

any particular occasions. The arguments & ultimate decision are to appear on paper, and it would be an unworthy foundation for a decision, that one Agent had such apprehensions, & such understanding of the principles of the cause, at one time, & changed them at another.

The Agent for the United States having but ^{then} lately been appointed to the Agency, & having not had time to comprehend & examine the cause, did not then view it in the same point of light in all its parts, as a more familiar intercourse with it has enabled him to do. The appearances respecting his opinions and feelings can have no weight in the cause.

He will therefore proceed to consider the ^{reasoning} ~~reasoning~~ of the Agent for his Majesty in his supplemental argument, on the points, whether there is evidence that DeMonts wintered on the Islands in the Scoodiac river in 1604, and if he did, whether it will from thence follow that the river, in which those Islands are placed had the name of Saint Croix. If both these propositions should be determined in favour of his Majesty's Agent, still the question will be—whether this can prove that the river truly intended by the Treaty of Peace as the Saint Croix, is the Scoodiac.

Upon the question of the Islands, & the name of the river so much has been said, that a great deal need not to be said in these remarks.

Proper observations have been made on the testimonies of Mr Wright & Mr Pagan in regard to the appearances on the Islands—and the question is—whether those appearances cannot be better accounted for in some other way, than from DeMonts voyages. That

That there were, at an early period, houses or buildings of considerable consequence on those Islands, is not denied—but the question is, if they were built by the French Voyagers in 1604? On this question, the honorable Board will please to refer to the facts & arguments already given by the Agent for the United States. One or two arguments of the same tenor may be allowed.

The position on the one side, is that the buildings which were once on the foundations discovered, were erected in 1604 by DeMonts. On the other, that those buildings were erected long after DeMonts had left America, and after he had left the world.

To support the averment on the British side of the question, the testimonies of Pagan & Wright are adduced. The facts they speak of are not denied, but the conclusions & historical deductions, made by them, are called in question: because that as witnesses they can only speak of facts, & as men they are not made the Judges of the result of the facts. This Board alone are the only Judges of what shall be reasonable deductions, as to the facts appearing in evidence.

The Agent for his Majesty affects to suppose, that the Agent on the other part has treated Mr Wright personally ill, in his scrutiny upon his testimony. The Agent for the United States would suffer exceedingly, if he was conscious of a just foundation for this charge, and would at once solicit that Gentlemen's pardon. But as he is conscious that he never intended any thing of the kind, & is not convinced that the charge is founded in fact, he has only to justify that part of the scrutiny which calls the propriety of some parts of the testimony into examination.

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