

of this Island are asked to surrender to the citizens of the United States these invaluable fisheries, without receiving in return any just or fair equivalent such as was hoped to be obtained. The Earl of Kimberley, in his Despatch to Lord Lisgar, alludes to "the great importance to Canada of the right to convey goods in bond through the United States, which has been secured to her by Article 29, and the free navigation of Lake Michigan under Article 28, and the power of transshipping goods under Article 30, as valuable privileges which must not be overlooked in framing an estimate of the advantages which Canada will obtain."

Valuable to Canada as may be these privileges, the Committee submit that they do not at all affect Prince Edward Island. That the chief benefit to this Island would be the admission of fish and fish-oil into the markets of the United States, and this would not be generally felt by the people, inasmuch as this trade is now principally in the hands of a few American citizens. That the surrender by the United States of the right of fishing down to the 39th degree of latitude is comparatively worthless to the people of this Island, and as the United States' Government assert that the privileges accorded to the citizens of the United States under Article 18 of this Treaty are of no greater value than those accorded by Articles 19 and 21 to the subjects of Her Britannic Majesty, the amount of any money compensation that would be given to this Island would be insignificant.

The Earl of Kimberley, in his Despatch to Lord Lisgar, says, "In some respects a direct money payment is perhaps a more distinct recognition of the rights of the Colonies than a tariff concession, and there does not seem to be any difference in principle between the admission of American fishermen for a term of years in consideration of the payment of a sum of money in gross, and their admission under the system of licences calculated at so many dollars per ton, which was adopted by the Colonial Government for several years after the termination of the Reciprocity Treaty. In the latter case it must be observed the use of the fisheries was granted without any tariff concession whatever on the part of the United States, even as to the importation of fish."

The Committee submit that a commercial arrangement with the United States in consideration of the use of the fisheries would have been most acceptable, but as the Royal High Commissioners were unable to induce the American Government to change its commercial policy, the people of this Island being extremely loyal, and devotedly attached to British institutions, would be most unwilling to throw any obstacle in the way of an amicable settlement of all causes of difference between Great Britain and the United States, and would, therefore, willingly accept any reasonable money compensation, in addition to the privileges granted, as an equivalent; but under the Treaty nothing of the kind is guaranteed them.

The Committee deem it to be their duty further to state that the system referred to of granting licences to American fishermen for a money consideration was never approved of by the Government of this Island, but merely sanctioned in deference to the strongly expressed wish of the British Government in the matter,—and for the same reason the Committee now recommend that the application made by the United States' Government be acceded to, so that American fishermen may be at once allowed, during the present season, the provisional use of the privileges granted to them by the Treaty, without any pledge, however, on the part of the Government that the Legislature will pass the Acts to give effect to the Treaty, in which they feel that the interests of Prince Edward Island have not been fairly considered.

Adopted in Council, July 24, 1871.

(Certified)

WILLIAM C. DES BRISAY,
Assistant Clerk, Executive Council.

DESPATCHES FROM THE SECRETARY OF STATE.

No. 1.

No. 1.

The EARL OF KIMBERLEY to Lieut.-Governor ROBINSON.

(No. 22.)

Downing Street, June 17, 1871.

SIR,

I HAVE the honour to enclose herewith copies of the Treaty signed at Washington on May 8th by the Joint High Commissioners, which has been ratified by Her Majesty and by the President of the United States;—of the instructions to Her Majesty's High Commissioners, and Protocols of the Conferences held by the Commission;* of two notes which have passed between Sir E. Thornton and Mr. Fish,† and of a Despatch of even date herewith,‡ which I have addressed to the Governor-General of Canada, stating the views of Her Majesty's Government on these important documents.

With reference to that part of my Despatch to Lord Lisgar which bears upon the proposed arrangement for the immediate provisional admission of the United States' fishermen to the Colonial fisheries, I have to observe that Her Majesty's Government strongly urge upon the Government of Prince Edward Island that, for the reasons stated in the Despatch, the same course should be pursued as in 1854, and the application made by the United States' Government should be acceded to by Prince Edward Island, so that American fishermen may be at once allowed, during the present season, the provisional use of the privileges granted to them by the Treaty.

I have, &c.,
(Signed) KIMBERLEY.

Lieut.-Governor Robinson,
&c. &c. &c.

* Vide Com-
mand Papers
[C. 262],
[C. 344], and
[C. 346] of
1871.

† Page 5.

‡ Vide page 4
of Command
Paper
[C. 539],
April, 1872.