
Miscellaneous.

sioner, arbitrator, or umpire, another and different person shall be appointed or named, as aforesaid, to act as such Commissioner, arbitrator, or umpire, in the place and stead of the person so originally appointed or named as aforesaid, and shall make and subscribe such declaration as aforesaid.

Such Commissioners shall proceed to examine the coasts of the North American Provinces and of the United States embraced within the provisions of the first and second article of this Treaty, and shall designate the places reserved by the said articles from the common right of fishing therein. The decision of the Commissioners, and of the arbitrator or umpire, shall be given in writing in each case, and shall be signed by them respectively. The high contracting parties hereby solemnly engage to consider the decision of the Commissioners jointly, or of the arbitrator or umpire, as the case may be, as absolutely final and conclusive in each case decided upon by them or him respectively.

ART 2.—It is agreed by the high contracting parties that British subjects shall have, in common with the citizens of the United States, the liberty to take fish of every kind except shell-fish, on the eastern sea-coasts and shores of the United States north of the thirty-sixth parallel of north latitude, and on the shores of the several islands thereto adjacent, and in the bays, harbors and creeks of the said sea, the coasts and shores of the United States and of the said island, without being restricted to any distance from the shores, with permission to land upon the said coasts and shores of the United States and of the islands aforesaid, for the purpose of drying their nets, and curing their fish, provided that in so doing they do not interfere with the rights of property, or with the fishermen of the United States, in the peaceable use of any part of the said coast in their occupancy for the same purpose.

It is understood that the above mentioned liberty applies solely to the sea fishery, and that salmon and shad fisheries and all fisheries in the rivers and mouths of rivers are hereby reserved exclusively for fishermen of the United States.

ART. 3.—It is agreed that the articles enumerated in the schedule hereunto annexed, being the growth and produce of the aforesaid British Colonies or of the United States, shall be admitted into such country respectively free of duty.

S C H E D U L E

Grain, flour, and breadstuffs of all kinds ; animals of all kinds ; fresh, smoked and salted meats, cotton, wool, seeds and vegetables ; undried fruits ; fish of all kinds ; products of fish and all creatures living in the water ; poultry, eggs ; hides, furs, skins, or tails undressed ; stone or marble in its crude or undressed state ; slate ; butter, cheese, tallow ; lard, horns, manures, ores of metals of all kinds ; coal ; tar, pitch, turpentine, ashes ; timber and lumber of all kinds, round, hewed, and sawed, manufactured in whole or in part ; firewood ; plants, shrubs, and trees ; pelts, wool ; fish oil ; rice, broom-corn and bark ; gypsum, ground or unground ; hewn or wrought or unwrought burr or grindstones ; dye-stuffs ; flax, hemp, and tow, unmanufactured ; unmanufactured tobacco ; rags.

ART. 4.—It is agreed that the citizens and inhabitants of the United States, shall have the right to navigate the river St. Lawrence and the Canals in Canada, used as the means of communicating between the great Lakes and the Atlantic Ocean, with their vessels, boats, and crafts, as fully as the subjects of her Britannic Majesty, subject only to the same tolls and other assessments as now or may hereafter be exacted of Her Majesty's said subjects, it being understood, however, that the British Government retains the right of suspending this privilege on giving due notice thereof to the Government of the United States;