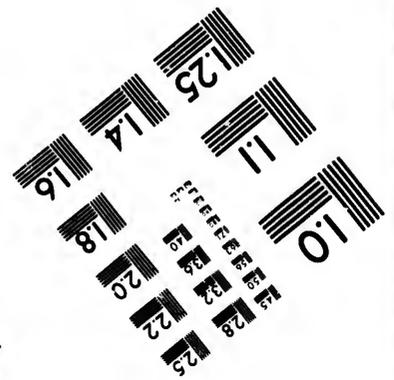
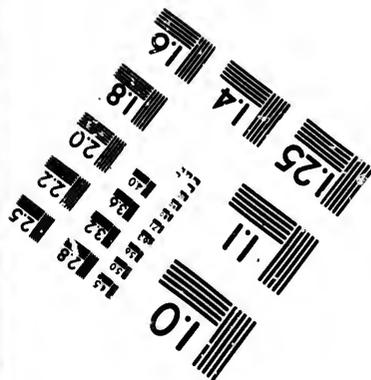
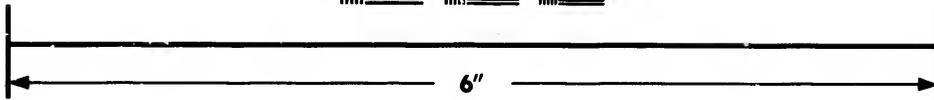
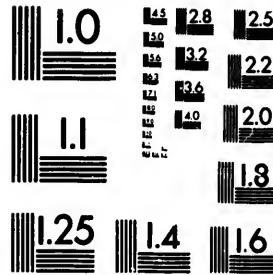


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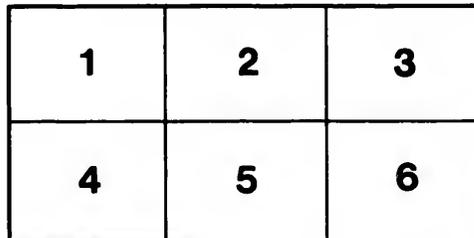
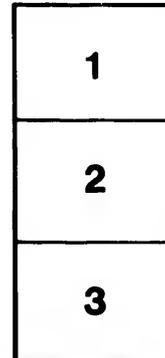
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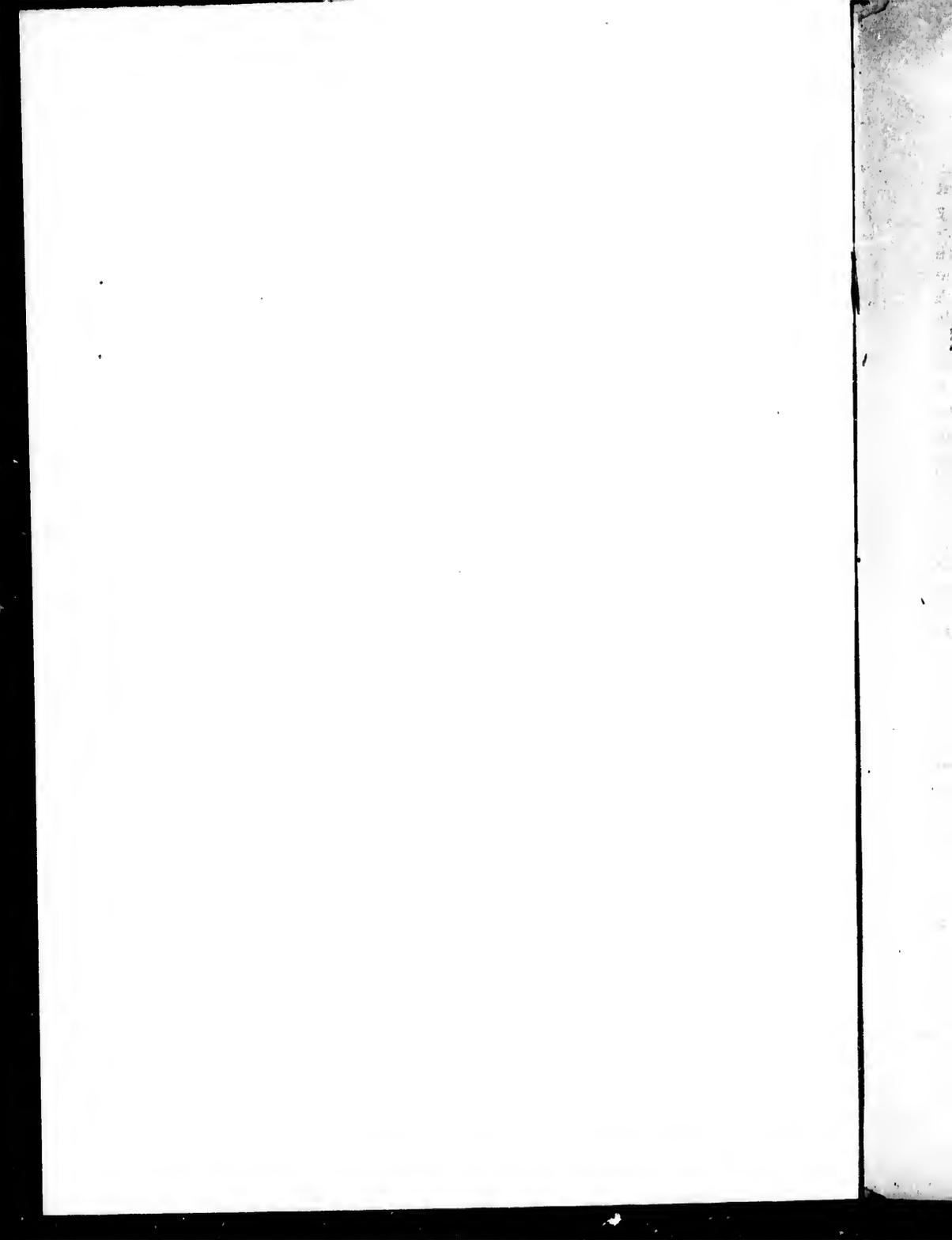
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FISHERIES AND RECIPROCAL TRADE

WITH THE

UNITED STATES OF AMERICA.

JOINT ADDRESS

OF BOTH HOUSES OF THE

LEGISLATURE OF NEW BRUNSWICK

TO

HER MOST GRACIOUS MAJESTY.

Printed by Order of the Legislature.

FREDERICTON.

J. SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1853.



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TO

The Queen's Most Excellent Majesty.

*The Humble Address of Your Majesty's Legislative Council and House of
Assembly of the Province of New Brunswick.*

MAY IT PLEASE YOUR MAJESTY,

We, Your Majesty's Dutiful and Loyal Subjects, the Legislative Council and Assembly of New Brunswick, beg leave to approach Your Majesty with sentiments of profound respect, and with unabated attachment to Your Majesty's Person and Government.

The prompt and efficient protection afforded by Your Majesty's Naval Forces to the Fisheries of British North America, which secured its Coasts from Foreign aggression during the past year, and enabled British Subjects to enjoy unmolested their rights and privileges, has inspired the inhabitants of New Brunswick with increased confidence in the determination of Your Majesty's Government to maintain, to the fullest extent, their claim to this invaluable source of industry and wealth: And we again entreat, that Your Majesty will be pleased to continue such protection, being impressed with the belief that it will prove much more advantageous and satisfactory than the acceptance of any equivalent yet offered by the American Government for a participation in these Fisheries; a full and unmolested enjoyment of which is of the utmost importance, forms an incalculable source of wealth, and is of inestimable value to the People of New Brunswick.

Maritime Nations at all times, and in every quarter of the Globe, have set up and maintained certain exclusive privileges within three marine miles of their shores; and by universal custom and the law of Nations, the claim has been defined by lines, not within Bays, but from the entrance of such Bays, as designated by a line drawn from headland to headland forming such Bays; which law has been fully recognized by the most eminent American as well as other Jurists; and by the Articles of the Convention of 1818, the United States thereby renounced forever the liberty of fishing within three marine miles of the Coasts, Bays, Creeks or Harbours of certain portions of the British North American Colonies: this Treaty stipulation is clearly expressed and is incapable of misconstruction.

The proposition of the American Government to concede to us the privilege of fishing on their Coasts as an equivalent for a participation in the Coast Fisheries of these Colonies, is delusive, and so utterly disproportioned in the benefits intended to be conferred on the respective parties, that it ought not, in justice to Your Majesty's Colonial subjects, to be entertained. With the best Fisheries in the world upon our own Shores, our Fishermen would seldom seek the waters of the United States for fish. This specious offer can only deceive the uninformed, and is well known both by the Americans and Colonists to be comparatively valueless to the latter; while the privileges sought to be obtained by the people of the United States are acknowledged to be of momentous concern to them, forming a nursery for seamen, and a source from which they derive maritime importance.

When the welfare of the Empire demanded extensive changes in the regulations of Trade, and alterations in Her relations with Foreign Nations, the particular interests of the Colonies were not permitted to disturb the general arrangement by the continuance of a protective policy. The Fisheries are the gift of a beneficent Providence to the Countries they surround, and necessarily form no part of any complicated policy. The Fisheries on the Shores of New Brunswick, it is humbly submitted, belong to the People, and to allow them to be participated in by a Foreign power, without their consent, would be a sacrifice of their rights and interests, place the Colonists in a humiliating position, too painful to contemplate, and be inconsistent with the National honor.

We respectfully desire to express our decided opinion, that the Fisheries in the Rivers, Harbours, and Estuaries, should be reserved exclusively for the People of this Province, and that no Foreigner should be permitted to participate therein, upon any terms or conditions whatever.

We most urgently press upon Your Majesty's consideration the anomalous position in which the North American Colonies are placed by the present Commercial relations with the United States. While Your Majesty's Government, with unexampled liberality, has opened the Ports of the Colonies to that Republic, by which American Ships are permitted to enter therein on the same terms as British Ships, and take on board cargoes either for the United Kingdom or any other Colony; Colonial, as well as other British Vessels, are precluded from carrying cargoes from one State of the Union to another, and

this restriction is extended even to the State of California: American Ships and Steamers are built and equipped in the United States, sold in the British and Colonial Markets, evade the high Import Duties on the various articles used in their construction, receive British Registers, and have all the advantages connected with these privileges; while British and Colonial Ships possess no such privileges and advantages in the United States: American Manufactures are admitted into the Provinces at the same rates of Duties as are charged on British Merchandise; and while such Manufactures are admitted into this Province at a Duty of eight and a half per cent. *ad valorem*, the products of New Brunswick are subject, upon importation into the United States, to Duties from twenty to thirty per cent: they enjoy the privilege of sending their staple commodities of Wheat, Flour, and other Breadstuffs, to the British Markets free of Duty, competing with Your Majesty's Colonial Subjects upon equal terms in our own markets, while they impose a Duty of twenty per cent. on similar Colonial productions imported into the United States. The present state of the respective Tariffs is one which creates vexatious and harrassing impediments to the general Commerce of the Country, and added to the exclusion of Colonial built Ships to Registry in American Ports, is the cause of well grounded complaint by Your Majesty's Colonies; and the unequal pressure serves only to implant feelings of disappointment and retaliation.

We regret to observe that these important and gratuitous concessions, which have conferred upon the citizens of the neighbouring Republic commercial advantages not possessed by your faithful Colonial Subjects, have not been met by the Government of the United States in the same enlightened and liberal spirit with which they were granted; and that had they been withheld by Your Majesty's Government, we believe, to obtain them, the American people would willingly have ceded to the Colonies an equal participation in similar privileges to those they have thus obtained without an equivalent.

We have reason to apprehend, from recent official papers laid before Congress, as well as by the Message of the late President of the United States to that Body, that the American Government will endeavour to negotiate separate Treaties on the subject of the Fisheries and Reciprocal Trade. This course, we are decidedly of opinion, if acceded to by Your Majesty's Government, would be extremely adverse to the

interests of British North America. We humbly contend, that only one Convention, embracing all the objects now under discussion between the two Governments, relative to the Fisheries and the freedom of Commerce, should be negotiated; such Convention to contain a provision, reserving to Your Majesty's Government the full right of withdrawing any concession of the Fisheries that it might be deemed expedient to make, upon giving due notice of such intention, whenever it may be thought proper so to do.

Being fully sensible of the vast importance of establishing the Commercial intercourse between these Colonies and the United States upon an enlightened and liberal basis, and entertaining a cordial desire to promote a friendly feeling with that Country, we beg to express our readiness to afford every facility in accomplishing this great international object, as far as a due regard to the rights and interests of Your Majesty's faithful Subjects, the People of New Brunswick, will justify. Influenced by these principles, we would respectfully suggest, that whenever the Government of the United States are prepared to concede Reciprocal Trade to Your Majesty's Colonial Possessions in North America in the following articles, viz:—

Grain, and Bread Stuffs of all kinds ;

Vegetables ; Fruits ; Seeds ; Hay ; Straw ; Hemp ; Flax ; Trees ; Plants ; Rice ; Cotton ; unmanufactured Tobacco ; Hops ;

Animals of all kinds ; salted, fresh, smoked and preserved Meats ; Butter ; Cheese ; Lard ; Tallow ; Eggs ; Hides ; Horns ; Wool ; undressed Skins ; and Furs of all kinds ;

Ores and Minerals of all kinds ; Metals of all kinds, in pigs and blooms ; Steel ; Copper ; Grindstones, and Stone of all kinds ; Marble, in its crude or polished state ; Slate ; Earths ; Coal ; Lime ; Bricks ; Ochres ; Asphaltum ; Asphalt Rock ; Maltha ; Petroleum ; Naphtha ; Mastic ; Gypsum, ground and unground ; Rock Salt ;

Woods ; Logs ; Timber ; Lumber of all kinds, whether in the rough, hewn, sawn, or split ; Staves ; Firewood ; the Barks and Roots of Trees ; Ashes ;

Fish of all kinds, whether fresh, salted, dried, smoked or preserved ; Fish Oil ; Train, Seal, and Spermaceti Oil ; Head-matter and Blubber ; Fins and Skins ; and all other products of Fish, or other creatures living in the waters ;

Being the growth, production or manufacture of Your Majesty's North American Colonies, and the United States

respectively, when imported direct from the Country producing the same;

And also upon consideration that the American Government admit Colonial built Ships to registry in American Ports, in the same manner and with the like privileges that American Vessels are admitted to registry in any Port of the British Empire; and further, that they permit the Vessels of New Brunswick to trade and carry cargoes between the different States of the Union, as American Ships are now permitted to trade between Colony and Colony, and between the United Kingdom and the Colonies; We would be willing to admit the American Fishermen to a free participation with British Subjects in the In-shore and Bay Fisheries on the Coasts of New Brunswick, with permission to land upon the Coasts for the purpose of drying their nets and curing their Fish, not interfering with the rights of private property, or British Fishermen; provided that the Fishermen of New Brunswick are permitted to enjoy a free participation with American citizens in the In-shore Fisheries and the Fisheries within the Bays on the Coasts of the United States, subject to the like conditions, limitations and regulations as should be imposed upon American Fishermen in the waters of New Brunswick.

Should the American Government evince a disposition to open their Coasting Trade, and to extend the principle of reciprocity to Colonial Ships within their boundaries, we would cheerfully meet such advances with a corresponding concession.

In common with many of the most enlightened American statesmen, we believe that a free exchange of the natural productions of the United States and these Colonies, including those of the Field, the Forest, the Mines, and the Fisheries, would be mutually advantageous to both Countries, and would rapidly enlarge their Commercial relations, and add greatly to their prosperity: We therefore feel a lively interest in the result of the negotiations now pending between Your Majesty's Government and that of the United States.

The liberal Commercial policy adopted by Your Majesty, and introduced into these Colonies as well as other parts of the Empire, under which the productions referred to are admitted into our Markets either free, or at a very light Duty, leaves little to offer under our existing Tariffs as an equivalent for the admission of our productions on corresponding terms into the States of the Union. Should these negotiations prove unsuccessful, and the Government of the United States per-

sist in refusing to extend to these Colonies advantages similar to those which the American people have obtained from Great Britain, we would earnestly urge on Your Majesty the necessity of withdrawing the restrictions imposed on the Colonial Legislatures, and leaving them to exercise their own discretion with regard to differential Duties. We believe that this would be followed by such an adjustment of the Tariffs of the British North American Colonies, as, while it might restrict our Trade with the United States, would extend in a corresponding degree our Commercial relations and transactions with each other on terms mutually advantageous to the respective Colonies.

Such a course of legislation, securing as it would to the Colonists a preference in their respective markets, would lead to a much more extensive exchange of the Agricultural productions of Canada for the produce of the Mines and Fisheries of the Lower Colonies; it would impart a stimulus to these various branches of industry; and by enlarging their Commercial intercourse, draw the Colonists more closely together, while it would place the people of the United States in a position to form a more accurate estimate of the value of our Colonial Trade, and to judge whether it is for their own interest to have the intercourse between the two Countries clogged with those Commercial restrictions which still continue to form a part of their policy.

In conclusion, we feel it our duty calmly to express our opinion, that in former negotiations between the United States and the Mother Country, when Colonial interests were at stake, the Americans have obtained the advantage; but we confidently trust in Your Majesty's desire to consult the wishes and feelings of your dutiful Subjects, the People of New Brunswick, and feel assured that their interests, so deeply involved in the pending negotiations, will not be sacrificed.

WILLIAM BLACK,
President Legislative Council.

D. HANINGTON,
Speaker of the Assembly.

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