and the ready and judicious aid afforded by the two corporals of the Royal Sappers and Miners, who were also crossing in a canoe at no great distance, they must inevitably have been drowned, the water exceeding in all probability forty feet in depth, and the distance from either shore a mile and a half. The doleful cry which announced the misfortune first drew attention to the spot, and the desperate condition of the suffering parties, soon became evident by means of a telescope. They were, however, rescued, as has been stated, and afterwards brought to the shore, by the aid of a party who proceeded as quickly as possible to their relief, without any other injury than cold and exhaustion. One of the barometer stands and some articles belonging to the Commissioners went to the bottom; but they were the less regretted, as in addition to the probable loss of life, it was at first believed that all their valuable papers, clothes, and such baggage as they possessed, had shared the same fate.

A similar incident occurred on the following day to Captain Hansard and one of the Indians. A moose, supposed to be the dam of one of the two shot a few days previously, had been heard bellowing at a distance. In searching for it near the shore of the lake, the discharge of the gun overset the canoe. The Indian not being able to swim, a circumstance very unusual with the savage tribes, was on the point of being drowned but for Captain Hansard, who saved his life by assisting him to support himself on the bottom of the canoe, and safely conveyed him to the shore, after the lapse of half an hour. They were both greatly exhausted, and suffering extremely from cold on arriving at the camp.

The camp on Lake Wallagasquigwam offered the means of repose and rest which had become necessary, as also for concerting future operations. The barometers were placed in a secure and permanent position for observation, at the periods named for the like purpose at the Great Falls. The results are as follows:—

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Sept. 28, 8 A.M.	Camp on Lake Wallaga- quigwam Windy, or 4th Lake.	A.	28·974	2½ C.	2½ C.	Temperature of air, 6 A.M., 35° C.
		No. 2.	29·021	36½ F.	38 F.	
		3	28 890	36½ F.	34 F.	
		373	735·9	3 C.	2½ C.	
		376	736·2	3 C.	2½ C.	
12	Same station.	A.	29·062	6 C.	4½ C.	
		No. 2.	29·080	44 F.	43 F.	
		3	29·016	43½ F.	43 F.	
		373	736·8	5½ C.	4½ C.	
		376	736·65	6 C.	4½ C.	
4 P.M.	Same station.	A.	29·060	5½ C.	4½ C.	
		No. 1.	29·088	43 F.	42 F.	
		3	29·039	41 F.	42 F.	
		373	736·9	5 C.	4½ C.	
		376	737·05	5 C.	4½ C.	
Sept. 29, 9½ A.M.	Same station.	A.	29·180	6½ C.	4½ C.	Temperature of air, 6 A.M., 29° F.
		No. 1.	29·220	44 F.	43 F.	
		3	29·140	41½ F.	40½ F.	
		373	740·1	6½ C.	4½ C.	
		376	740·0	6½ C.	4½ C.	
12	Same station.	A.	29·191	8½ C.	7 C.	
		No. 2.	29·235	49½ F.	46½ F.	
		3	29·175	47½ F.	44½ F.	
		373	740·8	8½ C.	7½ C.	
		376	740·9	8½ C.	7½ C.	
4 P.M.	Same station.	A.	29·182	8½ C.	6½ C.	
		No. 2.	29·230	45½ F.	45 F.	
		3	29·179	45½ F.	43 F.	
		373	740·5	7 C.	6½ C.	
		376	740·1	7 C.	6½ C.	
Height, 868 feet.						
Sept. 30, 8 A.M.	Same station.	A.	29·316	+3½	+3	Temperature of air, 6½ A.M., 27° F.
		No. 2.	29·372	37	37	
		3	29·321	36½	37	
		373	744·0	+3	+3	
		376	744·1	+3	+3	

Oct. 1, 6½ A.M. Temperature of Air, 33°  
 1 P.M. " " 45  
 " " " Lake, 53

The party having obtained the necessary rest at the lake, and future operations having been determined, two divisions were formed, one to explore to the north as far as the head waters of the Penobscot; the other to proceed down the river Allegash, and to ascend the St. John's, from its confluence to the Lake Woolastaguam, where a rendezvous was appointed, and expected to take place within a fortnight.

Some of the canoemen with their canoes were here discharged and ordered to return to the Great Falls, and thence to Frederickton.

The navigation of the Allegash, which had been found difficult by the party ascending it from the Great Falls, became still more so in the descent, owing to the low state of the waters usual towards the close of the autumn, when they have their minimum height for the year. At the debouchement of the Allegash from the lake, and about two miles below it, a formidable rapid was passed by portage, and another occurred shortly afterwards, which much damaged one of the canoes, but the navigation was effected without other injury as far as the termination of a chain of lakes, when it became necessary to abandon the damaged canoe, transferring the men belonging to it to one of those which had been intended to be discharged.

From the termination of the above-mentioned chain of lakes, forming the head waters of the Allegash, to the falls of that river, a continued series of rapids and shoal water alternates with occasional deep pools and still water. Some of the rapids are formidable and the velocity great. The falls of the Allegash, although not so considerable as the Great Falls of St. John, either in their height or in the volume of water precipitated over its bed, are yet an impassable barrier, and the canoes and instruments, as also the provisions, were transported across a portage to the river below the falls.

At some distance below the falls are again rapids, a succession of which continues nearly to the confluence of the river with the St. John's: one of them is both difficult and dangerous. Five canoes were swamped in this rapid, and one dashed to pieces amongst the rocks. The men escaped with a few bruises only. An Indian, the same who was the subject of particular notice before, and who was so nearly drowned in Lake Wallagasquigwam, became so much alarmed, that he totally lost all self-possession, and declared himself unable to manage his canoe, which was transferred to another. This is not the fault of the Indians generally; they are brave and skilful, and by far the best conductors, both for intelligence and with reference to personal safety.

From the confluence of the Allegash to the exit of the St. John's River from the Lake Woolastaguam, the navigation is subject to few serious interruptions, as far up as a group of islands, the Indian name of which is Unsesevaqui, and passable without damage to canoes with tolerable skill and care; but above the islands to the lake at the head of the eastern branch of the St. John's, it is of the worst possible description, and to one, not intent on overcoming difficulties, and unused to such a species of navigation, would appear insurmountable, there being no other means of progress, the woods being impenetrable even to an Indian dog till the snow falls; the ascent of the river was therefore accompanied with much difficulty, and the injury to the canoes, especially to those belonging to the Indians, was to a serious extent.

On Sunday, the 13th of October, this branch of the expedition succeeded in reaching the point of rendezvous, and accomplished a meeting as projected, having been anticipated by the party who went south to the head waters of the Penobscot, and were anxiously expecting them, their provisions being nearly expended; though they were fortunately relieved from the fear of actual starvation by having succeeded in killing a fine moose: Two noted Indian hunters were also fallen in with, who had been successful with moose, beavers, and water-birds of various kinds, so that supplies were thenceforward in abundance.

*Register of the Barometer from Lake Wallagasquigwam, descending the Allegash and ascending the River St. John, to the Lake Woolastaguam.*

Date.	Station.	Bar.	Height	Th. A.	Th. D.	Weather, &c.
Oct. 2, 8 A.M.	First Camp, at the foot of the portage, below the Lake Wallagasquigwam.	376	741·3	6 C.	42 F.	
		..	741·2	6 C.	42 F.	
Height, 831 feet.						
1 P.	.. ..	..	..	..	..	Temp. of Air, 46° " River, 51
Oct. 3, 8 A.M.	At Camp, about twenty miles below the Lake on the Allegash.	376	732·75	8½ C.	47 F.	
		..	732·9	..	..	
Height, 731 feet.						
3 P.M.	.. ..	..	..	..	..	Temp. of Air, 49° " River, 50

## Record of the Barometric Observations, &amp;c.—(Continued.)

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 4, 8 A.M.	Camp above the Falls of the Allegash.	376 ..	734·9 734·9	8½ C. ..	39 ..	
			Height, 637 feet.			
9½	.. ..	..	..	..	..	Temp. of air, 40°; wind north-west; cold with snow and sleet. The ther- mometer could not be held with safety in the water, owing to the rapidity of the stream.
Oct. 5, 8 A.M.	Camp on the right bank of the St. John's River, half a mile above the Confluence of the Alle- gash.	376 ..	755·45 755·5	-1½ C. -1½ C.	30 F. ..	
7 P.M.	.. ..	..	..	..	..	Temp. of air, 27° F.
10½	.. ..	..	..	..	..	Temp. of river, 42° " air, 32
			Height, 515 feet.			
Oct. 6, 8 A.M.	At Camp, ten miles above the Confluence of the Allegash, on the River St. John.	376 ..	760·75 760·75	-4 C. -4 C.	25 F. ..	
6½ P.M.	.. ..	..	..	..	..	Temp. of air, 21½° F.
			Height, 574 feet.			
Oct. 7, 8 A.M.	At Camp on St. John's River.	376 ..	753·45 753·4	-0½ C. -0½ C.	31 F. ..	
			Height, 659 feet.			
Oct. 8, 8 A.M.	At Camp on St. John's, about ten miles above the Great Black River.	376 ..	748·2 748·2	7½ 7½	46 ..	
1 P.M.	.. ..	..	..	..	..	Temp. of air, 58° " river, 46
			Height, 712 feet.			
Oct. 9, 8 A.M.	Camp on St. John's, north of the Islands Unseseva- que. (Beaver Camp.)	376 ..	744·2 744·2	11 C. 11 C.	53 F. ..	
2½ P.M.	.. ..	..	..	..	..	Temp. of air, 60° " river, 52
			Height, 830 feet.			
Oct. 10, 8 A.M.	Camp on St. John's River, estimated ten miles above the Islands.	376 ..	735·0 735·0	9½ C. 9½ C.	50 ..	
			Height, 855 feet.			
Oct. 11, 8 A.M.	Camp, estimated half a mile below the Forks, formed by the confluence of the Metawaquem River with the St. John.	376 ..	739·75 739·75	-3½ C. -3½ C.	25 F. ..	
			Height, 910 feet.			
Oct. 12, 8 A.M.	Camp on St. John's, ten miles above the Forks.	No. 2 .	29·118	29 C.	32 F.	
			Height, 952 feet.			
Oct. 13, 8 A.M.	Camp on St. John's, esti- mated three miles below the Lake Woolastiqui- guam.	376 ..	729·15 729·1	8 C. ..	46½ F. ..	
			Height, 1,049 feet.			

*Record of the Barometric Observations, &c.—(Continued.)*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.	Weather, &c.
Oct. 13, 11½ A.M.	.. .. .	..	..	..	..	Temp. of river, 45°
11½	Lake Woolastaguam.	No. 3 373	28·650 727·8	55 F. 14 C.	55 14 C.	
Height, 1,075 feet.						

*Register of Barometric Observations from Lake Wallagasquigwam to the Head Waters of the Penobscot and Lake Woolastaguam.*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Oct. 1, 8 A.M.	At the south-west end of the Portage between the Allegash and Penobscot Waters.	No. 3 373	28·692 728·45	47 F. 8 C.	47 F. 8 C.
" 9½	Middle of the Portage.	No. 3 373	28·659 727·50	51 F. 10½ C.	50 F. 10 C.
Height, 1,301 feet.					
Oct. 4, 8½ A.M.	On top of a hill, 1¼ miles west of Camp or Portage between Allegash and Penobscot waters.	No. 3 373	28·357 719·75	41 F. 3½ C.	38½ F. 3½ C.
" 10	At the Camp on Return.	No. 3 373	28·825 731·8	43½ F. 6½ C.	42½ F. 6 C.
Height, 1,150 feet (doubtful).					
Oct. 6 6½ A.M.	On Sea Gau Lake.	No. 3 373	29·533 750·6	23 F. -4 C.	23 F. -4 C.
" 10	On Small Lake at the head waters of the Penobscot.	No. 3 373	29·625 752·3	43½ F. 6 C.	43 F. 5½ C.
Oct. 7, 3½ P.M.	Top of a hill 72½° west of Camp on the head waters at the Penobscot River.	No. 3 373	27·951 709·7	52 F. 11 C.	51 F. 11 C.
Height, 2,158 feet.					
" 8, 10 A.M.	At the foot of the hill visited before.	No. 3 373	28·970 735·5	55 F. 14 C.	55 F. 14 C.
Height, 1,300 feet.					
" 9, 10½	On top of the ridge visited on the 7th.	No. 3 373	28·404 720·9	54 F. 12 C.	53 F. 12 C.
Height, 1,680 feet.					
" 10, 9¼	Extreme Source of St. John's River above Lake Woolastaguam.	No. 3 373	28·457 722·6	51 F. 10½ C.	51 F. 10½ C.
Height, 1,315 feet.					
" 11, 8	Portage above Lake Woolastaguam.	No. 3 373	28·649 727·60	32 -0½	32 -0½
Height, 1,349 feet.					

*Register of Barometric Observations descending the River St. John, from Lake Woolastaguam to Lake Echemin.*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Oct. 15, 8, A.M.	Camp on St. John's descending river, from Lake Woolastaguam.	No. 3 373	28-991 736-4	45½ F. 7½ C.	45½ F. 7½ C.
„ 3 P.M.	Same station.	No. 3 373	28-973 735-8	53 F. 13¼ C.	56½ 13¼
„ 8	Near the same place below.	376 ..	737-2 737-0	9 C. 9 C.	42 ..
Height, 1,065 feet.					
Oct. 17, 9 A.M.	Forks of St. John's and Metawaquem.	No. 3 373	29-096 738-9	47 F. 9 C.	47 F. 9 C.
Height, 929 feet.					
Agreeing nearly with results, obtained from observations made on the 11th instant, in ascending to the lake; the former station being a short distance below.					

Having arrived at the Forks of the Metawaquem, a small river, tributary to the St. John's, the extreme source of which is near the western extremity of the disputed territory, it was proposed to proceed by ascending that river, and by portage through the woods separating it from Lake Echemin, and, gaining that lake, to proceed thence to Quebec.

The greater proportion of men and canoes were therefore here discharged, and placed under the care of Mr. Wilkinson, to return to the Great Falls by the River St. John, and thence to Frederickton, the Commissioners reserving for their own use only such as were necessary to proceed to the head of the Metawaquem, with a sufficiency of provisions to take them to Lake Echemin, the first settlement beyond the limits of the disputed territory.

The portage through the woods, from the head of the river Metawaquem to the Lake Echemin, being effected, it became obvious that the chief objects of the expedition had been attained only just in time to avoid being caught in the forest by the rigours of the fast approaching winter. The leaves had mostly fallen from the trees, and the first view of a clearing, as they gained the shore of Lake Echemin, presented to them a surface covered with snow still continuing to fall, accompanied with severe cold, which announced the close of the hitherto favourable season.

*Barometric Observations at Lake Echemin.*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Oct. 20, 10 A.M.	At Lake Echemin, thirteen feet above the water.	No. 3 376	29-201 741-7	31 F. +½	36 F. +2
Height, 957 feet.					
Oct. 21,	On top of hill on Quebec road, the highest visible point of the chain of hills, claimed by the Americans as highlands.	376	736-05	+1	+3
Second Reading ditto.					
Height 1,212 feet.					
Barometer 373, and No. 3, were put up, but not registered, air being detected in both.					
Oct. 21,	On the 22nd of October, the Commissioners arrived at Quebec, and waited on his Excellency the Right Honourable Poulett Thompson, who had just landed from Her Majesty's ship Pique.				

Register of Barometric Observations made at Quebec.

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Oct. 26, 12.	At Quebec, on the Cavalier, in the Citadel on Cape Diamond, 3 feet above the Platform, ascertained to be 333 feet 3 inches above the Platform; this was selected as being the highest known point.	A.	29·872	51½ F.	50 F.
		No. 2	29·891	51½ F.	50 F.
		No. 2	29·440	54 F.	52 F.
		..	29·440	54 F.	52 F.
		376	758·45	11 C.	50 F.
		..	758·40	11 C.	50 F.
" 2½ P.M.	On Queen's Wharf, nine feet above high water, in the River St. Lawrence.	No. 2	30·235	57 F.	50 F.
		376	767·25	14 C.	54½ F.
		..	767·2	14 C.	54½ F.
		..	767·4	14 C.	54½ F.
		..	767·2	14 C.	54½ F.
" 1½	Again on the Cavalier in the Citadel.	No. 2	29·882	60½ F.	56½ F.
		376	758·0	13½ C.	55 F.
		..	758·05	13½ C.	55 F.
		..	758·0	13½ C.	55 F.
		..	758·05	13½ C.	55 F.
Oct. 30, 2½	On Queen's Wharf, Quebec, same place before.	No. 2	29·737	53 F.	46 F.
		..	29·733	52 F.	45 F.
		..	29·733	50½ F.	44½ F.
		376	758·1	8 C.	44½ F.
		..	758·15	7 C.	43 F.
		..	758·1	7 C.	43 F.
" 3½	On the Cavalier on the Citadel, as before.	No. 2	29·529	45 F.	40 F.
		..	29·535	44½ F.	40 F.
		..	29·526	44 F.	41 F.
		..	748·9	5½ C.	39 F.
		..	748·9	5 C.	39 F.
		..	749·0	6 C.	39 F.
		..	749·2	6 C.	39 F.
		..	749·1	6 C.	39 F.
Oct. 30, 4	On Queen's Wharf, as before.	No. 2	29·866	44 F.	43 F.
		..	29·866	44 F.	43 F.
		..	29·875	44 F.	43 F.
		376	758·1	6½ C.	42½
		..	758·5	6½ C.	42½
		..	757·7	6½ C.	42½
Nov. 1, 2, P.M.	At Quebec, sixty feet above the River St. Lawrence.	376	760·7	17½ C.	63 F.
		..	760·5	17½ C.	63 F.
Nov. 2, 9	Same station.	No. 2	30·140	62 F.	62 F.
		376	764·05	16½ C.	62 F.
		..	764·01	16½ C.	62 F.
" 11	Same station.	No. 2	30·125	57 F.	59 F.
		376	763·95	16 C.	62 F.
" 3½	Same station.	376	762·9	16½ C.	62 F.
		376	762·9	16½ C.	62 F.
" 4	Same station.	No. 2	30·076	55 F.	59 F.
		376	762·75	16 C.	62 F.
Nov. 3, 10	Same station.	376	764·65	16 C.	60 F.
		..	764·45	16 C.	60 F.
		..	764·4	16 C.	60 F.
		..	764·1	16 C.	69 F.
		..	763·8	16 C.	60 F.
		..	763·65	16 C.	60 F.
Nov. 6, 10½	Same station.	No. 2	29·856	50	53
		376	757·0	12½	53
		No. 2	29·748	50	53
		376	758·8	12½	53
		No. 2	29·705	50	53
" 2	.	376	753·6	12½	53
		No. 2	29·106	50	53
" 3	.	No. 2	29·106	50	53
		376	751·3	12	53

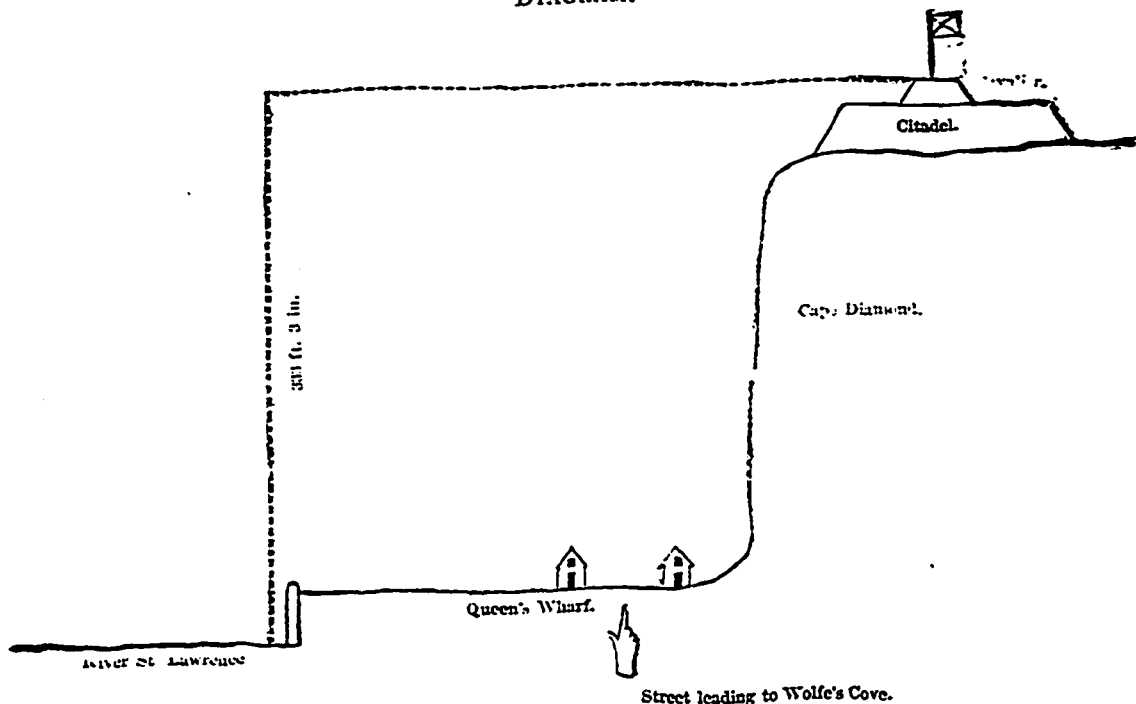


## APPENDIX TO REPORT OF COMMISSIONERS ON

## Height of the Platform on the Citadel of Quebec.

By First Series . . .	331 feet.
By Second do. . . .	332 feet.
By Measurement . . .	333 feet 3 inches.

DIAGRAM.



*Register of Barometric Observations made on the River St. Lawrence on the Metise, and at the Great Falls.*

Date.	Station.	Bar.	Height.	Th. A.	Th. D.
Oct. 30,	At the mouth of the Melese River, on the St. Lawrence.	No. 3 373	29·817 757·34	42 F. 2½ C.	35½ 2 C.
Nov. 2, 1½ P.M.	On the Metise river.	No. 3 373	28·974 742·55	32 F. 0 C.	32 F. 0 C.
Nov. 3, 12	Large Lake Melese.	No. 3 373	29·416 740·7	30 -1	30 -1
Nov. 4, 10 A.M.	Last Lake of Metise.	No. 3 373	29·130 740·0	-30 -1	-30 -1
Nov. 7,	On the River St. Lawrence, at the mouth of the Metise River.	No. 3 373	29·224 742·5	72½ F. 22 C.	72? F. 22 C.
Barometer No. 3, broke by accident.					
Nov. 11, 2½	On St. Francis River.	373	743·4	70 F?	7 C.
	Hill at Temisconta Portage.	373	725·2	-3 C.	-4 C.
" 9	Top of hill.	373	725·3	-6 C.	-6 C.
Nov. 12, 7½	Lake Temisconta.	373	754·25	-9 C.	-9 C.
	At Madawaska.	373	755·45	-9 C.	-9
Nov. 14,	At the Great Falls, fourteen feet below the standard barometer in the Observatory.	B. 373 377	29·576 751·4 751·3	35 +1 +2	35 +2 +2

On examination of the above observations it is apparent, that such a discrepancy exists between some of them, the barometers not agreeing with each other, that it would lead to an erroneous conclusion, to infer the heights from such discordant sources only; they are therefore chiefly derived from other means, as detailed in the Report.

Having protracted their proceedings in the country, as before detailed, and as long as the season would permit, pursuant to their instructions, the Commissioners lost no time in proceeding to New York, and from thence to England.

In submitting this detail of the barometric reconnoissance of the disputed territory, it is not intended to insist, that the observations and results are the most perfect that could have been made under any circumstances. A slight examination of the map will show, that the elevations determined apply to a distance upwards of 250 miles in length, viz.—from the Bay of Chaleurs to the head waters of the Penobscot. Owing to the pressing emergency of the case, two months only of open season could be devoted to the examination, including all the difficulties of exploring an almost unknown region, not admitting of celerity of movement, by the total want of roads, or the use of animals for transport of any kind.

Under these circumstances it would be obviously presumptuous to pretend, that the results are, in all cases, absolutely correct, even as far as the nature of barometers will allow.

But as the difference between the real and assumed elevation of the starting point at the Great Falls is no less than 1500 feet, and as the assumption of the American highlands, at the lake Metise result from that assumed difference, it was not a *small quantity* which was required to be determined.

Barometers of a far inferior construction to those employed for the purpose, and observations far more loosely made, and less carefully registered, would have been amply sufficient to determine the existence, or non-existence, of the assumed facts.

Were not the proofs ample to show, as ascertained by the corresponding height of the Great Falls, deduced barometrically from the Bay of Chaleurs, and by actual level from the tide at Chapel Bar, that the atmospheric influences, in the lower strata at least, are continuous and correspondent over a considerable space of the earth's surface, it might be supposed that the distance of the standard barometer at the Great Falls was, in most cases, too great for comparison within reasonable limits of accuracy. This is, no doubt, the fact to a certain extent. An examination of the simultaneous observations at the Great Falls, and at other distant places, with the intervals between them, will make manifest that an error must frequently result from the differences of condition of the atmosphere, then prevailing at the respective places. But a similar investigation will also prove, that in no case did such a want of accordance exist, to render the argument of a continuous line of maximum elevation liable to dispute, beyond comparatively insignificant limits.

The British Association for the Advancement of Science have instituted a series of barometric observations, including the record of other atmospheric phenomena, which has been carried on uninterruptedly and hourly, day and night, for a period exceeding three years. The results have demonstrated a prevailing law which is found to affect the height of the mercurial column, between the morning and evening observations. They are not yet made public; but an opportunity has offered of testing some of the observations made at the Great Falls by this law, and it is found that the same inferences are deduced in both cases. It will hereafter be expedient, with the permission of Her Majesty's principal Secretary of State for the Foreign Department, to examine analytically the whole series of observations made in the disputed territory, with a view to lay them before the scientific world in a more mature form than is now practicable.

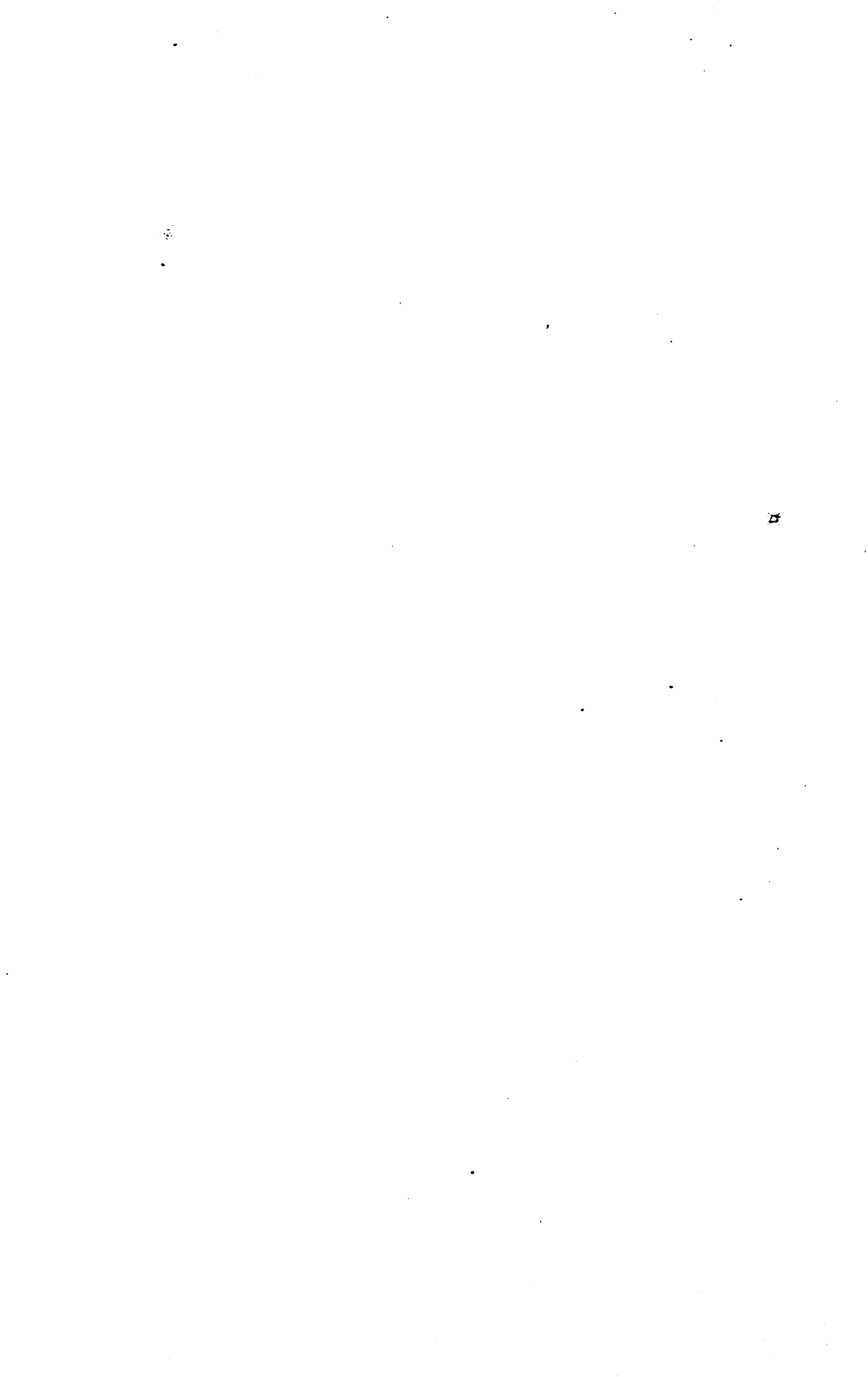
It is only necessary to observe further, that whatever might have been the result, obtained by establishing the standard barometer at the Great Falls, it was the only place in or near the disputed territory, the actual height of which had been previously determined, or could be ascertained; and that after personal examination of the district, experience has shown it to be the best which could have been selected, even had a more perfect knowledge of the country existed before commencing the operations.

The barometric observations as detailed are complete and faithful copies from the original registers, in the hand-writing of the respective parties, which are deposited in the Foreign Office.

RICH. Z. MUDGE,

G. W. FEATHERSTONHAUGH,

} Commissioners.



MAP  
of that portion  
HER MAJESTY'S COLONIES OF  
NEW BRUNSWICK AND LOWER CANADA

THE TITLE TO WHICH IS DISPUTED BY THE GOVERNMENT OF THE UNITED STATES WITH PARTS OF THE ADJACENT COUNTRY

The Rise and Course of the Rivers with the direction of the Highlands and their elevation above the Sea expressed in English feet from Barometrical admeasurements to accompany a report of the investigation of that Country which the

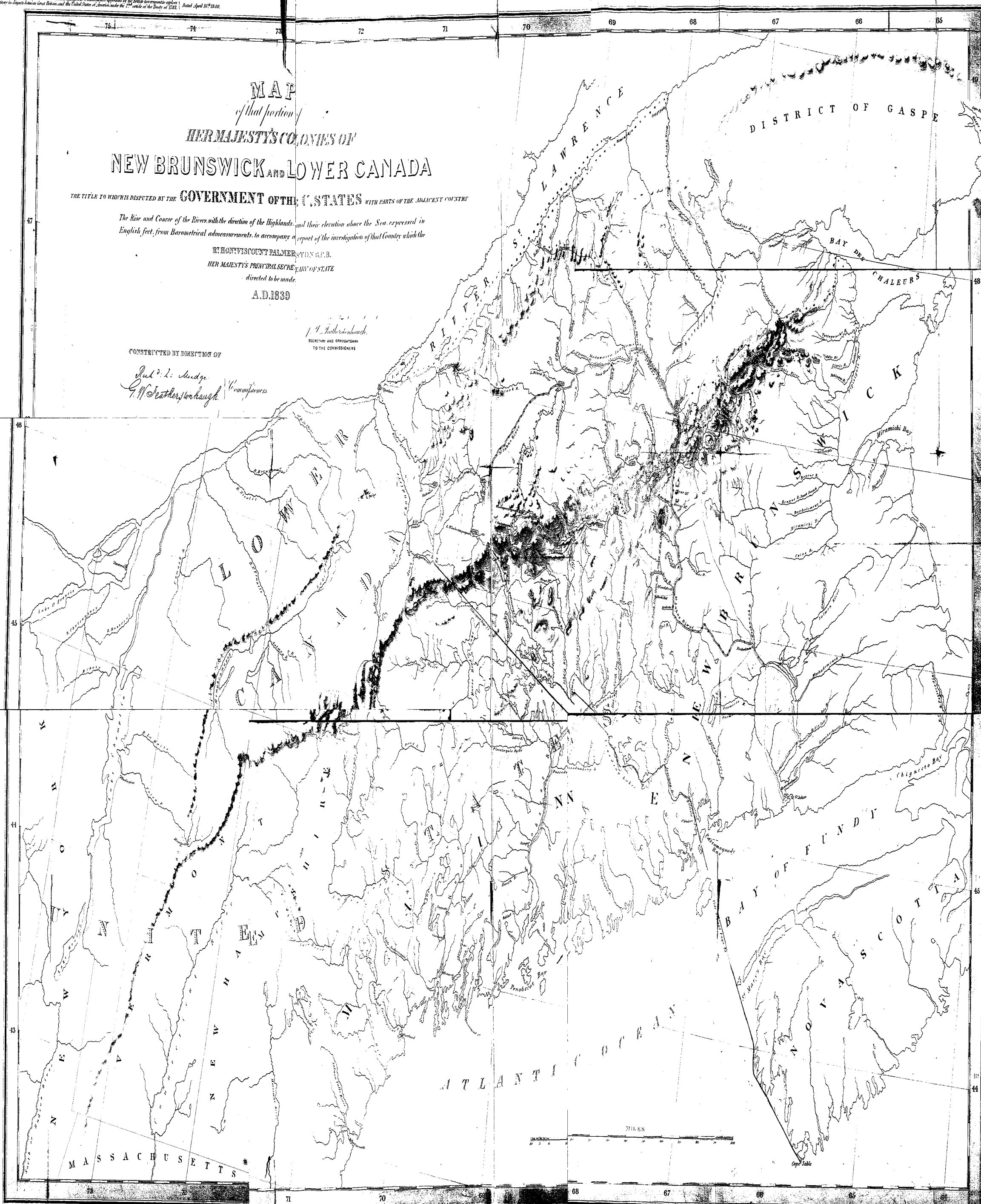
R.H. VISCOUNT PALMERSTON G.C.B.  
HER MAJESTY'S PRINCIPAL SECRETARY OF STATE  
directed to be made.

A.D. 1839

J. T. Fotheringham  
SECRETARY AND DRAUGHTSMAN  
TO THE COMMISSIONERS

CONSTRUCTED BY DIRECTION OF

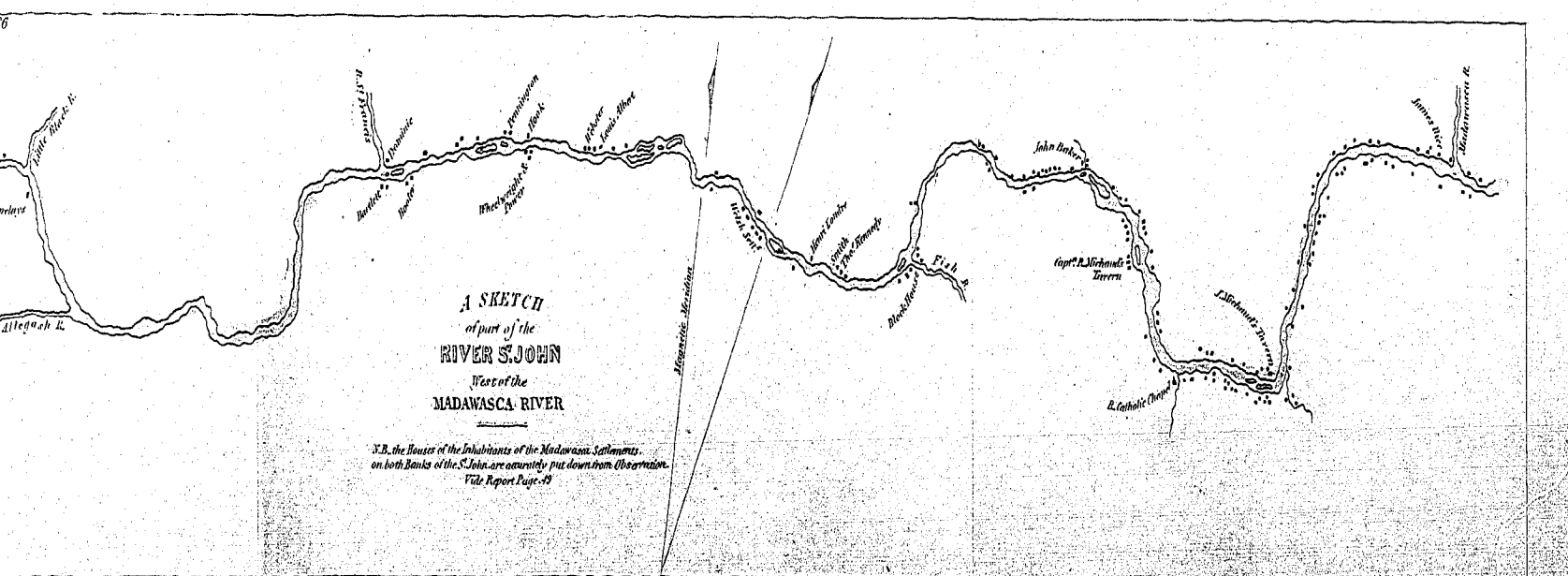
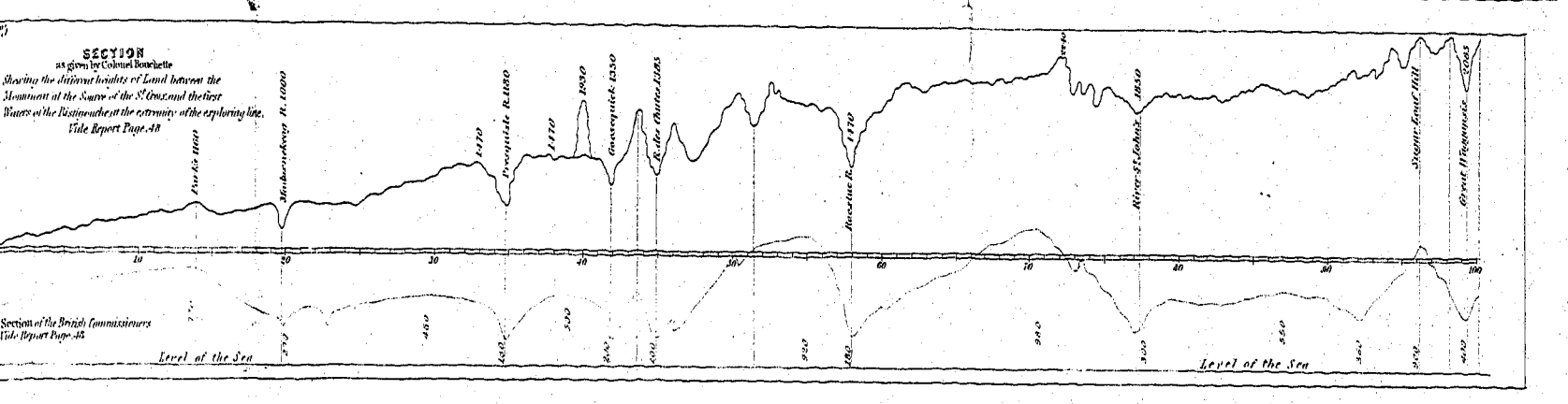
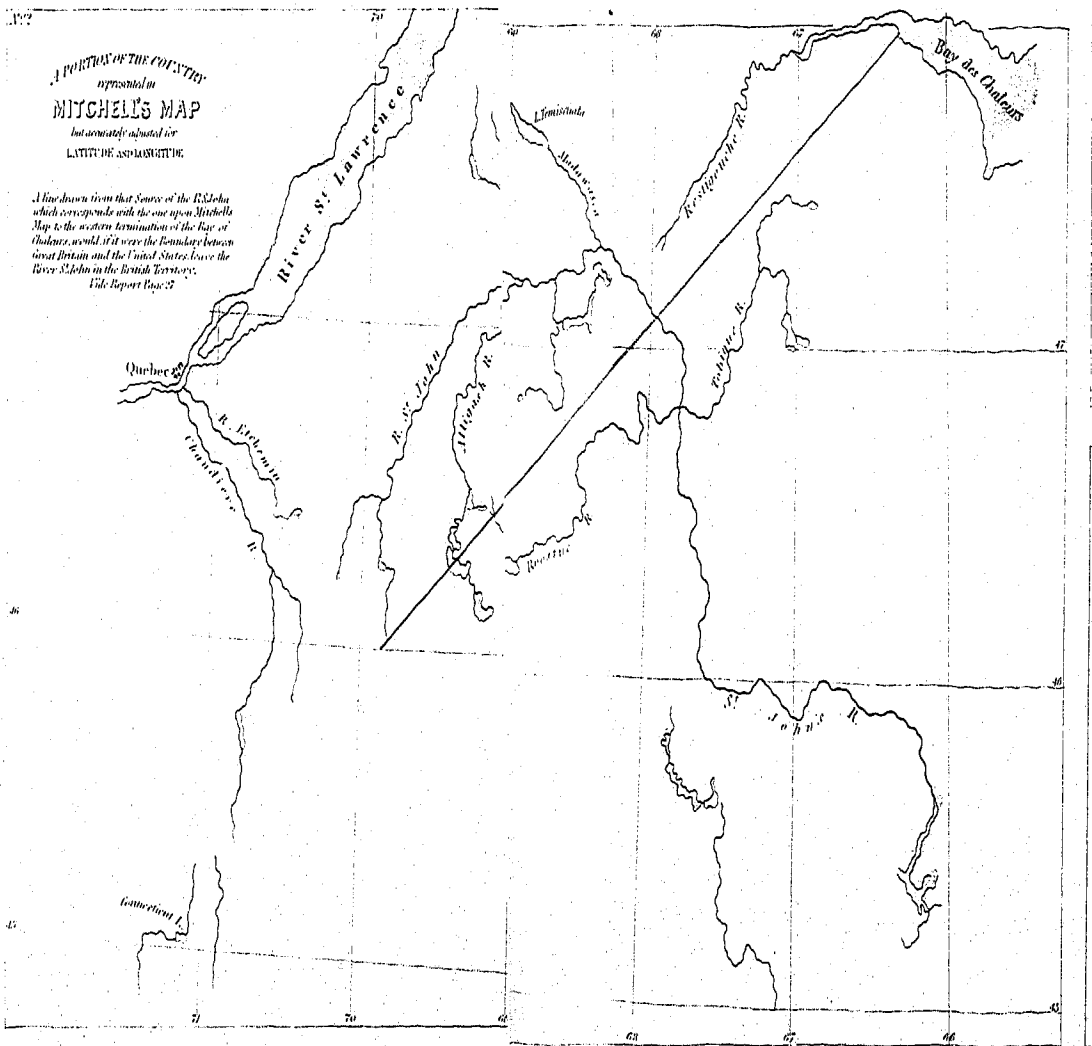
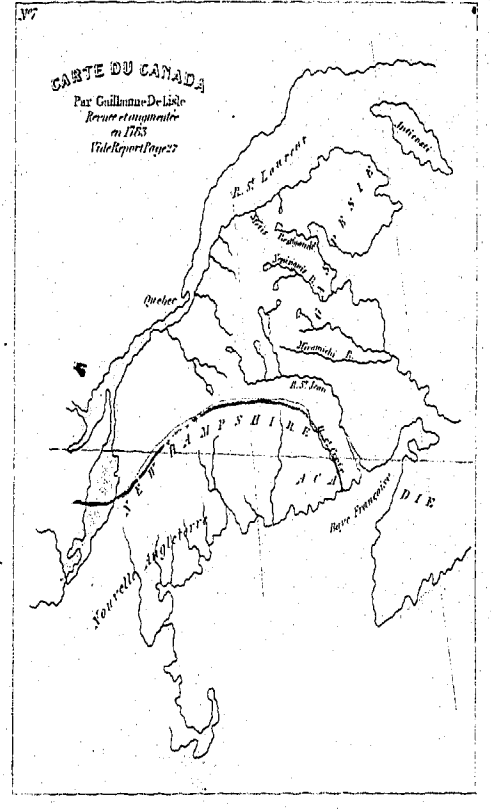
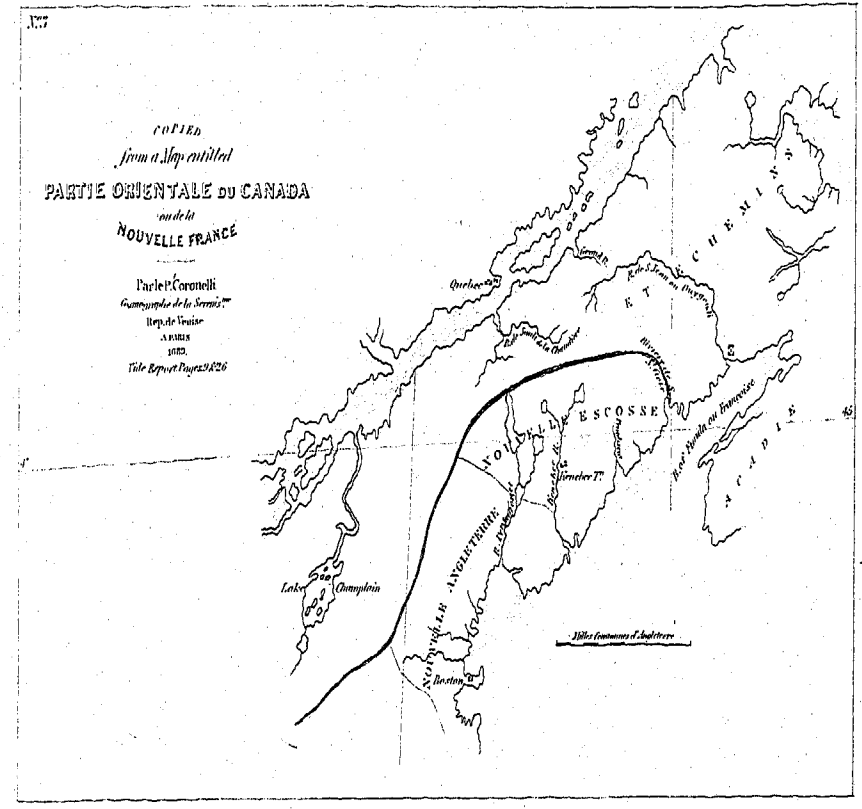
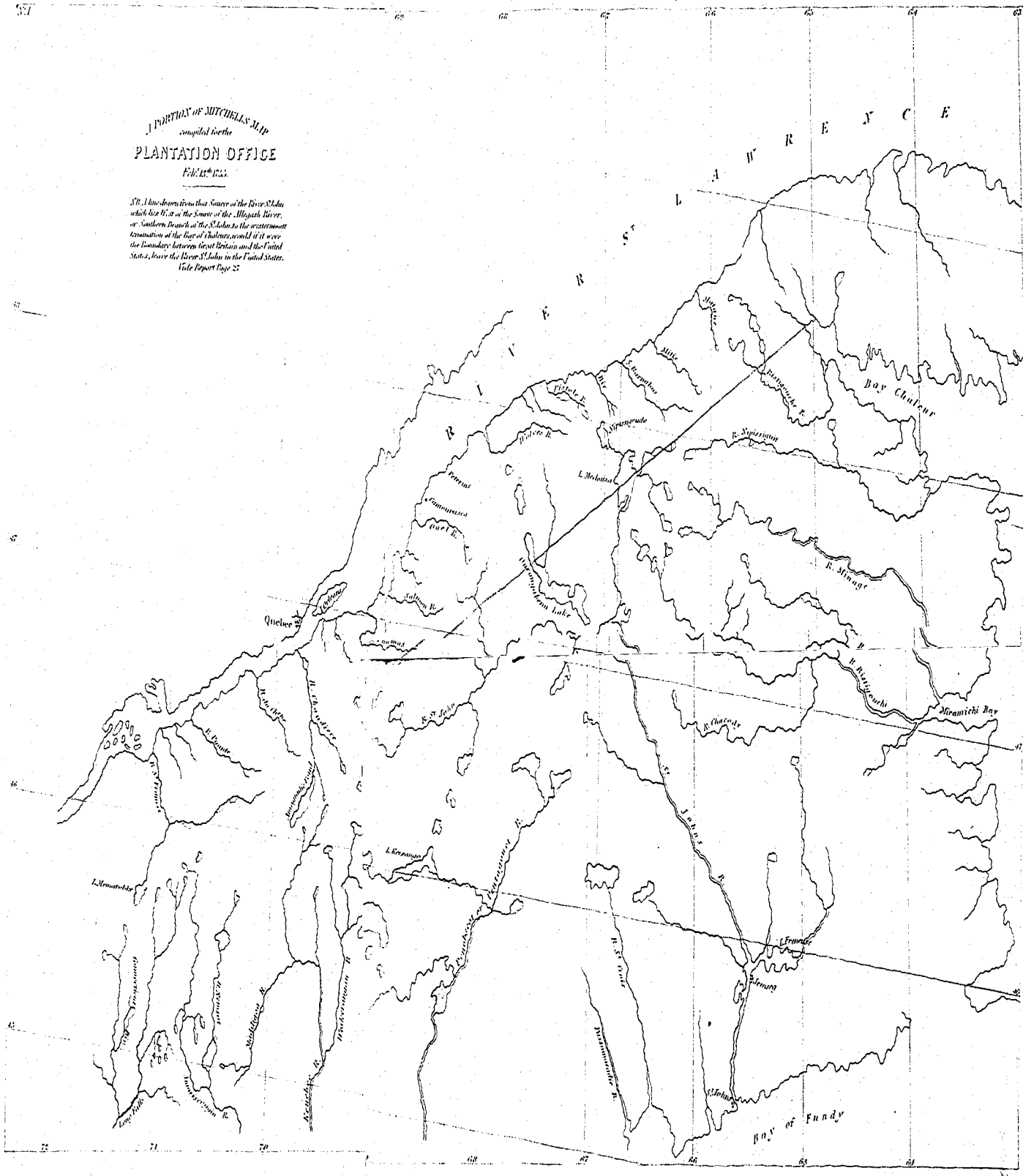
Genl. L. Mudge  
G. W. Featherstonhaugh  
Commissioners



SECTION OF THE ST. JOHNS RIVER

SECTION OF THE COUNTRY FROM THE BAY DES CHALEURS TO THE SOUTH EASTERN SOURCE

SECTION OF THE COUNTRY ALONG THE QUEBEC NORTH LINE





# NORTH AMERICAN BOUNDARY.

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PART II.

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C O R R E S P O N D E N C E

RELATING TO THE

BOUNDARY

BETWEEN THE

BRITISH POSSESSIONS IN NORTH AMERICA

AND THE

UNITED STATES OF AMERICA,

UNDER THE

TREATY OF 1783.

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*Presented to both Houses of Parliament by Command of Her Majesty.  
July, 1840.*

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LONDON.

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