

I.

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

in the Treaty, is the Treaties, the Proclamation of 1763, the Quebec Act of 1774, and all the commissions to the Governors, to divide all the waters connected with the boundary into two and only two classes, to wit: those which flow into the River St. Lawrence, on the one hand, and those which through all other channels by whatever name they may be called, ultimately fall into the sea or Atlantic Ocean, on the other.

It cannot be pretended that the Proclamation of 1763, the Quebec Act of 1774, and the commissions to the Governors of the Province of Quebec, gave to that province, any other or greater territory, from the Bay of Chaleur to the head of Connecticut River, than the territory limited by the range of highlands which limit the waters that flow into the River St. Lawrence. Nor can it be pretended that the commissions to the Governors of Nova Scotia and New Brunswick gave them any territory west of the meridian drawn north from the source of the river St. Croix to the boundary of the province of Quebec, the highlands which limit the tributary streams of the River St. Lawrence.

The leading object of the Arbitrator, in all his arguments, appears to have been, to avoid deciding in favour of either line, because if he decided in favour of either, he could find no excuse for deciding against the line claimed by the United States, which he could expect would have even the appearance of plausibility to the world, and thus the chance of securing Great Britain a passage between "Lower Canada and New Brunswick, especially between *Quebec and Fredericton*," would be for ever lost.

It is with much satisfaction the committee have seen the prompt and able manner in which the minister of the United States at the Hague has met the subject in his protest addressed to the King's Minister of Foreign Affairs, to which protest for the further elucidation of their views, they respectfully ask the attention of the Legislature.

In conclusion, your committee deem it to be their duty to the Legislature and to the State to declare that, in their opinion, in whatever light the document which emanated from the Arbitrator may be considered, whether as emanating from an individual, and not from that *friendly Sovereign Power or State* to whom the points in dispute were submitted by the parties, because he had long before the decision ceased to be such Sovereign; or whether it be considered as advice on two of the points submitted, and a decision on the other; or whether it be considered a decision on all the three points submitted; inasmuch as the decision is not warranted by his situation and the authority which was given him, nor a decision of the questions submitted to him by the parties, the United States will not consider themselves bound on any principle whatever to adopt it. And, further, should the United States adopt the document as a decision, it will be in violation of the constitutional rights of the State of Maine, which she cannot yield.

All which is respectfully submitted.

(Signed) JOHN G. DEANE, per order of the Committee.

House of Representatives, March 30th, 1831.

House of Representatives, March 31, 1831.

Read and accepted. Sent up for concurrence,

(Signed) BENJAMIN WHITE, Speaker.

STATE OF MAINE.

In Senate, March 31, 1831.

Read and accepted, in concurrence.

(Signed) ROBERT P. DUNLAP, President.

STATE OF MAINE.

Resolved in relation to the Report of the Governor's Message, of March 25th, 1831.

Resolved,—That the Governor, with the advice of Council, be, and is hereby requested to transmit a copy of the Report of the Select Committee of the Legislature, on the Governor's message, of the 25th of March, 1831, communicating the advice and opinion of the late King of the Netherlands, who at one period was the Arbitrator, to whom was submitted "the points of difference which had arisen in the settlement of the boundary between the American and British Dominions, as described in the fifth article of the Treaty of Ghent," with other documents, with the doings of the Legislators thereon, to the President of the United States, in such way and manner as may be considered to be most for the interest of the State.

Resolved,—That the Governor be, and hereby is, requested to transmit a copy of the report of the select committee of the Legislature on the Governor's message, delivered on the 25th day of March, in the year of our Lord 1831, communicating the advice and opinion of the late King of the Netherlands, who at one period was the Arbitrator to whom was submitted, "the points of difference which had arisen in the settlement of the boundary between the American and British Dominions, as described in the fifth article of the Treaty of Ghent," with the other documents and the doings of the Legislature thereon, to the several Governors of the several States composing the United States.

In the House of Representatives, March 31, 1831—Read and passed.

(Signed) BENJ. WHITE, Speaker.

In Senate, March 31, 1831—Read and passed.

ROBERT P. DUNLAP, President.

April 1, 1831—Approved.

(Signed) SAMUEL E. SMITH.