

fishery ordinance put into effect by Canada or Newfoundland is enforced against their own fishermen also as fully as against the Americans; so it is unlikely that the subsidiary Tribunal to pass upon these laws will declare any of them unreasonable. The regulations which the Americans have questioned heretofore are those forbidding Sunday fishing and the use of purse-seines. As Sabbath observance commends itself in this age, and as purse-seines are so destructive that their use was forbidden on the New England coast for some years, it is unlikely that these regulations will be overruled by any impartial Tribunal. It may be taken as certain, therefore, that the existing rules will be endorsed in the main, and that the American fishermen will continue liable to them.

Similarly, while the practice is so universal for all countries to employ "non-inhabitants" in their merchant shipping that the Tribunal would not negative it in this connexion, it added a clause justifying Newfoundland's contention that American vessels could not entice her fishermen to go outside her territorial waters, join these vessels there, and then return within her jurisdiction and defy her to interfere with them. The obligation imposed upon American fishing vessels to report at customhouses, where humanly possible, is only what is essential in order to maintain sovereign authority by the countries in whose waters these fishermen are operating, while their exemption from light dues when colonial vessels are exempt seems quite reasonable. The decision that the "headland" principle shall rule with regard to bays, merely incorporates into this award the precise terms of the abortive Chamberlain-Bayard Treaty of 1888, rejected by the Republican United States Senate because concluded by a Democratic Cabinet; the permission to the Americans to fish in Bay of Islands is merely the validating of a custom of ninety years' standing; and the ruling that American vessels cannot pose as fishers and traders in the same voyage is but the embodiment of common sense.

The effect of the award, then, so far as Canada is concerned, is to exclude the American fishermen entirely from