

the territorial coast-waters of the conceding nation, on conditions similar to those of the Treaty of 1818, as on its own subjects, is, when disputed, peculiarly one to be settled according to the doctrines of International Law, and more especially in view of recent contentions; or by a reference to the Hague Tribunal, and not as desired by an interested Foreign Government.

And if International Law is the final appellate authority, then the disciplinary censure administered by the British Government, at the urgency of the United States Government, to the Responsible Government of Newfoundland because it declined to waive or suspend its fishery laws, is rather a constitutional and diplomatic surprise,—more especially in view of the many previous diplomatic decisions of the British Government on substantially similar contentions, quoted above; and after their affirmance in the Foreign Office Memorandum just issued; for neither the national sovereignty, nor justice, of the Crown, nor appellate legal jurisprudence, permits a re-argument of a final diplomatic or constitutional decision, for the purposes of review, or reversal.

Furthermore the publication of this disciplinary censure has intensified the difficulties of the international situation; and it seems to be a violation of that confidential and reticent policy which is universally recognized as governing incomplete diplomatic discussions; and especially those between a foreign sovereignty and the British Imperial power—composed as it is of a home sovereignty and several colonial self-governing sovereignties, each constitutionally exercising the regal and legislative powers of the Crown; and in which incomplete diplomatic discussions the administration by one of its colonial self-governing sovereignties of such regal and legislative powers respecting the treaty privileges of the alien citizens of such foreign sovereignty, within its colonial territory, is impeached.