

(90)

The preceding observations clearly shew that by the River S^t. Croix in this place could only be intended the River S^t. Croix which was the original western boundary of the Province of Nova Scotia in 1621.

In this part of the Statement, the Province very properly speaks of its right of jurisdiction and right of granting the property conditionally, in the Country between the Rivers Kennebec and S^t. Croix, because it is expressly declared by the Attorney & Solicitor General in their opinion, given in the year 1731, which has been already under consideration, that this tract of Country "had never been yielded by the Crown of England to France by any treaty"; conformably to the sentiments of the English Court expressed in the letter from the Lords of Trade to the Earl of Bellamont in the year 1700, which has been already remarked upon in this view. —

The subsequent part of this Statement of the Province of Massachusetts Bay in the letter to their Agent has no connection with the present cause.

(91)

The underwritten Agent has now traced the River S^t. Croix, claimed by him before this Honorable Board, on the part of His Majesty as forming a part of the boundary of the United States in the treaty of peace between His Majesty and those States, from its first appellation in 1604 and its adoption in the grant of the Province of Nova Scotia to Sir W. Alexander in 1621 as part of the western boundary of that Province, down to the year 1753. (a)

during all which period, this One River only has been contemplated and referred to under the name of the River S^t. Croix; "in the French & English Histories and accounts of this Country, and in the public transactions, grants, documents and Acts of State of both Nations". — He will now proceed to shew that this River S^t. Croix (called by the Indians Scoudiac) remained & continued a part of the western boundary of the Province of Nova Scotia, down to the treaty of peace in 1783, and under the name of the River S^t. Croix formed a part of the boundary therein described.

(a) Governor Hutchinson's second Volume brings the History of Massachusetts Bay down to the year 1750 — it was first published in the year 1767. Dr. Douglas's History was written 1748 & published in 1749 — the memorials of the Eng. & Fr. Com. were written from 1750 to 1753.