

of error and misapprehension appears still to prevail in the minds of the American authorities.

The erection of those buildings within the portion of the disputed territory now referred to, for the shelter of Her Majesty's troops while on their march, and for the safe lodgement of the stores, is no new act on the part of Her Majesty's authorities. The buildings in question have been in the course of construction from a period antecedent to the provisional agreements of last year, and they are now maintained and occupied along the line of march, with a view to the same objects above specified, for which the small detachments of troops also referred to, are in like manner there stationed.

The Undersigned will not refrain from here remarking upon one point of comparison exhibited in the present controversy. It is admitted by the United States authorities, that the armed bands stationed by the Government of Maine in the neighbourhood of the Aroostook River, have fortified those stations with artillery; and it is now objected as matter of complaint against the British authorities with reference to the buildings at the Lake Temiscouata, not that those buildings are furnished with artillery, but only that they are defended by palisades capable of resisting artillery. It would be difficult to adduce stronger evidence of the acts on the one side being those of aggression, and on the other of defence.

The fact shortly is, and this is the essential point of the argument, that Her Majesty's authorities have not as yet altered their state of preparation, or strengthened their military means within the disputed territory, with a view to settling the question of the boundary, although the attitude assumed by the State of Maine, with reference to that question, would be a clear justification of such measures; and it is much to be apprehended that the adoption of such measures will sooner or later become indispensable, if the people of Maine be not compelled to desist from the extensive system of armed aggression which they are continuing to carry on in other parts of the same disputed territory.

The Undersigned avails himself, &c.,

(Signed)

H. S. FOX.

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Inclosure 12 in No. 30.

*Mr. Fox to Mr. Forsyth.*

*Washington, March 13, 1840.*

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary, has been instructed by his Government to make the following communication to the Secretary of State of the United States, in reference to the Boundary negotiation, and the affairs of the disputed territory.

Her Majesty's Government have had under their consideration the official note addressed to the Undersigned by the Secretary of State of the United States, on the 24th of last December, in reply to a note from the Undersigned, of the 2d of November preceding, in which the Undersigned protested, in the name of his Government, against the extensive system of aggression pursued by the people of the State of Maine within the disputed territory, to the prejudice of the rights of Great Britain, and in manifest violation of the provisional agreements entered into between the authorities of the two countries at the beginning of the last year.

Her Majesty's Government have also had their attention directed to the public message transmitted by the Governor of Maine to the Legislature of the State on the 3rd of January of the present year.

Upon a consideration of the statements contained in these two official documents, Her Majesty's Government regret to find that the principal acts of encroachment, which were denounced and complained of on the part of Great Britain, so far from being either disproved, or discontinued, or satisfactorily explained by the authorities of the State of Maine, are on the contrary, persisted in, and publicly avowed.

Her Majesty's Government have consequently instructed the Undersigned once more formally to protest against those acts of encroachment and aggression. Her Majesty's Government claim, and expect from the good faith of the Govern-