

AMERICAN VOLUNTEER.

BY SANDERSON & CORNMAN.



CARLISLE:

THURSDAY, MARCH 7, 1839.

The proceedings of the celebration at Mechanicsburg and various other matters, are unavoidably excluded this week to make room for a press of new advertisements. They shall take precedence in our next.

We have received a lengthy communication on the subject of the late Court of Inquiry, and in reply to the foul mouthed piece in last week's Herald against Col. Foulk, but too late for insertion. We shall endeavor to find room for it in our next.

The nomination of SAMUEL HEPBURN, Esq. to be President Judge of this District, was confirmed by the Senate on Tuesday last, with but one dissenting voice—Mr. Williams of Allegheny.

We regret to learn that our highly esteemed Senator, Gen. THOMAS C. MILLER, is confined at home, by severe indisposition.

Congress adjourned sine die on Monday morning about 3 o'clock, having been in session nearly all the previous day.

Henry A. Wise.—The New York Herald thinks that "the Federalists were injudicious in selecting this man, crimsoned with the blood of a fellow man, to sit in judgment on a question of public morals."

The committee of the House of Representatives have reported a bill, appropriating \$45,000 to defray the expenses of Joseph Ritner's military campaign. This sum, it is estimated, will be sufficient to pay the troops for one month's service.

The bill for the protection of the North-eastern Boundary passed both Houses of Congress nearly unanimously. According to its provisions, the President, if the necessity should arise, is authorized to accept the services of 50,000 volunteers, to be paid at the same rate of regular troops, and also to put the entire naval force in commission—\$10,000,000 is appropriated to carry the provisions of the bill into effect. We shall publish the bill next week.

The Secretary of State and the British Minister have entered into a temporary arrangement on behalf of their respective Governments, to prevent if possible immediate mischief on the north-eastern frontier, and to leave time for a consultation on the part of the Provincial authorities of New Brunswick with the Home Government.

The substance of which arrangement is as follows, viz: Neither party shall attempt to occupy the disputed territory with an armed force; but if future necessity should arise for dispersing notorious trespassers, or protecting public property from depredation, by armed force, the operation shall be conducted by concert, jointly or separately, according to agreement between the Governments of Maine and New Brunswick—at the same time, however, nothing in this arrangement shall be construed to fortify or weaken the claim of either party to ultimate possession. This arrangement has only the force of recommendation, as the British Minister acts without specific authority from his Government, and may be taken for just what it is worth. Our opinion is, that the British Government will never peaceably surrender their unjust claim to the territory, and this temporary policy is only entered into on the part of its functionary, in order to gain time and take measures for the possession of the disputed district.

The Public Works.—Persons from all sections of the Commonwealth, says the Keystone, state that the public improvements are in a deplorable situation, and the expense necessary to put them in repair the coming season will be enormous. So far as regards the Columbia rail road, every body who has travelled over it this winter, knows that the worst statement is below the truth: It could not have been worse; if no attention had been paid to it for six months past. Upwards of twenty miles of one track is entirely useless, and will probably have to be principally relaid.

The Ritner agents were, for three months before the election, entirely employed by their master Thaddeus Stevens; in electioneering, and of course could not perform the duties of their office.

The Boundary Question.—The Norristown Register thus sums up the merits of the controversy which now exists between the United States and Great Britain in relation to the question of Boundary:

"It will be seen that notwithstanding the existence of an agreement between the two powers to permit the territory in dispute to remain wholly neutral and unoccupied until the claim is finally adjudicated, that British subjects are constantly employed in cutting and removing valuable timber growing upon it, and it also appears that the Governor of the British Province of New Brunswick claims exclusive jurisdiction over the disputed territory, by instructions of the British Government. The territory in dispute belongs to the State of Maine—is part and parcel of the territory of the United States guaranteed by the treaty of 1783, from which time, until the treaty of Ghent, in 1815, no intimation was ever given by the British Government that they entertained the least claim or title to any part of it. At the treaty of 1815, the British Commissioners applied to the Commissioners on the part of the United States for a portion of said territory, for which they offered an equivalent, which, of course, was rejected on the part of the Commissioners of the U. States, they having no power to make a cession of any portion of our territory. Being foiled in acquiring it by cession, they subsequently laid claim to a much greater extent of territory than they at first attempted to obtain by cession. These are the facts of the case,—and the whole circumstance shows an attempted aggression on the part of Great Britain, and an intention to acquire territory in this country wholly incompatible with every sense of right or justice. The able report on this subject made to the Senate of the United States, last year, by the Hon. James Buchanan, establishes our title to the whole territory in dispute, and that by evidence in possession of the British Government, and from their own records"

No collision has yet, taken place between the troops of Maine and New Brunswick.

The elections in the different boroughs and townships, for borough and township officers, will take place, according to law, on Friday the 15th inst.

St. Louis.—The annual value of exports from St. Louis, is estimated at two millions of dollars. The shipments of lead, alone, are stated to be equal to half a million—and the furs, \$400,000 in a year. The aggregate value of horses and mules sent from Missouri into the cotton growing States, during the past year, is estimated at \$150,000.

Loss of the Protector East Indian.—Accounts from India announce the loss of this ship, bound from London to Calcutta, at Sands Head, near the place of her destination. Out of 178 persons on board, only eight were saved, viz: 7 recruits and 1 seaman. The number of recruits on board was 117, accompanied by 16 women & 10 children, besides a crew of 26 persons.

Message from the President.

To the Senate of the U. States: I lay before congress several despatches from his Excellency the Governor of Maine, with enclosures, communicating certain proceedings, of the Legislature of that State, and a copy of the reply of the Secretary of State, made by my direction, together with a note from H. S. Fox, Esq. Envoy Extraordinary and Minister Plenipotentiary of Great Britain, with the answer of the Secretary of State to the same.

It will appear from these documents that a numerous band of lawless and desperate men, chiefly from the adjoining British Provinces, but without the authority or sanction of the Provincial Government, had trespassed upon that portion of the territory in dispute between the U. S. and Great Britain which is watered by the river Aroostook, and claimed to belong to the State of Maine; and that they had committed very extensive depredations there by cutting and destroying a very large quantity of timber. It will further appear that the Governor of Maine, having been officially apprised of the circumstance, had communicated it to the Legislature, with a recommendation of such provisions, in addition to those already existing by law, as would enable him to arrest the course of said depredations, disperse the trespassers, and secure the timber which they were about carrying away; that in compliance with a resolve of the Legislature, passed in pursuance of his recommendation, his Excellency had despatched the land Agent of the State, with a force deemed adequate to that purpose, to the scene of the alleged depredations, who, after accomplishing a part of his duty, was seized by a band of the trespassers, at a house claimed to be within the jurisdiction of Maine, whither he had repaired for the purpose of meeting and consulting with the land agent of the Province, together with two other citizens of the State, who were assisting him in the discharge of his duty.

It will also appear that the Governor and Legislature of Maine, satisfied that the trespassers had acted in defiance of the laws of both countries, learning that they were in possession of arms, and anticipating (correctly, as the result has proved) that persons of their reckless and desperate character would set at naught the authority of the magistrates, without the aid of a strong force, authorized the sheriff, and the officer appointed in the place of the land agent, to employ, at the expense of the State, an armed posse, who had proceeded to the scene of these depredations, with a view to the entire dispersion, or arrest of the trespassers and the protection of the public property.

ernor of Maine and Sir John Harvey, Lieutenant Governor of the Province of New Brunswick, which has grown out of these occurrences, and is likewise herewith communicated, the former is requested to recall the armed party advanced into the disputed territory for the arrest of trespassers, and is informed that a strong body of British troops is to be held in readiness to support and protect the authority and subjects of Great Britain in said territory. In answer to that request the Provincial Governor is informed of the determination of the State of Maine to support the land agent and his party, in the performance of their duty, and the same determination, for the execution of which provision is made by a resolution of the State Legislature, is communicated by the Governor to the General Government.

The Lieutenant Governor of New Brunswick, in calling upon the Governor of Maine for the recall of the land agent and his party from the disputed territory, and the British Minister in making a similar demand upon the Government of the U. S. proceed upon the assumption that an agreement exists between the two nations conceding to Great Britain, until the final settlement of the boundary question, exclusive possession of, and jurisdiction over, the territory in dispute. The important bearing which such an agreement, if it existed, would have upon the condition and interests of the parties, and the influence it might have upon the adjustment of the dispute, are too obvious to allow the error upon which this assumption seems to rest to pass for a moment without correction. The answer of the Secretary of State to Mr. Fox's note, will show the ground taken by the Government of the U. S. upon this point. It is believed that all the correspondence which has passed between the two Governments upon this subject has already been communicated to Congress, and is now on their files. An abstract of it, however hastily prepared accompanies this communication. It is possible that in thus abridging a voluminous correspondence, commencing in 1825 and continuing to a very recent period, a portion may have been accidentally overlooked; but it is believed that nothing has taken place which would materially change the aspect of the question as therein presented. Instead of sustaining the assumption of the British functionaries, that correspondence disproves the existence of any such agreement. It shows that the two Governments have differed not only in regard to the main question of title to the territory in dispute, but with reference also to the right of jurisdiction, and the fact of the actual exercise of it in different portions thereof. Always aiming at an amicable adjustment of the dispute, both parties have entertained and repeatedly urged upon each other a desire, that each should exercise its rights, whatever it considered them to be, in such a manner as to avoid collision, and allay, to the greatest practicable extent, the excitement likely to grow out of the controversy. It was in pursuance of such an understanding that Maine and Massachusetts, upon the remonstrances of Great Britain, desisted from making sales of lands, and the General Government from the construction of a projected military road in a portion of the territory of which they claimed to have enjoyed the exclusive possession; and that Great Britain, on her part, in defence to a similar remonstrance from the U. S. suspended the issue of licenses to cut timber in the territory in controversy, and also the survey and location of a railroad through a section of country over which she also claimed to have exercised exclusive jurisdiction.

The State of Maine had a right to arrest the depredations complained of; it belonged to her to judge of the exigency of the occasion calling for her interference; and it is presumed that had the Lieutenant Governor of New Brunswick been correctly advised of the nature of the proceedings of the State of Maine, he would not have regarded the transaction as requiring, on his part, any resort to force. Each party claiming a right to the territory, and hence to the exclusive jurisdiction over it, it is manifest that to prevent the destruction of the timber by trespassers, acting against the authority of both, and at the same time avoid forcible collision between the contiguous Governments during the pendency of negotiations concerning the title, resort must be had to the mutual exercise of jurisdiction in such extreme cases, or to an amicable and temporary arrangement as to the limits within which it should be exercised by each party. The understanding supposed to exist between the United States and Great Britain has been found heretofore sufficient for that purpose, and I believe will prove so hereafter, if the parties on the frontier, directly interested in the question, are respectively governed by a just spirit of conciliation and forbearance. If it shall be found, as there is no reason to apprehend, that there is, in the modes of construing that understanding by the two Governments, a difference not to be reconciled, I shall not hesitate to propose to her Britannic majesty's Government a distinct arrangement for the temporary and mutual exercise of jurisdiction, by means of which similar difficulties may in future be prevented.

But an effort on the part of Maine to preserve the property in dispute from destruction by intruders, and a military occupation by that State of the territory, with a view to hold it by force, while the settlement is a subject of negotiation between the two Governments, there is an essential difference, as well in respect to the position of the State, as to the duties of the General Government. In a letter addressed by the Secretary of State to the Governor of Maine, on the 1st of March last, giving a detailed statement of the steps which had been taken by the Federal Government to bring the controversy to a termination, and designed to apprise the Governor of that State of the views of the Federal Government to do all in its power to effect the settlement of the boundary question were fully recognized, it had in the event of being unable to do so specifically, by mutual

consent, no other means to accomplish that object amicably; than by another arbitration, or by a commission with an umpire in the nature of an arbitration; and that in the event of all other measures failing, the President would feel it his duty to submit another proposition to the Government of Great Britain, to refer the decision of the question to a third power. These are still my views upon the subject, and until this step shall have been taken, I cannot think it proper to invoke the attention of Congress to other than amicable means for the settlement of the controversy, or to cause the military power of the Federal Government to be brought in aid of the State of Maine, in any attempt to effect that object by a resort to force.

On the other hand, if the authorities of New Brunswick should attempt to enforce the claim of exclusive jurisdiction set up by them, by means of a military occupation on their part of the disputed territory, I shall feel myself bound to consider the contingency provided by the Constitution as having occurred, on the happening of which a State has the right to call for the aid of the Federal Government to repel invasion.

I have expressed to the British Minister near this Government a confident expectation that the agents of the State of Maine, who have been arrested under an obvious misapprehension of the object of their mission, will be promptly released; and to the Governor of Maine that a similar course will be pursued in regard to the agents of the Province of New Brunswick. I have also recommended, that any militia that may have been brought together by the State of Maine, from an apprehension of a collision with the Government or people of the British Province, will be voluntarily and peaceably disbanded.

I cannot allow myself to doubt that the results anticipated from these representations will be seasonably realized. The parties more immediately interested cannot but perceive that an appeal to arms, under existing circumstances, will not only prove fatal to their present interests, but would postpone, if not defeat, the attainment of the main objects which they have in view. The very incidents which have recently occurred will necessarily awaken the Governments to the importance of promptly adjusting a dispute, by which it is now made manifest that the peace of the two nations is daily and imminently endangered. This expectation is further warranted by the general forbearance which has hitherto characterized the conduct of the Government and people on both sides of the line. In the uniform patriotism of Maine, her attachment to the Union, her respect for the wishes of the people of her sister States, of whose interest in her welfare she cannot be unconscious, and in the solicitude felt by the country at large for the preservation of peace with our neighbors, we have a strong guarantee that she will not disregard the request that has been made of her.

As, however, the session of Congress is about to terminate, and the agency of the Executive may become necessary during the recess, it is important that the attention of the Legislature should be drawn to the consideration of such measures as may be calculated to obviate the necessity of a call for an extra session. With that view, I have thought it my duty to lay the whole matter before you, and to invite such attention thereon as you may think the occasion requires.

M. VAN BUREN.

Washington, 26 February, 1839.

Accompanying this document are all the messages from the Governor of Maine to the Legislature of Maine—all the actions of the Legislature of Maine—the letters of the Governor to the President—the letter of Mr. Fox, the British Minister, and Mr. Fox's reply.

Mr. Fox's letter to the Secretary of State was read. Mr. Fox takes the ground assumed by Sir John Harvey, the Governor of New Brunswick. He claims the same power of exclusive jurisdiction. In answer, Mr. Forsyth tells Mr. Fox that he is wrong in regard to the facts in controversy—altogether wrong. With the President of the U. S. Mr. Forsyth defends the act of Maine in taking measures to drive off the trespassers. The Secretary of State says to Mr. Fox, also, that he is wrong in what he says in regard to exclusive jurisdiction. The Government admits no such claim. In conclusion, the Secretary of State chides the tardiness of Great Britain in the negotiation upon the boundary question.

Mr. Fox answers in reference to the actual jurisdiction claimed over the disputed territory, by saying that he shall refer the matter to the Queen and his government.

MARRIED:

On Tuesday the 26th ult. by the Rev. Mr. McQuay, Mr. Carey W. All, merchant of Churchtown, to Miss Catharine Williams of Allen Township.

On the 26th ult. by the Rev. Robert Cadden, P. E. of Chambersburg, District, the Rev. J. Clarke, of the Baltimore Conference, to Miss Mary K. Angle, of Franklin co.

On Thursday the 7th inst., by the Rev. Mr. Weible, Mr. Frederick Maish, to Miss Sarah Henry, both of Fairview township, York county.

Another Revolutionary Veteran Gone!

DIED.—On Sunday the 24th ult. at the advanced age of 84 years, Mr. Peter Tritt, son of West Pennsboro' township. The deceased was a soldier of the Revolution, having served his country faithfully in that memorable struggle, both as an enlisted soldier and as a militia man. He was honored and respected by all who knew him as an honest and industrious man and exemplary citizen. Shortly before his death, he made a clear deed of a farm to each of his sons (eight in number,) the earnings of a long life of industry and frugality.

And yet Another! On the 20th ult. in this Borough Mr. Barkley, a soldier of the revolution, at the advanced age of 89 years. Thus one after another do these aged veterans pass to the tomb, and a few fleeting years more and not one will be left to recite the deeds done in the time that "tried men's souls."

Peace to their ashes.

NOTICE

To Bridge Builders.

The Commissioners of Cumberland County, will receive Proposals at the house of John Cornman innkeeper, in the Borough of Carlisle, on Friday the 12th of April next, between 9 o'clock in the forenoon and 2 o'clock in the afternoon, for the erection of a good and substantial Wooden Bridge, across the Comodoguet Creek at the place where the state road from Landisburg to Carlisle, by way of Waggoner's Gap crosses said creek, in the township of North Middleton, of the following dimensions, to wit: To contain in length from one abutment to the other 190 feet, & 16 feet wide in the clear, the abutments to be about ten feet thick each or more if required in a splaying direction, with a regular slope, and to be eleven feet high from the bottom of the creek, from whence a wooden arch is to be started and to extend across said creek from one abutment to the other if practicable; if not, there shall be two spans of 95 feet long, each supported on good and substantial stone abutments & piers, the floor to be double floored with two inch plank, the upper floor oak and the lower pine; the sides and gable ends to be sufficiently high to admit covered and hay wagons to pass through the same, say twelve and a half feet in the clear, to be closely weatherboarded and painted red, the whole to be well roofed with good white pine shingles; the whole of the wood work to be well secured with iron bolts, ready eyes &c. From the back of the abutment the filling shall consist of earth and stone, and to be well supported with wing walls three feet high above the filling on each side, and to extend in that manner on the two extreme sides of the bridge until the filling and walling shall meet the road with an ascent and descent not exceeding five degrees elevation from the road to said bridge; the wood work to be built of sound and substantial timber; the stone work of large good stone, lime and sand mortar well pointed. The party contracting to give such security as the Commissioners may require for the faithful performance of the workmanship and permanency of said bridge.

Proposals to be accompanied with a plan. Should none of the proposals meet the approval of the Commissioners they will on the same day, between 2 & 5 o'clock in the afternoon, expose the said bridge to public sale, and sell the same to the lowest and best bidder.

JAMES WILLIS, ROBT C. STERRETT, JOHN CORNMAN, Attest—JOHN IRWIN, Clerk. March 7, 1839.

Harrisburg Reporter & York Gazette, insert until letting and charge Volunteer.

Notice.

The creditors of Samuel Redett, deceased, late of Shippensburg, will take notice that the subscriber has been appointed an Auditor by the Orphans' Court of Cumberland County, to settle and adjust the rates and proportions of the assets in the hands of David Kenower, Administrator de bonis non, of said deceased, to and amongst said creditors—and that he will be at his office in the borough of Carlisle for said purpose on Monday the 22d of April.

HUGH GAULLAGHER, Carlisle, March 7, 1839.

Sheriff's Sales.

By virtue of sundry writs of Venditioni Exponas to me directed, issued out of the Court of Common Pleas of Cumberland County, will be exposed to Public Sale, at the Court House, in the borough of Carlisle, on Saturday the 6th of April A. D. 1839, at 10 o'clock A. M. the following described real estate, to wit:

A lot of ground situate in the borough of Carlisle, containing sixty feet in breadth, and 120 feet in depth, more or less, adjoining lots of William Alexander on the east, Nathan Woods on the south, John Agnew on the west, and Louthier street on the north, having thereon erected a two story Stone House, a two story Stone Back Building, and a one and a half story Log House; Seized and taken in execution as the property of Francis McManus.

NOTICE.

DELINQUENT COLLECTORS are hereby notified that unless a final settlement of their duplicates is made on or before the 8th day of April next, measures will then be taken to compel payment. By order of the Commissioners, ROBERT SNOODGRASS, Treasurer of Cumberland County, Treasurer's Office, Carlisle, March 7, 1839.

MARY BLACK, Alias Subpoena sur Divorce, in the Court next friend, Thos. of Common Pleas of Cumberland co., No. 17 of January Term, 1839.

Return having been made by the Sheriff in this case, that the defendant John Black was not to be found in his bailiwick; now to wit, 16th January, 1839, the said Court ordered and decreed that publication should be made by me requiring the said defendant to be and appear in the Court aforesaid, at Carlisle on Monday the 8th day of April next, to answer to the complaint of the said Mary Black, &c.

Whereupon I do hereby give notice and require the said John Black to be and appear at Carlisle as aforesaid, on the day aforesaid, to answer the complaint of the said Mary Black, aforesaid, &c. JOHN MYERS, Sheriff, Sheriff's Office, Carlisle, March 7, 1839.

Dissolution of Partnership.

The co-partnership heretofore existing in the iron business, under the firm of Henry G. Mosser & Co. was dissolved on the 19th day of January last, by mutual consent. All persons indebted, as well as those having claims, will call on Henry G. Mosser, in whose hands the books and accounts are left, and who is authorized to make payments. HENRY G. MOSSER, DANIEL KOCH, JACOB WEAVER, Liberty Forge, near Lisburn, Cum. co. March 7, 1839.

LIST OF LETTERS

Remaining in the Post Office at Carlisle, Pa. March 1st, 1839. Enquirers will please say advertised.

- Abrams Elias, Alter Jacob, Anderson Thomas Esq, Arahams Sarah, Aurant Maria L., Baker William, Butler Joseph, Buzer Samuel, Barhart John, Blosier Henry, Bchtalover George, Andrew Gross, Rosertman E. 2, Brown Julius, Brown William, Bell Sarah, Baker Jacob, Beeman Jacob, Beeton James, Bailey Susan, Carothers Armstrong, Crall Wm or Samuel, Carothers John N, Cairns Harriet, Craves Mary, Cairns Harriet, Calou Frederick, Crothers John, Cornway John, Davidson John W, Daron Danl, Dunning Ephraim T, Eckhart Jacob, Ernest George, Evers Benjamin, Ensminger Samuel, Every Henry, Fulton Jane, Fields Elizabeth, Fraze Michael, Fields Sarah, Gaver Casper B, Gray John, Goolywar Abraham 2, Gould Christian, G-well Ann, Graham Isaac, Herr Andrew, Herath Jacob, Herd Daniel, Hobert Joseph, Huzendobler Joseph, Hunter Thomas H, Hawley Andrew, Harder John, Johnston John H, Jackson Mary Ann, Kenyon Saml M, Kelley Robert, Kurn George, Kuntz William, Keller William, Knisley Fredk, Koffman Charlott, Light Henry or Mr 2, Breiser, Lechlair Henry, Leouhart Daniel, Luman Easter, Lechl Wm, Lechlair Mary, Luchter Mary, Monroe Margaret, Millar Samuel, Myers George, Morrison Mary, Mattinger Lucy, Messersmith Philip, Miller William H 3, Martin Richard, Moore John (of Wm), Myers Nancy, Nichelle Susan, Mitchell Wm, Moutz Adam, Mats n Peter, Main Catharine, Mc Gough James, Mc Intire Elizabeth M, Mc Gilly Edw rd, Mc Cormick George, Numan Henry, Parker Rev Joseph, Patten Joseph W, Pool David, Park Isaa A, Phillips A H, Porter Robert D, Royer Titiana, Ream John 2, Rowen Charles, Rowney William, Richter Mary, Rhoads Rev John, Rugh Peter, Shaffer John, Sterrett David, Steel Mary, Stevens George T, Sheriff David, Seitz Joseph, Spottswood Harriet, Stewart Elizabeth, Stehman Jacob, Seltzer John, Seiders Johann, Stuckner Jacob, Uhler Elizabeth, Ulrich Nicholas, Uhler Sarah, Underwood Mr (Editor), Venasolden Isaac, Wincoop H, Windemaker Jacob, Walker J C, Walker Eliza, Woodworth Francis M, Wortzhauger William, Wernz Charles, Williamson H, Weaver Jacob 2, Williamson Col James, Weitsbach John, Wert David, Williams Josiah, Wolf Daniel, Weaver James, Zeigler Samuel, R. LAMBERTON P. M.