

If the Scodiac had been agreed upon as the boundary it would be a breach of public faith to deny it, & claim another. But the question ~~is~~ is, whether, it was agreed upon as a boundary, and the Constitution of this Board is founded in the propriety of a controversy on that point, for if it was a plain incontrovertible fact, there could be no necessity for this judicial procedure. The form of the trial admits the propriety of a dispute, and contains no charge on either side of a violation of the public faith.

We then have a privilege to enquire again where the Northwest angle of Nova Scotia, as mentioned in the Treaty is to be found?

We hear much from his Majesty's Agent of the ancient Province of Nova Scotia, & that it was not intended by the Treaty to take away any part of that ancient Province. But still it remains a question where that Province is, & how old it may be considered to be. The point is agreed, that what was in fact the Province of Nova Scotia, after the Treaty of Utrecht in 1713, the first time that it could in fact be realised as a British Province, ought now to remain to the British Crown. The lines of it as such a Province have been attended to.

But still, where are we to find the angle so pompously discredited upon? The idea of an angle has been explained & left ~~unexplained~~ ^{unexplained}. It is the point of intersection on the mutual inclination of two lines. It has been shewn that there is no ascertained head line of Nova Scotia, by the inclination of which to a North line from the source of the St Croix river an intersection can be formed. That the line of the King's Proclamation in 1760, was a very different line, from the one mentioned in the Charter of King James to Sir Wm Alexander. The line of the Act of Parliament was very various from both - and the line of the Treaty of 1782 is wide from them all. How then can this angle appear. ^{la/} when

[a] The agent for his Majesty, under an idea of technical propriety in expression, insists that bounding the United States upon Nova Scotia, is a concession that there is in fact such a Province - this is true, but it amounts to no more. Then what has always been conceded, that what was the line of Nova Scotia, by the report of that territory from May the 10th 1703, was the line intended. If the agent of his Majesty chooses to consider his nation as aggressor, he will take the line intended by the grant, but the grant has assigned to claim, until the Convention shall have decided.

When a line is drawn from the source of the river Saint Croix to the highlands, & the point of its termination on the highlands is formed, then, & not till then, the angle ^{which is} not even now within the view of imagination, will be formed.

This brings us back again to the question, which is the river truly intended in the Treaty of Peace, as the river Saint Croix?

As the Agent for his Majesty still chooses to insist that the Scodiac is the river where DeMonts wintered, and that of course it follows, that this must be the Saint Croix truly intended in the Treaty of Peace, a few moments may be usefully employed in examining his reasoning, in his supplemental argument on that point.

He attempts to overthrow with a mighty stroke, the evidence of all the Indians, and all the white people who swear, and all the Documents which prove, that the Maguadavie is the river Saint Croix of DeMonts, and known by that name forever, until this controversy, was brought into being by the Loyalists after the late war.

In order to maintain this ground, the position is, that the two Islands in the Scodiac, called the great & little Store houses by the Indians are the Islands Saint Croix, and the place where those French Voyagers wintered.

When the Agent for the United States denies this fact, but alleges that no reasonable conclusion could follow from it in favour of the English claim, if it was true, he is charged with quitting his ground, & abandoning his cause. The Agent for his Majesty then goes out of the course of the controversy & appeals to the Board, to say, whether the ^{American} Agent at Saint Andrews in the year 1796 - did not appear to consider the position of the Island where DeMonts wintered of consequence. This Board, will never decide this cause upon the opinion, or feelings, of either of the Agents, at any particular moment, or on any