

HARRISBURG, Feb. 23, 1839. Mr. Poulson.—Senate this morning received a message from the Governor, nominating Samuel Hepburn as President Judge of the Courts in the ninth judicial district...

HARRISBURG, Feb. 25, 1839. Mr. Poulson.—Mr. Penrose continues so indisposed, that he is unable to appear in his place in the Senate...

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CONGRESSIONAL.

WASHINGTON, March 1, 1839.

As usual at the close of the session of Congress, a great deal has been done within the last few days.—Business has been hurried through more rapidly. Much fault has heretofore been found with the practice common to legislative bodies, to leave all to the last; this, though in some measure wrong, is to my mind not as objectionable as it seems to be to a very large portion of the people of the country.

Resolved, That the Legislature will adjourn on Wednesday the 27th of March next, to meet again on Thursday the 7th day of May next; and that the daily pay of the members be discontinued during the recess, and that they receive mileage as provided for by law for other sessions.

A bill to enable the Reading and Philadelphia Rail Road Company to extend their road to Harrisburg was then considered, and sundry amendments offered, but before it was decided the Senate adjourned.

Mr. Fisher gave notice that he should ask leave to bring in a bill to raise the rate of interest 7 per cent. per annum. He first offered a resolution for an inquiry into the expediency of it, by the judiciary committee, which was negatived.

Mr. Speakerman gave notice that he should ask leave to bring in a bill relative to outdoor business.

The House then took up the bill to divorce George M. Dewey and his wife from the bonds of matrimony, and after a very tiresome discussion it passed.

HARRISBURG, Feb. 27, 1839. SENATE. Mr. Poulson.—Mr. Strohm from the committee on internal improvements to whom was referred a memorial from contractors on the Gettysburg rail road, complained of the injustice done them by the sudden discontinuance of that road, without notice, made report of a joint resolution to allow them to continue work until the first of May.

forbearing as far as practicable to exert any authority, and when any should be exercised by either, placing upon the conduct of each other the most favorable construction.

A complete understanding upon the question, thus placed at issue, of present jurisdiction, can only be arrived at by friendly discussion between the Governments of the United States and Great Britain; and, as it is confidently hoped that there will be an early settlement of the question, this subordinate point of difference can be of but little moment.

In the mean time the Governor of the Province of New Brunswick and the Government of the State of Maine will act as follows: Her Majesty's officers will not seek to expel any military force, the armed party which has been sent by Maine into the district, bordering on the Aroostook river; but the Government of Maine will voluntarily, and without needless delay, withdraw beyond the bounds of the disputed territory, any armed force now within them, and 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 Government of Maine and New Brunswick.

The civil officers in the service, respectively of New Brunswick and Maine, who have been taken into custody by the opposite parties, shall be released.

Nothing in this memorandum shall be construed to fortify or to weaken, in any respect whatever, the claim of either party to the ultimate possession of the disputed territory.

The Minister Plenipotentiary of Her Britannic Majesty having no specific authority to make any arrangement on the subject, the undersigned can only recommend, as they now earnestly do, to the Government of New Brunswick and Maine, to regulate their future proceedings according to the terms herein before set forth, until the final settlement of the territorial dispute, or until the Government of the United States and Great Britain shall come to some definitive conclusion on the subordinate point upon which they are now at issue.

FROM MAINE. The late news from Maine is as follows: The number of troops to be drafted by the Executive of Maine, amounts to ten or twelve thousand; the sum voted by the Legislature to carry out the rights of the State is eight hundred thousand dollars.

The territory south of the St. John was never considered debatable ground until after the treaty of Ghent, and when the commissioners under that treaty disagreed as to the line of boundary described in the treaty of 1763.

A portion of it, contiguous to the line actually run from the monument, including the Aroostook river, was granted by the Commonwealth of Massachusetts, more than thirty years ago, and has been held by the grantees and those claiming under them to this time.

Under this arrangement, Maine has not pressed her jurisdiction beyond the St. Johns, but has constantly exercised a supervision of the territory south of the St. Johns, granted permits to cut timber, and to obtain satisfaction for timber cut by trespassers, opened and made roads, put on settlers, &c.

by armed men, taken to Woodstock, they examined by a magistrate, ordered to Frederickton, and sent thither upon a horse sled, under military guard and the huzzas of the militia, and what his present situation is, is not known.

Upon this the Lieutenant Governor of New Brunswick issues his proclamation. Governor Fairfield communicates it to the Legislature and their action upon it.

Lieutenant Governor Harvey writes to the Governor of Maine that he claims exclusive jurisdiction; asks that the force be withdrawn, and says if not done he shall expel them.

Governor Fairfield replies, denies exclusive jurisdiction; and says he shall not draw the force as long as he can maintain it.

MESSAGE FROM THE PRESIDENT. 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 in direction, together with a note from H. S. Fox, Leg. 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 number of lawless and desperate men, chiefly from the adjoining British Provinces, but without the authority or sanction of the Provincial Government, have 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 circumstances, had communicated to the Legislature, with a recommendation of those 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 Frederickton, 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, leaving 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 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 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 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 jurisdiction, and jurisdiction over the territory in dispute. The independent bearing which such an agreement, if extended, 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.

entertained and repeatedly urged upon each other a desire, that such should exercise its rights, whatever 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 recommendation 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 deference to a similar recommendation 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 proceeding 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 maintained, that to prevent the destruction of the timber by trespassers, and against the authority of both, and at the same time avoid forcible collision between the two 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 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 between an effort on the part of Maine to protect the property in dispute from destruction by trespassers, 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 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 involve 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 the people of the British Province, 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 object which they have in view. The very incidents which have recently occurred will necessarily weaken the Governments in the importance of promptly adjusting a dispute, by which it is now made manifest that the peace of the two nations is daily and eminently endangered. This expectation is further warranted by the general forbearance which has hitherto characterized the conduct of the Government and people of both sides of the line. In the violent partition 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 guaranty 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, 29th FEBRUARY, 1839.

FOREIGN NEWS. Arrival of the Liverpool. Nine Days Later From England.

The steam packet ship Liverpool, Captain Fayer, arrived at New York on Monday morning at 7 o'clock from Liverpool. Captain F. left Liverpool at half past 3 o'clock on the afternoon of the 6th; consequently she has made her passage in eighteen and a half days.—Files of London papers to the evening of the 6th of February, and Liverpool to the 6th, both inclusive, have been received. We make our quotations from the several New York papers.

The papers furnish the proceedings on the two first days of the meeting of Parliament. The Session was opened on the 5th of February, by the Queen in person who read her speech from the throne.—We copy it entire. It affords but little information in regard to the course government intends to pursue on the important questions which now agitate the Kingdom, though inferences are drawn from its silence on several subjects, that Ministers will oppose any alteration of the present state of things.—Such is the conclusion drawn from the omission in the speech of all allusion to the Corn Laws—Lord Melbourne and a majority of the Cabinet being supposed, for that reason, to be opposed to the proposed modification, though Lord John Russell, it is said, on his own responsibility, will propose a bill to establish a fixed duty.

LONDON, Tuesday February 5. OPENING OF PARLIAMENT BY THE QUEEN IN PERSON, THIS DAY.

The third Session as the first Parliament of Queen Victoria, was opened to-day with the accustomed ceremonies, by her most gracious Majesty in person. Soon after half past one the royal procession left Buckingham Palace in state, escorted by a body of the Guards in their full dress uniforms. Her Majesty looked well, and occasionally acknowledged the gratulations which she received on her way to the House. On the arrival of the Queen at the royal entrance in Palace-yard, a salute of 21 guns announced the event, and her Majesty, preceded by the great officers of the State and of the Household entered the ladies gallery, along which she passed into the robing-room, where having the crown placed on her head, she thence proceeded to the House of Lords, which presented the same animated appearance usually exhibited on occasions of the royal appearance there—the Peers wearing their robes of state, and the seats ordinarily occupied by the noble lords being filled with ladies in full court dress.

Her Majesty having taken her seat on the throne, and directed the Peers, &c. to be seated, commanded the attendance of her faithful Commons, who being summoned in due form by the Usher of the Black Rod, shortly after appeared below the bar, headed by the Speaker; when her Majesty, in her usual clear and distinct voice read the following

SPEECH FROM THE THRONE:—"My Lords and Gentlemen, "I rejoice to meet you again in Parliament. I am particularly desirous of recurring to your advice and assistance at a period when many matters of great importance demand your serious and deliberate attention."

"I continue to receive from Foreign Powers gratifying assurances of their desire to maintain with me the most friendly relations. "I have concluded with the Emperor of Austria a Treaty of Commerce, which I trust will extend and improve the intercourse between my subjects and those of the Emperor.

"I have also concluded a Treaty of the same kind with the Sultan, calculated to place the Commercial relations between my Dominions and the Turkish Empire upon a better and more secure footing. "I have directed copies of these Treaties to be laid before you.

"I have been engaged, in concert with Austria, France, Prussia, and Russia, in negotiations with a view to a final settlement of the differences between Holland and Belgium. "A definite treaty of peace, founded upon an equal arrangement, which has been acceded to by both parties, has, in consequence, been proposed to the Dutch and Belgian Governments. I have the satisfaction to inform you that the Dutch Government has already signed the Convention, and that a similar announcement from the Belgian Government will put an end to that disquietude which the present unsettled state of these affairs has necessarily produced.

"The unanimity of the Five Allied Powers affords satisfactory security for the preservation of peace. "I lament the continuance of the civil war in Spain, which engages my anxious and undiminished attention. "Differences which have arisen have occasioned the retirement of my Minister from the Court of Taheran. I indulge, however, the hope of learning that a satisfactory adjustment of these differences will allow of the re-establishment of my relations with Persia upon their former footing of friendship.

"I have concluded with the Emperor of Austria a Treaty of Commerce, which I trust will extend and improve the intercourse between my subjects and those of the Emperor.