

Total Shipments of Breadstuffs and Salted Meats from the Province of New Brunswick for the Years 1862 and 1863.

1862.

FROM THE PROVINCE OF NEW BRUNSWICK.

Destination.	Barrels Flour.	Barrels Meal.	lbs. Salt Meats.
The United Kingdom,.....	994	40	30,200
Nova Scotia,.....	8,209	749	2,800
Prince Edward Island,.....	229	76	...
The United States,.....	168	3	900
Nassau,.....	300
	9,600	868	34,200

1863.

FROM THE PORT OF SAINT JOHN, NEW BRUNSWICK.

The United Kingdom,.....	44
Nova Scotia,.....	8,710	523	4,200
The United States,.....	...	32	13,400
British West Indies,.....	398	...	400
	9,152	555	18,000

Returns from the Out-Ports not received.

I hereby certify that the above Statement relative to the Shipments of Breadstuffs and Salted Meats from the Province of New Brunswick, and the Port of Saint John, New Brunswick, during 1862 and 1863, is correct and true.

WM. SMITH, *Controller of Customs, &c.*

for the Port of Saint John, N. B.

11th March, 1864.

The Lieutenant Governor to Lord Lyons.

Fredericton, 19th March, 1864.

MY LORD,—I think it right to transmit to Your Lordship the copy of a Despatch with enclosures, which I have lately addressed to Her Majesty's Principal Secretary of State for the Colonies, although I have not the smallest doubt that the subject to which it relates has already been submitted to Your Lordship's notice.

I have, &c.

(Signed)

ARTHUR H. GORDON.

Lord Lyons to the Lieutenant Governor.

Washington, 28th March, 1864.

SIR,—I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 19th instant, inclosing a copy of a Despatch which you addressed to the Duke of Newcastle on the 14th instant, respecting the Bonds exacted by the United States Customs authorities on the shipment of goods to Her Majesty's Colonial Possessions.

These Bonds have been exacted for a considerable time on shipments to some of Her Majesty's Colonies, and I have been for more than a year in correspondence with Her Majesty's Government and with the Government of the United States on the subject. Every effort has been made by Her Majesty's Government, and by me acting under their orders, to induce the United States Authorities to refrain from imposing these and similar restrictions on the trade with British Possessions; but I regret to say that little or no success has hitherto attended these efforts.

Copies of the letter of the 5th February, from Messrs. Smithers & Co. to Her Majesty's Consul at New York, which forms one of the Inclosures in Your Excellency's Despatch

to the Duke of Newcastle, were sent to Her Majesty's Government, and to me, by the Consul on the 9th of the same month, and a copy was laid by me before the Government of the United States. The Secretary of State of the United States informed me on the 17th instant, with reference to one of the complaints in it, that in making the penalty of the Bonds double the amount of the shipment, the Collector was believed to have exceeded the requirements of the Act of Congress, and that he had been so informed.

The Secretary of State still however maintains that the Collector must be left to exact Bonds according to his own discretion.

I have, &c. (Signed) LYONS.

The Lieutenant Governor to Lord Lyons.

Fredericton, 30th March, 1864.

MY LORD,—I have the honor to transmit to Your Lordship the copy of a Despatch with enclosures, which I have addressed to Her Majesty's Principal Secretary of State for the Colonies, on the same subject as that which I transmitted to Your Lordship on the 19th instant.

I have, &c. (Signed) ARTHUR H. GORDON.

Lord Lyons to the Lieutenant Governor.

Washington, 13th April, 1864.

SIR,—With reference to my Despatch of the 28th ultimo, I have the honor to inform Your Excellency that I have submitted to the Secretary of State of the United States a copy of the Memorial of the Chamber of Commerce of Saint John, which was inclosed in the Despatch which you were so good as to address to me on the 30th ultimo. I have also submitted to the Secretary of State a copy of a Despatch which I have received from the Lieutenant Governor of Prince Edward's Island, and I have sent with these papers a note stating that, waiving for the moment all discussion on the principle involved in the exaction of the Bonds which merchants are now, in many instances, compelled to give on shipments from the United States to British Colonies, I cannot but hope that the statements made in the papers, will convince the United States authorities that while the exaction of such Bonds is particularly injurious to the Provinces of New Brunswick and Prince Edward's Island, it may certainly in the case of those two Provinces be safely dispensed with.

I am not very confident that my representation will be of any avail, but I have thought it desirable to make at once an effort to obtain, without prejudice to the discussion of the general question, a relaxation of these vexatious restrictions on Trade, so far as they affect New Brunswick and Prince Edward's Island.

I have, &c. (Signed) LYONS.

The Secretary of State for the Colonies to the Administrator of the Government.

Downing Street, 11th July, 1864.

SIR,—I have the honor to transmit to you for your information, the enclosed copy of a Letter from the Foreign Office, enclosing copies of Despatches from Her Majesty's Minister at Washington, on the subject of the restrictions imposed by the United States Government on the Trade between New York and British Colonies.

I have, &c. (Signed) EDWARD CARDWELL.

Mr. Hammond to Sir F. Rogers.

Foreign Office, 22nd June, 1864.

SIR,—With reference to previous correspondence respecting restrictions on Trade between New York and the British North American Colonies, I am directed by Earl Russell to transmit to you, for the information of Mr. Secretary Cardwell, copies of further Despatches and their enclosures from Lord Lyons on the subject.

I am, &c. (Signed) E. HAMMOND.

[Enclosure 1.]

Lord Lyons to Mr. Seward.

Washington, 15th February, 1864.

SIR,—It is with great regret that I find myself again called upon to remonstrate against restrictions placed upon the Trade between New York and places within the Queen's Dominions.

I beg you to give your serious attention to the enclosed extracts from Despatches from Her Majesty's Consul at New York; and I trust that some measures will be taken without delay to remedy, or at least to mitigate the grievances which are set forth in them.

I have, &c. (Signed) LYONS.

[Enclosure 2.]

Lord Lyons to Earl Russell.

Washington, 28th March, 1864.

MY LORD,—With reference to my Despatches, No. 139 of the 29th ultimo, No. 111 of the 15th January last, and No. 20 of the 12th of the same month, I have the honor to transmit to Your Lordship copies of a further note from Mr. Seward, and its enclosure, relative to the restrictions imposed at New York on the Trade with the British Colonies.

I have also the honor to transmit to Your Lordship a copy of a Despatch which I have written to the Lieutenant Governor of New Brunswick, who has been so good as to send me a copy of a Despatch on the subject of these restrictions which he addressed to the Duke of Newcastle on the 14th instant.

I add a copy of a Despatch with which I have sent Mr. Consul Archibald a copy of Mr. Seward's note.

I have, &c. (Signed) LYONS.

[Sub-Enclosure.]

Mr. Seward to Lord Lyons.

Department of State, Washington, 17th March, 1864.

MY LORD,—I have the honor to recur to your note of the 15th ultimo, enclosing extracts from Despatches addressed to Your Lordship on the 9th and 10th of the same month, by Mr. Archibald, Her Majesty's Consul at New York, in regard to the restrictions imposed on the exportation of Merchandize, more especially of Breadstuffs and Provisions, from that Port to places within the Queen's Dominions, and expressing a hope that some measures will be taken without delay, to remedy, or at least to mitigate, the alleged grievances set forth by Mr. Archibald.

Having submitted the subject to the consideration of the Secretary of the Treasury, to whom a copy of your note and of its accompaniments was communicated, I have the honor to inform Your Lordship that, by the Act of May 20th, 1862, (Laws XII. p. 404,) it is provided "that whenever a permit or clearance is granted for either a Foreign or Domestic Port, it shall be lawful for the Collector granting the same, if he shall deem it necessary, under the circumstances of the case, to require a Bond to be executed by the Master or owner of the vessel in a penalty equal to the value of the cargo, and with sureties to the satisfaction of said Collector, that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authorities of the United States." And in accordance with said provisions of Law, Bonds have been required, of which I have the honor to enclose a copy. It appears that the Houses known as Messrs. Hunter and Co., and Smithers and Co., complain that the Collector has made the penalty of his Bonds double the amount of the shipment. In this he is believed to have exceeded the requirements of the Act above cited, and he has been so informed. Bonds are not required by Law of all parties. Firms whose high standing for worth and integrity places them above all suspicion, may, if the Collector so please, make their shipments without a Bond; but of this the Collector is the judge, and while the Law stands as it does, it is not seen how he can be controlled in the discharge of the duties with which he is charged.

I have, &c. (Signed) WILLIAM H. SEWARD.

Copy of Bond.

Know all men by these presents, that we, are held firmly bound unto the United States of America, in the sum of dollars, lawful money of the United States of America, or their Assignees; for which payment well and truly to be made, we bind ourselves, our heirs, executors, and administrators, firmly by these presents. Sealed with our seals, dated the day of one thousand eight hundred and sixty three.

Now the condition of this obligation is as follows:—Whereas about to ship from the Port of New York to in the vessel called the certain goods, wares, and merchandize enumerated in the manifest or invoice of said how, if said goods, wares, and merchandize shall be delivered at aforesaid, and shall not be transported to any place under insurrectionary control, and shall not in any way be used to give aid or comfort to the insurgents, with or by the consent, permission or connivance of the owners, shippers, carriers or consignees thereof, then this obligation to be void, otherwise to remain in full force and virtue.

State of New York, } L. S.
City and County of New York, }

On this day of A. D. 1863, before me personally appeared the within named, to me known to be the person described in, and who executed the foregoing Bond, and severally acknowledged that they executed the same.

Notary Public.

To the United
States of America.
dated
1864.
Bond.
No.

[Enclosure 3.]

Earl Russell to Lord Lyons.

Foreign Office, 14th April, 1864.

MY LORD,—Her Majesty's Government have had under their consideration, in communication with the Law Advisers of the Crown, Your Lordship's Despatches, Nos. 20, 111, and 139, of the present year, on the subject of the restrictions placed by the United States Government on the trade between New York and Her Majesty's North American Possessions, and I have to inform you that Her Majesty's Government adhere to the opinion which they have already expressed with regard to this question.

Her Majesty's Government cannot but consider that this attempt to enforce Bonds, having for their object to govern and regulate not the immediate, but the possible future and contingent disposition of articles of lawful commerce, is a violation of the Treaty obligations of the United States to this country. Looked at from another point of view, their effect is not less objectionable. They inflict a great hardship on neutral commerce, and are in fact and truth an unjustifiable extension of the belligerent right of blockade, which has been and still is strained to its utmost extent in this war. The letters of Mr. Cunard enclosed in your Despatch No. 139 of the 29th of February, appear to be very just and sensible upon the whole matter.

Her Majesty's Government cannot consider that the effect of these measures is veiled by the attempt of Mr. Seward to describe them as the operation of the right to suppress "contraband trade in our own Ports with our own insurgent citizens," and their practical injustice was carried to the highest pitch, when, on a recent occasion, the United States Consul at Nassau refused to grant the Certificate for the cancellation of one of these new Bonds, (which never ought to have been exacted at all) upon the usual and stipulated terms, on the ground that the amount of "coarse heavy stores" exported from New York to Nassau, as to which the exporter desired to make the prescribed Declaration, exceeded (in the Consul's private opinion) the wants of the Bahamas for home consumption or any legitimate trade.

The letter of Mr. Seward to Your Lordship of the 7th January last, in which he states that he learns for the first time the existence of any complaint with respect to the new restrictions on trade between New York and Newfoundland, and declares his intention of enquiring into it, is by way of a reply to a plain demand for satisfaction for palpable injustice, a recriminatory catalogue of complaints against the British Government, on the score of offences committed by British subjects; all of which are again traced to the recognition of the so styled Confederate States as belligerents. Her Majesty's Government do not deem it necessary to enter now into any discussion of these last questions, and they have only to repeat that the opinion which they have before expressed on the whole subject remains unchanged, and that nothing which has been alleged has altered the strong conviction which Her Majesty's Government entertain of the injury which has been and still is being done by those vexatious and unlawful proceedings.

Your Lordship will learn from the enclosed copies of Despatches from the Lieutenant Governor of New Brunswick, the injurious effect of these proceedings upon the trade and shipping of that Province.

Your Lordship will bear in mind these instructions, and endeavour to obtain redress for the grievances of which Her Majesty's subjects complain.

I am, &c. (Signed) RUSSELL.

[Enclosure 4.]

Lord Lyons to Earl Russell.

Washington, 19th April, 1864.

MY LORD,—With reference to my Despatch No. 221 of the 28th ultimo, and to my previous Despatches respecting the exaction of Bonds on shipments from New York to British Colonies, I have the honor to transmit to Your Lordship copies of correspondence on that subject with Mr. Seward, and with the Lieutenant Governors of New Brunswick and Prince Edward Island.

Your Lordship will see that, without prejudice to the discussion of the general question, I have endeavoured to persuade the United States authorities to refrain from exacting Bonds on shipments to those two Provinces.

I have, &c. (Signed) LYONS.

[Sub-Enclosure 1.]

Lord Lyons to Mr. Seward.

Washington, 13th April, 1864.

SIR,—With reference to the Note which you did me the honor to address to me on the 17th of last month, and to the previous Correspondence in which I have been for many months engaged with you on the subject of the restrictions imposed on the trade between the United States and British Colonies, I desire to ask you to take into serious consideration the two papers which I transmit to you herewith.

The one is a copy of a Despatch from the Lieutenant Governor of Prince Edward Island to me, and the other a copy of a Memorial addressed to the Lieutenant Governor of New Brunswick, by the Chamber of Commerce of the Town of Saint John in that Province.

Waiving, for the moment, all discussion on the principle involved in the exaction of the Bonds which Merchants are now in many instances compelled to give on shipments from the United States to British Colonies, I cannot but hope that the statements made in the enclosed papers will convince you that while the exaction of such Bonds is particularly injurious to the Provinces of New Brunswick and Prince Edward Island, it may certainly in the case of those two Provinces be safely dispensed with.

I have, &c. (Signed) LYONS.

[Sub-Enclosure 2.]

Lord Lyons to the Honorable A. H. Gordon.

[See above.]

[Sub-Enclosure 3.]

Lord Lyons to Lieutenant Governor Dundas.

Washington, 13th April, 1864.

SIR,—I had yesterday the honor to receive Your Excellency's Despatch of the 2nd instant, respecting the Bonds exacted by the United States Customs authorities on shipments from this country to Prince Edward Island. I have submitted to the Secretary of State of the United States a copy of Your Excellency's Despatch, and also a copy of a Memorial addressed to the Lieutenant Governor of New Brunswick, by the Chamber of Commerce of Saint John. I have sent with these papers a note to the Secretary of State, stating that, waiving for the moment all discussion on the general principle involved in the exaction of the Bonds which Merchants are now in many instances compelled to give on shipments from the United States to British Colonies, I cannot but hope that the statements made in the papers will convince the United States authorities, that while the exaction of such Bonds is particularly injurious to the Provinces of Prince Edward Island and New Brunswick, it may certainly in the case of these two Provinces be safely dispensed with.

I have been for more than a year in Correspondence with Her Majesty's Government, and the Government of the United States, on the subject of these restrictions on trade. Every endeavour has been made by Her Majesty's Government, and by me, acting under their orders, to induce the United States authorities to refrain from imposing them, but hitherto, I regret to say, with very little success.

I am not confident that my representation in the cases of Prince Edward Island and New Brunswick will be of any use, but I have thought it desirable to make an effort to obtain at once a relaxation in favor of those Provinces, without prejudice to the discussion of the general question.

I have, &c. (Signed) LYONS.

[Sub-Enclosure 4.]

Mr. Seward to Lord Lyons.

Washington, 15th April, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your Communication of the 13th instant, in regard to the restrictions imposed on the Trade between the United States and British Colonies, a copy of which Communication has been laid before the Secretary of the Treasury. When I shall have received an expression of his views upon the subject, I shall address myself to Your Lordship in relation to it.

I have, &c. (Signed) W. H. SEWARD.

[Enclosure 5.]

Lord Lyons to Earl Russell.

Washington, 6th June, 1864.

MY LORD,—With reference to Your Lordship's Despatch No. 173, of the 14th April last, to my Despatch No. 267, of the 19th of the same month, and to the previous correspondence concerning the restrictions imposed by the United States Government on the Trade between New York and several British Colonies, I have the honor to transmit to Your Lordship copies of further papers relating to that subject.

Your Lordship will perceive that these instructions have now been extended to Jamaica, and that Bonds have been exacted on shipments from New York to that Colony. I have addressed two notes to Mr. Seward, remonstrating against the extension of the system to Jamaica, and I have moreover in a note founded on the Despatch from Your Lordship to

which I have referred, expressed afresh to Mr. Seward the opinion of Her Majesty's Government that these vexatious proceedings constitute a violation of the Treaty obligations of the United States to Great Britain, and are in fact and in truth an unjustifiable extension of the belligerent right of blockade which has been, and still is, strained to the utmost during the present War.

My representations appear to have had the effect of causing Bonds of a less vexatious character than those originally demanded, to be accepted in the recent cases of shipments to Jamaica; but no hope has been hitherto held out to me that the general system will be abandoned.

I have, &c. (Signed) LYONS.

[Sub-Enclosure.]

Lord Lyons to Mr. Seward.

Washington, 28th May, 1864.

Her Majesty's Government have had under their consideration the note which you did me the honor to address to me on the 23rd February last, as well as the previous correspondence on the subject of the restrictions placed by the United States Government on the Trade between New York and Her Majesty's Possessions.

Her Majesty's Government, on reviewing the whole subject, cannot but adhere to the opinion which they have already expressed with regard to it. They cannot but consider that this attempt to enforce Bonds, having for their object, to govern and regulate not the immediate but the possible future and contingent disposition of articles of lawful commerce, is a violation of the Treaty obligations of the United States to Great Britain.

Looked at from another point of view, the effects of these Bonds appears to Her Majesty's Government to be not less objectionable. They inflict a great hardship on neutral commerce, and in the opinion of Her Majesty's Government, they are in fact and truth an unjustifiable extension of the belligerent right of blockade which has been, and still is, strained to the utmost extent in the present war.

Her Majesty's Government cannot consider that the effect of these restrictions is veiled by representing them as the operation of "the right to suppress contraband trade in our own Ports with our insurgent citizens." On the contrary, nothing which has been alleged has altered the strong conviction which Her Majesty's Government entertained of the injury which has been and still is being done by these vexatious restrictions, and Her Majesty's Government have instructed me to omit no endeavour to obtain from the Government of the United States redress for the grievances of which they are the cause.

I have, &c. (Signed) LYONS.

[Enclosure 6.]

Mr. Seward to Lord Lyons.

Department of State, Washington, 4th June, 1864.

MY LORD,—I have the honor to acknowledge the receipt of your note of the 28th ultimo, upon the subject of the restrictions placed by the United States Government on the Trade between New York and Her Majesty's Dominions, I have the honor to inform Your Lordship in reply that the matter will receive due attention.

I have, &c. (Signed) W. H. SEWARD.

The Secretary of State for the Colonies to the Lieutenant Governor.

Downing Street, 19th September, 1864.

SIR,—With reference to my Despatch of the 11th of July, I have the honor to acquaint you that the British Minister at Washington has addressed a further note to the Government of the United States, urging the objections to the restrictions imposed by the United States Government on the Trade between New York and the British Colonies.

I have, &c. (Signed) EDWARD CARDWELL.