

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

**Declaration under Article V of the Treaty of 1794, between the United States and
Great Britain, respecting the true River Saint Croix, decision of 25 October 1798**

25 October 1798

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PART I

**Declaration under Article V of the Treaty of 1794,
between the United States and Great Britain,
respecting the true River Saint Croix.**

Decision of 25 October 1798

**Déclaration en vertu de l'article V du Traité de 1794
entre les États-Unis et la Grande-Bretagne,
concernant le vrai fleuve Sainte Croix**

Décision du 25 octobre 1798

DECLARATION OF THE COMMISSIONERS UNDER ARTICLE V OF
THE TREATY OF 1794, BETWEEN THE UNITED STATES AND
GREAT BRITAIN, RESPECTING THE TRUE RIVER SAINT CROIX,
DECISION OF 25 OCTOBER 1798*

DÉCLARATION DES COMMISSAIRES EN VERTU DE L'ARTICLE V
DU TRAITÉ DE 1794 ENTRE LES ÉTATS-UNIS ET LA GRANDE-
BRETAGNE, CONCERNANT LE VRAI FLEUVE SAINTE CROIX,
DÉCISION DU 25 OCTOBRE 1798**

Determination of borders – question of the river boundary-line in respect of River Saint Croix – interpretation of a treaty – Treaty of Amity, Commerce and Navigation between his Britannic Majesty and the United States of America.

Délimitation frontalière – question de la frontière fluviale au niveau de la rivière Sainte Croix – interprétation conventionnelle – Traité d'amitié, de commerce et de navigation entre sa Majesté britannique et les États-Unis d'Amérique.

* * * * *

We, the said Commissioners, having been sworn “impartially to examine and decide the said question, according to such evidence as should respectively be laid before us, on the part of the British Government, and of the United States,” and having heard the evidence which hath been laid before us, by the Agent of His Majesty, and the Agent of the United States, respectively appointed and authorized to manage the business on behalf of the respective Governments, have decided, and hereby do decide, the River, hereinafter particularly described and mentioned, to be the River truly intended under the name of the River Saint Croix, in the said Treaty of Peace, and forming a part of the boundary therein described; that is to say, the mouth of the said river is in Passamaquoddy Bay, at a point of land called Joe’s Point,*** about one mile northward from the northern part of Saint Andrew’s Island, and in the latitude of forty-five degrees five minutes and five seconds north, and in the longitude of sixty-seven degrees twelve minutes and thirty seconds west, from the Royal Observatory at Greenwich, in Great Britain, and

* Reprinted from John Basset Moore (ed.), *History and Digest of the International Arbitrations to Which the United States has been a Party*, vol. I, Washington, 1898, Government Printing Office, p. 29.

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*** Editor’s note: “This is ‘Ive’s Point’ in some of the copies of the award, but in the original it is properly given as Joe’s Point.”

three degrees fifty-four minutes and fifteen seconds east from Harvard College, in the University of Cambridge, in the State of Massachusetts, and the course of the said river up from its said mouth, is northerly to a point of land called the Devil's Head, then turning the said point, is westerly to where it divides into two streams, the one coming from the westward, and the other coming from the northward, having the Indian name of Chiputnaticook or Chibuitcook, as the same may be variously spelt, then up the said stream, so coming from the northward to its source, which is at a stake near a Yellow Birch Tree, hooped with iron, and marked S. T. and J. H. 1797, by Samuel Titcomb and John Harris, the Surveyors employed to survey the above-mentioned stream, coming from the northward. And the said River is designated on the Map hereunto annexed,* and hereby referred to as farther descriptive of it, by the letters A B C D E F G H I K and L, the letter A being at its said mouth, and the letter L being at its said source; and the course and distance of the said source from the Island, at the confluence of the above-mentioned two streams, is, as laid down on the said map, north five degrees and about fifteen minutes west, by the magnet, about forty-eight miles and one quarter.

In testimony whereof, we have hereunto set our hands and seals, at Providence, in the State of Rhode Island, the twenty-fifth day of October, in the year one thousand seven hundred and ninety-eight.

[L. S.] THOMAS BARCLAY,
 [L. S.] DAVID HOWELL,
 [L. S.] EGBERT BENSON.

Witness, ED. WINSLOW,
Secretary to the Commissioners.

* Secretariat note: See map 1.