

And whereas the said High Contracting Parties have agreed to extend for the fishery season of 1891 the *modus vivendi* agreed to in 1890, which was as follows:—

The questions of principle and of respective rights being entirely reserved on both sides, the British and French Governments agree that the *status quo* shall be maintained during the ensuing season on the following bases:—

Without France or Great Britain demanding at once a new examination of the legality of the installation of British or French lobster factories on the coasts of Newfoundland, where the French enjoy rights of fishing conferred by the Treaties, it is understood that there shall be no modification in the positions (“emplacements”) occupied by the establishments of the subjects of either country on the first of July one thousand eight hundred and eighty-nine, except that a subject of either nation may remove any such establishment to any spot on which the commanders of the two naval stations shall have previously agreed.

No lobster fisheries which were not in operation on the first of July one thousand eight hundred and eighty-nine shall be permitted unless by the joint consent of the commanders of the British and French naval stations.

In consideration of each new lobster fishery so permitted it shall be open to the fishermen of the other country to establish a new lobster fishery on some spot to be similarly settled by joint agreement between the said naval commanders.

Whenever any case of competition in respect of lobster fishery arises between the fishermen of either country, the commanders of the two naval stations shall proceed on the spot to a provisional delimitation of the lobster fishery grounds, having regard to the situations acquired by the two parties.

N.B.—It is well understood that this arrangement is quite provisional, and shall only hold good for the fishing season which is about to open.

Be it therefore enacted by the Governor, Legislative Council, and House of Assembly in Legislative Session convened:

(1.) In case Her Majesty, Her heirs and successors, by advice of Her or their Council, shall give orders or instructions to the Governor of Newfoundland, or to any officer or officers on that station, which She or they deem necessary and proper to fulfil the purposes of the said Treaties, Declarations, and Agreements, and to that end shall give orders and instructions to the Governor or officer or officers aforesaid, to remove or cause to be removed any stages, flakes, train fats, or other works whatever, for the purpose of carrying on the fishery erected by Her Majesty's subjects on that part of the coast of Newfoundland which lies between Cape St. John, passing to the north and descending to the Western coast of the said Island to the place called Cape Raye, and also all ships, vessels, and boats belonging to Her Majesty's subjects which shall be found within the limits aforesaid; and also in case of refusal to depart from within the limits aforesaid, to compel any of Her Majesty's subjects to depart from thence, any law, custom, or usage to the contrary notwithstanding; any acts done by the said Governor, or officer or officers, in pursuance of such orders or instructions as aforesaid shall be lawful, and no action, suit, or other proceeding shall be brought or maintained in respect of the same.

(2.) In case Her Majesty, Her heirs and successors, by advice of Her or their Council, shall give orders or instructions to the said Governor, or officer or officers, which She or they deem necessary for the purpose of carrying out or enforcing the said *modus vivendi* during the fishery season of 1891, or any continuation thereof pending the arbitration aforesaid, and for the purpose of giving effect to the decision in said arbitration, any acts done by the said Governor, or officer or officers, in pursuance of such orders or instructions shall be lawful, and no action, suit, or other proceeding shall be maintained in respect of the same.

(3.) If any person shall refuse, upon requisition made by the said Governor, or officers lawfully acting in pursuance of such orders or instructions as aforesaid, to conform to such requisition and directions as the said Governor or officers shall lawfully make or give for the purpose aforesaid, such person so offending shall forfeit the sum of two hundred dollars; provided always that every such suit or prosecution shall be commenced within one year from the commission of such offence.

(4.) This Act may be cited as the “Newfoundland French Treaties Act,” and shall continue in force only until the end of 1893 and no longer.