

This is a question which has to be considered in each particular case with regard to international law and usage. When such a bay, &c., is not a bay of Her Majesty's dominions, the American fishermen will be entitled to fish in it, except within 3 miles of the "coast;" "when it is a bay of Her Majesty's dominions," they will not be permitted to fish within 3 miles of it; that is to say (it is presumed), within 3 miles of a line drawn from headland to headland.

It is desirable that the British and American Government should come to a clear understanding in the case of each bay, creek, or harbour, what are the precise limits of the exclusive rights of Great Britain, and should define those limits in such a way as to be incapable of dispute, either by reference to the bearings of certain headlands, or other objects on shore, or by laying the lines down in a map or chart.

With this object it is proposed that a Commission should be appointed, to be composed of Representatives of Great Britain, the United States, and Canada, to hold its sittings in America, and to report to the British and American Governments their opinion either as to the exact geographical limits to which the renunciation above quoted applies, or, if this is found impracticable, to suggest some line of delineation along the whole coast, which, though not in exact conformity with the words of the Convention, may appear to them consistent in substance with the just rights of the two nations, and calculated to remove occasion for further controversy.

It is not intended that the results of the Commission should necessarily be embodied in a new Convention between the two countries, but if an agreement can be arrived at, it may be sufficient that it should be in the form of an understanding between the two Governments as to the practical interpretation which shall be given to the Convention of 1818. (Session Papers, 1871.)

No. 108.

Foreign Office to Colonial Office.

Foreign Office, August 10, 1887.

[Transmits copy of No. 56, Treaty, to Sir L. West, dated July 29, 1887: *ante*, No. 101.]

No. 110.

The Marquis of Salisbury to Mr. Phelps.

Sir,

Foreign Office, August 13, 1887.

I HAVE the honour to acknowledge the receipt of your note of the 3rd instant, containing observations in reply to those in mine of the 24th March last to Mr. White concerning the proposed *ad interim* arrangement respecting the fisheries; and I beg leave to say that this communication shall receive the attention of Her Majesty's Government.

I have, &c.
(Signed) SALISBURY.

No. 111.

Colonial Office to Foreign Office.—(Received August 17.)

Sir,

Downing Street, August 16, 1887.

WITH reference to your letter of the 29th June, I am directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquis of Salisbury, a copy of a letter from the Admiralty, inclosing the instructions which have been sent to the Naval Commander-in-chief on the North American Station on the subject of the Canadian fisheries.

I am, &c.
(Signed) R. H. MEADE.