

MAINE STATE LEGISLATURE

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DOCUMENTS

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THE LEGISLATURE

OF THE

STATE OF MAINE.

1862.

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1862.

FORTY-FIRST LEGISLATURE.

SENATE.

No. 6.

TO THE SENATE:

I herewith transmit to the Senate, a copy of a letter received by me from the Honorable Wm. H. Seward, Secretary of State of the United States, containing his answers to the inquiries, which, referring to the Order of the Senate, of January 13th, I had made of him, whether permission had been given for the passage of British troops across the State of Maine, and if there had been, for any information concerning the fact which he might think proper to communicate.

ISRAEL WASHBURN, JR.

EXECUTIVE DEPARTMENT,
January 21, 1862.

DEPARTMENT OF STATE,
Washington, 17th Jan'y, 1862. }

To His Excellency, ISRAEL WASHBURN, JR.,

Governor of the State of Maine, Augusta. Me :

SIR :

Your Excellency's letter, of the 13th instant, has been received. It submits to me an Order of the Senate of the State of Maine. This Order recites a statement that a despatch has been received from the Secretary of State of the United States, addressed to the Marshal of the United States and all Federal officers in Portland, directing that the agents of the British Government shall have all proper facilities for landing and conveying to Canada or elsewhere, troops and munitions of war of every kind, without exception. The Order then requests you to communicate to the Senate of Maine, if compatible with the public interests, all information you may have, if any, in relation to the passage of British troops as so recited, and whether any steps have been taken to prevent such use of American soil within the limits of the State of Maine.

After referring me to the Senate's order, your Excellency asks me to advise you whether such permission has been given, and, if such is the fact, then for any information concerning it which I may think proper to communicate.

I cheerfully answer these inquiries.

On the fourth day of January instant, this Department was advised, by a telegraphic despatch from Portland, in the State of Maine, that the steamship Bohemian, due there on the 7th instant, was telegraphed off Cape Race, with troops for Canada, and enquiring whether, in case they came to Portland, any different course was to be taken than what has been heretofore pursued, and asking instructions in that contingency, by telegraph.

Upon this information, I replied by telegraph, giving such directions as the Order of the Senate of Maine recites. The immediate grounds for this proceeding were, that it was supposed that a pas-

sage of the troops and munitions named across the territory of the United States, by the Grand Trunk Railroad, would save the persons concerned from risk and suffering, which might be feared if they were left to make their way, in an inclement season, through the ice and snow of a northerly Canadian voyage.

The principle upon which this concession was made to Great Britain is that, when humanity, or even convenience, renders it desirable for one nation to have a passage for its troops and munitions through the territory of another, it is a customary act of comity to grant it, if it can be done consistently with its own safety and welfare. It is on this principle that the United States continually enjoy the right of the passage of troops upon the Panama railroad, across the territories of the Republic of New Granada.

The United States claim and enjoy, by the concession of all friendly nations, the kindred comity of entering their ports with ships and munitions of war, and they have conceded a reciprocal comity to the naval marine of Great Britain, France, and indeed all other friendly nations.

In withholding this customary comity from Great Britain in the present case, this Government must necessarily act upon either a conviction that the passage of the troops and munitions through our territory would be injurious or hazardous to the public safety or welfare, or else it must capriciously refuse to that power what would be granted cheerfully to any other, or refuse to grant to Great Britain now what would have been cheerfully accorded at another time and under some different circumstances.

No foreign nation inimical to Great Britain is likely to complain of the United States for extending such a comity to that power. If, therefore, there be any danger to be apprehended from it, it must come in the form of direct hostility on the part of the British Government against the United States. The United States have not only studiously practised the most perfect justice in their intercourse with Great Britain, but they have also cultivated on their part a spirit of friendship towards her as a kindred nation, bound by peculiar ties of commerce. The Grand Trunk Railroad, a British highway, extended through the territories of the United States to perhaps the finest sea port of our country, is a monument of this friendly disposition. The reciprocity treaty, favoring the produc-

tions of British North America, in the markets of the United States is a similar monument of the same wise and benevolent policy.

I shall not affect ignorance of the fact that popular asperities have recently appeared in that portion of the British Empire, as well as in the British Islands, which have seemed to indicate a growing alienation of sentiment among portions of the British people. But the Government of Great Britain has, nevertheless, during all this time, held towards us its customary language of respect and friendship. This Government, practising entire frankness, yields its full faith to these assurances of the Government of Great Britain. The popular asperities to which I have alluded, are believed to have had their origin in accidents and misapprehensions of a temporary character. While the policy of this Government has been to fortify its territories so as to be able to resist all foreign, as well as domestic enemies, if such enemies must come, it has been equally careful at the same time to secure even greater strength, by showing itself consistent in all things, scrupulously just, and, if possible, magnanimous towards all other nations.

It was not supposed when the directions in question were given, that the State of Maine would feel herself aggrieved by them. At the same time, the Federal Government is fully sensible that in all its proceedings, it owes to each of the States the most exact respect for her rights and interests. The State of Maine has been so eminently loyal and patriotic in the present emergency, that the President would not feel himself at liberty to wound any sensibility that she might feel upon the subject.

If, therefore, you shall advise me that the directions in question are likely to have that effect, they will be cheerfully modified.

I have the honor to be,

With the highest consideration,

Your Excellency's Obedient Servant,

WILLIAM H SEWARD.

STATE OF MAINE.

IN SENATE, JANUARY 27, 1862.

ORDERED, That the communication of the Governor, and the accompanying communication of the Secretary of State of the United States, be laid on the table, and printed for the use of the Senate.

JAMES M. LINCOLN, *Secretary.*