

CONFIDENTIAL.

Correspondence respecting British North American Fisheries :
1854-63.

No. 1.

Mr. Hammond to the Law Officers of the Crown.

Gentlemen,

Foreign Office, April 29, 1854.

I AM directed by the Earl of Clarendon to transmit to you herewith an extract of a despatch from the Lieutenant-Governor of Nova Scotia to Her Majesty's Minister at Washington, dated February 16, 1854, by which you will perceive that the Lieutenant-Governor appears to construe an opinion given by the Law Officers of the Crown on the 6th of August, 1853, of which I also inclose a copy, as entitling the Legislature of Nova Scotia to expect that its concurrence should be asked for, previously to the conclusion of any Convention with the United States, for admitting the fishermen of the United States to fish within three miles of the coast of Nova Scotia.

Lord Clarendon directs me to request that you will inform his Lordship whether that construction is correct; and whether, if Her Majesty were to enter into a Convention with the United States for the purpose above-mentioned, it would be necessary to insert in the Article relating to the fisheries, a provision that its execution must depend on the assent of the local Legislature of Nova Scotia.

I am to add that Lord Clarendon is very anxious to receive your opinion on this point not later than Tuesday next, the 2nd of May.

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

Inclosure 1 in No. 1.

The Lieutenant-Governor of Nova Scotia to Mr. Crampton.

(Extract.)

Halifax, February 16, 1854.

THE Law Officers of the Crown in England have recently decided that within three miles of the coast the jurisdiction of the Provincial Governments and Legislatures legally and constitutionally extends.

Whatever may be decided then as respects the "bays," these rights ought not to be varied or compromised but with the consent of the parties concerned, and the equivalents to be given in exchange for rights of property so highly valued should rest upon no vague promises or indeterminate action of any Member of Congress, but should be yielded and secured by the same instrument that made the concession.
