

territory and of sovereignty of an independent State, so far, as to either, directly or indirectly, cede or transfer any portion thereof, to any State, either domestic or foreign: the Committee do not deem it important, on this occasion, to discuss these subjects further, and content themselves by simply referring to the documents which have proceeded heretofore, from the Legislative and Executive departments of the State Government.

The documents to which your committee would respectfully solicit the attention of the Government of the United States, are the Message of Enoch Lincoln, Esquire, Governor of the State of Maine, delivered before both branches of the Legislature in January, 1827; the subsequent report of the Committee, on so much of the Governor's Message as related to the North Eastern boundary; the subsequent correspondence of the Governor with the Secretary of State of the United States; the Governor's Message delivered before both branches of the Legislature, in Jan. 1828; the report of the Committee on so much of the Governor's Message as related to the North Eastern boundary; the subsequent acts and doings of the Legislature, more especially; the measures adopted by this Legislature, a copy of which has already been forwarded to the President of the United States. The aforesaid documents, your Committee consider contain the main facts in support of the title of the State, to soil and sovereignty, as well as some of the grounds of her rights under the Constitution of the United States. An examination of those documents for any present purpose, will sufficiently indicate, not only the views heretofore entertained by the State, but the course which she will feel it her duty to pursue in furtherance of her rights.

Here it may be proper to remark, that the State authorities, have not any disposition to embarrass the Government of the United States, in any of their negotiations with Foreign Nations, when they pursue the authority given them by the Constitution, and it ought also to be understood, that the Legislature of the State, while exercising their powers under the Constitution of the State, and as Guardians of the rights and interests of the People, cannot and ought not to compromise the rights of the State by any direct act of their own, or by any acquiescence in the exercise of powers by any other State or sovereignty, contrary to the will of the People as expressed and delegated in their compact and constitutions. There are rights which a free people cannot yield, and there are encroachments upon such rights, which ought to be resisted and prevented, or the People have no assurance for the continuance of their liberties.

We make these remarks without intending any disparagement to the Government of the U. States, and also with the entire confidence and conviction, that on a just and careful review of the measures that have so far taken place that there will be found to exist no substantial impediment to giving final effect to the perfect constitutional obligations, to protect and preserve the original and independent rights of the people of this State.

The most important document referred to your Committee, is the one which emanated from the King of the Netherlands, the Arbitrer, selected by Great Britain and the United States, by virtue of the Convention of Sept. 23, 1827—to decide upon the points of difference which had arisen between the Governments under the fifth article of the treaty of Ghent. The Legislature have on a former occasion, briefly expressed their views on the subject of the Convention of 1827—that it did not necessarily and directly violate, but that prospectively, it might produce a violation of their constitutional rights; and it may properly be added, that the question raised by the British, and which was recognized by that Convention, did not grow out of a legitimate interpretation of the Treaty of Ghent, but was artfully introduced by the British Agents, and was incautiously admitted, or not sufficiently opposed and resisted by the Agents of the United States. This State has never admitted the authority of the Convention, and cannot consider her rights compromised by any decision under it.

The King, or sovereign power of the Netherlands derived its authority of Arbitrer from the Convention of September 23, 1827. His authority to decide the questions submitted, is indicated in the first article, which is as follows:—"It is agreed that the points of difference which have arisen in the settlement of the boundary between the American and British dominions, as described in the fifth article of the Treaty of Ghent, shall be referred to some friendly sovereign or State, who shall be invited to investigate, and make a decision upon such points of difference."

The first question which naturally arises in this case, is; did the Arbitrer to whom the points of difference between the Governments was submitted, decide them, or advise the manner of settling them?

From the language used, it seems to have been the intention both of Great Britain and the United States, to submit the decision of the difference which had arisen, not to an individual, but to the Sovereign Power of an Independent State or Kingdom, hence the propriety of the language they used to express their intention, "some friendly Sovereign or State." To fulfil the intention of the parties it was not only necessary that the Sovereign Power selected, should have been at the time of its selection in the full and undisturbed enjoyment of its power, and equally dependent upon, and independent of, the parties, but that the power should have thus continued to the time of its delivering its opinions upon the questions submitted. At the time of the selection of the King of the Netherlands, or 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 Holland and Belgium, formerly the United Provinces and the Netherlands. Subsequent events, and events, which occurred many months before the subject had been considered, and any sort of decision was made and delivered to the parties, separated Belgium from his dominions and from the sovereign power of his Government. Losing Belgium, deprived the King of nearly three fifths of his subjects, and of course of three fifths of his power and consequence, and he ceased to be the King of the Netherlands.

The loss of Belgium arose from the pre-

valence of liberal opinions 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 institutions of the U. 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 Arbitrer 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 any obligatory force or effect, it can be considered only a mere nullity.

The next question which arises is, has the Arbitrer decided the points of difference which had arisen between the two Governments? The Arbitrer in stating the authority or rules of decision, says, "the points submitted ought to be decided according to the Treaties, Acts, and Conventions concluded between the two powers; that is to say, the Treaty of Peace of 1783, the Treaty of Friendship, Commerce and Navigation of 1794, the declaration in relation to the river St. Croix in 1793, the treaty of peace, signed at Ghent in 1814, and Mitchell's map and the map A. referred to in the Convention."

The first point the Arbitrer was called upon to decide, was, "which is the place designated in the Treaties as the Northwest angle of Nova Scotia, and what are the highlands dividing the rivers emptying themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, along which is to be drawn the line of boundary from that angle to the northwesternmost head of Connecticut river." The United States claimed a range of highlands which limit the streams falling into the river St. Lawrence, and separate them from streams flowing from the same range in all other directions, and through all other channels, falling ultimately into the Atlantic Ocean. The British claimed a range of land, which in a part of its course, separated the waters of the St. John, from the waters of the Penobscot, and in another part of its course separated only the waters of one tributary of the St. John from another tributary of the same river. These ranges of land were indicated on the map A. according to the claims set up by the parties respectively. The Northwest angle of Nova Scotia according to the claims of both parties was at the point where a line due north from the source of the river St. Croix intersected the range of highlands, with only this difference, according to the claims of the United States, it would intersect the range, and according to the claims of Great Britain it would touch the eastern extremity of the line, and only intersect it if continued northwesterly.

To avoid any misrepresentation of the meaning of the Arbitrer, we will quote from the document. He says, "the arguments adduced on either side, and the documents exhibited in support of them, cannot be considered as sufficiently preponderating to determine any preference in favor of one of the lines respectively claimed by the high interested parties, as boundaries of their possession from the source of the river St. Croix, to the northwesternmost head of Connecticut river, and that the nature of the difference, and the vague and not sufficiently determinate stipulations of the Treaty of 1783, do not permit to adjudicate either of these lines to one of the said parties, without wounding the principles of law and equity with regard to the other."

And again, "the question results itself into a selection to be made of a ground dividing the rivers that empty themselves into the river St. Lawrence from those that fall into the Atlantic Ocean: that the high interested parties are agreed with regard to the courses of the stream delineated by common accord on the map A. and affording the only basis of a decision; and that therefore the circumstances upon which such a decision could not be further elucidated by fresh topographical investigation, nor by the productions of additional documents." Then follows

"We are of opinion, That it will be suitable to adopt as the boundary of the two States, a line drawn due north from the source of the river St. Croix, to the point where it intersects the middle of the deepest channel of the river St. John, thence the middle of the deepest channel of that river ascending, &c." This is the language of recommendation or advice to the parties of a course to be adopted by them, rather than a decision of the point submitted: whether the meaning is to be ascertained from the language used, or from the preceding arguments, the conclusion is the same, the Arbitrer did not pretend to decide, and declared he could not decide the point in controversy between the parties, but only intended to suggest a mode, by which, in his opinion it might be decided. The Arbitrer seems to have been impressed with the limitation of his powers, and that he had no authority to decide contrary to the question submitted, and that he was bound to decide, if he decided at all, in favor of one, of the two lines claimed by the parties.

If the deductions from the afore-mentioned arguments of the Arbitrer need any further elucidation, it will be found in an examination of the second point submitted to him, and his decision upon it. The second point of difference is, "which is the northwesternmost head of Connecticut river?" One party claimed one branch, and the other party, an other, and after the examination of the evidence and arguments adduced by both parties, the Arbitrer instead of using the same language and form of expression, says, "we are of opinion that the stream situated farthest to the Northwest among those which fall into the Northernmost of the three lakes, the last of which bears the name of Connecticut, must be considered as the north-westernmost head of Connecticut river." This seems to be from the arguments which precede, and the language employed by the Arbitrer the only point decided, of the three submitted. The Government of the United States cannot feel themselves bound to adopt or

be governed by the advice of the Arbitrer, particularly when his advice was not sought or asked by them, and was given at a time when his situation gave him peculiar inducements for favoring Great Britain.

If it were to be considered, that the Arbitrer had made a decision with an intention of deciding the first point of difference between the parties, the question arises: has the Arbitrer decided in pursuance of the authority given him?

The authority under which he acted has been before stated, and here it will be only necessary to repeat, if he has not decided the points of difference which had arisen in the settlement of the boundary between the American and British dominions, as described in the fifth article of the treaty of Ghent, according to the Treaties and Conventions appertaining to the same subject, the Government of the United States will have no hesitation in rejecting the decision. If the Arbitrer has not performed his duties in good faith, or has violated or transcended the powers given him; it does appear to your Committee impossible that the Government of the United States will consider their faith pledged so far as to consider themselves bound by the decision.

It is proper to examine the subject of dispute. The Arbitrer in stating the claims made by the parties in relation to the first point in dispute, says, "the high interested parties respectively claim that line of boundary at the south and at the north of the river St. John, and have each indicated upon the Map A. the line which they claim." The line indicated on the map by Great Britain south of the St. John, extended from the source of that river, and between it and its tributaries, and the Penobscot river and its tributaries in a part of its course, and in the residue of its course between tributaries of the St. John to Mars Hill. The line indicated by the U. States on the north of the St. John, extended along the ridge of land which limits the sources of the streams which fall into the river St. Lawrence to the point upon that ridge, which terminates a due north line from the source of the river St. Croix. It is very manifest the Arbitrer fully understood the respective claims and differences of the parties."

Great Britain and the U. States equally contended that the boundary was on the land, a boundary of highlands, which divided waters; they could not have contended for any other, because the treaty of 1783, describes no other than one of the "highlands which divide the rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, nor did the Proclamation of 1763, the Quebec Act of 1774, the Commissions to the Governors of the Province of Quebec, or the Commissions to the Governors of N. Scotia or N. Brunswick describe any other boundary than a boundary on the land, and as it was described in the Treaty.

From an examination of the Treaty and documents above named, one fact appears clear and manifest—They all divide the streams and rivers into two, and but two classes for any purpose connected with the boundaries, to-wit: the river St. Lawrence, and all the rivers and streams emptying into it from the highlands, which limit their sources, are placed in one class, and in opposition to all other streams or rivers, flowing from the same highlands in other directions and through all other Channels into the sea or Atlantic Ocean; which constitute the other class. Commencing with the proclamation of 1763, the British became particular and gave exact and well described boundaries to their Provinces, so much so, that it is now difficult to perceive how any general descriptions could be more clear.

The Treaty of 1783 adopted the boundaries of the Province as they had been at various times clearly and distinctly described by the British.

The question submitted to the Arbitrer was not a question of law or equity, it was barely a question of fact, and he only had authority to decide the fact under the Treaties and the claims which had been set up under them by Great Britain and the United States. His authority was limited to decide whether the line claimed by Great Britain on the south, or the line claimed by the United States on the north of the St. John was the line intended and described in the treaty of Peace of 1783. The authority of drawing or recommending a new line, however much it was for his interest to do it, or for the interest of the British that it should be done, was not conferred by the Convention.

The Arbitrer not having pursued the authority conferred on him by the "high interested parties" in his decision, but having drawn a new line, not on the land, but in the beds of rivers in a considerable part of its course in direct violation of the terms of the Treaties and Convention and the claims of the respective parties, from which all his authority was derived it necessarily follows that his decision is null and void, and ought not to be regarded by the United States as having any force or effect.

If the Arbitrer had decided in favor of the line claimed by the British on the south of the St. John, there might have been a slight appearance of plausibility in this decision, inasmuch as the boundary would have been on the land, and according to the claim made by one of the parties. But the Arbitrer dispatched the British claim very briefly, and to use his language "at all events if it were deemed proper to place it (the northwestern angle of Nova Scotia) nearer to the source of the river St. Croix and look for it at Mars Hill, for instance, it would be so much more possible that the boundary of New Brunswick drawn thence northwesterly would give to that Province several northwestern angles, situated further north and east according to their greater remoteness from Mars Hill." The British probably did not wish the Arbitrer to decide in favor of their claim, because it gave them so much, they no doubt believed the flagrant injustice of the act, would arouse such a state of feeling in the United States as would prevent their holding any part, and that they should not be able to secure themselves a direct communication between Fredericton and Quebec.

The Arbitrer seems not to have dispatched the claim and argument of the United States with equal facility. He felt the difficulty of reconciling the decision—which circumstances compelled him to make, to the evidence, and wished no doubt to satisfy the United States by giving them Rouse's point in exchange for two or three millions of acres of land in Maine.

The Arbitrer supposes, that, because the

line was drawn through the Western lakes, without a strict regard to the ancient lines of Provinces, and because Mitchell's Map was used by the negotiators of the treaty of 1783, upon which the lines of Provinces were not previously drawn, and because Great Britain at first claimed the Piscataqua river as the eastern boundary of the United States, and because the Treaty of Ghent stipulated for a new examination on the spot, which would not be applicable to an historical or administrative boundary, that the ancient delimitation of the Provinces does not afford the basis of a decision." If he had intended to have come fairly and impartially to a conclusion, it is a little difficult to conceive the reason of his having made only a partial selection of the facts, or of his assuming the existence of difficulties which would not have been found in practice.

It does by no means follow that if the negotiators did not intend to adopt the ancient lines of Provinces where the lakes formed a boundary, or if the British wished in the early stage of the negotiation to limit the United States to the Piscataqua river, that it was not finally agreed to adopt the ancient lines between the Provinces as that part of it which came within the cognizance of the Arbitrer.

From the history of the negotiation of the treaty of 1783, it appears that the line was drawn through the middle of the lakes, as the most certain and convenient boundary in that quarter. That the British did indeed in the first instance propose the Piscataqua river as the Eastern boundary of the U. States, in the second instance the Kennebec, and in the third instance the Penobscot. The Americans proposed the river St. John as the boundary. Neither proposition was adopted, but if either had been, a new boundary differing from the ancient boundaries of Provinces would have been established. The negotiators agreed to adopt, and did adopt, after all their discussions, the ancient boundaries of the Provinces, as they had long before been established by the British Government between Nova Scotia and Canada on the one hand, and Massachusetts, New Hampshire, Vermont, and New York to the river St. Lawrence, on the other. The fact appears from the declarations of a majority of the negotiators, and the language used, which is nearly a transcript of the description of the boundaries of the Provinces as established by the British. Of these points the Arbitrer was not ignorant, for the evidence of them had appeared in the discussion of the subject of boundary, and no doubt was in his possession. That the facts derived from documents in relation to the boundary may appear as they exist, we have deemed it proper to collate them as follows:

Boundaries in the Boundaries in the Proclamation of 1763.

"From the Northwest angle of Nova Scotia, viz. that angle which is formed by a line drawn due north from the source of the St. Croix river to the highlands, along the highlands which divide the waters that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river to the 45th degree of North Latitude, thence by a line due west to the Bay of Chaleur, or to the river St. Lawrence."

Boundaries in the Quebec Act, 1774.

"South by a line from the Bay of Chaleur, along the highlands which divide the waters that empty themselves into the river St. Lawrence, from those which fall into the sea, to a point in the 45th degree of North Latitude on the eastern branch of the river Connecticut, keeping the same latitude directly west through Lake Champlain until in the same latitude it meets the St. Lawrence. The same boundary is also found in the Commission to Gov. Haliburton, dated Sept. 18, 1777. In the Commission to Gov. Carleton, dated April 22, 1783, it is found the following.

"Bounded on the south by a line from the Bay of Chaleur, along the highlands which divide the waters which empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river to the 45th degree of North Latitude, thence by a line due west to the Bay of Chaleur, or to the river St. Lawrence."

"In the Commission to Gov. Wilnot, Governor of Nova Scotia, dated Nov. 21, 1763, is found the following boundary.

"Westward by a line drawn from Cape Sable across the entrance of the Bay of Fundy, to the mouth of the river St. Croix, by said river to its source, and by said river to the source, and by a line drawn due north from thence to the southern boundary of our Province of Quebec to the northward by the same boundary as far as the western extremity of the Bay of Chaleur."

"Bounded on the westward by the mouth of the river St. Croix, by said river to its source, and by a line drawn due north from thence to the southern boundary of our Province of Quebec to the northward by the same boundary as far as the western extremity of the Bay of Chaleur."

It is not a little difficult to conceive how so plain language and explicit description of boundary, could by any sound and honest mind be so totally misconstrued, and should have been so considered as not affording any basis of a decision in relation to the points submitted. If the facts in relation to Mitchell's map are considered, the conclusion of the Arbitrer is not warranted. That was a map of North America, published while the British and French were contending for empire in North America, for the means furnished by the office of the board of trade and plantations in England, and while also the question, which had arisen under the treaty of Utrecht, by which the French ceded Nova Scotia or Acadia to the British, as to the limits of Nova Scotia, was unsettled. It was not, therefore, the policy of the British Government to designate the boundaries of the Provinces on her maps, which the compiler very well understood, and therefore the boundaries were not drawn. It is not true, as supposed by the Arbitrer, that Mitchell's map regulated the boundaries, but the negotiators regulated the boundaries by pencil marks upon the map, according to their agreement of adop-

ting the boundaries of the Province, as they were and had been established before the Revolution.

Another of the reasons urged as not affording a basis of a decision is, "that the treaty of Ghent stipulated for a new examination on the spot, which could not be made applicable to an historical or administrative boundary." This, like the other instances, is begging the question. Facts are better than hypothesis. The fifth article of the treaty of Ghent provides: "Whereas neither the point of the highlands lying due north from the source of the river St. Croix and designated in the former Treaty of Peace between the two powers as the northwestern angle of Nova Scotia, nor the northwesternmost head of Connecticut river, has yet been ascertained, and whereas that part of the boundary line between the two powers which extends from the source of the river St. Croix directly north to the above mentioned northwestern angle of Nova Scotia, thence along the said highlands which divide the rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic Ocean to the northwesternmost head of Connecticut river, thence down along the middle of that river to the forty fifth degree of North latitude, thence by a line due west on said latitude, until it strikes the river Iroquois or Cateraguy, has not yet been surveyed." If the statement of the Arbitrer has any meaning, it appears to us to mean, that inasmuch as the monument had not been erected at the angle, the stipulation of the parties in the treaty afforded him no means of deciding where the angle should be. This avoids the very object of the treaty, which was to have the lines surveyed, and the angle marked. If the lines had been surveyed and marked, the parties would have had no occasion for his services. If the plain objects, clearly set forth in the article, could not furnish to the mind of the Arbitrer, any basis for a decision, we cannot conceive what could. He has in this, as in other instances, shown more of ingenuity than of soundness of judgment. No surveyor who had a competent knowledge of his business, would with such rules as the treaties furnish, find any difficulty in ascertaining the lines and the angles. The Arbitrer says "the first instructions of Congress, at the time of the negotiations which resulted in the treaty of 1783, locate the said angle at the source of the river St. John." We are aware that this may be a British argument, but we are not aware that the instructions said any thing about, or had any allusion to the northwestern angle of Nova Scotia. The design of the instructions was to form a new boundary not conforming to the ancient line of the Provinces, but as another and different line was adopted by the treaty, the instructions have nothing to do with the boundaries. If the St. John had been adopted as the boundary, an inspection of the map shows that Nova Scotia would not have had a northwest but a southwest angle, if it had retained the territory to the head of the river, on the left bank of it. We are aware that the British had made as much as they could of the fact, which had ceased to have any bearing on the question of boundary, after the adoption of the treaty of 1783. But yet this argument has been adopted by the Arbitrer.

He, again in a subsequent part of his argument, recurs to the instructions, and says "that if by adopting the line claimed at the north of the river St. John, Great Britain cannot be considered as obtaining a territory of less value, than if she had ceased in 1783 the river St. John as her frontier, taking into view the situation of the country situated between the river St. John and St. Croix, in the vicinity of the sea, and the possession of both banks of the river Saint John in the lower part of its course, said equivalent would nevertheless be destroyed by the interruption of the communication between Lower Canada and New Brunswick, especially between Quebec and Fredericton; and one would vainly seek to discover what motives could have determined the Court of London to consent to such an interpretation."

We are aware it has been admitted by the British within a few years past, that the country was included within the limits of the treaty, but they have said, they never intended to give it up. The reason of their giving it up by the stipulations in the treaty of 1783, is a plain one—they had struggled, but in vain, to hold the people of the U. States in subjection to their power, and had been compelled to acknowledge their independence, and had failed in limiting the U. States to the Piscataqua, or Kennebec, or Penobscot rivers, and to settle the dispute agreed to adopt the ancient boundaries of the Provinces. This being a part of the territory which belonged to one of the States whose independence she acknowledged, she could not in justice withhold from the State any part of it.

The Arbitrer has seen fit to introduce a class of geographical and grammatical arguments. These, like other arguments, are not original with him, but are of British manufacture. A full and sufficient answer to all his immediate and mediate divisions of waters, and his supposition that the verb "divide" requires the contiguity of the objects to be divided, as used in the treaty, is the treaties, the Proclamation of 1763, the Quebec Act of 1774, and all the Commissions to the Governors, divide all the waters connected with the boundary into two and only two classes, to-wit: those which flow into the river St. Lawrence, on the one hand, and those which, through all other channels, by whatever name they may be called, ultimately fall into the sea or Atlantic Ocean, on the other.

It cannot be pretended that the Proclamation of 1763, the Quebec Act of 1774, and the Commissions to the Governors of the Province of Quebec, gave to that Province, any other or greater territory, than the Bay of Chaleur to the head of Connecticut river, than the territory limited by the range of high lands which limit the waters that flow into the river St. Lawrence. Nor can it be pretended that the Commissions to the Governors of Nova Scotia and New Brunswick gave them any territory west of the meridian drawn north from the source of the river St. Croix to the boundary of the Province of Quebec, the highlands which limit the tributary streams of the river St. Lawrence.

The leading object of the Arbitrer, in all his arguments, appears to have been, to avoid deciding in favor of either line, because if he decided in favor of either, he could find no excuse for deciding against the line claimed by the U. States, which he could expect would have even the appearance of plausibility to the world, and thus the

chance of securing Great Britain a passage between "Lower Canada and New-Brunswick, especially between Quebec and Fredericton," would be forever lost.

It is with much satisfaction the Committee have seen the prompt and able manner in which the Minister of the United States at the Hague, has met the subject in his protest addressed to the King's Minister of Foreign Affairs, to which protest, for the further elucidation of their views, they respectfully ask the attention of the Legislature.

In conclusion, your Committee deem it to be their duty to the Legislature and to the State, to declare that, in their opinion, in whatever light the document which emanated from the Arbitrer may be considered, whether as emanating from an individual, or not from that friendly Sovereign, Power or State, to whom the points in dispute were submitted by the parties, because he had long before the decision ceased to be such Sovereign; or whether it be considered a decision on all the three points submitted, inasmuch as the decision is not warranted by his situation and the authority which was given him, nor a decision of the question submitted to him by the parties, the United States will not consider themselves bound on any principle whatever to adopt it. And further, should the United States adopt the document as a decision, it will be in violation of the constitutional rights of the State of Maine, which she cannot yield.

All which is respectfully submitted.

JOHN G. DEANE,
Per order of the Committee.
House of Representatives, March 30, 1831.

House of Representatives, March 31.
Read and accepted. Sent up for concurrence.
BENJ'N. WHITE, Speaker.

STATE OF MAINE.
In Senate, March 31, 1831.

Read and accepted, in concurrence.
ROBERT P. DUNLAP, President.

STATE OF MAINE.
Resolved in relation to the Report on the Governor's Message, of March 25th.

Resolved, That the Governor, with the advice of the Council, be, and is hereby requested to transmit a copy of the Report of the select Committee of the Legislature, on the Governor's Message, of the 25th of March, 1831, communicating the advice and opinion of the late King of the Netherlands, who at one period was the Arbitrer, to whom was submitted "the points of difference which had arisen in the settlement of the boundary between the American and British dominions, as described in the fifth article of the treaty of Ghent," with other documents, with the doings of the Legislature thereon, to the President of the United States, in such way and manner as may be considered to be most for the interest of the State.

Resolved, That the Governor be, and hereby is requested to transmit a copy of the Report of the select Committee of the Legislature on the Governor's Message delivered on the 25th day of March, 1831, communicating the advice and opinion of the late King of the Netherlands, who at one period, was the Arbitrer to whom was submitted "the points of difference which had arisen in the settlement of the boundary between the American and British dominions, as described in the fifth article of the treaty of Ghent," with the other documents and the doings of the Legislature thereon, to the several Governors of the several States composing the United States.

In the House of Representatives,
March 31, 1831.

Read and passed.
BENJAMIN WHITE, Speaker.

In Senate, March 31, 1831—Read and passed.
ROBERT P. DUNLAP, President.

April 1, 1831—Approved:
SAMUEL E. SMITH.

LOWER CANADA.—Relief of debtors.—The measure, having for its object the abolition of imprisonment for debt, is very humane in principle, and important in its effects upon society. There is no principle more palpable than that a man ought not to be deprived of his liberty but as the punishment of some established crime. A man, who is the very perfection of integrity and honesty, may, in the ordinary course of his affairs, fall into misfortune and become bankrupt. In a mercantile life such events are not only possible, but unfortunately for the parties concerned, of too frequent occurrence. It then is palpably unjust to inflict the same punishment upon an honest bankrupt, which is allotted to the felon. While we thus deprecate imprisonment for debt on the broad principle, we would not wish to be understood, that we give free latitude to fraud and deceit in mercantile transactions. On the contrary, let it be a matter to be tried by a jury of his fellow citizens, whether fraud attaches to the transactions of a declared insolvent. If he wilfully has defrauded those with whom he has dealings—if his transactions have been contaminated by acts of deceit, let him suffer the punishment due to his crimes, for as such only can they be regarded. But while thus unsparing towards the evil doer, let the honest and upright but unfortunate merchant or tradesman receive the protection of law, instituted for the preservation of innocence and the correction of guilt.

We believe that the following is a tolerably accurate sketch of the British Insolvent act, as far as it goes.

When a debtor who wishes to avail himself of this Act is imprisoned, he makes out a schedule of his estates and effects and the debts due by him; which schedule he files in the Insolvent Court, and serves notices on his creditors that twenty-one days after the date of such notices he will be brought up to be examined on oath, (before Commissioners appointed for the purpose) touching his estate and effects, and calling upon his creditors to shew cause why he should not be discharged from confinement. If they fail in proving partial payments, errors in his accounts, or a fraudulent conveyance of his property, he is discharged immediately; but if they succeed in proving any of these, he is remanded to prison, to remain there until such time as he complies with the directions of the court, or otherwise sentenced to from one to ten years imprisonment, according to the nature of the case.

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Edward Smith, an Englishman, charged with committing the recent Bank robbery in New-York, has been arrested, and \$185,735 of the money recovered from him.—\$63,000 are still missing.
New-York Advertiser.