

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSIONS

A. D. 1842.

AUGUSTA:

SMITH & Co., PRINTERS TO THE STATE.

1842.

TWENTY-SECOND LEGISLATURE.

NO. 10.]

[SENATE.

REPORT AND RESOLVES

ON THE

NORTH EASTERN BOUNDARY.

[WM. R. SMITH & Co.....Printers to the State.]

STATE OF MAINE.

The Joint Select Committee, to whom was referred the subject of the North Eastern Boundary of this State, have had the same under consideration ; and, reserving for another time a more detailed account of their proceedings and deliberations thereon, they ask leave now to REPORT, *in part*.

Your committee have had no hesitation in coming to the conclusion that, under the above general reference, they were fully authorized to consider so much of the Governor's message as relates to the "*extension of a Military Road to some point on the St. John,*" regarding the subject as intimately connected with the main question, and they now present the information that has been obtained, with the result of their deliberations thereon.

It appears that, by a resolution of the Congress of the United States, approved on the 24th day of May, A. D. 1828, the President was authorized "*to cause a Military Road to be opened and made, in the State of Maine, from the mouth of the river Mattanawcook, where it enters into the Penobscot river, to*

Mars Hill, near the North Eastern Boundary line of the State of Maine."

Suitable appropriations were made by Congress, and the road has been finished to the east line of the town of Houlton, about thirty miles south of Mars Hill.

Again, Congress, by another resolution, approved on the 2d of March, A. D. 1829, authorized the President, "*if it shall seem to him necessary for maintaining the rights, and not inconsistent with the engagements of the United States, to cause to be surveyed and laid out a Military Road, to be continued from Mars Hill, or such other point on the Military Road already laid out, in the State of Maine, as he may think proper, to the mouth of the river Madawaska, in the State of Maine.*"

Now, it is well known that British authorities, acting under the orders of their government, have taken military possession of a part of the territory claimed as rightfully belonging to Maine, and have caused strong military defences to be erected, at the mouth of the Madawaska river, at the Degele (or foot of lake Temiscouata), and at the eastern end of the grand portage.

To sustain these positions a strong corps of regular troops has been distributed among them ; while there are also two other military stations in the vicinity of the territory in question, one at the river

Du Loup, and the other near the western termination of the grand portage.

The sum of about forty thousand dollars has been expended under the sanction of the British government, or by its order, during the past year, in making roads to communicate between those posts.

Under these circumstances, your committee are deeply impressed with the conviction that no time should be lost in opening roads from the settled parts of this State to the river St. John, and that an immediate call be made on the general government to forward the work for which provision was made by law, thirteen years ago. They have the satisfaction of learning from the report of the Secretary of War, that the attention of the proper department has been directed to the subject.

There are within our territory, on the river St. John and its tributaries, above the Grand Falls, more than four thousand of our fellow citizens who have no ready means of communication with the other settled parts of this State, except by passing through a part of the Province of New Brunswick, and to whom it is impossible to extend that effectual protection which they have an undoubted right to claim from the government of their country.

As a necessary means of national defence, at all times, and as a step preparatory to some final action in the settlement of the boundary line, no measure, in the opinion of your committee, can present

stronger claims for immediate action, than the completion of the Military Road herein designated.

Your committee, therefore, ask leave to submit the following resolves.

EDWARD KAVANAGH, *Chairman.*

27 January, 1842.

STATE OF MAINE.

Resolves in relation to a Military Road.

RESOLVED, That whereas British authorities, acting under the orders of their Government, have taken military possession of a part of the territory of this State, and are constructing roads and erecting military works thereon, we claim, with confidence, from the General Government, that protection and support against invasion and encroachment upon our just rights, which, under the guaranty of the constitution, we are entitled to demand.

RESOLVED, That the Congress of the United States, having by Resolutions passed in 1828 and 1829, authorized the President to cause to be surveyed and opened a Military Road, or Roads, from certain points in this State to the Madawaska River ; and the only execution of said Resolutions have been the completion of a Road from Mattanawcook to Hancock barracks, in the town of Houlton, the time has arrived when justice to our fellow citizens in the Madawaska settlements, and a proper regard for the interests of the United States, imperiously

require that the projected work be completed, without delay.

RESOLVED, That the Senators of this State, in the Congress of the United States, be, and they hereby are, instructed, and the Representatives requested, to exert their united efforts to procure the immediate construction of a Military Road from some point in the settled part of this State to Fort Kent, or some other point on the river St. John, in the Madawaska settlements; and that the Governor be requested to transmit copies of these Resolutions, and of the accompanying Report, to each of our Senators and Representatives aforesaid.

RESOLVED, That the Governor be requested to transmit copies of the same to the Governor of the Commonwealth of Massachusetts.

IN SENATE, Jan. 28, 1842.

Read and passed.

S. H. BLAKE, *President*.

HOUSE OF REPRESENTATIVES, }
January 28, 1842. }

Read and passed.

CHARLES ANDREWS, *Speaker*.

January 28, 1842.—Approved.

JOHN FAIRFIELD.

STATE OF MAINE.

IN SENATE, January 28, 1842.

ORDERED, That 500 copies of the Report and Resolutions, submitted by the Joint Select Committee on the North Eastern Boundary, be printed for the use of the Senate.

[Extract from the Journal.]

Attest,

JERE HASKELL, *Secretary.*