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CONFIDENTIAL.

(7533.)

PART III.

FURTHER CORRESPONDENCE

RESPECTING THE

PROCEEDINGS OF THE JOINT COMMISSION

FOR THE

**SETTLEMENT OF QUESTIONS PENDING BETWEEN
THE UNITED STATES AND CANADA.**

1900.

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CONFIDENTIAL.

Further Correspondence respecting the Proceedings of the
Joint Commission for the Settlement of Questions
pending between the United States and Canada.

PART III.

No. 1.

Lord Pauncefote to the Marquess of Salisbury.—(Received January 20.)

(No. 8.)

My Lord,

Washington, January 12, 1900.

I HAVE the honour to transmit herewith to your Lordship a copy of a note I have received from Mr. Hay, requesting me to obtain from the Canadian Government permission for the passage through the St. Lawrence River and the Welland Canal of the converted yacht "Frolic," which the United States' Navy Department has lent to the State of Ohio for the Naval Brigade of the Ohio National Guard stationed at Cleveland.

I have transmitted this request to the Governor-General of Canada, and have informed his Excellency that I have forwarded a copy of Mr. Hay's note to your Lordship as it involves important considerations connected with the arrangement of the 28th April, 1817, in relation to the naval forces to be maintained on the Great Lakes.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 1.

Mr. Hay to Lord Pauncefote.

Excellency,

Department of State, Washington, January 10, 1900.

I HAVE the honour to solicit your good offices to obtain from the Government of Canada permission for the passage through the St. Lawrence River and the Welland Canal of the converted yacht "Frolic," which it is the purpose of the United States' Navy Department to lend to the State of Ohio for drill use by the 2nd Battalion, Naval Brigade, Ohio National Guard, stationed at Cleveland.

The "Frolic" is described as "165 feet long; 25 feet beam; draft 10 ft. 3 in.; displacement 607 tons; built of steel in 1892 in Cleveland, Ohio, by the Globe Iron Works; single screw verticle, inverted, triple expansion engine."

The vessel is to be turned over at Norfolk, Virginia, by the Navy Department to the State of Ohio by which it will be brought to Cleveland without armament.

I have, &c.
(Signed) JOHN HAY.

No. 2.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, January 24, 1900.

I AM directed by the Marquess of Salisbury to transmit to you a copy of a despatch from Her Majesty's Ambassador at Washington,* inclosing an application from the United States' Government for permission to pass through the St. Lawrence and the Welland Canal the converted yacht "Frolic" which has been lent to the State of Ohio for the use of the naval militia.

I am to refer you to Lord Herschell's despatch No. 11 of the 2nd November, 1898, and to Sir Julian Pauncefote's despatch No. 296 of the 5th of that month, both of which were communicated to your Department with other printed correspondence shortly after their receipt.

Lord Salisbury desires me to request that Mr. Secretary Chamberlain will favour his Lordship with an expression of his views as to the answer which should be returned to the inclosed despatch.

I am, &c.

(Signed) F. H. VILLIERS.

No. 3.

Lord Pauncefote to the Marquess of Salisbury.—(Received January 25.)

(No. 9.)

My Lord,

Washington, January 16, 1900.

IN connection with my despatch No. 8 of the 12th instant, transmitting the request of Mr. Hay for permission for the passage of the converted yacht "Frolic" through the St. Lawrence River and the Welland Canal, I have the honour to transmit an extract from the "Congressional Record" giving the privileged report of the Committee on Foreign Affairs on the Resolution of inquiry for information from the Administration as to the Agreement between the United States and Great Britain said to prohibit the building, arming, or maintaining of more than a single war vessel on the Great Lakes.

I have, &c.

(Signed) PAUNCEFOTE.

Inclosure in No. 3.

Extract from the "Congressional Record" of January 15, 1900.

*Mr. Clarke (of New Hampshire).—*Mr. Speaker, I desire to submit a privileged report from the Committee on Foreign Affairs.

The Speaker.—The report will be read.

The Clerk read as follows:—

"The Committee on Foreign Affairs, to whom was referred the Resolution (H. Res. No. 13) requesting the Secretary of State to furnish information to the House as to the status of Agreement between the United States and Great Britain which prohibits the building of, or maintaining of, more than a single war vessel on the Great Lakes, reports the same back with an amendment, as follows: In line 3 strike out the word 'report' and insert in lieu thereof the word 'communicate,' and with the recommendation that the Resolution as amended be adopted."

The original resolution is as follows:—

"Whereas the Secretary of the Navy has decided that contractors owning or managing ship-yards on the Great Lakes are not eligible to bid for the construction of war vessels because of the existence of a prohibitory Agreement between the United States and Great Britain: Therefore, be it

"Resolved by the House of Representatives, that the Secretary of State be, and he hereby is, requested, if not incompatible with the public interest, to report to the House the status of the Agreement between the United States and Great Britain said to prohibit

the building, arming, or maintaining of more than a single war vessel on the Great Lakes, such information to include all data bearing upon the subject now in the possession of the Department."

Mr. Burton.—Mr. Speaker, if the gentleman from New Hampshire will permit me, he is doubtless aware of the fact that a full and exhaustive Report was filed in December 1892 upon this very question. Can he state whether other facts have developed since that time which make this Resolution necessary?

Mr. Clarke (of New Hampshire).—Mr. Speaker, the Committee have made the Resolution broad enough to deal with the entire subject.

Mr. Burton.—I only ask the question, Mr. Speaker, because it seems to me that we have passed the inquiry stage in this matter and ought to act.

The Speaker.—The question is on agreeing to the amendment proposed by the Committee.

The amendment was agreed to.

The Resolution as amended was agreed to.

On motion of *Mr. Clarke* (of New Hampshire), a motion to reconsider the last vote was laid on the table.

No. 4.

Colonial Office to Foreign Office.—(Received January 29.)

(Confidential.)

Sir,

Downing Street, January 27, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 24th instant, transmitting copy of a despatch from Her Majesty's Ambassador at Washington on the subject of the application made by the United States' Government for permission to pass through Canadian inland waters the converted yacht "Frolic," which has been lent to the State of Ohio for the use of the Naval Militia.

2. A telegram, of which a copy is inclosed, has been sent to the Governor-General of Canada asking when an expression of the views of his Ministers may be expected, and, pending the receipt of Lord Minto's reply, Mr. Chamberlain will defer making any observations on the application of the United States' Government.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 4.

Mr. Chamberlain to Governor-General the Earl of Minto.

(Telegraphic.) P.

Downing Street, January 26, 1900.

WHEN may I expect to receive observations of your Ministers on request of United States' Government for permission for "Frolic" to pass through Canals?

No. 5.

Lord Pauncefote to the Marquess of Salisbury.—(Received February 27.)

(No. 15.)

(Telegraphic.) P.

Washington, February 27, 1900.

WITH reference to my despatch No. 8 of the 12th January, on the subject of the request of the United States' Government for permission for the converted yacht "Frolic" to pass through the St. Lawrence River, I have the honour to state that the Governor-General of Canada has now communicated to me the decision of his Government to grant the permission required on condition that the vessel should be employed for the purpose of drill only on the Great Lakes.

Am I authorized to communicate this reply to the United States' Government?

No. 6.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 1, 1900.

WITH reference to your letter of the 27th January last, I am directed by the Marquess of Salisbury to state, for the information of the Secretary of State for the Colonies, that a telegram has been received from Her Majesty's Ambassador at Washington reporting, in accordance, no doubt, with a communication from the Governor-General of Canada, that the Dominion Government will grant permission for the converted yacht "Frolic" to pass through Canadian inland waters on the understanding that the vessel is to be used on the Great Lakes for the purposes of drill only.

Lord Salisbury accordingly proposes, if Mr. Secretary Chamberlain concurs, to authorize Lord Pauncefote to inform the United States' Government that the "Frolic" may pass on the understanding mentioned.

I am, &c.

(Signed) F. H. VILLIERS.

No. 7.

Colonial Office to Foreign Office.—(Received March 7.)

(Confidential.)

Sir,

Downing Street, March 6, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 1st instant, stating that Her Majesty's Ambassador at Washington has reported, presumably in accordance with a communication from the Governor-General of Canada, that the Dominion Government will grant permission for the converted yacht "Frolic" to pass through Canadian inland waters on the understanding that the vessel is to be used on the Great Lakes for the purposes of drill only.

2. Mr. Chamberlain presumes that the War Office and Admiralty have been consulted in the matter, and on the assumption that those Departments have raised no objection, he concurs in the proposal of the Marquess of Salisbury that Lord Pauncefote should be authorized to inform the United States' Government that the "Frolic" may pass on the understanding mentioned.

I am, &c.

(Signed) H. BERTRAM COX.

No. 8.

*Foreign Office to Admiralty.**

(Confidential.)

Sir,

Foreign Office, March 10, 1900.

I AM directed by the Marquess of Salisbury to transmit to you copies of correspondence relative to the maintenance of war vessels on the Great Lakes of North America,† and to the passage of such vessels belonging to the United States through Canadian canals and the River St. Lawrence.

In the proposed agreement with the United States' Government on this subject, a draft of which was inclosed in Lord Herschell's despatch No. 14 of the 2nd December, 1898, it was contemplated that two unarmoured vessels should be maintained by either Government on the Lakes, with a maximum displacement of 1,000 tons each, to be used only for the purpose of naval instruction and training. The Colonial Defence Committee agreed that this proposal should be accepted, and Lord Herschell was authorized to proceed accordingly, but the Joint High Commission adjourned without concluding any agreements on this or other questions.

Lord Herschell reported in a previous despatch (No. 11 of the 2nd November, 1898),

* Also to War Office.

† Lord Herschell, No. 11, November 2; ditto, No. 14, December 2; to Lord Herschell, No. 2, Telegraphic, December 29, 1898; and *ante*, No. 1.

that the dispatch of the converted yacht "Frolic" to the Lakes had been suspended in consequence of representations made to the United States' Government, which were to the effect that it was undesirable to prejudge the questions then under discussion in the Commission.

The application in regard to the "Frolic" was renewed in January last by Mr. Hay, a copy of whose note was inclosed in Lord Pauncefote's despatch No. 8 of the 12th of that month. The Canadian Government have expressed their readiness to grant the necessary permission, on the understanding that the vessel shall be used on the Lakes for purposes of drill only, and the Secretary of State for the Colonies has informed Lord Salisbury that he sees no objection to this course, assuming that no exception is taken to it by the Admiralty and War Office.

I am now to request that the matter may be laid before the Lords Commissioners of the Admiralty, and to state that, if their Lordships concur, Lord Pauncefote will be instructed to consent to the passage of the "Frolic" on the conditions mentioned in Mr. Hay's note, viz., that the vessel shall be taken to Cleveland, Ohio, without armament, and shall be used for drill only.

I am to ask that an early answer may be returned to this letter, in order to avoid any further delay.

A similar letter has been addressed to the War Office.

I am, &c.
(Signed) F. H. VILLIERS.

No. 9.

Admiralty to Foreign Office.—(Received March 17.)

(Confidential.)

Sir,

Admiralty, March 16, 1900.

WITH reference to your letter of the 10th instant, inclosing copies of correspondence respecting the maintenance of war vessels on the Great Lakes of North America, I am commanded by my Lords Commissioners of the Admiralty to request you will inform the Secretary of State that they concur in the proposal to allow the United States' Government vessel "Frolic" to proceed via the Canadian Canals and the River St. Lawrence, to Cleveland, Ohio, without armament and to be employed as a drill ship only.

I am, &c.
(Signed) EVAN MACGREGOR.

No. 10.

War Office to Foreign Office.—(Received March 20.)

Sir,

War Office, March 16, 1900.

I AM directed by the Secretary of State for War to acknowledge the receipt of your letter of the 10th instant, transmitting copies of correspondence relative to the maintenance of war vessels on the Great Lakes of North America, and to the passage of such vessels belonging to the United States through Canadian Canals.

In reply I am to acquaint you that Lord Lansdowne concurs in the proposal to consent to the passage of the "Frolic" through the canals, on the conditions mentioned in Mr. Hay's note, viz., that the vessel shall be taken to Cleveland, Ohio, without armament, and shall be used for drill purposes only.

I am, &c.
(Signed) R. H. KNOX.

No. 11.

The Marquess of Salisbury to Lord Pauncefote.

(No. 19.)

(Telegraphic.) P.

Foreign Office, March 20, 1900.

WITH reference to your telegram No. 15 of the 28th ultimo, inform United States' Government that the passage of "Frolic" through the canals is agreed to by Her Majesty's Government on the conditions mentioned.

No. 12.

The Marquess of Salisbury to Lord Pauncefote.

(No. 54. Confidential.)

My Lord,

Foreign Office, March 20, 1900.

WITH reference to my telegram No. 19 of this day's date, I transmit herewith, for your Excellency's information, copies of the correspondence which has passed with the Colonial Office, the War Office, and the Admiralty respecting the passage of the United States' ship "Frolic" through the River St. Lawrence and the Canadian canals to the Great Lakes.*

It will be observed that the consent of the Departments mentioned has been obtained for the passage of the vessel on the conditions mentioned in the note from Mr. Hay, of which a copy was inclosed in your despatch No. 8 of the 12th January, viz., that she shall be taken to Cleveland, Ohio, without armament, and shall be used for purposes of drill only.

I am, &c.

(Signed) SALISBURY.

No. 13.

Colonial Office to Foreign Office.—(Received March 21.)

(Confidential.)

Sir,

Downing Street, March 21, 1900.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess of Salisbury, with reference to the letter from this Department of the 6th instant, a copy of a despatch from the Governor-General of Canada on the subject of the application of the United States' Government for permission for the converted yacht "Frolic" to pass through Canadian inland waters on its way to the Great Lakes.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure 1 in No. 13.

Governor-General the Earl of Minto to Mr. Chamberlain.

(Confidential.)

Sir,

Government House, Ottawa, February 22, 1900.

IN reply to your telegraphic message of the 26th ultimo, asking for the observations of Ministers upon the request of the United States' Government for permission for the "Frolic" to pass through the St. Lawrence River and the Welland Canal, I have the honour to forward herewith a copy of an approved Minute of the Privy Council containing the expression of the views of the Government upon this subject.

* Nos. 6, 7, 8, 9, and 10.

You will observe that Ministers are willing to grant the permission asked upon a definite understanding that the vessel will be used only for purposes of drill.

I have communicated the views of the Government to Her Majesty's Ambassador to the United States.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 13.

Extract from a Report of the Committee of the Honourable the Privy Council approved by his Excellency on the 20th February, 1900.

THE Committee of the Privy Council have had under consideration a despatch, hereto annexed, dated the 12th January 1900, from Her Majesty's Ambassador to the United States, covering copy of a communication addressed to him, on the 10th January, 1900, by the Secretary of State of the United States soliciting permission from the Government of Canada for the passage through the St. Lawrence River and the Welland Canal of the converted yacht "Frolic," which vessel, it is stated, the United States' Navy Department propose to lend to the State of Ohio for drill use by a battalion of the Naval Brigade of the Ohio National Guard stationed at Cleveland; the said vessel being described as a screw-steamer built of steel in Cleveland in 1892, its dimensions being, length 165 feet, beam 25 feet, draught 10 ft. 3 in., displacement 607 tons. It is stated that the vessel will be brought to Cleveland without armament.

The Committee have also had under consideration a despatch, hereto attached, dated 26th January, 1900, from the Right Honourable Mr. Chamberlain, Secretary of State for the Colonies, to whom a copy of the said communication appears to have been forwarded from Washington, in which he intimates his desire to receive the observations of the Dominion Government upon the request for the passage of this vessel.

The Minister of Railways and Canals, to whom the matter in question was referred, observes that he would deprecate any attempt on the part of the United States of America or of Canada to violate either the letter or the spirit of the Convention of 1818 prohibiting the maintenance of any naval force on the Great Lakes beyond the force specifically and definitely defined in that Convention.

The Minister states that the yacht "Frolic" is a small screw-steamer which the United States' Navy Department have loaned to the State of Ohio for drill use of the Naval Brigade of the Ohio National Guard. Permission is asked for her to go through the canals of Canada without any armament, and he, the Minister, does not gather from the application that there is any intention of using the yacht in contravention of the Convention referred to.

The Minister, under these circumstances, recommends that the requested permission should be granted to the yacht "Frolic" to pass through the canals of Canada without armament, it being definitely understood that her use on the Great Lakes will be confined to the purposes of drill, as stated by the Honourable the Secretary of State of the United States in his despatch.

The Committee advise that your Excellency be moved to transmit a certified copy of this Minute to Her Majesty's Ambassador to the United States, and to the Right Honourable Her Majesty's Principal Secretary of State for the Colonies in reply to his despatch of the 26th January, 1900.

All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE.
Clerk of the Privy Council.

No. 14.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, March 21, 1900.

WITH reference to your letter of the 6th instant, I am directed by the Marquess of Salisbury to state, for the information of Mr. Secretary Chamberlain, that his Lordship has obtained the concurrence of the Lords Commissioners of the Admiralty and the Secretary of State for War to the proposal to grant permission for the United States' vessel "Frolic" to pass through the River St. Lawrence and the Canadian canals to the Great Lakes, and that Her Majesty's Ambassador has been instructed by telegraph to inform the United States' Government that Her Majesty's Government consent to the passage of the vessel on the conditions mentioned.

I am, &c.

(Signed) F. H. VILLIERS.

No. 15.

*Foreign Office to War Office.**

(Confidential.)

Sir,

Foreign Office, March 21, 1900.

WITH reference to your letter of the 16th instant respecting the application of the United States' Government for the passage of the "Frolic" through the St. Lawrence and the Canadian canals to the Great Lakes, I am directed by the Marquess of Salisbury to state, for the information of the Marquess of Lansdowne, that, having obtained the concurrence of the Lords Commissioners of the Admiralty, as well as that of your Department, his Lordship has authorized Her Majesty's Ambassador at Washington by telegraph to signify to the United States' Government the consent of Her Majesty's Government to the passage of the vessel on the conditions mentioned.

I am, &c.

(Signed) F. H. VILLIERS.

No. 16.

Lord Pauncefote to the Marquess of Salisbury.—(Received April 12.)

(No. 107.)

My Lord,

Washington, April 2, 1900.

WITH reference to your Lordship's despatch No. 54, Confidential, of the 20th March, inclosing correspondence respecting the passage of the United States' ship "Frolic" through the River St. Lawrence and the Canadian Canals to the Great Lakes, I have the honour to inclose a copy of the note which I addressed to the Secretary of State on receipt of your Lordship's telegram No. 19 of the 20th March, informing me that the required permission had been granted, together with a copy of Mr. Hay's reply.

I have, &c.

(Signed) JULIAN PAUNCEFOTE.

Inclosure 1 in No. 16.

Lord Pauncefote to Mr. Hay.

Sir,

Washington, March 22, 1900.

WITH reference to the note of the 10th January which you did me the honour to address to me, requesting permission for the passage through the St. Lawrence River and the Welland Canal of the converted yacht "Frolic," which it is the purpose of the United States' Navy Department to lend to the State of Ohio for drill use by

* Also to Admiralty.

the 2nd Battalion, Naval Brigade, Ohio National Guard, I have the honour to state that there being no intention of using the vessel in contravention of the Agreement of 1818 with regard to the maintenance of a naval force on the Great Lakes, Her Majesty's Government have much pleasure in granting the request of your Government, it being definitely understood that the "Frolic" will pass through the canals of Canada without armament, and that her use on the Great Lakes will be confined to purposes of drill, as stated in your note under reply.

I have, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure 2 in No. 16.

Mr. Hay to Lord Pauncefote.

Excellency,

Washington, March 28, 1900.

I HAVE the honour to acknowledge, with thanks, the receipt of your note of the 22nd instant, advising me that Her Majesty's Government have granted permission for the passage through the Canadian Canals of the converted yacht "Frolic," which it is the purpose of the United States' Navy Department to lend to the State of Ohio, for drill use by the 2nd Battalion, Naval Brigade, Ohio National Guard, on the definite understanding that the vessel will pass through the canals without armament; that her use on the Great Lakes will be confined to purposes of drill, and that she will not be used in contravention of the Agreement of 1818 with the United States in regard to the maintenance of a naval force on the Great Lakes.

I have communicated this information to the Secretary of the Navy and the Commanding Officer of the 2nd Battalion, Naval Brigade, Ohio National Guard.

I have, &c.
(Signed) JOHN HAY.

No. 17.

Colonial Office to Foreign Office.—(Received June 26.)

Sir,

Downing Street, June 25, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Salisbury, copy of a despatch from the Governor-General of Canada, forwarding an approved Minute of the Dominion Privy Council, in which his Ministers express their desire to join with the Government of the United States in an examination of the southern boundary of Canada for the purpose of re-establishing lost monuments and of placing such supplementary monuments as may appear to be necessary for modern requirements.

2. Mr. Chamberlain will be glad if Lord Salisbury, should he see no objection, will instruct Her Majesty's Ambassador to represent the wishes of the Dominion Government to the United States' Government.

3. His Lordship will remember that this question was one of the matters discussed by the Joint High Commission.

I am, &c.
(Signed) H. BERTRAM COX.

Inclosure 1 in No. 17.

Governor-General the Earl of Minto to Mr. Chamberlain.

Sir,

Government House, Ottawa, May 30, 1900.

I HAVE the honour to forward herewith a copy of an approved Minute of the Privy Council, representing that the request of the State Engineer and Surveyor of the State of New York for the co-operation of Canada in a periodical examination of the monuments marking the boundary between that State and the Dominion has been the occasion of directing attention to the desirability of the examination of the whole

of the southern boundary of Canada, with a view to repairing or replacing the monuments marking it where necessary.

In order to effect this object, Ministers point out that an agreement between Her Majesty's Government and the United States will be necessary, and they trust that such steps will be taken by Her Majesty's Government as may insure the re-establishment of the boundary where required.

I have, &c.
(Signed) MINTO.

Inclosure 2 in No. 17.

Extract from a Report of the Committee of the Honourable the Privy Council, approved by the Governor-General on the 26th May, 1900.

ON a Report, dated the 12th May, 1900, from the Acting Minister of the Interior, stating that he has received a communication from the State Engineer and Surveyor of the State of New York stating that he is required under their law to make every three years an examination of the monuments marking the boundary of his State, and that the time for the periodical examination is at hand, and asking the co-operation of the Government of Canada so far as regards that portion of the State boundary which coincides with the boundary of the Dominion.

The Minister observes, with regard to this proposition, that it looks to a mere examination of the monuments, and not the repair or replacing of those broken or lost. This last would be out of the power of the State of New York and of Canada, either separately or jointly, without an International Agreement with the United States. Without power to replace, the examination would appear to be of little service to the Dominion. For this reason, he (the Minister) is unable to recommend compliance with the State Engineer's request.

The Minister would, however, call attention to the general question, of which this is a part—namely, the examination, and, where necessary, the re-marking of the whole of the southern boundary of Canada, wherever it has been surveyed by the various Commissions appointed for that purpose. The portions of the boundary-line which have been so marked are: from the St. Croix to the St. Lawrence River, separating the Provinces of New Brunswick and Quebec from the States of Maine, New Hampshire, Vermont, and New York. This line was surveyed under the Ashburton Treaty of 1842 and marked with cast-iron monuments.

From the lake of the woods to the Rocky Mountains (49" parallel), separating Manitoba and the north-west territories from the States of Minnesota, North Dakota, and Montana; surveyed 1872 to 1874, and marked, in part with iron monuments, in part with earth or stone mounds. From the Rocky Mountains to the Straits of Georgia (49" parallel), separating British Columbia from the States of Montana, Idaho, and Washington, surveyed 1859 to 1861, and marked with mounds and iron posts.

As regards all these portions of the line, many complaints have been made from time to time of the disappearance of monuments, and the consequent difficulty of determining the exact position of the boundary, while the British Columbia portion of the line was, in November 1892, the subject of a formal request by the Lieutenant-Governor in Council for not only a re-establishment of lost posts, but also for an additional or supplementary survey, on the ground that the demarcation by the Commissioners was not sufficiently complete for modern requirements.

Again, the boundary-line between Ontario and Minnesota, between the Lake Superior and Lake of the Woods has been designated by the Commissioners under the Treaty of Ghent, and by the Ashburton Treaty by description and maps only, and the line (which in general follows the water communication) has never been marked where it crosses the portages.

The Minister submits that while this question was one of those before the Joint High Commission, it is yet essentially different from the other questions before that Commission, as it involves no cession of territory or relinquishment of rights on either side, but is a matter purely of business arrangement to the mutual advantage of both countries.

The Minister therefore recommends that your Excellency be moved to inform Her Majesty's Government of the desire of the Government of Canada to join with the

United States in an examination of their common boundary for the purpose of re-establishing lost monuments, and of placing such supplementary monuments as may appear necessary to meet modern requirements.

The Committee advise that your Excellency be moved to transmit a certified copy of this Minute to the Right Honourable the Secretary of State for the Colonies. All which is respectfully submitted for your Excellency's approval.

(Signed) JOHN J. MCGEE,
Clerk of the Privy Council.

No. 18.

The Marquess of Salisbury to Lord Pauncefote.

(No. 154.)

My Lord,

Foreign Office, June 30, 1900.

I TRANSMIT to your Excellency the accompanying copy of a letter from the Colonial Office,* forwarding a despatch from the Governor-General of Canada, in which he expresses the desire of the Dominion Government to join with the Government of the United States in an examination of the whole of the southern boundary of Canada, for the purpose of re-establishing lost monuments, and of placing such supplementary monuments as may appear necessary to meet modern requirements.

The question was, as your Excellency will recollect, one of those discussed by the Joint High Commission, but as pointed out in the Minute of the Canadian Privy Council, it appears to differ from the other questions submitted to the Commission in that it involves no cession of territory or relinquishment of rights, but is mainly a matter of business arrangement to the mutual advantage of both countries.

In these circumstances, and as no difficulties would seem likely to arise in the course of such an operation, I request your Excellency to represent the wishes of the Canadian Government to the Government of the United States.

I am, &c.
(Signed) SALISBURY.

No. 19.

Foreign Office to Colonial Office.

Sir,

Foreign Office, June 30, 1900.

I AM directed by the Marquess of Salisbury to acknowledge the receipt of your letter of the 25th instant, forwarding a despatch from the Governor-General of Canada, in which his Excellency expresses the desire of the Dominion Government to join with that of the United States in an examination of the southern boundary of Canada.

In reply I am to state that a copy of your letter has been sent to Her Majesty's Ambassador at Washington, and that his Excellency has been requested to represent the wishes of the Dominion Government to the Government of the United States.

I am, &c.
(Signed) F. H. VILLIERS.

No. 20.

Lord Pauncefote to the Marquess of Salisbury.—(Received August 7.)

(No. 46.)

(Telegraphic.) P.

Newport, August 7, 1900.

REFERRING to my despatch No. 107, I have the honour to report that owing to the exigencies of the Service the United States' Government wish the "Hawk" to be substituted for the "Frolic." The former, though of smaller dimensions, is of the same class as the "Frolic."

The Canadian Government have been informed of this request.

No. 21.

Foreign Office to Colonial Office.

(Confidential.)

Sir,

Foreign Office, August 8, 1900.

WITH reference to the letter from this Office of the 7th May last, inclosing copy of a despatch from Her Majesty's Ambassador at Washington recording the arrangement sanctioned for the passage of the United States' Government vessel "Frolic" through the Canadian canals, I am directed by the Secretary of State for Foreign Affairs to transmit to you, to be laid before Mr. Secretary Chamberlain, copy of a telegram from Lord Pauncefote,* stating that the United States' Government wish to substitute the vessel "Hawk" for the "Frolic." This request his Excellency has communicated to the Dominion Government.

Lord Salisbury has caused copies of this telegram to be sent to the War Office and the Admiralty, with an inquiry as to their concurrence in the proposed substitution.

I am, &c.

(Signed) T. H. SANDERSON.

No. 22.

Foreign Office to War Office.†

(Confidential.)

Sir,

Foreign Office, August 8, 1900.

WITH reference to your letter of the 16th March last, concurring in the proposal to allow the United States' Government vessel "Frolic" to proceed via the Canadian canals and the River St. Lawrence to Cleveland, Ohio, without armament, and to be employed as a drill ship only, I am directed by the Secretary of State for Foreign Affairs to transmit to you herewith, for the information of the Secretary of State for War, copy of a telegram from Her Majesty's Ambassador at Washington,* stating that the United States' Government wish to substitute the vessel "Hawk" for the "Frolic."

Lord Salisbury would be glad to learn whether Lord Lansdowne concurs in the proposed substitution.

I am at the same time to inclose, for convenience of reference, copy of Lord Pauncefote's despatch‡ recording the terms on which the arrangement for the passage of the "Frolic" was sanctioned.

I am, &c.

(Signed) T. H. SANDERSON.

No. 23.

Admiralty to Foreign Office.—(Received August 15.)

(Confidential.)

Sir,

Admiralty, August 13, 1900.

WITH reference to your letter of the 8th instant, I am commanded by my Lords Commissioners of the Admiralty to request you will inform the Marquess of Salisbury that they see no objection to the passage of the "Hawk" through the St. Lawrence and the Canadian canals to the Great Lakes, the United States' Government being desirous to substitute that vessel for the "Frolic," for which permission had previously been granted.

My Lords concur in this proposal on the understanding that the same conditions are observed by the "Hawk" as were laid down for the "Frolic."

I am, &c.

(Signed) H. J. VAN SITTART NEALE.

No. 24.

War Office to Foreign Office.—(Received August 17.)

Sir,

War Office, August 16, 1900.

I AM directed by the Secretary of State for War to acknowledge the receipt of your letter of the 8th instant, transmitting a copy of a telegram from Her Majesty's Ambassador at Washington, stating that the United States' Government wish to substitute the vessel "Hawk" for the "Frolic" to proceed via the Canadian Canals and the River St. Lawrence to Cleveland, Ohio, without armament, and to be employed as a drill-ship only.

In reply I am to acquaint you, for the information of the Marquess of Salisbury, that, provided the "Hawk" is of the character and dimensions described in Lord Pauncefote's telegram, Lord Lansdowne concurs in the proposed substitution.

It is presumed that the Admiralty have been informed, and have no objection to offer.

I am, &c.

(Signed) R. H. KNOX.

No. 25.

The Marquess of Salisbury to Lord Pauncefote.

(No. 146.)

(Telegraphic.) P.

Foreign Office, August 17, 1900.

IN reply to your telegram No. 46 of the 7th instant, Her Majesty's Government have no objection to the substitution of the "Hawk" for the "Frolic."

No. 26.

Foreign Office to Colonial Office.

Sir,

Foreign Office, August 22, 1900.

WITH reference to the letter from this Office of the 8th instant, I am directed by the Marquess of Salisbury to state, for the information of Mr. Secretary Chamberlain, that the Admiralty and the War Office have expressed their concurrence in the proposed substitution of the United States' Government vessel "Hawk" for the "Frolic," whose passage through the Canadian Canals and the River St. Lawrence to Cleveland, Ohio, had previously been sanctioned.

Her Majesty's Ambassador at Washington has accordingly been instructed to acquaint the United States' Government that Her Majesty's Government have no objection to the proposal.

I am, &c.

(Signed) F. H. VILLIERS.

No. 27.

Lord Pauncefote to the Marquess of Salisbury.—(Received August 30.)

(No. 223.)

My Lord,

Newport, Rhode Island, August 21, 1900.

WITH reference to your Lordship's telegram No. 146 of the 17th instant, I have the honour to transmit herewith a copy of a note which I addressed to the United States' Government, informing them that the Canadian Government accede to their request that the permission granted for the passage through the Canadian canals of the

converted yacht "Frolic" may be transferred to the converted yacht "Hawk," on the conditions already laid down.

The consent of the Canadian Government had previously been conveyed to me by the Deputy of the Governor-General.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 27.

Lord Pauncefote to Mr. Adee.

(No. 238.)

Sir,

Newport, Rhode Island, August 20, 1900.

WITH reference to Mr. Hay's note of the 3rd August, requesting that the permission granted by the Canadian Government for the passage of the converted yacht "Frolic" through the Canadian canals might be transferred to the converted yacht "Hawk," I have the honour to state that the Dominion Government have much pleasure in acceding to that request, and in granting permission for the passage of the "Hawk" on the same conditions as those laid down in my note of the 22nd March for the passage of the "Frolic."

I have, &c.
(Signed) PAUNCEFOTE.

No. 28.

Sir A. Shea to the Marquess of Lansdowne.—(Received November 19.)

My Lord Marquess,

39, Courtfield Gardens, London, November 19, 1900.

I HAVE the honour to invite your Lordship's attention to a chapter in the Anglo-American Fishery Treaty, which, in connection with its special circumstances, has never before been presented to the Minister for Foreign Affairs in this country. As I am advised that this fishery question will be raised at no distant date, it would seem to be important, in the interests of Canada and Newfoundland, that there should be a definite record for purposes of reference of the unselfish policy pursued for so many years in favour of American fishermen, as it should count for something more than mere sentiment in the course of future negotiations.

In the year 1883 the fishery clauses of the Washington Treaty were denounced by the American Government, and consequent notice was given of their abrogation to take effect on the 1st July, 1885. This Agreement had given American fishermen the use of the inshore waters of the British North American provinces in exchange for the free entry of our fish products into the markets of the United States, and the repeal of this equitable Convention meant a relapse into the old time conflicts, and angry correspondence with which the British Foreign Office was but too familiar. The new position had evidently been deliberately assumed, and there seemed nothing left for the Colonies but to accept it with all its disturbing consequences. However, in the month of March, 1885, I was requested by the Newfoundland Chamber of Commerce to visit Washington to acquire all available information on the subject, but had no definite instructions, and on my arrival I waited on Mr. Bayard, the recently appointed Secretary of State under Mr. Cleveland's administration. I explained to him the non-official character of my mission, but hoped an informal exchange of opinion might be useful in the direction of a better understanding than was indicated by the proposed abolition of a peace preserving Treaty. He laid aside all ceremony, and entered readily into a discussion of the subject, inviting me to give a résumé of the operations under both Treaties, with the details of which he was not familiar. I placed before him the experience of the ancient compact with its pains and penalties, which had been so well set aside by the friendly arrangement it was now proposed to repeal. He listened with earnest attention, and frankly avowed his disapproval of the step that had led to the coming disruption, but he had then only to deal with existing facts. He was much concerned at learning that the 1st July was the middle of the fishing season, and that if at that date American fishermen were deprived of the privileges they had for the last ten years enjoyed on our

coasts, their operations for the year would be seriously compromised. He expressed the utmost anxiety to save his people from such an issue, but acknowledged the logic of our position if we thought it well to enforce it. In answer to my suggestion that the terminating notice should be extended to the end of the season when Congress might deal with the whole question, Mr. Bayard readily concurred as far as fishery privileges were concerned, but he regretted he was unable to promise the free entry of our fish, as Congress had already imposed the tax on these products to operate on the 1st July. At the last of my interviews he stated that in the first President's message, Congress would be invited to sanction the appointment of an Anglo-American Commission to dispose of the grounds of controversy once for all, and he trusted, under the circumstances, that American fishermen would be left undisturbed by us for the remainder of the season.

Though not within the purview of my mission, I deemed it most advisable that I should confer with the Dominion Government on the situation in the light of the harmonising tendencies of the present United States' Executive, and I accordingly proceeded to Ottawa, where I had an early interview with the Governor-General, Lord Lansdowne, and the Premier, Sir John McDonald, from whom I learned that owing to the continued unfriendly bearing of the American Government they were unable to resist the alternative exercise of their rights to exclude American fishermen from Canadian waters, and that an estimate was then before Parliament for the amount necessary to carry this purpose into effect. I explained the fair-minded disposition that then prevailed at Washington, and I was able, from personal knowledge, to give assurance that the privilege of six months' use of our waters asked for by Mr. Bayard might be conceded without serious prejudice to our interests. The Governor-General and the Premier both expressed pleasure at the information I had given, and promptly recognized the importance of falling in with Mr. Bayard's evident desire for a better understanding, the outcome of the interviews being a resolve to reconsider the position of the Dominion Government, for which a Cabinet Council was summoned for the following day, which I was invited to attend. At this meeting the subject in its new aspect was fully discussed, in a sense in which for the time all mere bargaining conditions were ignored. And the result was the withdrawal of all drastic proposals and acceptance of the views of the American Government in a liberal and responsive spirit.

I then returned to Newfoundland, where there had always been a desire for free commercial dealing with the United States, and the conciliatory course adopted in Canada was readily acquiesced in. These events placed the Imperial Government in a position before the 1st July to advise the American authorities that their overtures had been acceded to by the British North American provinces. When in England some time afterwards I was invited to visit the Colonial Office, where Lord Derby, then Colonel Stanley, the Colonial Secretary, spoke in adequate terms of appreciation of the good work that had been accomplished, as he expressed it, "in the admirable manner in which the ends had been brought together," and Mr. Bayard regarded with unqualified satisfaction a result by which a mischievous crisis had been avoided. Some time afterwards a Treaty was negotiated which failed to secure the necessary confirmation of the American Senate, but by a temporary and not expensive system of licences granted by the Colonial Governments, American fishermen have been permitted to use our inshore waters, and through the intervening time the peace has been kept undisturbed. Having regard to all the existing favourable influences, the conclusion of a formal satisfactory Treaty should not be a matter of serious difficulty or delay.

It will not be disputed that to the abandonment at a critical moment by the Dominion Government of its contemplated retaliatory policy is it primarily due that the thorny fishery question has since ceased from troubling, and it is also clear that Newfoundland has done its own good part in promoting the peaceful settlement of a controversy that has lived too long, but is now presumably destined to be finally set at rest.

I have, &c.
(Signed) AMBROSE SHEA.

No. 29.

Foreign Office to Sir A. Shea.

Sir,

Foreign Office, November 22, 1900.

I AM directed by the Marquess of Lansdowne to acknowledge, with thanks, the receipt of your letter of the 19th instant, in which you call attention to the unofficial negotiations carried on by you in 1885 with the United States and Canada in connection with the abrogation of the fishery clauses of the Treaty of Washington.

His Lordship has read your communication with interest, and a copy of it has been forwarded to the Secretary of State for the Colonies.

I am, &c.
(Signed) FRANCIS BERTIE.

No. 30.

Colonial Office to Foreign Office.—(Received December 6.)

Sir,

Downing Street, December 5, 1900.

I AM directed by Mr. Secretary Chamberlain to acknowledge the receipt of your letter of the 22nd ultimo, inclosing a copy of a letter from Sir Ambrose Shea respecting the United States' Atlantic fishery question.

I am, &c.
(Signed) H. BERTRAM COX.

No. 31.

Lord Pauncefote to the Marquess of Lansdowne.—(Received December 10.)

(No. 115. Commercial.)

My Lord,

Washington, November 29, 1900.

I HAVE the honour to transmit to your Lordship herewith a copy of a note which I have received from the United States' Secretary of State, relative to complaints made by the Chamber of Commerce of Skagway, Alaska, of unjust treatment at the hands of Canadian Customs officials.

In accordance with the request made by Mr. Hay in this note, I have also forwarded a copy of it to the Governor-General of Canada.

I have, &c.
(Signed) PAUNCEFOTE.

Inclosure in No. 31.

Mr. Hay to Lord Pauncefote.

Excellency,

Department of State, Washington, November 27, 1900.

ON the 11th ultimo the Secretary of the Treasury received a communication dated the 18th August, 1900, from the Skagway, Alaska, Chamber of Commerce, calling attention to the great loss of trade of that city from the liberal concessions granted Canada by the Treasury Department and the unjust discrimination against the port of Skagway by the officers of Canadian Customs.

It is stated by the Chamber that Canada has extended bonded privileges under Regulations dated the 17th December, 1897, allowing dutiable merchandize to go through British territory to American ports on the Yukon, by bonded carrier; that this privilege has availed nothing because no carrier has ever yet been bonded excepting the Canadian Development Company, whose route does not extend beyond Dawson; that no shipment has ever yet gone through the Yukon territory by bonded carrier; that the first knowledge that any bonded carrier had been appointed for the Yukon territory was gained at Skagway on the 14th July, 1899, and that on the 1st September following, notice was given that the Company named could take no more goods even so far as

Dawson. The communication from the Skagway Chamber of Commerce referred to continues as follows:—

“The other privilege extended American commerce, namely, that of making a cash deposit, helped us but little more. Canadian Regulations set forth that such cash deposit could be made at Tagish and that the money would be refunded at Fort Cudahy when the goods passed out of Yukon territory. The Canadian Government has failed to put this Regulation into force as promised. Eight months after the Regulation was made the following letter was received by one of our business men in answer to his inquiries:—

“Dear Sir,

“Lake Bennett, B.C., August 3, 1898.

Your letter of the 30th ultimo, *in re* goods passing *in transit*o to Forty Mile and other points in your territory, and asking if the duty paid on such goods will be refunded. I do not know what arrangements have been made for making such refund. A few people have taken goods through in this way, but I am as much in the dark as you as to whether they received such refund or not. I will, however, have full information on this matter in a few days, as one of my officers will be going into the interior with Mr. Ogilvie, who is on his way out from Ottawa at the present time.

“Faithfully yours,

(Signed) “JOHN W. CLUTE,

“Inspector of Ports, B.C., and Upper Yukon.

“E. O. Sylvester, Esq.,

“Skagway, Alaska.’

“As a matter of fact the Canadian Government has never made arrangements to refund the cash deposit at Fort Cudahy as promised. The few people who have taken goods through in this way have had to return to Dawson or go to Victoria to get their money back. The trouble and time necessary to get back such refund completely discouraged Americans from trying to bond their goods through, and up to the present year only twelve shipments of American goods had availed themselves of this privilege. The Canadian bonding privileges, while existing in theory, have never existed in practice, which fact has completely cut off our American trade with the American Settlements along the Yukon. It has been easier for them to buy American goods in Dawson, which have paid American duty, than to try to ship in American goods themselves. As a proof of this you are cited the fact that over 100,000 dollars worth of American goods were entered from Dawson at Forty Mile last year, as American goods returned duty free.”

The communication from the Skagway Chamber of Commerce further states that Canadian liquors were permitted to be bonded at Skagway for transit through Alaska to British North-west Territory as early as the 14th September, 1897, and that on the 2nd February, 1898, the United States' Treasury Department extended to Canada liberal bonding privileges which allowed Canadian goods to pass through Skagway under convoy, security bond, or cash deposit; that as early as the 1st April following the Canadians were availing themselves of this privilege, and soon large consignments of liquor began to pass through Skagway to the British North-west Territory; and Canadian merchants shipped through Skagway under such privileges over 14,000 tons of merchandize during the year 1898. The communication continues as follows:—

“Not satisfied with the liberal concessions granted them, the Canadians undertook to wipe out of existence what little trade there was left to Skagway. Our shipments were often unnecessarily detained at the frontier; duty was often charged on personal effects; the certified invoices of our merchants were refused and their goods appraised, and duties were reckoned on our shipments at Skagway prices. We understand that Canadian law requires imported goods to pay duty upon their value in the principal markets of the country from which they are exported. Being so far removed from the principal markets of the United States, the cost of freight to Skagway is very heavy. So that when we come to pay duty on original cost, plus freight and middlemen's profit, it makes the duty we are obliged to pay fully 50 per cent. more than if the goods were exported from almost any other port of the United States. This has compelled American shippers to enter their goods at Victoria or Vancouver, bring them here on British vessels and pass them through this territory as Canadian goods in bond. We lose the jobber's profit on these goods, and American vessels lose the haul from Victoria and Vancouver to Skagway through this discrimination.

“All American goods for settlement between Bennett and Dawson are detained at Bennett, often for several days, ostensibly for the purpose of being checked; while Canadian shipments are allowed to go through to their destination without any detention.

A carload of Canadian goods leaving Skagway for White Horse goes through untouched; but a carload of American goods has to be unloaded at Bennett, and the goods checked and put back into the car before they can proceed.

"The refusal of the Canadian Government to allow Canadian goods free return if detained in a foreign country, completely prevents our entering into competition with them on their own products and manufactures. We have tried diligently for more than two years to get this concession granted to us. Were we allowed to carry Canadian goods in bonded warehouses at this port, and return them to Canada free of duty, we could secure a share of the trade, as the great advantage of our geographical position will always keep this market several days nearer the interior than any other can be. We believe that we are entitled to this privilege, and beg that you will take such steps to lay the matter before our Government as will lead it to ask Canada that we be allowed to carry Canadian goods here in bond, and to return them to Canada free of duty."

The communication from the Skagway Chamber of Commerce also shows that foreign merchandize bonded at Skagway for transit through Alaska to the British North-west Territory amounted during the last seven months of the year 1898 to 280,121 dollars, during the year 1898, to 294,416 dollars; and during the first six months of the year 1900, to 1,389,761 dollars. The Chamber asks that steps be taken to secure from the Canadian Government the reciprocal privilege of bonding American merchandize from Skagway through British North-west Territory to points in Northern Alaska.

Upon receipt of the communication referred to above Special Agent J. F. Evans, who has been stationed at Sitka, Alaska, during the past six months or more, was directed to submit an expression of his views upon the subject thereof. On the 14th June last, in reporting upon the customs business transacted at the port of Skagway, Special Agent Evans said:—

"It cannot be said truthfully that the Canadian Regulations published in Circular No. 23 of the 2nd February, 1898, which were designed to be reciprocal, have ever been carried out in such a manner as to be of any benefit to Americans crossing British territory with their goods and effects or so far as can be learned, carried out in any manner whatever. The complaint is quite generally lodged at the Skagway Office that American miners with their effects have been treated with great severity in the exaction of duties on articles which, in the light of the Canadian Regulations, should have been properly classed as baggage and personal effects, and passed free without entry.

"These Regulations also provided for the conveyance of American goods by bonded carrier through the North-west Territory, a provision that has never been in operation, or has been allowed to sleep by reason of the failure of the Transportation Company to execute the prescribed bond. A shipment under this provision was attempted last year, and is understood to be still lying at Bennett, to the serious loss and inconvenience of the shipper.

"The provision for cash deposit of duty to be refunded when the goods pass into the United States, has been attended with such extraordinary measures of precaution that the shippers with rare exceptions have been unable to obtain the refund.

"At the start the Canadian Customs Laws were executed through the North-west Mounted Police. Later, regular Customs officials were substituted for this service, and they manifest no particular desire to enforce Canadian Regulations for the benefit of American shippers. While they may express a willingness to do so, the system set forth in their Regulations has never been put into practical operation.

"More than two years have passed, and the Canadian Regulations are still practically a dead letter. It would seem that unless the Canadians take steps to put into immediate operation their Regulations intended for the reciprocal advantage of the American shippers, and, as operated, distinctly to their own, the Department should modify or amend its Regulations to meet existing conditions."

In a Report, dated the 5th instant, Special Agent Evans, commenting upon the communication of the Skagway Chamber of Commerce, says:—

"First, the Canadian Government, by its Regulation of the 17th December, 1897, granted the privilege of shipping American goods across the North-west Territory. Then was issued the Treasury Department Regulation of February 1898, granting similar privileges to Canadian goods *en route* through the United States to Dawson, Regulations which we have carried out to the letter in the most accommodating and friendly spirit, even permitting foreign goods in British bottoms to proceed to Skagway without hindrance at wayports or giving bond and without convoy. Consular invoices were waived and bills of health, and transshipment facilitated with delay or expense.

"The Regulations of the Canadian Government, above mentioned, were never carried into effect for the very good reason that there was no established route to bond. Even now there is no bonded route from border-line to border-line, *i.e.*, from White Pass to Eagle City, our first Customs station below Dawson. The route is bonded only as far as Dawson, which fact operates very much to the advantage of the Canadian shipper and to the disadvantage of the American shipper. As I understand, an American shipper cannot bond his goods beyond Dawson. If he desires to send them further on to Eagle City or to any other place in Alaska, he must pay the Canadian duties or make a cash deposit to cover the duties, under promise of return upon proof of landing in American territory."

In the same communication Special Agent Evans says:—

"Is it not feasible and most essential to obtain from Canada in behalf of the merchants of Skagway, which has been granted warehousing privileges and established bonded warehouses, the right of warehousing imported merchandize, and of having it shipped into Dawson on an appraised value based on the wholesale market price in the principal markets of the country of purchase and production, and not at its Skagway value, which includes freights, profits, insurance, and other like charges?"

"Under our Revenue Laws and those of Great Britain values for the purpose of levying duties are based upon the general market price in the principal markets of the country of export. These laws are liberally construed in the United States for the benefit of importers. For instance, coke shipped from Newcastle, free on board, is valued at the net value at the ovens, many miles distant, by deducting freight charges, loading charges, dock and river dues, and towu dues, &c. And upon all other merchandize, no matter from what country, the appraised value is determined in our ports in the same manner, by deducting inland charges from the factory to the seaboard or place of exportation to the United States. Applying this rule in the spirit of reciprocity to goods bought by a Skagway merchant in Canada or in the United States and shipped over the Skagway route, should be appraised at its usual wholesale value in those countries, say, at Montreal, Toronto, or Vancouver, in Canada, and Chicago, San Francisco, Portland, or Seattle, in this country. Skagway, being a remote town on the far frontier, is not a principal market, and the cost of getting goods there being very great, the injustice is apparent of discriminating against Skagway by charging duties upon the local valuations of that place."

From the foregoing it will be seen that the Skagway Chamber of Commerce complains that while the Regulations of the United States' Treasury Department relating to shipment of foreign merchandize in bond through Alaska to the British North-west Territory are liberal and have been properly carried into effect, the Canadian Regulations of December 1897, which were intended to permit shipment of American merchandize in bond through the British North-west Territory to points in Northern Alaska, have never been executed, and that bonded routes for such transshipment have never been established. It also appears that merchandize, the product of the United States, shipped through Skagway for exportation to points in the British North-west Territory, is appraised by the Canadian Customs officials for the assessment of duty at the values of the same in Skagway, including all costs and charges incident to the transportation thereof from the places of production in the United States to Skagway, and that this practice is contrary to the practice which prevails in this country, the laws of the United States requiring that imported merchandize shall be appraised for the assessment of duty at its market value in the principal markets of the country of production. It is also stated that the laws of Canada are similar in this respect to the laws of the United States.

It further appears that merchandize, the product of Canada, imported into Skagway from Vancouver and Victoria, B.C., is not allowed free entry upon its reimportation into British North America upon proper proofs of its origin. Under the existing Tariff Law of the United States, articles the growth, produce, and manufacture of the United States, when returned after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means, are admitted to the United States free of duty upon the declaration of the person making entry and the certificate of the Collector of Customs of the port whence the exportation from the United States was made showing the fact of exportation from that port.

As your Excellency is aware, the concessions to Canada were granted by the United States' Treasury Department on the understanding that reciprocal advantages were to be afforded to the United States. This Government has a right to expect from Canadian officials perfect good faith in providing reciprocal facilities for trade, and their failure to do this is doubtless unknown to the Canadian Government.

I have the honour, therefore, to request your offices to the end that the foregoing complaints may be communicated to that Government. It is believed that that Government will take measures to afford to the merchants of this country, including those doing business at Skagway and other points, the privileges of shipping merchandize in bond through the British North-west Territory by the establishment of suitable bonded lines to points on the frontier of Northern Alaska, of introducing the products of this country into the British North-west Territory at reasonable and proper values for the assessment of duties thereon, and of the free importation into Canada of the products of that country previously imported into the United States and exported thence to Canada without change in condition or advance in value by any process of manufacture; and that in these and other matters complained of the Canadian Customs Regulations will be executed in the same spirit of reciprocity with which the Regulations of this Government are enforced.

I have, &c.

(Signed) JOHN HAY.

No. 32.

Colonial Office to Foreign Office.—(Received December 18.)

Sir,

Downing Street, December 17, 1900.

I AM directed by Mr. Secretary Chamberlain to transmit to you, to be laid before the Marquess of Lansdowne, copy of a despatch from the Governor of Newfoundland requesting instructions with regard to a public announcement by his Premier of his intention to urge on Her Majesty's Government the ratification of the Bond-Blaine Convention.

Mr. Chamberlain will be obliged if, in order to enable him to consider this despatch, Lord Lansdowne will inform him whether any information has reached the Foreign Office indicating a desire on the part of the United States' Government for the resumption of the Joint High Commission negotiations.

I am, &c.

(Signed) H. BERTRAM COX.

Inclosure in No. 32.

Governor Sir H. McCallum to Mr. Chamberlain.

Sir,

Government House, St. John's, November 23, 1900.

IN the concluding paragraph of my despatch of this date I mention that Mr. Bond has written to me to the effect that, with the majority at his command, he hopes to accomplish within a reasonable time the works outlined in his Manifesto.

2. Amongst these works is the following, which it is my duty to bring to the notice of Her Majesty's Government:—

"To urge upon Her Majesty's Government the ratification of our Convention with the United States of America, which would mean the opening up of a free market for the products of our fisheries and mines amongst 75,000,000 of people."

3. Without discussing the question whether the United States are prepared to again consider a Convention agreed to between Mr. Bond and Mr. Blaine ten years ago, but which Her Majesty's Government were unable to ratify, as it was not compatible with other Imperial interests and obligations, I should be glad to be informed whether, in any discussion which may ensue with my Ministers on the subject, I should be guided by the principles laid down in Lord Knutsford's despatch of the 12th February, 1891.

4. Also, whether there is any chance of such reciprocity between Canada and the United States being negotiated which would practically remove the objections advanced in 1890 against the Bond-Blaine Convention by Canadian statesmen.

5. I need scarcely point out that if the markets of the United States could, with the assistance of Her Majesty's Government, become open to our fish industries, the economic status of the Colony would be materially improved, and a counterpoise secured for the damage sustained in consequence of the unfair competition in European markets through the exercise of inordinate French bounties.

I have, &c.

(Signed) HENRY McCALLUM.

No. 33.

Foreign Office to Colonial Office.

Sir,

Foreign Office, December 28, 1900.

I LAID before the Marquess of Lansdowne your letter of the 17th instant, inclosing copy of a despatch from the Governor of Newfoundland requesting instructions with regard to a public announcement by his Premier of his intention to urge on Her Majesty's Government the ratification of the Bond-Blaine Convention.

In reply to the inquiry contained in the second paragraph of your letter, I am to state that the United States' Government have not made any proposal for the resumption of the Joint High Commission negotiations.

I am, &c.

(Signed) F. H. VILLIERS.

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1898-9.

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