

frontier as may secure a direct communication between Quebec and Halifax." And when our negotiators peremptorily refused to agree to any *cession* of territory, the answer was that they "were not prepared to anticipate the objections contained in the note of the American Plenipotentiaries, that they were instructed to treat for the revision of their boundary lines, with the statement which they have subsequently made, that they had no authority to *cede* any part, however insignificant, of the territories of the United States, although the proposal left it open for them to demand an *equivalent* for such cession in territory or otherwise." And yet now that territory, which they then offered to pay us for, is claimed as clearly their own, and that line which then was admitted and recognized as including the territory as claimed by us, is now declared to be impracticable and must be abandoned, and a more convenient one sought for and established.

I feel most sensibly, that this question now presented is one of very grave importance, and that the action now to be had by the Legislature of Maine, may and probably will have a very material influence upon the relations between this Government and Great Britain.

The painful conviction is forced upon me, that Great Britain is determined to hold this territory that she now claims, deeming it highly important as securing a connection between her provinces in time of war and peace, and I reiterate the assertion heretofore made, that "we have little to hope from the forbearance or action of the British Government." Their aim is apparent to expunge the treaty-provision, and to hold on with an unyielding grasp to their modern claim; and to reject all propositions having the treaty line for their basis. I can not but regard it as unfortunate, that our General Government, although it has recognized our right to be consulted before any conventional line should be adopted, has in a degree, at least, given countenance to the propriety and expediency of departing from the treaty line. "In a note from the Department of State, dated 28th April, 1835, Sir Charles R. Vaughan was assured that his prompt suggestion, as His Britannic Majesty's Minister, that a negotiation should be opened for the establishment of a conventional boundary between the two countries, was duly appreciated by the President, who, had he possessed like powers with His Majesty's Government over the subject, would have met the suggestion in a favorable spirit." Such a suggestion, it seems to me, although dictated doubtless by a sincere desire to end the controversy, was well calculated to lead our opponents as a matter of policy on their part, to clog the previous proposition with insuperable difficulties, and to encourage them to persevere in their attempt to obliterate the treaty language. I think the same effect must have resulted from the singular annunciation to the British Government by the late President of the United States in 1832, in opening the negotiation under the vote of the Senate, for a settlement of the *Treaty* line, "That if the Plenipotentiaries should fail in a new attempt to agree upon the line intended by the Treaty of 1783, there would probably be less difficulty than before in fixing a convenient boundary, as measures were in progress to obtain from the State of Maine, more extensive powers than were before possessed, with a view of overcoming the constitutional obstacles which had opposed themselves to such an arrangement."

If a direct proposition had come to us, through the General Government, for a specific line of boundary, yielding to us territory, or privileges of navigation equivalent to the unsettled territory which we might cede to them, it would certainly have presented the question in a different aspect. But the question *now* is, as I understand it, whether we shall take the lead in abandoning the Treaty and volunteer propositions for a conventional line.

In respect to the proposition for additional surveys, as it seems to me inexpedient for this State to acquiesce in the proposed negotiation for a conventional line, until it is *demonstrated* that the treaty line is utterly impracticable and vop for uncertainty,—I can have no doubt that the line ought to be run, either by a joint commission of exploration and survey, or independently by our General Government, by its own surveyors. It is evident to me, that Great Britain is determined to avoid, if possible, such an examination and exploration and establishment of the line, and such proof of the real facts of the case.

It will be perceived that the President intimates that if the consent of Maine is not obtained, for entering into direct negotiations for a conventional line, and all other measures failing, "He will feel it to be his duty to submit another proposition to the Government of Great Britain to refer the decision of the question to a third party."

As this right is claimed on the part of the President as within his constitutional powers, without the consent of Maine, and as no action on the part of Maine in reference to this mode of adjustment is asked by the President, I forbear to comment upon it, but refer it to your consideration:

Our situation in relation to this interesting question at this moment demands the exercise of cool and dispassionate judgment, and careful, cautious, but firm action. We owe it to the General Government, and our sister States, to do nothing rashly or hastily—to bear and forbear for the sake of the peace of the nation and the quiet of our borders. But we have a duty to perform to ourselves and our constituents, who have entrusted the rights and honor of Maine to our keeping. Relying upon your patriotism and intelligence and caution, I place these documents before you, and ask your action upon them, in the confident hope that the rights and the territories secured to us by our fathers, in the field and the cabinet, will not be impaired or surrendered.

EDWARD KENT.

Council Chamber, March 14, 1838.

XII.

North-eastern
Boundary.
Arrest of E. Greely.
Fortifications.