

**A MEMOIR ON THE NORTH-EASTERN
BOUNDARY, IN CONNEXION WITH MR.
JAY'S MAP; TOGETHER WITH A SPEECH
ON THE SAME SUBJECT; DELIVERED AT A
SPECIAL MEETING OF THE NEW-YORK
HISTORICAL SOCIETY, APRIL 15TH, 1843**

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A Memoir on the North-eastern Boundary, in Connexion with Mr. Jay's Map; together with a speech on the same subject; delivered at a special meeting of the New-York historical society, april 15th, 1843 by Albert Gallatin & Daniel Webster

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ALBERT GALLATIN & DANIEL WEBSTER

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PRELIMINARY NOTICE.

A SPECIAL MEETING of the *New-York Historical Society* took place at the Society's Rooms in the University of the City of New-York, on the 15th ultimo, for the purpose of receiving a communication from the Hon. ALBERT GALLATIN, President of the Society, on the subject of the North-Eastern Boundary of the United States, in connexion with a Map found amongst the papers of the late JOHN JAY, one of the American Commissioners for negotiating the treaty with Great Britain in 1783.

The meeting was honored by the attendance of the Hon. DANIEL WEBSTER, Secretary of State, who had been invited to be present on this occasion.

In consequence of the unusual interest excited in the community by the agitation of the subject to be brought before the Society, and the exalted reputation of the venerable President, arrangements were made for an early adjournment of the meeting to the large Chapel of the University, in order to accommodate persons introduced by the members. At eight o'clock P. M., Mr. Vice-President LAWRENCE, (Secretary of Legation under Mr. GALLATIN, and subsequently Chargé d'Affaires of the United States to Great Britain,) being in the chair, the Society adjourned to the Chapel, when the following memoir was read by Mr. GALLATIN, assisted by JOHN JAY, Esq., one of the Secretaries.

Mr. GALLATIN was followed by Mr. LAWRENCE, in a few remarks, designed to call up Mr. WEBSTER, who responded to the call in a speech that derived the highest interest from the unrivalled ability of the

speaker, as well as from his elevated position in the Government, and as the negotiator, on the part of the United States, of the recent Treaty of Washington. In the course of his remarks, Mr. WEBSTER was repeatedly interrupted by the applause of the audience; and after he had concluded, the following Resolution was adopted with acclamation by the Society :

" *Resolved*, That the thanks of this Society are presented to the Honorable the President, for the able and important paper that has now been read, in relation to the North-Eastern Boundary question; and to the Honorable DANIEL WEBSTER, for his interesting and eloquent remarks in connexion therewith; and that copies of the same be respectfully requested for publication."

The following correspondence subsequently passed, after the return of Mr. WEBSTER to the City of Washington :

"New-York, April 17th, 1843.

"Sir,—I have the honor of communicating to you the thanks of the New-York Historical Society, for the eloquent and instructive remarks on the subject of the North-Eastern Boundary, which you did the Society the favor to offer in answer to a call from one of the Vice-Presidents, at its meeting on the 15th instant.

I have also to request of you the favor of a written report of your remarks on that occasion, with a view to their publication under the auspices of the Society.

I have the honor to be, Sir,

With the highest respect,

Your most obedient servant, &c.

GEORGE FOLSOM,

Domestic Corresponding Secretary
of the N. Y. Historical Society.

The Hon. DANIEL WEBSTER, LL. D.,

Secretary of State, &c. &c.,

Washington, D. C."

" Washington, April 22d, 1843.

" GEORGE FOLSOM, Esq.

Domestic Corresponding Secretary
of the NEW-YORK HISTORICAL SOCIETY:

" Sir,—I have the honor to acknowledge the receipt of your letter of the 17th instant, communicating to me the thanks of the NEW-YORK HISTORICAL SOCIETY for my remarks, delivered in its presence, on the 15th, on the subject of the North-Eastern Boundary, and requesting a report of them for publication under the auspices of the Society.

I feel greatly honored by this notice of the Society, and an account of my remarks, corrected from the Newspaper Press, will be forwarded.

I have the the honor to be, Sir,

Your very obedient servant,

DANIEL WEBSTER."

In pursuance of the vote of the Society, Mr. GALLATIN'S Memoir, and the Speech of Mr. WEBSTER, are published in the following pages. A Note has been also added, in reference to a recent debate in the British Parliament on the subject of the Treaty of Washington, in consequence of some extraordinary coincidences, chiefly growing out of the discovery of another map in England, corresponding to Mr. JAR'S map, mentioned in the speech of Sir ROBERT PEEL. This Note will be found immediately succeeding the report of Mr. WEBSTER'S speech.

New-York, May 10th, 1843.

MR. GALLATIN'S MEMOIR

ON THE

NORTH-EASTERN BOUNDARY.

GENTLEMEN,

The final adjustment of the differences, which had so long existed between Great Britain and the United States, respecting our North-Eastern Boundary, as effected by the late Treaty of Washington, has been received with general satisfaction by the American people, and I may be permitted to add, by no one more than by myself. For, although it had been my duty to defend what we believed to be the legitimate rights of the United States, yet the question had appeared to me to be one of abstract right, which the General Government was not authorized voluntarily to yield without the consent of the State of Maine: and I felt perfectly satisfied whenever that was obtained, inasmuch as the portion of territory relinquished by the treaty was, in my opinion, of no real importance in a national point of view.

It is much to be lamented that, after a conciliatory compromise, convenient and honorable to both countries, and apparently almost universally approved, had been thus happily concluded, an incident of so little real importance as the discovery of a certain Map, on which is traced a line ascribed to Dr. FRANKLIN, should have served as a pretence for

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renewing the discussion on the merits of the case. And it was hardly to be tolerated, that, in some quarters, innuendoes should on that account have been made, tending to affect the sincerity and good faith of our Government.

Under those circumstances, a map which had been used by the Hon. JOHN JAY, during the negotiation of 1782, and which I had never seen before, was communicated to me; and I have obtained the permission of his son, Mr. WILLIAM JAY, to whom it now belongs, to lay it before this Society. It is proper for me to add, that this map, which, since the death of his father, had always remained in the possession of our late President, Mr. PETER A. JAY, had never till now been seen by the present owner, Mr. WILLIAM JAY, to whom it descended with his other papers by the will of his father.

My object is less to show the bearing which the map has on the points heretofore at issue between the two Governments, than to remove the impressions made by the line of demarcation ascribed to Dr. FRANKLIN. In doing this, I would wish to avoid a renewed discussion on the former points of difference. Yet it is impossible to explain the inferences flowing from Mr. JAY's map, without stating what these points were; and I shall endeavor to enter no farther into the discussion than is necessary to make myself intelligible.

The boundaries of the United States of America were defined by the preliminaries of Peace, concluded the 30th day of November, 1782, and ratified verbatim by the definitive treaty of the 3d September, 1783, between the said States and his Britannic Majesty, in the following words, viz:

“ARTICLE 2. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and de-

" clared, that the following are and shall be their boundaries,
 " viz: from the northwest angle of Nova Scotia, viz: that
 " angle which is formed by a line drawn due north from
 " the source of the St. Croix River to the Highlands, along
 " the said Highlands which divide those rivers that empty
 " themselves into the River St. Lawrence, from those which
 " fall into the Atlantic Ocean, to the northwesternmost head
 " of Connecticut River; thence, down along the middle of
 " that river, to the forty-fifth degree of north latitude; from
 " thence, by a line due west on said latitude, until it strikes
 " the River Iroquois or Cataraquy; thence,
 " and thence, down along the middle
 " of St. Mary's River, to the Atlantic Ocean. East, by a
 " line to be drawn along the middle of the River St. Croix,
 " from its mouth in the Bay of Fundy, to its source; and,
 " from its source, directly north, to the aforesaid High-
 " lands which divide the rivers that fall into the Atlantic
 " Ocean from those which fall into the River St. Lawrence:
 " comprehending all islands within twenty leagues of any
 " part of the shores of the United States, and lying between
 " lines to be drawn due east from the points, where the
 " aforesaid boundaries between Nova Scotia, on the one
 " part, and East Florida, on the other, shall respectively
 " touch the Bay of Fundy and the Atlantic Ocean."

Which was the true northwesternmost head of the River
 Connecticut, became subsequently a minor subject of differ-
 ence, which did not affect the great question at issue. But
 there were not less than three rivers, emptying themselves
 into the Bay of Passamaquoddy (which is an inlet of the
 Bay of Fundy), known by distinct Indian names: and
 which of these was the true River St. Croix had, ever since
 the year 1764, been a subject of contention between the
 Governments of Massachusetts and Nova Scotia. This
 question was not decided by the terms of the treaty: and it

was referred by the treaty of 1794 to the final decision of a joint commission. The Commissioners did, on the 25th October, 1798, decide the river called Schoodiac, and the northern branch of it (called Cheputnaticook), to be the true River St. Croix; and that its source was at the northernmost head spring of the northern branch aforesaid. A monument was erected at that spot under the direction of the Commissioners.

However diversified or subdivided may have been the arguments adduced on both sides, there was in reality, after this decision, but one question at issue, viz: Which were the Highlands intended by the treaty? For since the boundary line was, from the monument, to be run due north to the Highlands, the position of the northwest angle of Nova Scotia, and of the boundary which thence extended along the Highlands, depended necessarily and exclusively on the position of those Highlands.

You know, that the point claimed by the United States, as being the northwest angle of Nova Scotia prescribed by the treaty, is that where the due north line intersects the highland which divides the source of the River Metis, a tributary stream of the River St. Lawrence, from the source of a branch of the River Ristigouche, which falls into the Gulf of St. Lawrence; and that the boundary claimed by them is along the Highlands which, from that point to the northwesternmost source of the Connecticut, divide rivers emptying themselves into the River St. Lawrence from the various branches of the Rivers Ristigouche, St. John, Penobscot, and Kennebec. On the other hand, it was claimed on the part of Great Britain, that the northwest angle of Nova Scotia was to be found on a point of the due north line, about forty miles north of the monument, at or near Mars Hill, which divides no other rivers but some riv-