

Inclosure 3 in No. 11.

Mr. Cornby to Mr. Bristow.

Sir,

Custom House, Philadelphia, May 8, 1876.

I HAVE the honour to acknowledge the receipt of your letter of the 3rd instant, containing copy of an extract from a letter of the British Minister, addressed to the Department of State under date of the 15th ultimo, in which it is alleged that you [I] refused free entry of a certain importation of fifty cases of preserved lobsters, perschooner "Lizzie Dakers," from St. John, New Brunswick, and in reply respectfully beg leave to say that, after investigation, I cannot find that free entry was refused for the fifty cases of lobsters except from the supposed fact that the lobsters being preserved in oil; Revised Statutes, Section 2506: "All fish oil and fish of all kinds (except fish of the inland lakes and rivers falling into them, and except fish preserved in oil), being the produce of the fisheries of the Dominion of Canada or of Prince Edward Island, shall be admitted into the United States free of duty.

I have no doubt that the lobsters were not entitled to free entry under the above section, as it appears they were warehoused and withdrawn for immediate exportation.

I am, &c.

(Signed) S. J. CORNBRY, *Collector.*

No. 12.

Mr. Lister to Mr. Herbert.

Sir,

Foreign Office, July 6, 1875.

WITH reference to your letter of the 10th of May, I am directed by the Earl of Derby to transmit to you, to be laid before the Earl of Carnarvon, a copy of a despatch from Her Majesty's Minister in Washington,* in regard to the imposition of a duty upon tin cans containing fish imported from Canada into the United States.

I am, &c.

(Signed) T. V. LISTER.

No. 13.

Sir E. Thornton to the Earl of Derby.—(Received September 19.)

My Lord,

Washington, September 6, 1875.

WITH reference to my despatch of the 21st of June last, I have the honour to inclose copies of a despatch, and of its inclosures, from the Administrator of the Government of Canada, transmitting copy of a Report of a Committee of the Privy Council of Canada, suggesting that I should call upon the United States' Government to grant indemnity to the shipper of a quantity of preserved lobster in tins, which arrived at Philadelphia at the end of last year, in the "Lizzie Dakers," and was refused admittance, as the master alleges, except on the payment of duty.

In compliance, however, with the general instructions from your Lordship's Department, I have the honour to submit the case to you, and to ask whether your Lordship deems it expedient that the claim of the shipper of the preserved lobster should be presented to the Government of the United States.

I may be allowed to observe that the Master of the "Lizzie Dakers" does not seem to have obtained from the Collector of Customs a refusal in writing to admit the lobster except on the payment of duty, but to have taken it back to Canada on the verbal refusal of the Collector to admit it free of duty. It seems to me that he would, under the circumstances, have done better to have paid the duties under protest, and afterwards to have claimed their restitution. At any rate, he might have addressed himself either to Her Majesty's Consul at Philadelphia, or to Her Majesty's Minister at Washington, in either of which cases it is more than probable