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to the purposes of ~~the~~ the Act; — And altho' the S^c Croix River, described in the Act is mentioned as part of a boundary, before that time legally established between the two Provinces, yet as this Act was highly penal and by the rules of the English law to be construed strictly, it therefore was necessary to describe the true and legal boundary between these Provinces, upon the Sea Coast, otherwise the former reputed boundary of Nova Scotia extending to the Penobscot might have been insisted upon, in exemption of the Penalties of the Act.

The Agent of the United States in his endeavours to obviate the force of this Act of Parliament further says. — "It is true that the Act of Parliament suggests the idea, that the river mentioned in it was commonly called the S^c Croix, but that, certainly is no evidence of the truth of the fact, all the evidence which could be before the Parliament on that point and a great deal more is now before this Board. The river mentioned in the Act is as probably the inlet from the Sea, called the Cobscook as the Scoudiac and there is evidence in the case, that the Governor of Nova Scotia believed that to be the fact."

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To these observations it may be replied, that ~~by the rules of evidence in the English law~~, this description in the Act, of the river which empties itself into Cobscook Bay on the Western side, as being commonly called & known by the name of S^c Croix River, is ~~some~~ evidence of its having been at that time called & known by that name; for the Presumption is vis lert, that in a solemn deliberate exercise of their highest Powers in passing this Act, the three branches of that august legislature would not make use of such a description, if it was false, or without evidence of the truth of the fact. — But admitting the Act itself to be no evidence of the truth of the fact; there has been produced the fullest evidence to this Board, of this river which empties itself into Cobscook Bay on the western side, or in other words the River Scoudiac, having been called & known by the name of the river S^c Croix from the year 1604, down to the time the Act passed, & of its having during all that time been known & considered as the western boundary of the Province of Nova Scotia; a great part if not all of which evidence, and particularly the recent survey in the year 1772, may be fairly pre