

Great Britain to give to the Madawaska Settlements a degree of constructive extension that might, at this time suit the purposes of Her Majesty's Colonial authorities, those settlements might soon be made with like justice, to embrace any portions of the disputed territory; and this right given to the Province of New Brunswick to occupy them temporarily, and for a special purpose, might by inference, quite as plausible, give the jurisdiction exercised by Her Majesty's Authorities, an extent which would render the present state of the question, so long as it could be maintained, equivalent to a decision on the merits of the whole controversy in favour of Great Britain. If the small settlement at Madawaska on the north side of the St. John's, means the whole valley of that river,—if a boom across the Fish River, and a station of a small posse on the south side of the St. John's, at the mouth of Fish River, is a disturbance of that settlement, which is twenty-five miles below,—within the meaning of the agreement, it is difficult to conceive, that there are any limitations to the pretensions of Her Majesty's Government under it, or how the State of Maine could exercise the preventive power with regard to trespasses, which was on her part, the great object of temporary arrangement. The movements of British troops lately witnessed in the disputed territory, and the erection of military works for their protection and accommodation, of which authentic information recently received at the Department of State, has been communicated to Mr. Fox, impart a still graver aspect to the matter immediately under consideration. The fact of those military operations established beyond a doubt, left unexplained, or unsatisfactorily accounted for, by Mr. Fox's note of the 7th instant, continues an abiding cause of complaint on the part of the United States, against Her Majesty's Colonial Agents, as inconsistent with arrangements, whose main object was to divest a question already sufficiently perplexed and complicated, from such embarrassments as those with which the proceedings of the British Authorities cannot fail to surround it.

If, as Mr. Fox must admit, the objects of the late agreements were the removal of all military force, and the preservation of the property from further spoliations, leaving the possession and jurisdiction as they stood before the State of Maine found itself compelled to act against the trespassers, the President cannot but consider, that the conduct of the American local authorities strongly and most favourably contrasts with that of the Colonial authorities of Her Majesty's Government. While the one, promptly withdrawing its military force, has confined itself to the use of the small posse, armed as agreed upon, and has done no act not necessary to the accomplishment of the conventional objects, every measure taken or indicated by the other party, is essentially military in its character, and can be justified only by a well-founded apprehension that hostilities must ensue.

With such feelings and convictions, the President could not see, without painful surprise, the attempt of Mr. Fox, under instructions from his Government, to give to the existing state of things a character not warranted by the friendly dispositions of the United States, or the conduct of the authorities and people of Maine—much more is he surprised to find it alleged as a ground for strengthening a military force, and preparing for a hostile collision with the unarmed inhabitants of a friendly State, pursuing within their borders their peaceful occupations, or exerting themselves in compliance with their agreements to protect the property in dispute from unauthorized spoliation.

The President wishes that he could dispel the fear that these dark forebodings can be realized. Unless Her Majesty's Government shall forthwith arrest all military interference in the question—unless it shall apply to the subject more determined efforts than have hitherto been made to bring the dispute to a certain and pacific adjustment the misfortunes predicted by Mr. Fox, in the name of his Government, may most unfortunately happen. But no apprehension of the consequences alluded to by Mr. Fox, can be permitted to divert the Government and people of the United States from the performance of their duty to the State of Maine. That duty is as simple as it is imperative.

The construction which is given by her to the Treaty of 1783, has been again and again, and in the most solemn manner, asserted also by the Federal Government, and must be maintained, unless Maine fully consents to a new Boundary, or unless the construction of the Treaty is found to be erroneous