&c., the promise which he made, that as soon as the action of the Senate should be known, on the reference made to that body, of the decision of the King of the Netherlands, the Undersigned would answer Mr. Bankhead's note of 20th December last.

His Britannic Majesty's Government is too well acquainted with the division of powers in that of the United States, to make it necessary to enter into any explanation of the reasons which rendered it obligatory on the President to submit the whole subject to the Senate for its advice. The result of that application is a determination on the part of the Senate, not to consider the decision of the King of the Netherlands as obligatory, and a refusal to advise and consent to its execution. But they have passed a resolution advising, "the President to "open a new negotiation with His Britannic Majesty's Government, for the as- "certainment of the boundary between the possessions of the United States and "those of Great Britain, on the north-eastern frontier of the United States, accord- "ing to the Treaty of Peace of 1783." This resolution was adopted on the conviction felt by the Senate that the Sovereign Arbiter had not decided the question submitted to him, or had decided it in a manner unauthorized by the submission.

It is not the intention of the undersigned to enter into an investigation of the argument which has led to this conclusion, the decision of the Senate precludes it, and the object of this communication renders it unnecessary; —but it may be proper to add that no question could have arisen as to the validity of the decision, had the Sovereign Arbiter determined on, and designated any boundary, as that which was intended by the Treaty of 1783. He has not done so, not being able, consistently with the evidence before him, to declare that the line he has thought the most proper to be established, was the line intended by the Treaty of 1783; he seems to have abandoned the character of arbiter, and assumed that of mediator, advising both parties that a boundary which he describes, should be accepted, as one most convenient to them. But this line trenches, as is asserted by one of the States of the Union, upon its territory, and that State controverts the constitutional power of the United States to circumscribe its limits without its assent. If the decision had indicated this line as the boundary designated by the Treaty of 1783, this objection could not have been urged, because then, no part of the territory to the north or the east of it, could be within the state of Maine. And however the United States, or any individual State might think itself aggrieved by the decision, as it would in that case have been made in conformity to the submission, it would have been carried into immediate effect. The case is now entirely different, and the necessity for farther negotiation must be apparent to adjust a difference which the Sovereign arbiter has. in the opinion of a co-ordinate branch of our executive power, failed to decide. That negotiation will be opened and carried on by the President with the sincerest disposition to bring to an amicable, speedy, and satisfactory conclusion, a question which might otherwise interrupt the harmony which so happily subsists between the two countries, and which he most earnestly wishes to preserve.

The Undersigned is instructed to say, that even if the negotiators of the two parties are unable to agree on the true line designated by the Treaty of 1783, means will probably be found of avoiding the constitutional difficulties that have hitherto attended the establishment of a boundary, more convenient to both parties than that designated by the Treaty, or that recommended by His Majesty the King of the Netherlands, an arrangement being now in progress with every probability of a speedy conclusion, between the United States and the State of Maine, by which the Government of the United States will be clothed with more ample powers, than it has heretofore possessed, to effect that end. Should a negotiation be opened on this principal point, it will naturally embrace, as connected with it, the right of navigation of the river St. John, an object of scarcely less importance to the convenience and future harmony of the two nations, than the designation of the boundary, it being the wish of the President, and, as he has the best reason to believe, that of His Britannic Majesty's Government, to remove all causes for misunderstanding between the two countries, by a previous settlement of all points on which they might probably arise.

Presuming that the state of things produced by the resolution of the Senate above referred to, and the desire expressed by the President to open, carry on, and conclude the negotiation recommended by that body, in the most frank and amicable manner, will convince His Britannic Majesty's Government of the ne-