

The Minister further observes that, with a view of guiding the action of Canadian citizens interested in sealing in the northern seas, repeated attempts were made previous to the commencement of the present season to obtain an official expression from the United States Government of the policy they proposed to pursue in their treatment of foreign vessel-sealing in Behring Sea, but that these efforts proved altogether unavailing. From Mr. Bayard's communication of 3rd February, 1887, above referred to, the fair inference, however, was to be drawn that, until the question in dispute between the two Governments, as to the legality of the previous seizures had been finally disposed of, no further seizures would be made. And there is no doubt that on the strength of this communication and in the absence of any explicit statement of policy to the contrary, Canadian citizens did, in the beginning of the present season, embark upon their customary sealing expeditions to Behring Sea, under the reasonable impression that they would not be interfered with by the United States authorities, so long as they conducted their operations in the open sea, only however to find their vessels seized, their property confiscated, and their ventures completely ruined.

It is respectfully submitted that this condition of affairs is in the highest degree detrimental to the interests of Canada, and should not be permitted to continue. For nearly two years Canadian vessels have been exposed to arbitrary seizure and confiscation in the pursuit of a lawful occupation upon the high seas, and Canadian citizens subjected to imprisonment and serious financial loss; while an important and remunerative Canadian industry has been threatened with absolute ruin. This course of action has been pursued by United States officers in opposition to the contention in the past of their Government in regard to the waters in which these seizures have taken place, in violation of the plainest dictates of international law and in the face of repeated and vigorous protests of both the Canadian and British Governments.

The Minister advises that Her Majesty's Government be again asked to give its serious and immediate attention to the repeated remonstrances of the Canadian Government against the unwarrantable action of the United States in respect to Canadian vessels in Behring Sea, with a view to obtain a speedy recognition of its just rights and full reparation for the losses sustained by its citizens.

The whole respectfully submitted.

GEO. E. FOSTER, *Minister of Marine and Fisheries.*

[Enclosure No. 3a.]

*Hon. Mr. Hamley to Hon. Mr. Foster.*

CUSTOM HOUSE, VICTORIA, 1st September, 1887.

SIR,—On the 7th August, the master of the United States revenue cutter "Rush" seized in Behring Sea, 60 miles from any land, the Canadian schooner "Alfred Adams."—Her register, clearance, guns and ammunition and the seal skins she had taken (1,386) were all taken from her and the vessel herself ordered to Sitka. No one from the revenue cutter was put on board by Captain Shepard, and the master of the "Alfred Adams" instead of going as he was desired to Sitka, returned to Victoria, arriving here 31st August. I forward the master's deposition before a notary public and what Captain Shepard is pleased to term a certificate of the schooner's seizure signed by himself. Mr. Drake, a solicitor, is at Sitka waiting for the case to be heard in court; the trial was delayed for the arrival of the "Rush" and she was expected about the beginning of this month. Mr. Drake, will no doubt, report direct to the Minister of Justice.

I have the honor to be, sir, your obedient servant,

W. HAMLEY.

I enclose also a sealed letter addressed by Captain Shepard to the district attorney and United States marshal, at Sitka, which the master of the "Alfred