

British vessels, and a pledge is given that the Government of the United States will urge the State Governments to grant them similar privileges on the State canals.

8. By the last Article of the Treaty it is provided that the ratifications shall be exchanged at Washington within six months after the date hereof. Your Lordship will, of course, determine the time and mode of carrying this stipulation into effect. I presume that the formal act may be performed by Mr. Crampton; but I need not say that I am at your Lordship's disposal at any moment, if am required for the service.

9. So soon as the Treaty shall have passed the Senate, I shall endeavour to obtain in Canada the legislation necessary for giving effect to it, and I shall put myself at once into communication with the Governors of the other Provinces, with the view of determining what steps it may be expedient to take in order to accomplish the same object there.

10. As no particular time is specified within which Newfoundland must avail itself of the benefits of the Treaty or forfeit them altogether, it is, of course, not necessary that the Imperial legislation requisite for giving effect to it, as respects the other provinces, should be deferred until the settlement of the questions specially affecting that Colony.

11. It will be for your Lordship to consider what directions it may be advisable, under existing circumstances, to give to the Admiral on the North American station, in reference to the protection of the fisheries during the ensuing season. It is most important that occasions of collision should be, if possible, avoided in the present state of affairs; and my exertions to bring this Treaty into shape at the earliest moment have been prompted mainly by a desire to accomplish this end. The fact that an arrangement has been concluded by the negotiators acting on behalf of the respective Governments will probably be held to justify Her Majesty's Government in issuing such instructions as may obviate all risk of collision for the present season.

12. Your Lordship will, I hope, pardon the imperfections of this despatch, which is written in the midst of much business and turmoil, as I arrived here yesterday, and the Provincial Parliament meets to-morrow; but I should be guilty of an unpardonable omission if I were to fail to acknowledge the hearty and valuable assistance which I received from Mr. Crampton in the discharge of the duty assigned to me by your Lordship.

13. I will now close by saying that it is my deliberate opinion, founded on a knowledge of the condition of these Colonies, derived from long residence in this quarter, that the favourable results of this Treaty, should it come into operation, on their prosperity and progress will be found very far to exceed what its most sanguine supporters have ventured to anticipate.

I am, &c.

(Signed) ELGIN AND KINCARDINE.

No. 23.

*Memorandum by Mr. Hammond.*

I PLACE side by side the stipulations in Lord Elgin's Treaty, and that in the Treaty of 1818, respecting permission given to American fishermen to land and cure fish on the British shores. There does not seem to be any very material difference between the two, at all events in principle.

*Lord Elgin's Treaty.*

*Treaty of 1818.*

"Shall have the liberty to take fish of every kind except shell fish on the sea coasts and shores, and in the bays and harbours and creeks of Canada, New Brunswick, Nova Scotia, Prince Edward Island, and the adjacent islands, without being restricted to any distance from the shore, *with permission to land upon the coasts and shores of those Colonies and the islands thereof, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish; provided that in so doing they do not interfere with the right of private property or with British fishermen in the peaceable use*

"Shall have the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau Islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands, and on the shores of the Magdalen Islands to, &c., &c. *And that the American fishermen shall also have liberty for ever to dry and cure fish in any of the unsettled bays, harbours, and creeks of the southern part of the coast of Newfoundland hereabove described, and the coast of Labrador; but so soon as the same or any portion thereof shall*