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the grounds upon which the other commissioner shall have refused, declined, or omitted to act, as the case may be. And if the commissioner, so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly Sovereign or State, together with the report of such other commissioner, then such Sovereign or State shall decide *ex parte* upon the said report alone. And his Britannic Majesty and the Government of the United States engage to consider the decision of such friendly Sovereign or State to be final and conclusive on all the matters so referred."

The decision of the commissioners appointed under this article was regarded by both Governments as final and conclusive, and under it the United States acquired the islands of Moose, Frederick, and Dudley, in the Bay of Passamaquoddy. Other articles of this treaty provide for the settlement of our title with respect to various other portions of territory, and under the commissions appointed for that purpose we obtained various islands in the St. Lawrence and the Northern Lakes. These facts, I think, sir, are sufficient to show that the President of the United States, in assuming the ground that our territorial rights or limits are not the proper subjects of arbitration, has not only departed from what has been the uniform practice of this Government in all cases of disputed territory and boundary lines, but he holds a doctrine which is extremely dangerous to the peace and honor of the nation. Holding, as he does, in his own hands the absolute control over our foreign negotiations, it would be only necessary for him, if he desired to throw the country into a war, to embarrass them with frivolous pretences, for the purpose of finally suspending or breaking them off, and then declaring that, as negotiation had failed, the nation must sustain him in an appeal to arms for the purpose of acquiring any portion of territory to which he, for party purposes, may have thought proper to declare our title to be "clear and unquestionable." It has been a maxim of this Government, almost coeval with its foundation, that we should "ask nothing but that which is right, and submit to nothing that is wrong." This maxim is sustained not only by the spirit but by the letter of the law of nations. Vattel says, (chapter 18:)

"The disputes that arise between nations or their rulers originate either from contested rights or injuries received. A nation ought to preserve the rights which belong to her, and the care of her own safety and glory forbids her to submit to injuries. But, in fulfilling the duty which she owes to herself, she must not forget her duty to others." "She is therefore bound to render to each nation what is her due—to leave her in the peaceable enjoyment of her rights," &c.

The same author declares that—

"Arbitration is a very reasonable mode, and one that is perfectly conformable to the law of Nature, for the decision of every dispute which does not directly in-