

The inference is clear from the foregoing facts & reasoning, that neither the River Cheputnatucook, nor consequently the Magaguadavic or any other river whose source is Eastward of the source of the Cheputnatucook can be the river intended under the name of the river St. Croix in the Treaty of Peace.

But to apply these facts to the point more immediately under consideration, whether a line due north from the source of the western or main branch of the River Seoudiac or St. Croix will leave to each of the parties to the treaty the sources of those rivers that empty themselves or whose mouths are within its territory upon the sea-coast respectively.

(134) This effect so far as regards the United States is completely secured by the treaty in all events, & thence we have further reason to suppose it was intended to be reciprocal in this respect, if a just interpretation will warrant it. — A line due north from the source of the western or main branch of the Seoudiac or St. Croix, will fully secure this effect to the United States in every instance, and also to Great Britain in all instances except in that of the River St. John, wherein it becomes impossible, by reason that the source of this River is not only westward of the western boundary line of Nova Scotia, but of the sources of the Penobscot & even of the Kennebec, so that this north line must of necessity cross the River St. John; but it will cross it in a part of it, almost at the foot of the Highlands where it

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ceases to be navigable. — But if a north line is traced from the source of the Cheputnatucook it will not only cross the river St. John within about fifty miles from Fredericton the Metropolis of New Brunswick, but will cut off the sources of the rivers which fall into the Bay of Chaleurs, if not of many others, probably the Miramichi among them, which fall into the Gulf of St. Lawrence & thereby be productive of inconvenient consequences to the two Powers if not of contention between them, instead of "terminating their differences in such a manner as may be best calculated to produce mutual satisfaction and good understanding, which is one of the principal and avowed objects of the treaty". (135)

Had the Treaty intended that this north line should intersect a number of rivers, which empty their waters thro' a British Province into the sea, a right of navigation or passage down those rivers would doubtless have been secured to the United States by the Treaty; — That this was not the intention of the treaty, not only appears from the facts and reasoning that have been already adduced, but from a further consideration, that in most if not all the maps of the interior Country, published before the year 1783, altho' the courses of the River St. Croix are very inaccurately laid down, still it is uniformly