

You have been already acquainted, by my despatch dated the 27th August, 1875, in which was forwarded Her Majesty's Commission, with the general nature of the duties entrusted to you, and I have now therefore only to add the following special instructions:—

Article XXIII of the Treaty provides that the Commissioners shall meet in the city of Halifax, Nova Scotia, at the earliest convenient period after they have been respectively named, and Her Majesty's Government would wish that you should place yourself in communication with M. Delfosse and Mr. Kellogg in order to make arrangements with them for proceeding thither at an early date. You will inform me of the time fixed for the first meeting of the Commission.

Article XXIV provides that the proceedings shall be conducted in such order as the Commissioners shall determine, and Her Majesty's Government willingly leave this to be settled by them, in the full assurance that their own good feelings and knowledge of business will enable them to arrive at such an understanding on the subject as will best conduce to the speedy dispatch of the matters which may come before them, and afford satisfaction to their respective Governments.

I have, however, to call your especial attention to the provisions of the same Article, to the effect that the Commissioners shall be bound to receive such oral or written testimony as either Government may present; and that the case on either side shall be closed within a period of six months from the date of the organization of the Commission, unless in the case of any vacancy occurring among the Commissioners, when the aforesaid period of six months may be extended for three months; having regard to which latter provision I do not doubt that you will be careful to make suitable arrangements to prevent unnecessary delay.

Article XXV of the Treaty states that the Commissioners are to keep an accurate record and correct minutes of all their proceedings; and I would suggest that, for this purpose, the minutes of each meeting of the Commissioners, after having been agreed upon by them, should invariably be entered in a book and signed by the Commissioners at their next meeting.

The same Article empowers the Commissioners to appoint and employ a secretary, and any other necessary officer or officers to assist them in the transaction of the business which may come before them.

The appointment of Secretary being vested in the Commissioners, and his duties being purely ministerial, I have no desire to interfere with their free choice by making any suggestion as to the person to be employed.

I am, &c.
(Signed) DERBY.

No. 15.

The Earl of Derby to Mr. Ford.

Sir,

Foreign Office, May 2, 1877.

I HAVE to inform you that Commissioners have been appointed, under Articles XVIII to XXV and XXXII to XXXIII inclusive of the Treaty of Washington of the 8th May, 1871, as follows:—

Sir A. T. Galt, K.C.M.G., by Her Majesty the Queen;
Honourable Ensign H. Kellogg, by the President of the United States; and
M. Delfosse, the Belgian Minister at Washington, by the Austrian Ambassador in London:

To determine, having regard to the privileges accorded by the United States to the subjects of Her Britannic Majesty, as stated in Articles XIX and XXI of the Treaty, the amount of any compensation which in their opinion ought to be paid by the Government of the United States to the Government of Her Britannic Majesty, in return for the privileges accorded to the citizens of the United States under Article XVIII of the Treaty.

The Honourable Dwight Foster has been appointed Agent to the Commission on the part of the United States.

You have already been acquainted, in my despatch of the 27th August,