

understood in the British Nation, and recognized in public documents and acts of government. In this sense and in no other could they have been then understood or can they now be claimed or insisted upon by the United States. In this sense and in no other is His Majesty bound to give the possession. Whatever River was at that time known and recognized by His Majesty and the British Government, as the River S^t. Croix forming a boundary between ^{the Province of} Massachusetts Bay & Nova Scotia, that River, and no other, can now be claimed as a part of the Eastern boundary of the United States. - It is sufficient that in this Act of Parliament, this River S^t. Croix is described by a particular location & boundaries which cannot be mistaken, known to both parties at the time, and assented to on the part of the United States, by their accepting the Act, and not giving any local designation of the river which they now claim, or of any other river than that thus ascertained by precise description, & known by them to have been established and at the time contemplated by Great Britain as the boundary between these Provinces. - If this principle were once departed from, there would be no check to

125
109/
contention on the subject; This it would be fortunate to His Majesty's interests, if he were not thus bound, as it might be clearly shown, in that case, that the River Penobscot, once indiscriminately with the other rivers upon the Coast called the S^t. Croix, was the true boundary by which Nova Scotia or Acadia was ceded to His Majesty by the Treaty of Utrecht; and ought in such ^{cases} by the principles of the laws of Nations, to be established as the Eastern boundary of the United States. - But the words in the twelfth section of the Act of Parliament above recited, do not in any wise relate to or suppose any subsisting doubts about the locality or identity of the river called or known by the name of the S^t. Croix River, but have reference, as has been fully shown, to the ancient limits of the Province of Nova Scotia as established by the original Grant of it to Sir William Alexander from King James the first in the year 1621, recognized in all subsequent public documents & transactions relating thereto, and claimed by the Province of Massachusetts Bay as their Eastern boundary under the Charter of King William & Queen Mary in 1691.

[a] Vid. Mr. Sullivan's Argument part. 3. §. 15.

4. Purchas's Pilgrims, p. 1635.

Sullivan's Hist. Maine. p. 59. - Morris's Geography 3^d Edit. 1796. p. 379.

Bownall's topographical description of North America. - p. 20.

[b] Vattel. b. 2. c. 17. §. 308. vid. post p. 185.