

THE GLEANER.

AND

NORTHUMBERLAND SCHEDIASMA.

VOLUME II.]

"Nec aranearum sane texus ideo melior, quia ex se fila gignunt nec noster vilior quia ex alienis libamus ut apes."

No. 49.

MIRAMICHI, TUESDAY MORNING, AUGUST 16, 1831.

THE GLEANER.

FROM THE LONDON MORNING HERALD.

NORTH EASTERN BOUNDARY.

THE decision of the King of Holland, on the question of the boundary between the United States and British North America, appears to have excited a great deal more displeasure in America than it has in England. Thus his Majesty is in the enviable situation of displeasing both the parties on whose behalf he consented to become mediator: The Minister of the United States at the Hague, in the first instance, protested against the decision, on the ground that the King had exceeded his powers, which did not allow him to pursue a middle course, but simply to decide what was the boundary line indicated by the Treaty of 1783. 'If,' says the Minister, 'his Majesty found the language of the treaty inapplicable to, and wholly inconsistent with the topography of the country, no authority whatever was conferred upon him to determine or consider what practicable boundary line should, in that case, be substituted and established. Such a question of boundary as here supposed, the United States would, it is believed, submit to the definite decision of no Sovereign.' This seems to be a very proper view of the question, and at the same time it indicates very clearly that the Americans will not abide by the decision, so that the affair is as far from being settled as ever. The feeling, however, of the Legislature of the State of Maine, the State most interested in the question, is most decidedly against the award. The report which the two Houses have published, calls upon the government of the United States, to disallow the decision on various grounds, some of which are not a little curious. In the first place, they say that the arbiter has not decided the differences, but only advised the manner of settling them, which he had no authority to do. In the next place they assert that the difference was not to be submitted to an individual, but to the Sovereign power of an independent State. 'At the time of the selection of the King of the Netherlands,' observes the report, 'as the Sovereign to arbitrate and settle the differences he and his Government were exercising, and were in the full and uncontrolled possession of the sovereign power of his Government. Losing Belgium, deprived the King of three-fifths of his subjects, and of course three-fifths of his power and consequence, and he ceased to be the King of the Netherlands. The loss of Belgium arose from the prevalence of liberal feelings, and the desire of the people to secure their rights. The revolution, from the course the British pursued, naturally produced feelings of attachment to, and dependence upon them for aid and protection, and as naturally excited feelings against the institution of the United States. But we go still further; the course of events did not simply increase his dependence upon the British but compelled him to call upon them for assistance to enable him to sustain his power as King, even in Holland. The British were, long before the decision, his Privy Counsellors, if not the managers and regulators of his public concerns and negotiations upon which the existence and continuance of his power depended.—He was within their power and control. Having then lost the character possessed at the time of the selection, the King or Sovereign Power of the Netherlands ceased to be the arbiter to whom the differences had been submitted. A decision after such a change of character and interest, cannot, for any purpose, be considered as having obligatory force or effect; it can be considered only a mere nullity.'

The above is certainly a very amusing piece of sophistry, but nothing more. Still, however, we think the

objection to the decision urged by the United States Minister at the Hague, good and valid; and at any rate we are glad that the award is not likely to be allowed, being perfectly satisfied that the boundary pointed out is contrary to the spirit of the treaty, and much against the interests of Great Britain and her North American Provinces. The disputed territory is now in our possession, and as we believe we have right on our side, we would recommend the Government not to part with it. Besides, possession is nine points of the law.

FROM THE NORTH AMERICAN REVIEW.

AND what, after all, is the wrong which is done us by the decision? We conceive that we have a clearly demonstrable title to the whole country claimed by us. Our claim, however, is questioned, and an adverse claim is asserted by Great Britain, with as much pertinacity as we can exhibit in defence of our own. We have agreed to submit to arbitration this question of conflicting claims. We cannot, therefore, assume the ground that our title is unquestionable, and if we could we must do it at the hazard of those lamentable consequences which may always result from angry national controversies. Less than a third part of this disputed territory has been awarded to the adverse claimant.— It is a part which from its local situation is peculiarly desirable to him, and for the same reason, as well as from its extremely northern position, least valuable to us. By the same act which takes from us this portion of disputed territory, we obtain an undisputed title to another portion, of more than twice the extent, more favourably situated, and of greater intrinsic value. What is more, we get rid of a most evaspering controversy between the state most directly interested and the adjoining provinces, and between our own Government and the Nation with whom it is of the greatest importance we should remain at peace. Under these circumstances, we conceive that we are bound in courtesy to the Sovereign who has endeavoured to render us a service, in the discharge of a difficult office of friendship, by a regard to the honor of the nation, which should make us punctilious in the performance of engagements even under circumstances which might strictly release us from the obligation, and by sound policy, which should lead us to avoid occasions of controversy with others nations, at some strict sacrifice of our rights, to accept the award which has been made by the King of the Netherlands, and to carry it into immediate execution.

This course appears to be the more reasonable, as on another branch of the decision, which we have yet to notice, a reservation is made in our favour, in a manner equally incompatible with the terms of the submission, and as it is extremely difficult to imagine how these questions of controversy are to be settled, unless on some terms of compromise, in which each party shall yield something of what it conceives to be its just claims, to the spirit of conciliation.

The fortification thus reserved to us, at Rouse's Point was erected by our Government on the western bank of lake Champlain, soon after the duty of the treaty of Ghent. It was intended to be a work competent to withstand a siege, and to mount about three hundred cannon. It is situated between the old boundary line and the ascertained forty fifth degree of latitude. The reservation of a circuit of a kilometre, which is equal to about two hundred rods, will probably extend our frontier at that point to the old boundary line. It will be observed that the part of the decision, which makes this reservation, is of precisely the same character, as that part of the award on the first branch of the question submitted, which substitutes the channel of the St. John for the highlands described in the treaty, as the north

eastern boundary. The only question in relation to this part of the boundary, to be decided under the treaty of Ghent and the Convention of 1827 was to determine, by practical observation and surveys, the precise points through which the forty-fifth parallel actually passes, and to mark that line as the boundary designated by the treaty of 1783. No authority is given, to make any reservation or exception from the results of a line to be so drawn. The reason assigned by the arbitrator for making this exception, would be a good one, if the parties had not agreed to abide by another principle, in settling the question, and the same reason would have applied with equal force to the whole line. Our own Government must of course be satisfied with the reservation in our favour, and the British Government should accede to it, on the same principle, on which we have argued, that we ought to accept the decision on the other question. In one case a tract of land important to the British Provinces, as affording the means of easy communication between them, is awarded to Great Britain; in the other, a fort built by our own Government, at a very great expense, on land which is found to be within the British boundary, is restored to us by the decision. It is not material whether the advantage gained on the one part is an exact equivalent for what is gained by the other. It is sufficient that each party makes a valuable acquisition under the award, and that what is lost by each is of little moment, compared with the disadvantage of holding it by a disputed title, and with the mischiefs of a long protracted controversy. The objection, that the sacrifice which is made in the loss of territory falls upon our State, while the advantage gained accrues to another or to the Government of the Union, would be easily removed, by granting, as an indemnity to the State suffering the injury, the value of the possession acquired. The value of the territory lost by Maine, as a saleable property, although it may have for the most part a good soil, cannot be very great, and the right of jurisdiction over so remote a tract of territory, enclosed between two foreign provinces, and inhabited only by a small number of half civilized people, speaking a foreign language, who have settled themselves upon it, without authority from either Government, must be still less."

FROM THE NEW HAVEN SPECTATOR.

SPIRIT OF IMPROVEMENT.—Perhaps at no age of the world has the spirit of improvement so generally pervaded mankind, as from 1812 up to the present time. Man is constantly engaged in new inventions—his mind not only soars to, and embraces, the most sublime topics, and the most useful contrivances which man has ever designed, but it takes within its scope, objects which would seem of the most trifling importance and of the least possible benefit to the community. The spirit of improvement is by no means confined to patent rights. Behold it marching westward, like a strong host—you see a few hardy individuals enter the border of a deep and tangled forest, eagerly bent upon some object, which it is not easy, perhaps, for you to divine; follow these ever-stirring spirits and you soon see in their rear villages, towns, and even cities arise, as if by the magic wand of enchantment. It is only a few years since Rochester, in the state of New York, was a desert—a place where the owl held her reign unmolested, and the fox and wild cat sported in their native forests secure, and were seldom started from their gambols by the noisy sounds of busy industry in their borders—now a City—a place where thousands have gathered and call it their home—where luxuries from the remotest seas and lands are unladen and where all nations and all tongues are engaged in the business of life, each seeking his own individual comfort and advancement—how unlike the scene:

'When wild in woods the noble savage ran.'