

It is to be here observed, that the French had given the name of Acadie to the Country as far west as the river Kennebeck, that the name of Nova Scotia had been by the English given to the country to the northward of the river Penobscot, & to the Peninsula on the Southerly side of what is now called the Bay of Fundy. —

In the controversy between England & France, which preceded the war of 1755. between those Nations, the latter insisted that Acadie was a Country distinguished from Nova Scotia, ~~including the Peninsula South of the Baie Françoise or the Bay of Fundy, on~~ ~~the land from the river of Gulf of Saint Lawrence as far as Penobscot river, to the Kennebeck,~~ and that the cession of the Treaty of Utrecht in 1713. of the territory of Nova Scotia or Acadie was made by an exegetical mode of expression, & contained no more than what the words Nova-Scotia alone would have done. —

In the Charter, Acadie & Nova Scotia are granted, & all the Territory between Nova Scotia & Sagadahock.

The Agent for his Majesty, with this charter under his eye, will cease to contend that the country, then known by the name of Acadie & Nova Scotia, was not within the Charter. Can he read the charter & deny that Nova Scotia, & all the country now called New Brunswick were expressly within the boundaries of it?

Unless the words Acadie & Nova Scotia, were in that day used to express territory West of the river Saint Croix only, the Agent for his Majesty has no foundation for his assertions. —

Where facts are exhibited in proof, it is in vain, before common & ordinary tribunals, to deny their existence. It would be folly in the extreme to do it before this Board, where there is ability, inclination, & leisure to examine with accuracy & discernment, every fact & every argument. The Agent of the United States has therefore candidly acceded to the truth of such facts as have appeared in the evidence on the other side, & has only attempted, as he conceives by logical deductions, & fair arguments, to shew their incompetency to the purposes for which they have been adduced. This mode of conduct, the Agent for his Majesty has frequently availed himself of, by attempting to shew a weakness of reasoning, a want of sagacity, or an undue degree of caution in his opponent. The Agent for the United States, considering himself as accountable for his conduct, to the high authority he has the honor to serve, cannot in a controversy of infinite importance to his Nation, condescend to personalities: but he thinks he may be justified in saying, that the adroitness, & attention of his Majesty's Agent are such, that he can never be charged with one intentional concession, for he pertinaciously, & obstinately calls into question many of those facts which appear in the open front of positive evidence, and satisfactory proof, & which tend to shew the claim he makes for his Sovereign, as groundless & unreasonable.

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