

MAINE STATE LEGISLATURE

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Charles F. Rice

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE,

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1840.

AUGUSTA:

WM. R. SMITH & CO., PRINTERS TO THE STATE.

1840.

TWENTIETH LEGISLATURE.

NO. 1.

HOUSE.

DOCUMENTS

ACCOMPANYING THE

GOVERNOR'S MESSAGE.

[SMITH & ROBINSON,.....Printers to the State.]

CORRESPONDENCE.

From Gov. Fairfield to Sir John Harvey.

[COPY.]

EXECUTIVE DEPARTMENT, }
Saco, Dec. 12, 1839. }

His Excellency

Maj. Gen. SIR JOHN HARVEY,

Lt. Gov. Province of N. B.:

SIR:—Having seen in the public prints, extracts from some of the Provincial papers, stating that two Regiments of British troops had been stationed at Temiscouata Lake, in the disputed territory, I have been induced to inquire of your Excellency whether there be any foundation for these reports. A movement so clearly in violation of the agreement entered into through the mediation of Gen. Scott, I shall not permit myself to believe your Excellency would make, without stronger evidence than a newspaper paragraph.

The extreme sensitiveness of the public mind upon this subject, I trust your Excellency will perceive, affords additional reasons for an early explanation.

I have the honor to be,

With high respect,

Your Excellency's ob't serv't,

JOHN FAIRFIELD, *Gov. of Maine.*

From Sir John Harvey to Gov. Fairfield.

[COPY.]

GOVERNMENT HOUSE, FREDERICKTON, N. B., }
December 19, 1839. }

SIR:—I have the honor to acknowledge the receipt, this day, of your Excellency's letter of the 12th instant.

Whatever movements of troops may have taken place on the side of Lower Canada, have been made by authority superior to mine—but I apprehend they have consisted, not of *two Regiments*, but of one or two *Companies*, [as small a detachment as can well be made to so great a distance, consistently with the maintainance of a due degree of discipline] for the protection of certain buildings which have been constructed for the better accommodation of Her Majesty's troops on their march between the Lower and Upper Provinces, and of the provisions, stores and other public property therein deposited.

A copy of your Excellency's letter shall be transmitted by me to the authorities in Canada, who, I can assure your Excellency, are as anxious as I am, that the spirit as well as the letter of the agreement entered into between your Excellency and myself, under the mediation of Gen. Scott, in March last, should be scrupulously observed on our part.

I have the honor to be,

With high respect,

Your Excellency's

Most obedient

Humble servant,

J. HARVEY,

M. General, Lt. Gov. of New Brunswick.

From Gov. Fairfield to President Van Buren.

[COPY.]

EXECUTIVE DEPARTMENT, }
Augusta, Dec. 23, 1839. }

His Excellency M. VAN BUREN,
President of the United States :

SIR:—It having been reported to me that a large number of British troops had been stationed at Temiscouata Lake, in the disputed territory, and seeing extracts from the Provincial papers, confirmatory of these reports, I deemed it proper to apply directly to the Lieut. Governor of the Province of New Brunswick, which I did by letter of the 12th instant, to ascertain whether these reports were well founded or not. His answer, under date of December 19th, I received yesterday, while on my way to this place. My letter and the reply are both herewith enclosed. It will be perceived that two companies of British troops have actually been marched into the disputed territory and stationed on the Temiscouata Lake, where it is well known extensive barracks had been previously erected. This is clearly a violation of the spirit of the arrangement entered into between the Lieutenant Governor of New Brunswick and myself, in March last, though the orders have been issued by the Governor of Lower Canada. I submit also whether the contingency contemplated by the Act of Congress of March 3, 1839, has not occurred—whether the facts do not clearly show an invasion of the State of Maine, which the Executive Government of the United States, under the directions of the Act aforesaid, as well as under the obligations of the Constitution, is bound to repel.

I may add, that, I am well informed that the British Government is also erecting barracks upon both sides of the St. John's, near the mouth of the Madawaska River, and that troops are concentrating at Grand Falls. Under all these circumstances, I deem it to be my duty to call upon the government of the United States for that protection of this State from invasion, guarantied to her in the Constitution.

With the highest respect, I am, Sir,

Your most obedient servant,

JOHN FAIRFIELD, *Gov. of Maine.*

STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
Jan. 3, 1840. }

Ordered, That the Governor's Message and accompanying Documents, be laid upon the table, and two thousand copies printed for the use of the House.

[Extract from the Journal.]

Attest: ELBRIDGE GERRY, *Clerk*.