

American fishermen shall have liberty forever to dry and cure fish in any of the unsettled bays, harbors and creeks of the southern part of the coast of Newfoundland, above described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors or possessors of the ground. And the United States hereby renounce forever any liberty heretofore enjoyed or claimed by the inhabitants thereof to take, dry, or cure fish on or within three marine miles of any of the coasts, bays, creeks, or harbors of His Britannic Majesty's dominions in America not included within the above-mentioned limits: Provided, however, that the American fishermen shall be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them."

The British Plenipotentiaries agreed not to insist on an article giving their people the right to navigate the Mississippi.

The article above recited was accepted and incorporated in the treaty.

The rights of the people of the two countries, as settled by this Convention of 1818, (which bore date the 20th October of that year), remained unaltered for about thirty-six years, and the article just quoted is the one by which those rights are now, (since the revocation (1885) of the fishery articles of the Treaty of Washington of 1871), to be regulated. During a long course of years succeeding the treaty it was claimed on the part of the people of the British North American colonies that the fishermen of the United States habitually encroached on their fishing grounds of the coasts of the Atlantic Provinces.

The complaints consisted principally of remonstrances by the Provincial Governments and Legislatures to the Imperial authorities against the United States' fishermen fishing within three miles of the coast and within three miles of lines drawn from headland to headland, and against their entering ports, bays and harbors for the purposes of trading, procuring bait, and for other purposes not named in the Convention.

Numerous seizures were made by the Provincial marine police vessels and by British gun-boats which were sent to prevent encroachments by fishermen of the United States.

With a view to making the provisions of the Treaty of 1818 effective, the statute 59 George III, chap. 38, was passed (1819). Its principal provisions are as follows:—

It declared that except for the purposes before specified it should "not be lawful for any person or persons, not being a natural born subject of His Majesty, in any foreign ship, vessel or boat, nor for any person in any ship, vessel or boat, other than such as shall be navigated according to the laws of the United Kingdom of Great Britain and Ireland, to fish for, or to take, dry or cure any fish of any kind whatever within three marine miles of any coasts, bays, creeks or harbors whatever in any part of His Majesty's dominions in America, not included within the limits specified and described in the First Article of the said Convention, and that if such foreign ship, vessel or boat, or any persons on board thereof, shall be found fishing, or to have been fishing, or pre-