

valour, by the ancestor of the late Governor General, Lord Minto. This was a humiliation which the English plenipotentiaries could not brook. To lose the bright jewel of America from the Crown of Great Britain might be tolerated, but to lose Gibraltar and suffer a European humiliation could not be borne. Therefore they came with the plenipotentiaries of the United States, Adams, Jay and Franklin and concluded the original propositions of that treaty. France intrigued with the United States to allow them to treat only as following the lead of France. The United States government acceded to that, but contrary to the instructions of his own government, John Adams made the proposal to Great Britain that the United States and England should treat together, and ignore France and Spain, and that treaty was made. John Adams was a man of independent, forceful and courageous character. He was a Massachusetts man, and well acquainted with the fishing interests on the coast. The British Commissioner, Mr. Hartley, a member of parliament, had very little knowledge of the concerns and interests connected with fishing, or other interests, of what were supposed to be insignificant possessions of the British Crown in North America, and they made concessions which ought not to have been yielded. John Adams asserted that as they had fished in common on those coasts when they were British colonies, they should have that right still and he wished to insert in that treaty the word 'forever', a proposition which the British Commissioners had the courage to resist. They thought at the same time that Nova Scotia and other fishermen should participate in the fisheries on the New England coast, which John Adams refused. However, concessions were made which were too great, but owing to the condition of England, and in order to secure greater interests, what might be termed a sacrifice to the United States was made. They did not deem that it would be of great importance.

When the treaty of Ghent was concluded, England then stood in a far better position. When the conference was held in

London, in 1818, the European war had been concluded, Napoleon had been overcome by combined Europe. England stood in a much higher position than when the first treaty was concluded, and, therefore, the treaty and convention of 1818 limited the right of the United States in the use of our fisheries. At the convention of 1818 this was passed as the first article :

Whereas conditions have arisen respecting liberty claimed by the United States or the inhabitants thereof to take, dry and cure fish on certain coasts of His Britannic Majesty's Dominions in America. It is agreed between the high contracting parties that the inhabitants of the said United States shall have, wherever and in common with the subjects of his Britannic Majesty liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray and the United States hereby renounce for ever any liberty heretofore enjoyed or claimed by the inhabitants thereof to take, dry or cure fish within three miles of any coasts, creeks or harbours of His Britannic Majesty not included within the above mentioned limits provided, however, that the American fishermen shall be permitted to enter such bays or harbours for the purpose of shelter or obtaining water and for any other purpose whatever, &c.

This led to several divisions, and also to some conflict between the fishermen of the United States and the fishermen of Nova Scotia and between the authorities on the subject of the privileges conveyed under this treaty. It was thought necessary and in the interest of peace that this treaty should be submitted to the Hague Tribunal for a settlement of the subject in controversy, and to the Hague Tribunal were submitted seven questions.

Question No. 1 was as to the right of the United States to concur in the regulations. That is, that Great Britain or the Dominion as the sovereign power should make regulations governing the fisheries, the way in which they were to be conducted, the people to be employed, time and other regulations necessary for the conservation of the fisheries in the interest of both treaty parties having liberty thereto. The United States contended that they had a concurrent right, that no regulations should be made by Great Britain without the concurrence and approval of the United States. If the United States withheld their approval because of this regulation either there would be a conflict, or the United States fishermen would be able to take fish unrestricted, according to their own methods. That was