

CONFIDENTIAL.

Further Correspondence respecting the Termination of the
Fishery Articles of the Treaty of Washington of the
8th May, 1871.

No. 1.

Colonial Office to Foreign Office.—(Received April 1.)

Sir, *Downing Street, March 31, 1887.*
WITH reference to the letter from this Department of the 18th instant, I am directed by Secretary Sir Henry Holland to transmit to you, to be laid before the Marquis of Salisbury, a copy of a despatch from the Governor-General of Canada, submitting observations on Article 3 of Mr. Bayard's proposed *ad interim* arrangement respecting the joint action of national vessels in dealing with United States' fishing-vessels seized for violating the provisions of the Convention of 1818.

I am also to inclose a paraphrase of a telegram from Lord Lansdowne upon the subject.

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

Inclosure 1 in No. 1.

The Marquis of Lansdowne to Sir H. Holland.

(Confidential.)

Sir, *Government House, Ottawa, March 10, 1887.*

I HAD the honour of receiving your telegram of the 8th instant, in which you suggested that my Government should accept, subject to certain amendments, the proposal contained in Article 3 of Mr. Bayard's Memorandum, under which Her Majesty's Government and that of the United States would send two vessels each to cruise during the fishing season in the Gulf of St. Lawrence and on the coast of Nova Scotia, for the purpose of investigating cases in which fishing-vessels of the United States might be seized for violation of the provisions of the Convention of 1818.

My Confidential despatch of the 28th December, 1886, and the Order in Council inclosed in my Secret despatch of the 1st February, contained a reference to some of the objections felt by my Government to the procedure described in this Article. The amendments which are suggested in your telegram would to some extent, but not entirely, remove those objections.

Under the Article as it would stand after the introduction of your amendments, a vessel seized for contravention of the Convention of 1818 would, except where the commanding officers of the two national vessels were unanimous in considering that the charge was not sustained, be sent for trial before the Vice-Admiralty Court at Halifax. While in this respect the Article, as amended, would be less open to objection than in its original shape, I fear that there are practical difficulties in the way of its adoption which are likely to be insurmountable, in spite of the earnest desire of my advisers to consider favourably any recommendations made in connection with these matters by Her Majesty's Government.