

CANADA.

No. 2.

No. 2.

SIR JOHN YOUNG to EARL GRANVILLE.

(No. 154.)

Niagara, July 6, 1870.  
(Received July 26, 1870.)

MY LORD,

1st July,  
1870.

I HAVE the honour to forward herewith a copy of a Minute of the Privy Council of the Dominion, covering certain memoranda which have been given to the Honourable A. Campbell for his guidance in bringing under the notice of Her Majesty's Government the present position of the Canadian Fishery question, and the views of this Government thereon.

The Earl Granville, K.G.,  
&c. &c. &c.

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

Enclosure in  
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COPY of a REPORT of a COMMITTEE of the Honourable the PRIVY COUNCIL, approved by His Excellency the GOVERNOR-GENERAL in COUNCIL, on 1st July, 1870.

On a Report, dated 20th June, 1870, from the Honourable the Minister of Marine and Fisheries, submitting for the information of your Excellency in Council a memorandum and documents on the fishery question prepared for the Honourable Mr. Campbell, in connection with his mission to England, under the Minute of Council of 9th ult., and stating that these papers inform him of the position of the question at the present time, and of the views expressed on various occasions for several years past by the British and Canadian Governments; and that the instructions which may be addressed to Mr. Campbell with reference to bringing to an early settlement all matters that have been admitted into dispute between the British and American Governments affecting the fisheries should embrace the following principal points:

1. That fishing rights in British American waters shall be in future enforced as they existed and were maintained under the Treaty of 1818, anterior to the Reciprocity Treaty of 1854, in accordance with the laws of nations.

2. That failing such positive enforcement of these undoubted rights, the question arising out of the said Treaty as to the definition of certain limits of exclusion, by headland lines, be referred to a mixed Commission, to be named by the British and American Governments, and to be composed of one Imperial, one United States, and one Canadian Commissioner, providing some independent reference in case of need; the principle on which such Commission shall be chosen and act to be as provided in the Earl of Clarendon's Despatch of 11th May, 1866:

3. That such mixed Commission shall be formed during the current year, and shall, in order to facilitate speedy reference, hold its sittings either at Halifax, Washington, or Ottawa, the negotiations and preliminary arrangements for the same to be carried out between the Governor-General of Canada and the United States' Government, through the British Minister at the American capital.

The Committee recommend that the Report of the Honourable the Minister of Marine and Fisheries be approved and acted on.

(Certified) WM. H. LEE,  
Clerk, Privy Council.

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The EARL OF KIMBERLEY to SIR JOHN YOUNG.

(No. 198.)

SIR,

Downing Street, July 27, 1870.

ON receiving from Her Majesty the seals of this office, I took an early opportunity of communicating with Mr. Campbell, the Postmaster-General of Canada, who has come to England to place before Her Majesty's Government the views of your Government on various questions connected with the Dominion. Mr. Campbell brought under my consideration the following subjects:—The first was the protection of the Canadian fisheries from encroachments by foreign fishing vessels. On this point I concur with your Ministers that it would be desirable that the questions which have been so long in dispute with the United States as to the geographical limits of the exclusive fishing rights of Canada under the Treaty of 1818, should be settled by a joint British and American Commission, on which the Dominion should be represented. Her Majesty's Government will propose to the United States' Government the appointment of such a Commission.

Now that the instructions given to Her Majesty's cruisers and the Government vessels of Canada have been brought into harmony, I do not think it necessary, in this Despatch, to make any observations on the details of those instructions. I will only remark that I am most anxious to avoid any misunderstanding on this subject between the Imperial and Canadian Governments, and with this view the regulations to be issued for the