

STATE OF MAINE.

THE Joint Select Committee on the North Eastern Boundary, to whom was referred the Message of the Governor, transmitting a communication to him from the Secretary of the United States, with the correspondence therein referred to, in reference to the North Eastern Boundary, have had the same under consideration, and ask leave to

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

REPORT :

THAT they have given to the interesting and grave subjects, presented in Mr. Forsyth's letter to the Governor, all the consideration which the very limited time allowed them, will permit. It is worthy of remark, that this is the first time since the commissioners under the Treaty of Ghent then made their respective reports in 1823 or 1824, that the government of the United States have thought it necessary to apply directly to this State for its consent to the action of the Federal Government. This state has always contended, and still contends, that the Federal Government has no authority to surrender or alienate, either with or without an "ample indemnity," any portion of our territory, unless the consent of the people of this State is first had and obtained. On the 21st July, 1832, Mr. Livingston informed Mr. Bankhead, the British Chargé d'Affaires, of the determination of the Senate of the United States not to consider the decision of the King of the Netherlands as obligatory, and that that body had advised the President of the United States to open a *new negotiation* with the British Government for settling of the Boundary line *according to the Treaty of 1783*. On the 28th April, 1835, Mr. Forsyth, in his letter to Sir Charles R. Vaughan, speaking of this determination and advice of the Senate of the United States says: "the parties were thus placed in respect to the disputed Boundary, in the situation respectively occupied by them, before the conclusion of the Convention of 24th Dec., 1814, in virtue of which, the various measures, that had been successively adopted, to bring this controversy to a satisfactory termination, were commenced, leaving the President with no other rightful authority for its adjustment, than that of opening a new negotiation for the settlement of the question according to the terms, and upon the principles of the Treaty of 1783." And Mr. Fox in his communication to Mr. Forsyth, of the 10th January, 1838, says: "thus then the award of the King of the Netherlands, has been abandoned, by both parties, in consequence of its rejection by the American Senate, and a negotiation between the two governments for a conventional line, suited to the interests and convenience of the two parties, has, for the present been rendered impossible, by difficulties arising on the part of the United States; and both governments are alike averse to a new arbitration."

The question here naturally arises, has the Federal Government since 1832, to the present moment, commenced a negotiation for the ascertainment of the line of 1783, and for no other? The answer to this is to be found in the correspondence between the Federal Government and the British minister, and we are constrained to say, from a careful examination of it, we cannot find the trace of such a negotiation; but we do find, that the Federal Government were willing to abandon the starting point in the Treaty of 1783, the North West Angle of Nova Scotia, and to run a line from the monument, not *due North*, but *Westerly*, so as to strike the highlands, if the highlands contemplated in the treaty could not be found in a due North course, and in all this, and in former negotiations, Maine was not consulted. Fortunately for us the British Minister, all willing as he was to be rid of the restraints of a due "North line," refused to accede to this proposition. In this Maine was not, as she ought to have been, solicited by the Federal Government, to become a party—but why it may be asked, have almost six years been suffered to elapse, without opening such a new negotiation, as was contemplated by the resolutions of the United States Senate in July 1832; We are informed by the President in his message of 1837, "that we are apparently as far from its adjustment, as we were at the time of signing the Treaty of Peace in 1783." During the whole of this period the British Minister shews a very ardent zeal, and takes every occasion to propose to our government the expediency of treating for a conventional line, and, in his letter to Mr. Livingston of 11th May, 1833, says "he is convinced it is hopeless to expect a favorable result from a renewed negotiation upon that basis," the Treaty of 1783.

The great object of the British Government seems to have been to protract the negotiation, and to consume time, in order to obtain some admission from our government, which might have the effect to strengthen her claims; and in all this we are grieved to say, she has been but too successful. As to wasting time, she can well afford to be prodigal of it; for she now claims to have the exclusive jurisdiction, possession, and control of the whole territory, and if her pretensions, which have all sprung up within the last twenty years, which first consisted in asking a "*cession* of only that small portion of unsettled country, which interrupts the communication between Halifax and Quebec for an equivalent," and which have since expanded to a claim of more than one third of our State, can be tolerated for twenty years more, resistance to them will