

ernment for the establishment of a joint commission of survey and exploration, upon the basis of the original American proposition, and of the modifications offered by her Majesty's Government, as communicated to you in my note of the 10th of January last; and you invite me to a conference, for the purpose of negotiating a convention that shall embrace the above object, if I am duly empowered by my Government to proceed to such negotiation.

I have the honor to state to you, in reply, that my actual instructions were fulfilled by the delivery of the communication which I addressed to you on the 10th of January; and that I am not at present provided with full powers for negotiating the proposed convention. I will, forthwith, however, transmit to her Majesty's Government the note which I have had the honor to receive from you, in order that such fresh instructions may be furnished to me, or such other steps taken, as the present situation of the question may appear to her Majesty's Government to require. I avail myself of this occasion to renew to you the assurance of my high respect and consideration.

H. S. FOX.

The honorable JOHN FORSYTH.

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*Mr. Forsyth to Governor Kent.*

DEPARTMENT OF STATE,  
Washington, May 8, 1838.

SIR: I have the honor to acknowledge the receipt, on the 22d ultimo, of the communication addressed to this department by your excellency on the 28th of March last, transmitting a printed copy of your message of the 14th of the same month to the Legislature of Maine, together with certain resolves passed by that body in relation to the northeastern boundary of the State. Although the answer thus given to the application made to you by direction of the President, under date of the 1st of March last, to ascertain the sense of the State of Maine in regard to a conventional line of boundary, may be regarded as conclusive, I still deem it proper, with reference to your excellency's message, to mark a misconception which appears to have existed on your part when communicating to the Legislature the letter and documents received from this department. This is done with the greater freedom, since the frank and liberal manner in which your excellency invited the attention of that body to the subject is highly appreciated by the President. The question therein presented for consideration was not, as your excellency supposed, whether the State of Maine should "take the lead in abandoning the treaty, and volunteer propositions for a conventional line," but simply whether the Government of Maine would consent that the General Government should entertain a direct negotiation with the British Government for a conventional line of boundary on the northeastern frontier of the United States. Had that consent been given, it would have been reasonable to expect the proposition of a line from Great Britain, as it was that power which particularly desired the resort to that mode of settling the controversy. It was, also, the intention of the President so to arrange the negotiation that the approbation of Maine to the boundary line agreed upon should have been secured. It was with this view that, in the application to the State of Maine for its assent to a negotiation for a conventional line, express reference was made to such