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Proceedings of  
the Legislature of  
Maine, on the re-  
sult of the Arbitra-  
tion.

ciating the motives which may influence that course on his part, and in a correspondent interpretation of them to your constituents, in whose patriotism and discretion he has equal confidence.

In making this communication to your Excellency, I am instructed by the President to express his desire that, while the matter is under deliberation, no steps may be taken by the State of Maine, with regard to the disputed territory, which might be calculated to interrupt or embarrass the action of the Executive branch of this Government upon the subject.

I have the honor to be, &c.

(Signed) M. VAN BUREN.

#### STATE OF MAINE.

THE Joint Select Committee of the Legislature, consisting of four on the part of the Senate, and seven on the part of the House, to whom was referred the Governor's special message of the 25th March, 1831, with accompanying documents, consisting of a copy of the award made by the King of the Netherlands in relation to the north-eastern boundary of the United States, upon the question submitted to him by the Government of the United States and Great Britain; also a copy of the protest which the Minister of the United States at the Hague thought it is duty to make against the award of the King; also extracts from the despatch of the Minister, shewing the character of the protest, and the ground upon which it was made; and also the correspondence between the Minister of the United States, and Sir Charles Bagot, the Ambassador of Great Britain, at the Court of the King aforesaid, upon the same subject; have examined and considered the same message and documents, and

#### REPORT.

The Legislature of this State, having on former occasions, discussed the question of title and jurisdiction of this State to the territory to which they considered the British Government had made an unjust claim, a claim contrary to a fair and impartial interpretation of their own acts and admissions, and also the right of the Government of the United States, under the Constitution, to interfere with the rights of territory and of sovereignty of an independent State, so far as to either, directly or indirectly, cede or transfer any portion thereof to any State, either domestic or foreign; the committee do not deem it important on this occasion, to discuss these subjects further, and content themselves by simply referring to the documents which have proceeded heretofore from the Legislative and Executive Departments of the State Governments.

The documents to which your committee would respectfully solicit the attention of the Government of the United States, are the message of Enoch Lincoln, Esq., Governor of the State of Maine, delivered before both branches of the Legislature in January, 1827; the subsequent report of the committee on so much of the Governor's message as related to the north-eastern boundary; the subsequent correspondence of the Governor with the Secretary of State of the United States; the Governor's Message delivered before both branches of the Legislature in January, 1828; the report of the committee on so much of the Governor's Message as related to the north-eastern boundary; the subsequent acts and doings of the Legislature more especially; the measures adopted by this Legislature, a copy of which has already been forwarded to the President of the United States. The aforesaid documents your committee consider contain the the main facts in support of the title of the State, to soil and sovereignty, as well as some of the grounds of her rights under the Constitution of the United States. An examination of those documents, for any present purpose, will sufficiently indicate, not only the views heretofore entertained by the State, but the course which she will feel it her duty to pursue in furtherance of her rights.

Here it may be proper to remark, that the State authorities have not any disposition to embarrass the Government of the United States, in any of their negotiations with foreign nations, when they pursue the authority given them by the Constitution, and it ought also to be understood that the Legislature of the State, while exercising their powers under the Constitution of the State, and as guardians of the rights and interests of the people, cannot and ought not to compromise the rights of the State by any direct act of their own, or by any acquiescence in the exercise of powers by any other State or sovereignty, contrary to the will of the people as expressed and delegated in their compacts and constitutions. There are rights which a free people cannot yield, and there are encroachments upon such rights which ought to be resisted and prevented, or the people have no assurance for the continuance of their liberties.

We make these remarks without intending any disparagement to the Government of the United States, and also with the entire confidence and conviction, that on a just and careful revision of the measures that have so far taken place, that there will be found to exist no substantial impediment to giving final effect to the perfect constitutional obligations, to protect and preserve the original and independent rights of the people of this State.

The most important document referred to your committee is the one which emanated from the King of the Netherlands, the Arbitrator, selected by Great Britain and the United States, by virtue of the Convention of September 29, 1827—to decide upon the points of difference which had arisen between the Governments under the fifth article of the Treaty of Ghent. The Legislature have, on a former occasion, briefly expressed their views on the subject of the Convention of 1827—that it did not necessarily and directly violate, but that prospectively, it might produce a violation of their constitutional rights; and it may properly be added, that the question raised by the British, and which was recognized by that Convention, did not grow out of a legitimate interpretation of the Treaty of Ghent,