

Another point raised during the course of the proceedings was on a motion of the United States' Counsel to be allowed the right of reply orally as well as in writing. The full report of the discussion will be found in Section 2 of the Report of Speeches, above inclosed; and it is only necessary for me to remark that I thought it right to press the matter to a decision, in order to secure if possible that the final arguments should be made in writing, so as to obtain, without any question as to the accuracy of reporting, the actual and deliberate expression of the views of the Agents of either Government on a matter which will have a lasting historical interest with regard to the British North American colonies. It was also of considerable importance to the success of the British Case to maintain our right to the actual and final reply.

The foregoing is a brief indication of the points established in the British evidence; some matters still remain to be brought out, either in the rebuttal evidence, for which a period of two weeks is allowed to the British side, or during three days, which I shall be entitled to take out of the time allowed for the United States' evidence, in consideration of the time allowed for the examination of witnesses on the United States' side during the past six weeks, and the days devoted to the discussion of motions brought forward by the United States' Agent. Chief among such matters is the question of the free market for fish and fish oil which will no doubt form an important portion of the United States' Case.

At the conclusion of the Conference held on the 7th instant, the Commission adjourned until Monday the 17th instant, on the motion of Mr. Foster, who desired to avail himself of the recess for making arrangements with regard to witnesses, on the understanding that such adjournment should be deducted from the period allowed for the reception of testimony in support of the United States' Case.

I have, &c.
(Signed) FRANCIS CLARE FORD.

No. 34.

Mr. Herbert to Lord Tenterden.—(Received October 2.)

My Lord,

Downing Street, October 2, 1877.

I AM directed by the Earl of Carnarvon to acknowledge the receipt of your letter of the 22nd September, inclosing a despatch from Mr. Ford, with a Brief drawn up by him on behalf of Her Majesty's Government, and presented to the Halifax Fishery Commission, in reply to the Brief on behalf of the Government of the United States relating to the Headland question.

Lord Carnarvon concurs in the approval which the Earl of Derby proposes to convey to Mr. Ford, and his Lordship has pleasure in taking this opportunity of expressing the satisfaction with which Lord Carnarvon has observed the ability and judgment displayed by Mr. Ford throughout his proceedings, so far as they have hitherto been reported.

I am to request that two additional copies of the Brief accompanying Mr. Ford's despatch may be supplied for transmission to the Governor-General of Canada and Governor of Newfoundland.

I am, &c.
(Signed) ROBERT G. W. HERBERT.

No. 35.

The Earl of Derby to Mr. Ford.

Sir,

Foreign Office, October 6, 1877.

I REFERRED to Her Majesty's Secretary of State for the Colonies your despatch of the 7th ultimo, inclosing the Brief drawn up by you on behalf of Her Majesty's Government and presented to the Halifax Fisheries Commission, in reply to the Brief on behalf of the Government of the United States relative to the Headland question, and in conveying to you the approval of Her Majesty's