

These facts thus again brought into view, furnish conclusive proof, that the river Saint Croix was never a Charter boundary of the Province of Massachusetts.

That all the country west of the river & Gulph of Saint Lawrence, & North of the Atlantic Ocean to the ~~river~~ ^{boundary} of Canada was a part of the Province. That a civil jurisdiction was exercised over the People there, by authority derived from the Charter, and that after the cession made in the year 1697—by the Treaty of Ryswick, the Country now called Nova-Scotia, & the Territory between the Saint Croix, and Canada river was yielded by the Province of the Massachusetts with reluctance. — That in consideration of the re-cession of Massachusetts, the Crown guaranteed the Country as far as the Saint Croix, to the Province: and that thus a boundary was ^{by implication} ~~agreed upon~~ which was unknown in, and never contemplated by the Charter. —

But still it is insisted by the Agent for his Majesty, that this must have been done on the idea of the western boundary in Sir William Alexander's Grant being the East boundary of Massachusetts. —

We do not find the Charter to Alexander mentioned in all those proceedings. — It is true, that Governor Hutchinson in the year 1763 draws it into his report. This is the first appearance of that Scrol, after a sleep for more than one hundred & thirty years. It may be said that this is a bold assertion, because that the heirs of La Tour had laid claim to the country, and that one of his descendants is said by Douglas, to have sold her right to the British Crown, thirty years before Hutchinson made his report. —

The answer to that is, that there is no proof that La Tour's Grand daughter ever sold any land, no deed is produced, or any evidence given of the fact. — But if the fact was proved, it has been shewn that La Tour was a Grantee of lands on the East side of the river Penobscot, under a Grant of Oliver Cromwell in 1664, having jointly with Crowne and Temple obtained a grant there. It also appears in the evidence already exhibited, that La Tour had a grant of a tract of land on the river Saint John: — and that D'Aulney who had a grant of a large tract of Territory married his widow. That D'Aulney's daughter made La Tour's children her devisees of her right to the Country. (a) Under this claim, and not under Alexander's Charter was the Grant, if there was one of La Tour's ^{daughters} right to the Crown. Therefore no proof has been, or as the Agent for the United States conceives, can be exhibited, from which it can reasonably appear, that Alexander's Grant was raised from its bed of 1632, before Governor Hutchinson called it up. This was done by him, no doubt under the usual feelings of an antiquarian, or from the pride of character as an Historian. —

But if Governor Hutchinson, & the whole General Assembly, then conceived, that the river, which had formerly been the boundary of the Charter to Alexander, was the boundary of the Province, they must have done it under the mistake, into which Hutchinson had lead himself & them, that a river called Saint Croix was mentioned in the charter as the Eastern boundary of the Province — or that when, under the Treaty of Ryswick, the Province receded to the banks of a river Saint Croix, it was a river which had been known by

(a) Hutchinson 127.