

committee would suggest whether the fifth article in the Treaty of Ghent, relating to an arbiter, has not done its office, and is no longer in force; and we cannot believe that the British Government regard it as binding, when her Minister, Mr. Fox, has declared that "both Governments are alike averse to a new arbitration."

It is true that the late arbitration has failed to accomplish what was expected of it by the parties, but this failure is, in no respect, to be attributed to any fault on the part of the United States; but has arisen from circumstances beyond the control of the parties.

Mr. Forsyth, in his letter of 28th April, 1835, to Sir Charles R. Vaughan, seems to consider the subject in this light, as will be seen in the passage above quoted, and in the same letter he says, "the submission of the whole subject or any part of it, to a new arbitrator, promised too little to attract the favorable consideration of either party." To the correctness of which Mr. Vaughan assents in his letter to Mr. Forsyth of May 4, 1835.

While your Committee, on the one hand, would advise no rash measures, which might lead to collision on our borders, or compromit the peace of the country, we would say, if the time has not already come, it is fast approaching, when Maine should be prepared to assert her just rights to this territory, and extend the protection of her laws to all the people within her bounds; and she has a right to insist, and will insist, in this event, that it is the duty of the Federal Government to come up to her aid promptly and effectually, and that it will not then be said, in the language of the late Governor Dunlap, "that the justice due to this State in this respect has not been rendered."

E. L. OSGOOD,
T. BOUTELLE.
L. J. HAM,
EBEN. HIGGINS,
S. S. WHIPPLE,

} of the Senate.

P. SHELDON,
JOHN S. TENNEY,
R. K. GOODENOW,
N. E. ROBERTS,
THOMAS CARLL,
THOMAS FOWLER, Jun.
PETER T. HARRIS,
ATWOOD LEVENSALER,
JOHN SMALL, Jun.
RUFUS TRUSSELL,

} of the House.

The Committee submit the following resolutions.

Resolved, That it is not expedient to give the assent of this State to the Federal Government to treat with that of Great Britain for a conventional line for our North Eastern Boundary, but that this State will insist on the line established by the Treaty of 1783.

Resolved, That as this State has never heretofore given her consent to the appointment of an umpire under the Treaty of Ghent in 1814, but has protested against the same, and as she believes it to be a grave question whether the provision in the Treaty for this purpose has not done its office and is therefore no longer in force, she is not now prepared to give her assent to the appointment of a new Arbiter.

Resolved, That our Senators and Representatives in Congress be requested to urge the passage of a Bill for the survey of the North-Eastern Boundary of the United States, &c. now pending in Congress.

Resolved, That the Governor be requested to transmit to the President of the United States one copy of his Message to the Legislature on the subject of the North Eastern Boundary, and this Report and Resolutions, and one copy of the same to each of the Heads of Departments at Washington; one copy to each of our Senators and Representatives in Congress, and one copy to the Governor of Massachusetts.

No. 6.—*J. T. Sherwood, Esq. to John Bidwell, Esq.—(Received April 26.)*

British Consulate, Maine and New Hampshire,

Portland, March 26, 1838.

Sir,

HAVING forwarded to you in my several Despatches of the 14th, 15th, 22d, 23d, and 24th inst., for the information of my Lord Palmerston, all the proceedings which have taken place in the Legislature of the State of Maine, in regard to the North Eastern Boundary, and the commerce with the Provinces of Nova Scotia and New Brunswick.—I now crave the honor to inclose you, for the like purpose, copies of the Resolves on the same subject, as finally passed that body, and approved by the Governor.

Also the Governor's Message and Resolves of the said Legislature, in relation to fortifications on the frontier, being the final Act, it having adjourned on the 24th instant, without day.

I have the honor to be, &c.

(Signed)

JOS. T. SHERWOOD.

John Bidwell, Esq.

XII.

North-eastern
Boundary.

Arrest of E. Greely.
Fortifications.