

interesting to your Lordship, I venture to send you a copy of his despatch, although I have no instructions to do so.

I have, &c.  
(Signed) J. R. LOWELL.

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Inclosure in No. 6.

*Mr. Frelinghuysen to Mr. Lowell.*

Sir, *Department of State, Washington, October 16, 1883.*

ANSWERING your despatch of the 28th August last, I have to instruct you to inform Earl Granville that Her Majesty's Government correctly understand the intention of the United States' Government to be that the provisions of Article XXXII of the Treaty of Washington, which relate to Newfoundland, shall cease to be in force and operation at the same time as the Articles recited in the notice of termination given by you on the 2nd July last, which relate to the Dominion of Canada.

His Lordship's inquiry of the 22nd August does not appear to invite any discussion of the points involved, or to ask anything more than a simple declaration of the intention of this Government as to the scope of the notice of termination so given. For your information I may, however, observe that, while the Treaty itself does not in terms provide for terminating Article XXXII, that Article, so far as it concerns the extension of the fisheries stipulations to Newfoundland, is dependent wholly upon the Articles specified as terminable, and that such extension can only last so long as the privileges to be extended continue to exist, as they do, by virtue of the Treaty and of the ascertained and proclaimed fact of legislation being in force for the execution of the Treaty in both the United States and Newfoundland. The United States' Statute to that end of the 1st March, 1873, in terms continues effective so long as the specifically terminable Articles of Treaty shall continue, and no longer. The XXXIInd Article, therefore, loses all valid operative force with the removal of the sole bases of conjoined Treaty and legislation upon which it rested.

I am, &c.  
(Signed) FREDK. T. FRELINGHUYSEN.

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No. 7.

*Earl Granville to Mr. Lowell.*

Sir, *Foreign Office, January 16, 1884.*

I HAVE the honour to acknowledge the receipt of your note of the 16th November last, in which you state that it is the intention of the Government of the United States that the provisions of Article XXXII of the Treaty of Washington which relate to Newfoundland shall cease to be in force and operation at the same time as the Articles recited in the notice of termination given by you on the 2nd July last, which relate to the Dominion of Canada.

I have to state to you, in reply, that Her Majesty's Government accept this notice as applying to Newfoundland as well as to the Dominion of Canada.

I have, &c.  
(Signed) GRANVILLE.

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