

and quality, the divisional line then would fall south of the Kennebec. If the want of the consent of Maine is the obstacle to such an adjustment, we trust it will always remain an insuperable one. Indeed, we protest against the application to us, of such a rule, as manifestly unequal and unjust.

We come now to the recent transactions of the British colonial authorities, sanctioned, as it appears by the government at home—and we regret to perceive in them also, those strong indications of continual and rapid encroachment, which have characterized that government in the whole of this controversy. Mr. Livingston in his letter of 21st July, 1832, proposes that “until the matter be brought to a final conclusion both parties should refrain from the exercise of “jurisdiction,” and Mr. Vaughan in reply of 14th April, 1833, in behalf of his government “entirely concurs.”—Here then the faith of the two governments is pledged to abstain from acts of jurisdiction until all is settled. Now how are the facts? We understand, and indeed it appears by documents herewith exhibited, that an Act has passed the Legislature of New Brunswick, “incorporating the St. Andrews and Quebec Rail Road Company,” that the King has granted £10,000 to aid the enterprise, and that the Legislature of Lower Canada, by its resolutions of both Houses, has approved the scheme and promised its co-operation. It may be, that the government at home was not aware that this rail road must inevitably cross the disputed territory.

But this ignorance of the subject seems incredible. A Rail Road from St. Andrews to Quebec would be impossible, unless it crossed the territory in question. Even next to impossible and totally useless, were it to pass at the north of the St. Johns. It seems therefore extraordinary indeed that the British Government, even in the incipient stages of this enterprise, should make an appropriation which is in direct violation of its solemn pledge. To give to a Rail Road corporation powers over our rights and property is the strongest act of sovereignty. It is an act of delegated power which we ourselves give to our own citizens with extreme caution, and with guarded restrictions and reservations. This Rail Road must not only cross the disputed territory, but it crosses 50 miles south of the St. Johns and almost to the southerly extremity of the British claim, extravagant as it is. By the map herewith exhibited, of the survey of the route, it appears that the road crosses our due north line at Mars Hill, thence doubling round it, toward the south, it crosses the *Roostic* between the Great and Little *Machias*—the *Alleguash* at the outlet of *first Lake*—a branch of the St. Johns south of *Black River* and passes into Canada between “*Spruce Hills*” on the right and “*Three Hill*” on the left, thus crossing a tract of country south of the St. Johns 100 by 50 miles. We have not a copy of the Act of Incorporation of New Brunswick, and cannot therefore say that the route there defined is the same as on the map. But be this as it may, certain it is, as any one will see, that no possible route can be devised which will not