

I have not found it possible to conclude any satisfactory agreement with the United States' Government upon the general provisions, taken together, of the amended arrangement desired by Her Majesty's Authorities. The only measure at present adopted by the United States' Government, will be the substitution of two companies of United States' regular troops, in the place of the armed civil posse of the State of Maine, at the two posts occupied by the Americans in the Disputed Territory. I consider that this change will be of great advantage, both with a view to the preservation of peace on the border for the present, and with a view also to the safe and prompt delivery of the territory, if the British title thereto shall be eventually established. At the same time I have stated to Mr. Webster, in my official letter herewith inclosed, dated the 6th instant, that I am not prepared to say what view Her Majesty's Government will take of the movement of the United States' troops, adopted, as it now is, as a separate measure, without reference to those other provisions, of an amended arrangement, which were proposed by the British Government, and without reference, either, to the well-grounded and reiterated remonstrances of Her Majesty's Authorities against the establishment of the American post called Fort Jarvis, at the mouth of Fish River.

I had reason to complain of the conduct of the American Government in prematurely ordering the two companies of regular troops to be moved into the Disputed Territory, pending the negotiation of the other parts of the proposed arrangement. Mr. Webster, it will be seen, has given some explanation of the matter in his letter to me, herewith inclosed, of the 4th instant. I am persuaded that the equivocal conduct of the Government in this particular has not been owing to intentional bad faith, but to the state of discord and disorganization of the public departments at Washington during the present political and ministerial crisis.

I learn from reports in the newspapers, that the two companies of United States' troops, appointed to occupy the posts on the Aroostook and at Fish River, left the American station of Houlton, in Maine, for their new destination on the 31st of last month. The orders, therefore, which, in consequence of my communications with Mr. Webster, were dispatched from hence on the 2nd instant, to suspend the movement, will, as I apprehended, have arrived too late.

I should be in daily expectation of receiving further communications from Lord Sydenham upon the subjects treated of in this despatch, if it were not for the very severe accident which I lament to hear his Lordship has suffered by a fall from his horse.

Inclosure 1 in No. 31.

Mr. Webster to Mr. Fox.

*Department of State, Washington,
September 4, 1841.*

Sir,

I HAVE laid before the President the communication which you did me the honour to place in my hands a few days since. He directs me to say to you that he thinks there must be some misapprehension on the part of Lord Sydenham, as to the motives which have led him to comply with the wishes of the State of Maine, to relieve its civil posse by small detachments of United States' troops.

The Government of the United States entertains the opinion that the Disputed Territory, during the time which may elapse before the final settlement of the title, should be protected from trespass and depredation by the Authorities of the Governments of the United States and Great Britain; in this opinion it appears that Her Majesty's Government entirely concur. The facts which the President found to be actually existing were, that the State of Maine was maintaining a civil posse at the mouth of the Aroostook, and another at the mouth of Fish River. The British Government had certainly complained of the establishment of this last-mentioned posse, as being contrary to the agreement entered into between the Governor of Maine and Sir John Harvey in the spring of 1839, and, on the other hand, the Government of