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SOME CORRESPONDENCE OF THE MAINE
COMMISSIONERS REGARDING THE
WEBSTER-ASHBURTON TREATY

WILLIAM L. LUCEY

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WILLIAM L. LUCEY

IN 1942 the boundary line separating Maine from New Brunswick becomes a century old. For nearly sixty years previous to 1842, a boundary dispute between the two had disturbed the diplomatic relations of the United States and Great Britain. Border squabbles were frequent and generated enough ill feeling to kindle two short-lived outbreaks of bloodless warfare. At last, both governments decided to remove this and other inflammable material from the danger of combustion, and Lord Ashburton spent the late spring and summer of 1842 in Washington, negotiating what has since been known as the Webster-Ashburton Treaty.

Of the tasks with which he was entrusted, Ashburton admitted that the northeastern boundary dispute was "the most important because, beyond measure, the most difficult of all those differences with America which it was the purpose of my special Mission to endeavor to settle."¹ Most of the difficulty came from Maine and Massachusetts, "that wayward and unreliable quarter"² of the Union, for the consent of these two states had to be given to any boundary line that differed materially from the one described in the Treaty of 1783. This "most difficult" problem was finally solved when Maine, acting through four commissioners, agreed on July 22, 1842, to a compromise line. The two diplomats, Webster and Ashburton, then proceeded with relative ease to settle the other disputes and to conclude the treaty. Until

¹ Dispatch No. 3 from Ashburton to the Earl of Aberdeen, April 25, 1842, Public Record Office, London, Foreign Office, 5, Volume 379, 1. Photostats, Library of Congress.

² *The Diary of Philip Hone, 1828-1851*, edited by Allan Nevins (New York, 1936), 614.

that hour, however, Lord Ashburton had been ready on more than one occasion to return to London empty-handed.

The literature on the northeastern question is formidable, and one can, if not cautious, become as confused as the original boundary line.³ Nearly every angle of the dispute has been discussed by partisans and scholars, so that today little remains to be said about it. Curiously, however, the four Maine men who caused Webster and Ashburton so many anxious hours have escaped notice except for a passing reference to their obstinacy. Yet they played more than a minor role in this important event. Had they returned to Augusta without consenting to a compromise line, it is highly probable that Ashburton would have returned to London without a treaty, and border disputes would have continued until war settled the boundary. Aware of the consequences of a refusal, the commissioners sacrificed what they, and Daniel Webster, considered the rights of their state for the welfare of their nation.⁴

At this late date, one hundred years after the event, the four Maine commissioners⁵ should be allowed to speak for themselves. Perhaps they would have had an audience long ago had their correspondence been available, for they exchanged many letters among themselves before and after the trip to Washington. Some of these letters⁶ are here printed. A perusal of them indicates two facts worthy of note: first, the commissioners themselves were satisfied, despite the conviction that Maine deserved a better treatment than she received, that they had done what was right

³ Samuel F. Bemis and Grace G. Griffin, *Guide to the Diplomatic History of the United States, 1775-1921* (Washington, 1935), 280-288.

⁴ This fact was stressed in their report to the governor of Maine, the original of which is preserved in the Maine State Library.

⁵ They were Edward Kavanagh, William Pitt Preble, Edward Kent, and John Otis. Kavanagh had been in Congress (1831-1835) and our diplomatic representative in Portugal (1835-1841). Preble, a prominent jurist, had been minister to the Hague when the boundary dispute was arbitrated by the King of the Netherlands. Kent was Maine's most prominent Whig and had twice been governor. Otis was an outstanding lawyer and a member of the state legislature. Kavanagh and Preble were Democrats, the other two, Whigs.

⁶ The letters are in the Edward Kavanagh Collection in the archives of the Catholic Diocese of Portland. Monsignor George P. Johnson has kindly permitted the use of them. The staff of the American Antiquarian Society has generously helped in identifying persons named.

and best; secondly, they discovered that the people of Maine generally agreed with them. This favorable reaction of Maine has escaped notice because too much attention was paid to the partisan criticisms of some politicians of the contemporary political parties, the Whigs and the Democrats. The boundary dispute had been a violent political issue in the State for many years, and the criticisms were for the most part attempts to derive some last profit from an issue that had been killed.

Not all the letters exchanged by the four commissioners are included in this collection, but Edward Kavanagh was a sort of clearing house for the group, and the opinions of all are fairly represented in the correspondence he saved. He wrote often to the other three, and they, in return, wrote to him; the other three did not exchange many letters. The communications began, it will be noticed, immediately after the appointment of the commission and continued until the four met for the first time in Boston, on June 8, on their way to Washington. From that date until June 22, when the consent of Maine was given to the line proposed by Webster, their interchange of opinions was verbal—and if Preble's anticipations were sound, violent. After June 22 the correspondence was renewed, and continued until the four met in Bangor late in October to draft the official report to the governor.

Long before Webster asked Governor John Fairfield to call a special session of the legislature to co-operate in the settlement of the dispute, Edward Kavanagh had been kept well informed on Washington events by Senator Reuel Williams of Augusta. The Senator introduces the subject by making some observations on the failure of Ashburton to arrive on time.⁷

[Senator Reuel Williams to Kavanagh]⁸

WASHINGTON MARCH 5, 1842

DEAR SIR

Your favor of 28th inst. was recd last evening. . . .

The delay of Lord Ashburtons arrival causes some anxiety for

⁷ In transcription, dashes used to end sentences (when followed by a capital) have been replaced by periods.

⁸ Under the date of April 5, 1842, Philip Hone recorded: "by this time it is probable he [Ashburton] and Mr. Webster have gotten *toe to toe* . . ." *Diary*, 595.

his safety. Mr. Webster told me two days ago that he trusted he would arrive in season to communicate to Gov Fairfield before your adjournment,

Yours respectfully
R. WILLIAMS

[Williams to Kavanagh]⁹

WASHINGTON APRIL 4, 1842

DEAR SIR

Your favor of 26 ult^o came last night. . . .

Lord Ashburton is said to have arrived at Anapolis & will be here to night. Ere long we shall know his powers & intentions as to the boundary question. The feeling here is that we are not to have war, but no one seems to know how it is to be avoided.

Yours respectfully
R. WILLIAMS

[Williams to Kavanagh]¹⁰

SENATE CHAMBER

APRIL 11, 1842

PRIVATE

DEAR SIR

Lord Ashburton announces his authority & wish to make a conventional line—letters go to day to Gov. Fairfield & to Gov. Davis asking that these states will put it [within the] power of the Genl Government to make a line provided it & the terms shall be assented to by agents to be appointed by the states & each of them. Lord Ashburton is entirely silent as to what line he wants or the equivalents he will assent to.

Mr Webster believes it a favorable time to make a good line & good terms.

⁹ At the outset of the negotiations, proposals were submitted, apparently, to the Maine delegates by members of the American Peace Society for settling the dispute amicably. Among the papers in the Kavanagh collection is such a document, which someone has labeled: "Prof. [Benwick? Berwick?] proposition Apl. 2, 1842." Efforts to identify the professor have failed; he was probably the Reverend George C. Beckwith, who had taught at Andover Theological Seminary, had been pastor of a Portland church (1832-1835), and in 1842 was connected with the American Peace Society. *General Catalogue of the Andover Theological Seminary, 1808-1908* (Boston, 1909), 88-89. The suggestions represented a common view among non-politicians: (1) Maine should accept a compromise line; (2) the free navigation of the St. John and a financial indemnity would be satisfactory equivalents.

¹⁰ Senator Williams strenuously opposed ratification of the Webster-Ashburton treaty in the Senate. At this date, however, he was not opposed to a conventional line.

I would not say that there is danger of our question being mixed with others or made to compensate for favors to the nation or other sections of it, but it has been intimated by some. If the terms are required to be approved by Maine we will avoid that hazard, if it be of any importance. I know not what the feeling in Maine is upon this question but it seems to me that the delay & hazard of a settlement by means of an arbitration are very considerable, & that we shall not humble ourselves by agreeing to hear what Great Britain shall propose, & if satisfactory, by assenting to it.

Yours truly
R. WILLIAMS

[Governor John Fairfield to Kavanagh]

SACO APL. 16, 1842

HON. E. KAVANAGH

Dear Sir, As was anticipated by us when the session of the Legislature closed I have received a communication from Mr. Webster in regard to the boundary question. I have this moment returned from Portland where I went for the purpose of consultation with our friends as to the course which should be pursued. I am now desirous of obtaining advice from other quarters and for this purpose have taken liberty to address you.

Mr. Webster says Lord Ashburton has come clothed with full powers to settle all questions in controversy between the two countries—That in regard to the boundary question he has officially announced to our government “that he has authority to treat for a conventional line, or line by agreement, on such terms and conditions and with such mutual considerations and equivalents as may be thought just and equitable; and that he is ready to enter upon the negotiations so soon as this, (the Genl.) Government shall say that it is authorized and ready on its part, to commence such negotiations.” He says further that Lord Ashburton will remain but a short time in the country and requests that our Legislature be convened and the subject submitted to its grave and serious consideration.

Now my Dear Sir, what ought I, under these circumstances, to do? Convene the legislature or not? It is an important question—of too much moment to the State to justify me in acting upon my own opinions alone. Will you think of the matter & consult others if you choose and give me the result in a few days?

I ought perhaps to add that I find our friends in Portland nearly unanimous in favor of calling the Leg. together. How they will be found elsewhere I do not know.

I would write you more fully if I had time—

Very truly yours

JOHN FAIRFIELD

I have omitted to say that Mr. Webster proposes to [the] governments of Maine & Massachusetts that they should severally appoint commissioners to confer with the authorities of the Genl. Govt. upon the subject, with an understanding *that no line shall be agreed upon without the assent of such commissioners.*

He adds that without authority from Maine & Massachusetts the Genl. Govt. will do nothing but proceed with the negotiations for another *arbitration.*

[Webster to Kavanagh]¹¹

BOSTON, MAY 17, 1842

PRIVATE

DEAR SIR:

Herewith I enclose three copies of a private letter addressed by me to a friend on the subject which is soon to engage the attention of the Legislature of which you are a member.

One of them is intended for your own use, and one I will thank you to present to the President of the Senate, and the other to the Speaker of the House of Representatives as private letters.

With much true regard

Your obedient servant

DANL WEBSTER

[Extract of Webster's letter]¹²

... A fear has been entertained,—I hope not extensively—that the government might be willing to surrender interests of Maine, for equivalents to be found elsewhere. Certainly no such purpose ever was, or ever will be, entertained by me for a moment, and full assurance, in this respect, is given to the State by the declaration that no treaty will be signed for a line by Convention, till it be assented to with all its terms, conditions, and equivalents, by her own Commissioners. They will take care that if any thing be yielded which Maine claims, the equivalent received for it will be such as shall enure [*sic*] to the benefit of Maine itself. . . .

¹¹ Kavanagh was chairman of the legislature's joint committee on the boundary dispute.

¹² This entry is an extract from a copy of a letter by Webster and probably is the one Webster enclosed; there is no way of identifying the original recipient. It shows how carefully Webster was handling Maine.

[Francis O. J. Smith to Kavanagh]¹³

BOSTON MAY 27/42

D SIR

Mr Webster is out of town is expected in to day—I have left a note for him to have immediately on his return—apprising him of your request—He will write you & Mr. Otis—

Very truly

your ob ser

FRANCIS O. J. SMITH

[William P. Preble to Kavanagh]¹⁴

DEAR SIR

I wrote you in great haste a note yesterday as the mail was closing in reply to one from you then just received. I gave you then my first impressions. Further consideration has led me to feel still more strongly the necessity of a meeting of the Commissioners before they undertake the business of their mission. There are interests of Maine to be considered among us before we hold communion with or meet *any* body, as Commissioners. A certain degree of organization is necessary for the orderly conducting of the business. Certain points are to be settled before we begin to act. There will undoubtedly be much violent discussion between us and others. The business will be complicated with embarrassing questions of expediency perhaps of right. Now I for one feel unwilling to embark on a mission so pregnant with momentous consequences without first meeting my colleagues and preparing ourselves to encounter the skill and sagacity with which we shall be brought in conflict. I know too much about the difficulties and history of this controversy and what we have yet to meet to permit me to embark "tête baissée," as Mr. Otis seems to have done according to the statement of your note to me. I renew to you then the proposition to meet in this city and spend one or two days here in making the necessary preliminary arrangements and fixing upon some principles. You will I know excuse my frankness in this matter for we are now embarked in the same ship excepting that probably I shall get all the cursing and you all the praise.

with great respect Dr Sir and your friend
and very humble servant

WM. P. PREBLE

PORTLAND MAY 28, 1842

¹³ Smith was a Portland lawyer, former congressman, editor, and man of influence in the Democratic party. Webster had wisely persuaded him to work for a treaty.

¹⁴ Both Webster and Ashburton feared Preble. He was very frank, as he

[Kavanagh to Preble]¹⁵

DAMARISCOTTA MILLS,

30TH MAY 1842.

DEAR SIR:

Your favors the 27th and 28th instant has been received and my answer is retarded, one day, by a late withdrawal of Mail-facilities from this place.

Having no copy of my note addressed to you from Augusta, on Thursday last, I do not know that it explains sufficiently its object. Immediately after the election of Commissioners, and while making preparations for instant departure from Augusta, it occurred to me that the other Gentlemen who composed the Commission would wish to have from Mr. Otis and myself some suggestions as to the *time* when we were expected to enter upon the discharge of our duties.

I presume that you need not be assured that I was *then*, as *now*, aware that many points were to be settled before we could begin to act with effect; and that it was no part of my plan to rush into the negotiations without previous arrangements, and a full understanding between ourselves. And, while on this subject, you will excuse me for remarking that a phrase, at the close of your last letter, is susceptible of a construction not creditable to me as a public officer charged with a responsible trust, although I cannot believe that it was so intended.

After having penned the foregoing, I am in receipt of a letter from Mr Webster dated, at Boston, the 28th inst. in which he expresses a hope that we may assemble at Washington as early as the 10th or 12th of June; and he further states that a similar communication is transmitted to each of the Commissioners.

Presuming that I am the only one of the Commissioners who has been in communication with you in regard to the time of our meeting, perhaps I cannot better give effect to your wishes than by addressing, this day, notes to Messrs. Kent and Otis suggesting the expediency of our assembling at Portland, on Friday next, for the purposes that you have indicated; and to avoid the inconveniences of delay, I shall endeavor to have the notes mailed immediately at the next office on the route.

With the highest respect,
Dear Sir,

HON. WM. P. PREBLE
PORTLAND.

your obedient Servant
E KAV

admits in this letter, and had opposed acceptance of the award made by the King of the Netherlands.

¹⁵ This is Kavanagh's copy of the letter. He did not relish Preble's frankness. Evidently they became better acquainted on the trip, for Preble's letters written after his departure from Washington are warm and friendly.

[John Otis to Kavanagh]

HALLOWELL MAY 31, 1842

HON E. KAVANAUGH,¹⁶

DEAR SIR,

I have time, being just ready to start for Bangor, to say to you that I recd. a letter from Mr Webster yesterday, in which he says he desires us to be at Washington 10th or 12th of June. He says he has written to each of the commissioners,—but fearing you might not get his letter & having an opportunity I have written this—of course our plan need not be changed unless we can meet in Boston Tuesday instead of Wednesday. I shall mention this to Mr Kent.

In haste

Truly yours

JOHN OTIS

[Edward Kent to Kavanagh]¹⁷

BANGOR JUNE 1 1842

DEAR SIR,

Your favor of the 30th ult has been received, and in reply I can only say that I was desirous of meeting at Augusta or Portland before leaving the State. But Mr Otis, who is now here & who I presume will write you by the same mail that carries this has found it impossible to arrange his private business so as to be in Portland before Tuesday night. Under these circumstances I do not see that any better arrangement can be made, in order to reach Washington next week, than to meet at Boston Tuesday morning next. I should have been pleased to meet at Portland, but I do not know that it is of any great importance, so far as any thing substantial & essential is concerned. I shall leave in the boat for Portland on Monday morning and I fear if we wait for a meeting then on Wednesday that we shall be detained too long.

With great regard

Your obd servt

EDW KENT

HON MR KAVANAUGH

¹⁶ Otis misspelled Kavanagh's name in all his letters. Kavanagh did not bother, it seems, to correct him; from his youth his family name had been incorrectly written and by this time he had abandoned all hope of having the correct spelling accepted.

¹⁷ Otis wrote to Kavanagh under the same date but since the letter contains the same information it is omitted. The four met in Boston, and correspondence was suspended until the commissioners separated after the consent of Maine was given.

[Farnsworth to Kavanagh]¹⁸

SOUTH NORRIDGEWOCK JUNE 23 1842

HON EDWARD KAVANAUGH

D SIR

Since the adjournment of the Legislature I have had opportunity to ascertain public sentiment in relation to the appointment of Commissioners with full power & whatever objection was felt at first by those sincerely disposed to adjust the vexed question to giving such power I think has been given up & the public mind settled down on the conviction that the course adopted by the Legislature was the proper one The minority of the Legislature some of whom I have no doubt were anxious to do right but much the larger number were looking to a War with England and desirous of office in the Army in such an event All now feel that War is out of the question although the Madisonian occasionally blows the trump of alarm. The cold and dry weather continued until the 11 June when snow fell on the hills in this vicinity & to the depth of two feet on the high land between here and Quebec Since that we have rain & warm weather I hope we may realize the fond anticipations formed of the success of your Commission in the settlement of the long vexed question of Boundary

Sincerely & truly

yours

D. FARNSWORTH

HON E. KAVANAUGH

WASHINGTON CITY

[John Anderson to Kavanagh]

PORTLAND JULY 6 1842

DEAR SIR—

I have this moment recd yours of the 2d inst. . . .

I regret that our prospects of a speedy settlement of the Boundary are no better. Our people here now generally apprehend no adjustment. There is a strong tendency in the public mind for decisive measures if you are compelled to return without having closed the question. I believe it will be out of the powers of the Genl Govt to prevent our people from taking possession to our line, if the British proposition shall be such as is now anticipated. . . .

Very truly your
friend & obt sert

JOHN ANDERSON

¹⁸ This and the next letter indicate the attitude of some persons in Maine while the negotiations were in progress. John Anderson had been in Congress with Kavanagh.

[Kavanagh to Gov. Fairfield]¹⁹WASHINGTON, 23^D JULY, 1842

SIR:

We have the honor to enclose a copy of our communication to Mr Webster, of yesterday's date, in answer to his note of the 15th instant, in which he made a proposition, in behalf of the Executive of the United States, for a conventional line between the State of Maine and the adjoining British Provinces.

As yet, we are not informed whether any more remains to be done, on our part, in full execution of the Commission with which we are charged. But, if further delay of our departure from this city should be necessary, we shall continue to keep you advised of our proceedings.

We have the honor to be, Sir,
with the highest respect,
your obedient servants

P.S. Judge Preble left this city for Maine, before the accompanying copies could be in readiness for transmission.

[Kent to Kavanagh]²⁰

WASHINGTON JULY 29 1842

DEAR SIR,

As you are entitled to know some thing, (or rather every thing) in relation to the progress of our business and the State of matters here, I write this note to say, that we have been at work in looking after the details and the language of the various articles. The navigation clause will, I think, secure all we required, giving both parties where the river is the dividing line equal rights in the whole breadth, & to us the right to run freely with our lumber, in its various forms, in rafts boats or otherwise to [and] from the seaport at the mouth—also unmanufactured agricultural products of the St. John or its tributaries. We had every thing as to tolls, duties &c whether reciprocal or not stricken out. The other matters in relation to the funds and to the rights of settlers—& the division of islands and our compensations will be fixed about right. Mr Otis & myself dined *en familie* with his Lordship a day or two since & after dinner the old gentleman was

¹⁹ This is Kavanagh's copy of the letter. Preble was the last of the four to capitulate, and it seems that he suddenly departed while Kavanagh was busy notifying Governor Fairfield of the completion of their mission, for in the place for signatures the names of Kavanagh, Kent, and Otis are written (in Kavanagh's hand) and Preble's name was begun and then crossed out. The postscript was then added.

²⁰ Kavanagh was the second of the Maine commissioners to start for home. Kent and Otis remained in Washington several days longer.

very pleasant and yielding.²¹ I think every thing will go right into the treaty. Mr Webster, in a call we made today insisted that we should remain, until the matters were put into final shape for engrossing. I felt a great reluctance, but finally yielded. So we shall probably have to remain until Monday or Tuesday of next week. I regret this, as I had hoped to meet you & Mr Allen in N York and go up the north river with you. We have rather solitary times here now. We have relinquished our parlor & betaken ourselves to the old Bay State. Charles is still attentive but his ice has failed so we have to dispense with cream. The cards lie untouched and in sober truth we are a changed set. Homeward bound is our feeling & we linger with regrets. But I am satisfied that duty requires us to remain, as a few words may change very materially our rights, and the fault would be visited upon us for leaving. I hope you will write Gov Fairfield and explain why we remain and your views of the propriety & necessity of it.

The weather is hot, and we sweat every hour of the twenty four. I hope you do not find yourself any worse for journeying. If Mr Allen is with you, give him my respects and say to him that I have visited the market once since he left.

E. KAVANAGH ESQ.

Very truly
Yours

EDW KENT

[Otis to Kavanagh]

PHILA. AUGUST 2, 1842

HON. EDWARD KAVANAUGH,
MY DEAR SIR,

You will see by the date of this letter, that I am on my way, "homeward bound," & I assure it affords me no little pleasure that I am away from Washington with which I have become thoroughly tired. Mr Kent, Mr [Abbott] Lawrence, Mr [John] Mills²² & myself, the last *remnant* of the commissioners took the cars last evening at 6 o'clock. Mr Lawrence & Lady remained at Baltimore, & will be here this afternoon. Mr Mills continued on this morning to New York, & Mr Kent & I will follow him tomorrow morning, & I trust I shall be at home Saturday morning. The

²¹ Lord Ashburton was not a career diplomat, but this reference to his pleasant and yielding manners *after* the dispute was settled indicates his ability to bargain. This was the first occasion the Maine commissioners found his lordship in a yielding mood.

²² Abbott Lawrence and John Mills were commissioners of Massachusetts.

articles of the treaty relating to our business were reduced to writing, engrossed & read over carefully by us before we left, & engagement made by Mr Webster & Lord A. that they should be inserted in the treaty in the same language. The only article not agreed upon is the Creole affair—this is a matter of some delicacy, & not so easily disposed of, as the President lately told of the matter. I know not what the result may be. I am glad to see the tone of the newspapers from Maine that I have seen. I have no doubt our friend Judge Preble has contributed to this by his being on the ground & making the proper explanations. We owe him our thanks for this, as well as for his industry while with us. I suppose you have seen him on your way home. . . .

I suppose a detail of our proceedings after you left would not be interesting to you. I felt your absence & was more impatient to be off.

Your sincere friend
JOHN OTIS

[Preble to Kavanagh]

PORTLAND AUGUST 10, 1842

MY DEAR SIR

Your note of the 4th at Boston has been received. On my return to this place I did what I could to give a favorable direction to public opinion. And here and in York county all is well. I have received one letter from our friend Kent at Washington dated July 29th. I learn that he has since left. I have been over to Saco to see the Gov. He is very desirous of having the correspondence &c published. I am looking anxiously for news—but learn nothing. The better portion of the community is all with us. We have little to fear. I think now we had better wait and see the action of the Senate &c. I hope you and your good sister have arrived safe at home. Do let me hear from you soon and don't fail to let me know how she does and has borne her journey. I do not mean that she should think I have got over my dissatisfaction with her for going off and hiding herself away in Emmetsburg instead of coming like a good sister to Washington and staying with you. We should have seen her then. But no matter.

With great respect my dear Sir I am very sincerely your friend
and

obedient servant
WM. P. PREBLE

HON EDWARD KAVANAGH
NOBLEBOROUGH
ME

[Kent to Kavanagh]

BANGOR AUGUST 16 1842

DEAR SIR,

I did not reach home until Saturday evening last, having remained in Massachusetts about a week. I found your letter here awaiting my arrival. I was very sorry to find that your old enemy was still troubling you, and I fear you found your whole journey fatiguing & painful. I trust that you have found relief since your return.

I have been highly gratified to find so general and hearty approval of our proceedings by the sober, discreet & honest men of the State. In this community I have scarcely met with a man who is not well satisfied that it was much better to settle as we did than to leave the subject open for future reference or as an open question. Most of our people go farther & say they think we have made an excellent bargain and better than they expected. A few uneasy spirits attempt to find fault or to doubt and cavil and I see "the Democrat" of today is disposed to speculate upon some points and to insinuate doubts & fears. But I am assured and I have no doubt that the great mass of the people are well satisfied and that the final result will be a general acquiescence [*sic*] in the arrangement. The bug bear of military advantages on the strip will not frighten any body. The Argus²³ has taken an honorable and fair stand and if the candid, judicious and independent men of all parties stand firm those attempts to create a breeze will be total failures. I think we have cause to congratulate ourselves that so good a spirit prevails in the State and that we are judged so fairly & candidly. I have no fears that injustice will be done to us in the final judgment of the people.

I hardly know what to say in relation to our meeting. I must leave that to your decision. I can attend any time before the middle of September. I think it would be well to be assured of the ratification of the treaty at Washington before making up our report. I think also it would be well for us each to be making minutes of points to be considered and inserted. I wish you would draw up the report. It properly belongs to you to do it and if your health will permit I trust you will do it. I have heard nothing from Gov Fairfield and do not know how he regards the settlement. I see Bro Otis has made a speech on our subject at the Whig County Convention. I should have preferred *if any speech was to be made*, that it should have been at some [neutral²⁴] meeting. I have seen the resolves [of the] Democratic convention

²³ The *Eastern Argus*, published in Portland, was the leading Democratic paper in the state.

²⁴ Several words here are illegible.

in Kennebec but I regard them as the expression [only] of a few managers & not the real voice of the people. The great object seems to be to kill Webster. But the country is more anxious for an honorable settlement of the question than for the fate of any politician.

HON E KAVANAGH

Very truly
Your friend & obd sert
EDWARD KENT

[Otis to Kavanagh]

HON EDWARD KAVANAUGH,

HALLOWELL SEPT. 11, 1842

MY DEAR SIR,

It gave me much pleasure to hear from you, & as I was going to Bangor, I delayed answering it till my return. I saw Mr Kent & had much conversation with him on the events of our late mission and its result, & the manner in which it has been received in the country, & particularly in this State. We both agreed that we had nothing to condemn ourselves for, either in the conducting or termination of it. I trust you have been led to the same conclusion. I saw Mr Bronson yesterday who said he saw Judge Preble the day before, & he stated to him that he was satisfied that under the circumstances we did right to give the assent we did to the terms proposed. This is the first direct information I have had from our late worthy colleague. I feared that the opposition of the *Age*²⁵ & some other papers might influence his mind against the final determination we arrived at.

I had some conversation with Mr Kent about our report to the Governor, & our application for payment. He says he must be at Portland on the 19th to attend the sitting of circuit court, & will be detained a week or ten days. The Governor will be here in Executive session on the 21st & will remain a week or ten days. We left the matter undetermined, & I told him I would write to you, & he would see & consult Judge Preble. It is desirable that we should make our report at the present session of the Governor & council, though I believe the council have nothing to do with it. It is to them however we are to apply for a settlement of our accounts. The two matters are not necessarily connected, tho it would be desirable to have the report made up & communicated before we apply for pay. All this I submit to your judgment. I am ready to help make up, or to agree to a report at an early day.

²⁵ *The Age* was a Democratic paper published in Augusta. Francis O. J. Smith had been editor of it in 1831 but obviously had lost all influence over its policy.

I am glad you consented to be a candidate for the Senate, for though, as a party man, I am not to wish you success, yet I am sure from the temper of the people of your county, you will receive the full vote of your party. I am also a candidate, & shall not receive the full vote of the Whigs. This will be partly from pretended disaffection with the treaty, they having formed what they call an anti treaty party, & partly from disappointment, & a general spirit of disaffection. What the result of tomorrows vote will be I know not;²⁶ but personally I feel no interest in securing a seat in the Senate. You & I know how little this is to be desired from past experience. . . .

Respectfully & truly
your friend
JOHN OTIS

[Preble to Kavanagh]

PORTLAND SEPT 12, 1842

DEAR SIR

Your favor of the 5th inst was received last week. . . .

I have received many congratulations on the settlement of the boundary question. *I* am not reconciled to it, and *never shall be*; nor to the manner in which and by which the Commissioners from Maine obstinately persisted in suffering themselves to be drawn into the vortex. The course adopted by the Argus has in the main been very manly and independent. Occasionally it has gone beyond *the mark* in my opinion. The course which "The American"²⁷ may pursue is to me a problem. I doubt whether it takes decided ground. I have heard nothing from Kent or Otis. In this quarter of the State public opinion is most decidedly with the Commissioners.

With great respect Dr Sir I am very truly
your friend and obedient servant

THE HONBLE EDWARD KAVANAGH

WM. P. PREBLE

[Kent to Kavanagh]

BANGOR OCT 12 1842

MY DEAR SIR,

Col Otis is now here and has been here for a week—he left in a day or two after you. He does not give any very flattering account of our prospects as to remuneration. But I hope they will

²⁶ Otis was defeated, as he anticipated. Kavanagh was the only one of the commissioners who was in the Maine Legislature of 1843, but he was elected President of the Senate, a position which allowed him some influence over the members.

²⁷ A newspaper published in Portland.

allow us enough to cover expenses at least. But they must do as they please. I have no doubt you presented the matter in its true light to the council and that all has been done & said that the occasion required.

What do you think of the prospect for our report. I very much fear that the court being now in session the Judge [Preble] will not find time to work on the matter and that we shall be without the document he promised. But I hope for the best. I had a short conversation with Gen Hodgman the other day & presented to him some of the same views I did to you in relation to the importance of taking early & decided grounds at Augusta in opposition to the few [*sic*] but active opposition. I think he feels right on the subject. . . .

EDWARD KENT

[Preble to Kavanagh]²⁸

PORTLAND OCT 24TH, 1842

DEAR SIR

Your favor of the 22nd was received this morning—at the same time I also received a letter from Mr Kent informing me that Mr Otis is now in Bangor and proposing with the assent of Mr Otis that we should meet at Bangor say on Thursday of this week, if agreeable to you and to myself. The steamboat leaves this place on Wednesday morning and as it is said usually arrives at East Thomaston²⁹ before noon. They request me to communicate with you and for you and I to agree to meet them at Bangor as proposed. For one I am willing more especially as that would seem to facilitate your views as expressed in your favor of the 22nd inst. Supposing then that I shall be acting in accordance with your views as well as with those of our colleagues I shall leave this place Wednesday morning, God willing in the hope of meeting you at East Thomaston and accompanying you to Bangor. We can then talk over together the various points of interest to which you have referred in your letter to me if such a course would meet with your approbation and concurrence.

With great respect Dr Sir
your very obedient servt

HON EDWARD KAVANAGH

WM. P. PREBLE

²⁸ The report of the Commission, kept at the Maine State Library, was written by Preble.

²⁹ Where Kavanagh would board it.

