
COPY
OF A
CORRESPONDENCE
BETWEEN
CAPT. JAMES MACLAUCHLAN,
OF
FREDERICTON, (N. B.,)
AND
S. S. WHIPPLE, Esq., *Surveyor General*,
OF THE
STATE OF MAINE,
TRANSMITTED TO THE LAND AGENT,
BY THE
SURVEYOR GENERAL,
IN THE MONTH OF JULY, 1838.

CORRESPONDENCE.

[No. 1.]

Mr. Maclauchlan to Mr. Whipple.

PROVINCE OF NEW BRUNSWICK.

To S. S. Whipple, Esq.,

Surveyor of Lands of the State of Maine:

Whereas, the operations in which you and your party are engaged, in surveying land and locating settlers on this river, under the authority of the State of Maine, appears to me to be a violation of the existing arrangements subsisting between the British Government and that of the United States ; and whereas, by my instructions, it is made my duty to protest against any act implying sovereignty or jurisdiction or the part of any Government on State, or of the citizens on subjects of any Government or State, exercised within the territory in dispute between the two governments of Great Britain and the U. States, and known by the name of the “ Disputed Territory,” until the right to that territory shall have been decided by negotiation between the two governments :

I do, hereby, accordingly, in my capacity of Warden of said territory, duly approved by the British Government, in pursuance of my duty on behalf of Her Majesty, protest and warn you forthwith to desist from proceeding further with your proceedings.

(Signed,)

JAMES MACLAUCHLAN,
Warden of the Disputed Territory.

Restook River, June 27, 1838.

[No. 2.]

Mr. Whipple to Mr. Maclauchlan.

STATE OF MAINE.

RESTOOK RIVER, June 28, 1838.

To Jas. Maclauchlan, Esq.:

SIR :—I have received your communication, dated 27th of the present month, wherein you claim to act as Warden of the "Disputed Territory," protesting, in behalf of Great Britain, against my proceeding any further in surveying land and locating settlers on this river ; in answer to which I would beg leave to state, that I act under the authority, and by the command of the government of the State of Maine, so far as the surveying of the land is concerned. As to the location of settlers, I have no further agency than to note the claims of different individuals to certain tracts, and to return the same to the Land Office at Bangor. Thus far, I consider my oath of office and instructions from government, require me to act ; and in accordance with that belief, I shall act to the best of my judgment and ability, acknowledging no government or power, but that of the State under which I have the honor of acting, sufficient to control my duty or countermand the orders which govern my present movements.

Yours,

(Signed,)

S. S. WHIPPLE,

Surveyor Gen'l of the State of Maine.