they respectfully submit their concurrence therein, and accordingly recommend tha a copy of the said Despatch with the Minute of Council accompanying, be forwarded to Her Majessty's Secretary of State for the Colonies, in order that Her Majesty's Government may consider whether it is possible or desirable that further representation should be made to the Government of the United States, either to secure the recognition of the views of Mr. Dorion, formerly Minister of Justice of Canada, or to promote negotiations to obtain a recognition of British Columbia as a portion of the Dominion, under the terms of the Treaty of Washington.

They further recommend that a copy of this Minute, and of the Report annexed thereto, be transmitted to the Government of British Columbia,

Certified,

J. O. COTE, *Clerk, Privy Council.*

OTTAWA, 30th August, 1877.

The undersigned has the honor to report to the Council that he has had under consideration a despatch from the Lieutenant-Governor of British Columbia, of the 9th instant, transmitting a copy of a Minute of his Executive Council on the exclusion of the Province of British Columbia from participation in the provisions of the 21st Section of the Treaty of Washington, and urging upon the Dominion Government the claims of the Province to full recognition as an integral portion of Canada to the enjoyment of the privileges common to the eastern Provinces under that Treaty.

The undersigned observes that a report was made to Council on the 31st March, 1875, by the Minister of Customs, representing that United States Customs Officers at San Francisco and other Ports denied the right of British Columbia to participate in the terms of the Washington Treaty, which provided for the admission, free of duty, of Fish and Fish Oil, the product of the Canadian Fisheries, to the United States, and submitting a copy of the opinion of the Minister of Justice, dated 5th February, 1874, to the effect that, as British Columbia formed part of the Dominion of Canada at the time of the passage of the Acts giving effect to the provisions of the Treaty both in the United States and Canada, fish and fish oil are entitled to admission into the United States free of duty, and recommending that the case be brought under the notice of Her Majesty's Ambassador at Washington, with a view to the adoption of proper measures for the removal of the illegal restrictions imposed by United States Customs Officials,—that this report was duly approved by Order in Council of the 1st April, 1875, and a despatch received from Her Majesty's Minister at Washington, dated 12th April, 1875, in which Sir Edward Thornton declined to make any representations to the United States Government without instructions to that effect from the Earl of Derby, alleging that he would not be justified in doing so, as British Columbia was not at the time of the signing of the Treaty of Washington a part of Canada.

On this despatch being referred to Council, a Minute of Council was passed, dated 30th April, 1875, setting forth the views of the Government of Canada, that, under the Acts giving effect to the Treaty fish and fish oil were to be admitted free of duty, and referring to the fact that the 26th Article of the Treaty, which provided for the free navigation of the River St. Lawrence, also made provision for the free navigation of one of the rivers of British Columbia; from which it might be assumed that it was the intention of the framers of the Act to make it applicable to British Columbia, and advised that a copy of this and the previous Minute of the 1st April, 1875, and of correspondence with Her Majesty's Minister at Washington be forwarded to the Imperial Government, with the request that the United States Government be moved to consider the subject with a view to the removal of the grounds of complaint. It appears that a despatch was received from the Earl of Carnarvon, dated 13th May, 1875, covering a copy of Sir Edward Thornton's despatch of 12th April, addressed to the Earl of Derby, relating to the refusal of the United States