

several islands thereunto adjacent, without being restricted to any distance from the shore, with permission to land upon the coasts and shores of those colonies and the islands thereof, and also upon the Magdalen Islands, for the purpose of drying their nets and curing their fish."

The second article conceded to British fishermen similar privileges on the eastern coast of the United States, north of the 36th parallel. The third article provided for reciprocal free trade between the United States and Canada and Newfoundland in various products.

The Reciprocity treaty was terminated by the United States in 1866. From 1866 to 1869, licenses were granted to United States fishing vessels, at first at the rate of 50 cents and, finally, at the rate of \$2 per ton for each season, for the same liberties as were granted under the Reciprocity treaty. In 1868 the Dominion Government passed a "Hovering Act" which practically re-enacted the Nova Scotia statute of 1836. It was amended in 1870 and in 1871, the regulations and penalties being made more stringent.

In 1870 the granting of fishing licenses was discontinued. In a communication to the United States it was stated that the British Government were of the opinion that, by the treaty of 1818, the United States had "renounced the right of fishing, not only within the three miles of the colonial shores, but within three miles of a line drawn across the mouth of any British bay or creek. . . . It is, therefore, at present the wish of Her Majesty's government neither to concede nor for the present to enforce any rights which are in their nature open to any serious question. Even before the conclusion of the reciprocity treaty Her Majesty's government had consented to forego the exercise of its strict right to exclude American fishermen from the Bay of Fundy, and they are of opinion that, during the present season, that right should not be exercised in the body of the Bay of Fundy and that American fishermen should not be interfered with, either by notice or otherwise, unless they are found within three miles of the shore, or within three miles of a line drawn across the mouth of a bay or creek which is less than ten geographical miles in width, in conformity with the arrangement made with France in 1839. . . . Her Majesty's government do not desire that the prohibition to enter British bays should be generally insisted on except when there is reason to apprehend some substantial invasion of British rights."

**Treaty of Wash-** In 1871, a Joint High Commission met at Washington ington, 1871 and, on May 8, signed the treaty of Washington respecting the fisheries, Alabama claims, etc. The treaty provided that, in addition to the "liberties" secured under the convention of 1818, the fishermen of the United States should have the liberty "to take fish of every kind except shell-fish, on the coasts of the Maritime Provinces and to land to