

of May 10, 1886, to expand the restrictions and renunciations of the Treaty of 1818, and to further diminish and practically destroy the privileges expressly secured to American fishing vessels to visit the inshore waters for shelter, the repair of damages, the purchase of wood, and the obtaining of water.

The seizure and detention, for instance, by the Canadian authorities of the *David J. Adams*, which Mr. Bayard in his note to Sir Lionel B. Sackville West, of May 20, 1886, characterized as "unwarranted, irregular, and severe," appeared to rest on charges :

- I. Of violating the Treaty of 1818.
- II. Of alleged violation of the Act 59 George III.
- III. Of alleged violation of the colonial Act of Nova Scotia of 1818, and
- IV. Of alleged violation of Canadian Statutes of 1870 and 1883.

And Mr. Bayard, in his telegram of May 22d, to Mr. Phelps, refers to "vexatious interpretations, and actions of local authorities which can only hinder an amicable award." On June 14th, Secretary Bayard, in regard to the allegations that American vessels would not be permitted to land fish at Halifax for transportation in bond across the Province, and that American vessels had been warned to keep outside of a line drawn from headland to headland, said :

"Against this treatment I must instantly and formally protest as an unwarrantable interpretation and application of the Treaty by the officers of the Dominion of Canada and the Province of Nova Scotia ; as an invasion of the laws of commercial and maritime intercourse existing between the two countries, and a violation of hospitality ; and for any loss or injury resulting therefrom the Government of Her British Majesty will be held responsible.

In reply to your complaints of outrages, the British Minister at Washington has advised us that the matter has been referred to the Dominion Government, and Mr. Phelps at London has been informed that no further steps can be taken about the cases before the Canadian courts have been adjudicated.