

for their errors, but the map said to be found in L'Escarbot of a city made without hands, of an Island of Utopia, which never in the nature of things could exist is undeniable proof — but more of this hereafter.

The map in Champlain being examined, it exhibits a river on the <sup>northeasterly</sup> ~~North~~ Angle of Passamaquoddy Bay as the river St Croix. L'Escarbot exhibits three rivers coming into the Bay, and places the words "Sainte Croix", on the East of the three. — It has been before suggested by the Agent for the United States, that L'Escarbot by that mark, either designated the East River on his map as the Sainte Croix, or gave that name to the whole bay of Passamaquoddy, and to its various branches. The construction of this fact with his reasoning upon it, the Agent for the United States submits to the honorable Board.

It is true, that in some cases, & on some occasions the assertion of his Majesty's Agent, that maps have in themselves, but a small share of evidence, would have a great degree of propriety in it. But where the case itself grows out of maps, takes its principal facts from them, and could never have an idea attached to it, but what was drawn from them, there is no considerable degree of force in the assertion. By the constitution of this Board, the question before it is defined & limited. — What river was truly intended by the name of the river Saint Croix in the Treaty of Peace, is the only question to be decided upon. The parties who formed the treaty, had no idea of the Country, but what they derived from maps. Of course then, the map, or maps, which guided their intentions to a particular object, is of great consequence in the enquiry, respecting what river they intended. — The distinction which has been attempted, between what river was intended by the Treaty, & what river was intended by the men who made the Treaty, depends upon a metaphysical point which is too minute to awaken the sensibility of the human understanding. — There

There is one map which was <sup>mentioned</sup> not in the former arguments to which some regard is to be paid. The history of the time when, & the occasion of making that map, comes necessarily under consideration.

We find by copies from the Secretary's Office of Massachusetts, that a William Popple was Secretary to the Board in England, called the Lords of Trade & Plantations. The map now to be considered is compiled by Henry Popple. What their family connexion was, is not at present worth a moment's consideration. It may have reasonable weight, but arguments cannot add to it.

The whole of Acadie & Nova Scotia was ceded to the British Empire by the French Crown in the Treaty of Utrecht. Queen Ann was then on the Throne. — The Province of Massachusetts-Bay, had on the Treaty of Ryswick, relinquished its claim to Nova Scotia. Governor Hutchinson observes, in the report so often mentioned, and which has lately been attended to, by the Agent for the United States, that the Province — resumed its claim to the Territory called Acadie — and took possession of it. —

But the claim was not made to Nova Scotia, which arose then into a distinct British Province; and it became necessary, to fix, at least in idea, a boundary between that & the adjoining Province. The Sainte Croix had been before recognized as the Eastern limit of North-Virginia, in a grant by King James to the New England company. The place called Saint Croix had been noticed by King Charles as the boundary of the Province he granted to his brother the Duke of York. And the Lords of Trade in the year 1700, had written to the Governor of the Province of Massachusetts, that his Majesty had insisted, & would insist, that the Province, notwithstanding the Treaty of Ryswick, should extend