

tion. It is possible that in thus abridging a voluminous correspondence, commencing in 1825, and continuing to a very recent period, a portion may have been accidentally overlooked; but it is believed that nothing has taken place which would materially change the aspect of the question as therein presented. Instead of sustaining the assumption of the British functionaries, that correspondence disproves the existence of any such agreement.

It shows that the two governments have differed not only in regard to the main question of title to the territory in dispute, but with reference also to the right of jurisdiction, and the fact of the actual exercise of it in different portions thereof. Always aiming at an amicable adjustment of the dispute, both parties have entertained and repeatedly urged upon each other a desire, that each should exercise its rights, whatever it considered them to be, in such a manner as to avoid collision, and allay, to the greatest possible extent, the excitement likely to grow out of the controversy. It was in pursuance of such an understanding, that Maine and Massachusetts, upon the remonstrance of Great Britain, desisted from making sales of lands, and the general government from the construction of a projected military road in a portion of the territory of which they claimed to have enjoyed the exclusive possession; and that Great Britain, on her part, in deference to a similar remonstrance from the United States, suspended the issue of licenses to cut timber in the territory in controversy, and also the survey and location of a rail-road through a section of country over which she also claimed to have exercised exclusive jurisdiction.

The State of Maine, had a right to arrest the depredations complained of; it belonged to her to judge of the exigency of the occasion calling for her interference; and it is presumed that, had the Lieutenant Governor of New Brunswick been correctly advised of the nature of the proceedings of the State of Maine, he would not have regarded the transaction as requiring, on his part, any resort to force. Each party claiming a right to the territory, and hence to the exclusive jurisdiction over it, it is manifest that, to prevent the destruction of the timber by trespassers, acting against the authority of both, and at the same time avoid forcible collision between the contiguous Governments during the pendency of negotiations concerning the title, resort must be had to the mutual exercise of jurisdiction in such extreme cases, or to an amicable and temporary arrangement as to the limits within which it should be exercised by each party. The understanding supposed to exist between the United States and Great Britain has been found