

reign, which offered to reciprocate with the United States in the interchange of certain enumerated articles, notwithstanding which offers our fish and agricultural produce, for which latter there is an extensive demand in the northern States of the American Union, remain subject to high duties.

And although the British Navigation Laws have been so relaxed that foreign-built vessels, owned by British subjects, may obtain British registries, a concession from which the citizens of the United States have very recently derived great advantages by the sale of their vessels stranded on the shores of this island during the disastrous gale of last autumn, no reciprocal advantage is offered to us, which if obtained would be of immense importance to the builders of ships and fishing-vessels in this island.

Her Majesty's subjects are desirous to continue to cultivate the good will of the citizens of the United States by every reasonable concession and with a due consideration of the value of the intercourse, which on a basis of reciprocal advantage might be established. They presume that the immense importance to the United States of an uninterrupted right of fishing on the shores of this island as a basis of treaty ought to ensure for them valuable concessions, and if this be not possible, that the fisheries ought to be scrupulously maintained in the spirit of the Treaty of 1818.

We most humbly pray that your Majesty will be most graciously pleased to take the premises into your favourable consideration, and cause to be removed the restrictions of the Treaty of 1818, prohibiting American citizens from fishing within certain prescribed limits on the shores of this island, provided the American Government admit articles, the growth or production of this island, into the United States duty free, in accordance with the Act of the General Assembly of this island, passed in the twelfth year of your Majesty's reign, intituled "An Act to authorize Free Trade with the United States of America in certain enumerated articles, including fish, also vessels built on this island to American registry."

And as in duty bound we shall ever pray.

Council Chamber, February 9, 1852.

(Signed)

R. HODGSON, President.

House of Assembly, February 9, 1852.

ALEXANDER RAE, Speaker.

No. 24.

SIR ALEXANDER BANNERMAN to Earl GREY.

(Received March 1.)

(No. 10.)

Government House, Prince Edward Island,
February 12, 1852.

MY LORD,

In reference to the accompanying despatch, No. 9, I beg leave to direct your Lordship's attention to a Colonial Act, 6 Victoria, cap. 14, page 698 of the volume of Statutes which I recently forwarded to your Lordship. The Act to which I refer is one which received the Royal assent on the 3rd September, 1844, and an Order was on the same day made by Her Majesty in Council, declaring "that its clauses and provisions should be the rules, regulations, and restrictions respecting the fisheries on the coasts, bays, creeks, or harbours of the Island of Prince Edward.

2. By the provisions of this Act, officers of customs and excise, sheriffs, magistrates, and any person holding a commission from the Lieutenant-Governor, are authorized to board, search, &c., vessels within three marine miles of the coast, and "if found fishing, preparing to fish, or to have been fishing" within that distance, such vessels, with their cargoes, to be seized and forfeited, &c.

3. The provisions of this Act have never yet been enforced, but should the fishery question remain much longer unsettled, in all probability attempts will be made to seize American fishing-vessels, and such attempts will be resisted, which may lead to collision, the consequences of which are not easily to be foreseen.

4. To guard against any such occurrences, I think it would be very desirable for Her Majesty's Government to order a steamer to be stationed here from the 1st of June to the 1st October, the Commander of which, in addition to his instructions from the Admiralty, would be fortified with a commission from the Lieutenant-Governor of this island, enabling him, in terms of the Act and Order in Council, to legally enforce their provisions, within the limits prescribed by the Act; for I consider that the powers, which the statute vests in custom-house officers, &c., in so far as the fisheries are concerned, to be very dangerous ones, and such as ought only to be intrusted to those who have the means as well as the authority to enforce them.

5. I understand that there is nothing more likely to urge the American Government to an amicable settlement of this long-vexed question, than an enforcement of the Treaty around this island, where their fishermen catch most of the mackarel sent to the United States, and where last autumn, one of Her Majesty's steam-ships could, in a few hours, have seized and got legally-condemned property amounting to upwards of 50,000*l*.

6. Notification of the Royal assent to the Act alluded to and Order in Council were published in the "Royal Gazette" of this island on the 8th October, 1844; but I am ignorant whether the United States' Government are aware of its provisions, and it will be for your Lordship to determine if any intimation should be made to that Government on this important subject.