

fish within three miles then of the coast of one State by the subjects of another, must be founded upon the provisions of some treaty between such States in force at the time of such fishing. Consequently it must be regarded as clear law, that American subjects have no right to fish within the maritime territory of the British North American Colonies other than that conferred upon them either by the Treaty of 1783 or the Convention of 1818.

It becomes necessary, owing to the peculiar ideas entertained in the United States upon this question, to consider, in the first place, whether that portion of the Treaty of 1783 having reference to the fisheries was put an end to by the breaking out of the War of 1812 between Great Britain and the United States.

In the month of April, 1866, Mr. Raymond, in the United States House of Representatives, introduced a report and resolution relative to a proposition made some days previously to send armed vessels to the fishing grounds adjacent to the British Provinces for the protection of American fishermen. In the course of his remarks he made use of the following expressions: "It will become a question under what treaty we are now to enjoy the right of fishing on these coasts. The British claim, that by the Treaty of 1814, the preceeding Treaty of 1783 was annulled. I do not think that claim can be maintained, but if it should be maintained, it seems to me equally clear that the Treaty of 1818 must have been annulled by the Treaty of 1854. We are, therefore, thrown back either upon the original admission of 1783, or if that was annulled by the Treaty of 1814, then we are thrown back upon the rights which we enjoyed previous to that time."

It is hardly possible to suppose that any man occupying the position of a member of the Committee on Foreign affairs of the United States House of Representatives, could make such a public exhibition of his ignorance of the elements of International Law as is apparent to every one in the foregoing extract from Mr. Raymond's speech. The first blunder apparent is, that he wishes to fasten upon the British Government the reproach of pretending that the Treaty of 1783 was annulled by that of 1814. Such an untenable pretension was never in fact advanced by that Government, for the Law Officers of the Crown always enunciated the opinion, that the Treaty of 1783 had been annulled by the breaking out of the War of 1812, and that