

And with this accords the testimony of the  
Indians of the present day, who in their examination before  
/124/ This Honorable Board, declared, that all  
the Lakes forming the western branch  
of this river are called Scoudiac, and  
that the branch which runs northward is  
called Chepatnatiecook. — In this respect  
also there is a striking resemblance between  
this and many other rivers upon this  
Coast, in having its source in ponds or lakes. (a)

(a) "The Head of Newichwawanick is in a pond 40  
miles nearly from the Sea. — This is a continuation  
of Piscataqua River and is the main branch." — Sull. p. 19.

"The great River of the coming from a pond in New  
Hampshire, swells the Saco & impels its course." A. p. 25.

"The Sebastacook comes from Lakes nearly north  
from its mouth and in its windings receives brooks  
and small rivers for the space of 150 miles." A. p. 32.

"The Eastern branch of Kennebec issues from a  
body of waters called Moose pond or Moose Lake." A. p. 33.

"Sheepscook river" issues from ponds about 25  
miles from the head of the tide." A. p. 34.

"The River Pennaquid is supplied by ponds  
which lie within thirty miles of the sea; at the  
distance of fifteen miles from the sea we  
meet the Fall which terminates the navigation." A. p. 35.

But in confirmation of what has been already  
advanced respecting the Source of the river in the  
present instance, it will be proper in this place to  
attend to the expressions respecting it in the second  
article of the Treaty of Peace, and to the rules and  
principles founded in reason and convenience, &  
conformable to the Law and Practice of Nations,  
which are usually adopted in cases of this kind  
in settling boundaries between different States & Em-  
pires.

The words in the Treaty are, "East by a line (125)  
to be drawn along the middle of the River S. Croix,  
from its mouth in the Bay of Fundy, to its Source;  
and from its Source directly north to the aforesaid  
Highlands" &c. — If the meaning of the word  
Source when applied to a River, as indicative of  
the furthest spring, fountain or head, from whence  
the waters of that river first proceed or flow, were  
not accurately defined in the English language,  
so as not to admit of a different construction;  
we have seen that on the present occasion,  
the Grant to Sir William Alexander has expressly  
recognized and adopted that definition in  
terms the most forcible and appropriate; —  
And the Treaty evidently contemplates the  
Source of the river S. Croix as being at a consi-  
derable distance westward of its mouth. —  
This may fairly be inferred from the whole