

(158) contained in the last recited deposition. — The written instructions, produced in evidence before the Board, under which Mr. Mitchell was directed by the Governor to proceed, destroy any such supposition, more especially as in them ~~no~~ such order appears as is stated in this deposition, and Mr. Mitchell is merely directed to employ the Indians to assist him in going up the river St. Croix, ~~and from the pond at its source~~, and from the pond at its source, by the usual portage to the Conobscot.

Mr. Mitchell is probably a man advanced in years, and as this deposition, which was taken *ex parte*, was made so many years after the facts testified to, after the peace in 1783, and subsequent to the commencement of this controversy; many allowances should in candor be made for an indistinct recollection of what had passed so long before; he must at that time have forgot that he had received any written instructions, as it appears, by the affidavit annexed to the copy of the written instructions, ^{seems to have then} he ~~had~~ forgot the contents of this deposition sworn to six years before.

Be this however as it may, it appears by the deposition made in 1784 that Mr. Mitchell,

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disregarding the written orders which, in the year 1790, he swears he received from the Governor for his direction in the survey, summoned the Indians to tell him what river he should survey as the ancient and only river St. Croix; and attending to their ~~former~~ account, attested to, in the solemn manner he states, by three Indians | 159 | commissioned by the Chief for that purpose, (a) instead of surveying the river St. Croix pointed out in his instructions, ^{the source of} from which there was a portage to a branch of the Conobscot, which description applied to the river Scardiac only of all the rivers that empty themselves into Passamaquady Bay, and ~~which~~ ^{as} he might & ought to have learned from the same Indians, he undertakes a survey of the river Magaguadavic, which till then had never been noticed, nor probably known by the English; at least there is no written account of it, and it will clearly appear upon examination, that this river is not one of the two rivers laid down in the maps published before this survey, called the Passamaquady and St. Croix.

Here then is the Origin of the suggestion that the River Magaguadavic is the great River St. Croix named by the Sieur De Monts in the year

(a) Mr. Mitchell no doubt must have clearly recollected so solemn ~~language~~ ~~and~~ a part of the transaction as this, but he has omitted to tell us, what person administered the Oaths and under what Authority. Mr. Mitchell must have perfectly understood the Indian Language to enable him to make this deposition safely, unless the Indians told their story in English. vid. Appendix. p.