

MESSAGE

OF THE PRESIDENT UPON THE SUBJECT OF THE BOUNDARY QUESTION.

To the Senate of the United 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 those 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 United States and Great Britain which is watered by the river Aroostook, and claimed to belong to the State of Maine; and that they had committed 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 of New Brunswick, and conveyed as a prisoner to Fredericton, in that 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, had 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.

In the correspondence between the Governor of Maine and Sir John Harvey, Lieutenant Governor of the Province of New Brunswick, which had 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 United States, 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 United States 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 existence of it in different por-

tions 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, whosoever it considered them to be, in such a manner as to avoid collision, and ally, 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 remonstrance of Great Britain, desisted from making sales of lands, and the General Government from the construction of which they claimed to have enjoyed the exclusive possession; and that Great Britain, on her part, in deference to a similar remonstrance from the United States, 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 now reason to apprehend, that there is, in the modes of constructing that understanding by the 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 between 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 first 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 Executive, in respect to the future, it was stated, that while the obligations of the Federal Government of the Boundary question were fully recognized, it had, in the event of being unable to do so specially, 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 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 action thereon as you may think the occasion requires.

M. VAN BUREN.

WASHINGTON, 23rd February, 1839.

We learn from the Detroit Post that a volunteer in Miss Victoria's service, finding a canoe upon the beach near Malden, got into it and started on a voyage of discovery. When he had got some distance from shore he was discovered by the officer of the day, who ordered six men into a boat and gave chase. He pursued the voyager to the American shore, and in his ardor he forgot that he was out of British territory, and seized the deserter; a citizen told the man that he was free, and need not go back unless he wished; one of the officer's men, an Irishman, hearing this, exclaimed—'If that spalpeen be FREE, so is every mother's son of us! So ye may just go home my jewell [addressing the officer] and tell the kernal that you left us here to take care of the prisoner!' 'Tut, tut,' said the officer, 'get into the boat, men.' 'Arrah!' said Pat, 'I have some republican blood in me, besides it is doubtful but that General Jackson is some kin to me; the general is a rare Irishman, barring he came to Ameriky two years before he was born.' The officer had to hire men to row back, and report 7 deserters.

THINGS I HAVE SEEN.

I have seen a Farmer build a house so large, that the Sheriff turned him out of doors.

I have seen a young man sell a good farm turn merchant and die in an insane hospital.

I have seen a farmer travel about so much that there was nothing at home worth looking after.

I have seen a rich man's son begin where his father left off, and ended where his father began—penury.

I have seen a young girl marry a young man of dissolute habits and repent of it as long as she lived.

I have seen the extravagance and folly of children bring their parents to poverty and themselves into disgrace.

I have seen a prudent industrious wife retrieve the fortunes of a family, when her husband pulled at the other end of the rope.

I have seen a young man who despised the counsel of the good, end his career in poverty and wretchedness.

I have seen a man spend more in folly than would support his family in comfort and independence.

I have seen a man depart from the truth when candor and veracity would have served him a much better purpose.

I have seen a man engage in a law-suit about a trivial affair, that cost him more in the end than would have roofed all the buildings on his farm.

Curious Discovery.—A few days ago, a person, who was "mauling" rails, in a piece of woods, not far from the St. Charles road, in this county, found in the heart of an apparently full grown tree, a small bone of a small animal and a kind of a hunting knife. How come these articles in that situation? Were they left a hundred years ago, in the cleft of some sapling, which has since grown up and enclosed them in their wooden coffin since that time? If so it was done by some wandering Indian or French settler.

Our authority for this statement is one of the oldest and most respectable farmers of this county.—*St. Charles (Mo.) Gaz.*

A Quaker invited a tradesman to dine with him, whom he treated with an excellent dinner, a bottle of wine, and a pipe of tobacco. His guest, after drinking freely, became extremely rude and abusive to his host, inasmuch that the Quaker's patience was at length quite exhausted, and he rose up and addressed him in the following words:—

'Friend, I have given thee a meat offering, and drink offering, and burnt offering, and for thy misconduct, I will give thee a heave offering; and immediately threw him into the street out of the parlour window.'

The Boston Transcript says,—"The vanguard of the army of wild geese passed over the city on Thursday evening about eight o'clock, on their annual Northern journey."

THE COLUMBIA DEMOCRAT.



BLOOMSBURG:

SATURDAY, MARCH 9, 1839.

The Border War.

We mentioned in our last that there was likely to be some collision between the authorities of the State of Maine and those of the Province of New Brunswick, in relation to the Boundary Line. By later accounts it has assumed a still more serious aspect, and great fears are entertained, that before the interposition of the General Government can allay the excitement, blood will be shed. As every one feels deep interest in the subject, we will give a brief history of the transactions in relation to it, as they have occurred.

Some six weeks since, upon learning that a party of men from the province of New Brunswick, were cutting timber within the limits claimed by Maine; the Legislature of that State authorized the Governor to send a sufficient force to drive them off. He accordingly despatched a Mr. McIntire with about 200 men to perform the required duty. The party having reached the Madawaska river, McIntire left the main body in company with five or six others, and went down to Aroostook Falls, where they were all arrested by a party of about fifty men from the other side of the line, who committed them to jail at Fredericton, N. B. The remainder of the expedition having captured five of a party of trespassers, who had fired upon them, and driven off the others, they returned to Bangor with their prisoners. Among the prisoners was the British agent McLaughlin. The capture of McIntire, and the firing upon his company, created great excitement, which was increased upon the receipt of a despatch by the Governor from the Lieut. Governor of New Brunswick, stating that he is instructed by his government to exercise exclusive jurisdiction over the disputed territory, and that he should do it. He also requests Governor Fairfield to withdraw the force sent to drive off the trespassers, and says should the request not be complied with, he has a strong force in readiness to march to the ground and accomplish the object.— Upon the receipt of this letter, the Legislature of Maine, which was then in session, authorized the raising of 10,000 volunteers, and appropriated \$800,000 to defray the expense, and, as will be seen by extracts that follow, that a large force has already marched into the disputed territory.

In the meantime, Governor Fairfield communicated to the President the situation of affairs, and the correspondence that had taken place between himself and the Lieut. Governor of New Brunswick. Upon the receipt of this communication, the President sent into both houses of Congress the message which will be found in another column of this paper. The message and documents were referred to the Committee on Foreign Affairs. On the 28th ult. the committee made a report to the House of Representatives, of a very important character, accompanied by a bill in substance as follows:—The first section authorizes the President to resist any attempt of Great Britain, by arms, to exercise exclusive jurisdiction over that part of the territory of Maine which is in dispute, and to employ the naval and military forces of the United States, and such portions of the militia as he may deem it expedient to bring into service. The second section provides in case of actual invasion, or imminent danger thereof, before Congress can be convened, to raise a provisional force of twenty regiments, consisting of rifle-men, cavalry and infantry. Third section, to put all the naval force in commission. Fourth section, to borrow— millions of dollars, upon certificates of stock, redeemable in five years, at five per cent. per annum. Section five provides for an outfit for a special embassy to London to co-operate with the resident minister there, and urge a prompt settlement of the boundary question. The whole subject was referred to the committee of the whole on the state of the Union. On the next day, the bill passed the Senate unanimously, and the House with but six dissenting voices, substituting, however,

20,000 volunteers, for the 20 regiments filling the blank in the fourth section with \$10,000,000, and authorizing the President to call into service any number of militia that the urgency of the case may require.

On the 27th of Feb. the President communicated to Congress a Memorandum of an agreement entered into between our government and the British Minister at Washington. In substance it effects an arrangement by which both powers shall hold temporary joint jurisdiction over the Disputed Territory, until the Question be finally determined between the two Governments; and neither shall seek to expel the other by Military force. Nothing in these memoranda to fortify or weaken, in any respect whatever, the claims of either party. The document is signed by Mr. Forsyth and Mr. Fox; and we only hope it will arrive in time to prevent bloodshed.

The Portland Advertiser states that the breastwork thrown up by the American forces at the junction of the St. Croix and the Aroostook, is twelve feet in thickness, and mounted by a brass field piece. Before this time says the Whig of the 20th, the force has three pieces of artillery.

The Bangor Whig of Thursday morning in a paragraph dated at 9 o'clock A.M. says the troops were then mustering, and preparing to march forthwith in compliance with orders that had just been received from Augusta. At 12 o'clock, the Whig adds, that five companies had just left for the Aroostook. It further states, that orders had been received in that city for a draft of 900 more men from the 3d division.

Expresses have been established between Bangor, Houlton, and the Camp.

A letter from Augusta to the Boston Atlas under date of the 23d instant, says:

On Monday morning one thousand men will muster at the capital and march forthwith. Major General Foster, of the Eastern Division with his command, is ordered forthwith to Houlton. One Thousand men will be ready to march as early as Wednesday next. From the determined character of Sir John Harvey, and the nature of his instruction, we anticipate a conflict, and ere this reaches you, I greatly fear the blood of our citizens will be shed. Mr. English, the messenger from Sir John Harvey, informed me that he had no doubt that on his return with the letter of Governor Fairfield, Sir John would instantly order the troops to advance. Mr. English must have reached Fredericton last Tuesday night. We are anxiously awaiting the result. Should a conflict take place I will instantly apprise you."

Five companies left Bangor on Thursday for the Aroostook. The Bangor Whig of Friday says:—"The Fire Department of this city, embracing about three hundred young men, had a meeting yesterday afternoon, voted, to organize themselves as a battalion of Rifle-men, and petitioned the Legislature for a supply of arms. There seems to be no doubt that their request will be granted."

It is stated that McLaughlin, the British Agent, refuses to accept his liberation on parole. The Boston Patriot expresses an opinion that, as both parties were evidently mustering all the forces at their command, no collision would in all probability take place for some days. A Bangor correspondent of the same paper says:

Nearly a thousand of our men are already gone as volunteers under the Sheriff's orders. In addition to these, another thousand are on their march under Gen. Hodson, and now 900 more are to be drafted under the new order. Notwithstanding all this, not the least complaint is heard, but the one voice is go ahead, and we be to him who speaks a discouraging word. Never was a movement more popular or which elicited more of the public feeling and sentiment in its favour. A deserter was this morning posted about the city, and a reward of \$100 offered for his apprehension. Though a young man, and by no means a hardy soldier yet public indignation is so strong against him, that he would apparently scarcely be safe amongst us. An eternal banishment from the city must apparently be his fate—so universal and all pervading is the one feeling on this subject.

By comparing all the accounts received it appears that about 12,000 men have been already drafted for service, and ALL the militia are required to hold themselves in readiness.

Gen. Hodson arrived at Bangor on the 25th, with a detachment of cavalry, and immediately formed them into a line of detachments from Bangor to the mouth of the Aroostook. Gen. H. was to leave that morn-