

That application has not yet been heard. This course was taken at the instance of the Canadian government, with the approval of Her Majesty's Government, and upon the advice of American lawyers. Its object is to bring the case before the highest tribunal in the United States in the fullest manner. It is desirable to point out that in this course there is no interference in any sense with the diplomatic question. Diplomatic negotiations have reference to a wrong which we say has been committed against international law and can only be redressed by diplomacy. The legal proceedings, on the other hand, before the Supreme Court have reference to a wrong committed, as we believe, on British subjects against the municipal law of the United States; and redress for that wrong can only be maintained, at least in the first instance, from the supreme tribunal of the United States. At present I am unable to say anything as to the presentation of further papers. [Hear, hear!]

Mr. Bryce. Can the right honorable gentleman at all indicate when he thinks any papers bearing on the question of the proceedings in the Supreme Court will be presented?

Sir J. Fergusson. I think the honorable member will see that, as the application has not been heard, it is quite impossible to make any promise at present. [Hear, hear.]

Mr. Lincoln to Mr. Blaine.

No. 470.]

LEGATION OF THE UNITED STATES,
London, June 6, 1891. (Received June 17.)

SIR: Referring to my dispatch numbered 468 of 3d instant, I have the honor to inclose herewith, for your information, the report of a debate which took place on the 4th instant in the House of Commons upon the third reading of the Behring Sea (seal fishery) bill, which, I may add, was read for the first time in the House of Lords without debate yesterday.

I have, etc.,

ROBERT T. LINCOLN.

[From the London Times, Friday, June 5, 1891.]

SEAL FISHERY (BERING SEA) BILL.

The consideration of this bill in committee was resumed on clause 1 (power to prohibit by order in council the hunting of seals in Bering Sea). The first subsection enables Her Majesty by order in council to prohibit the catching of seals by British ships in Bering Sea during the period limited by such order.

Mr. A. S. Hill moved to add after "order" "if the Legislature of the Dominion shall consent to such prohibition." He said that the persons most concerned were the Canadians, and they were by no means consenting parties to this measure. The Americans required that they should be allowed to kill 7,500 seals on their own account. Whatever number of seals they claimed to kill, they ought to kill in the open seas and not in the rookeries. These 7,500 seals were not to be killed for food for the islanders. But the United States said that they kept 300 Aleutian islanders in the seal fisheries, and if the prohibition was to affect them they would have themselves to keep these servants of theirs, and for their wages would have to pay some £20,000. A more monstrous claim could not be put forward. If there was to be any claim at all it should be made by the Victorian fishermen.

Mr. W. H. Smith regretted that his honorable and learned friend was not satisfied with the assurance which the Government had given. He said distinctly on the second reading that the Government could not assent to the introduction of these words. The Dominion had a right to legislate so far as her own people were concerned, but she had no right to legislate for the British flag. The Bering Sea was some thousand miles away from Canada, and the Canadian Government had received every assurance that compensation should be given to any British subject who, it could be shown, would suffer loss. Her Majesty's Government hoped that the British losses would be a great deal less than his honorable and learned friend supposed. The destruction of 7,500 seals was considerable, but they were willing to consent to that proposal in order to put an end to a serious danger,

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