

America, and to dry and cure their fish in any of the unsettled bays, harbours, and creeks of Nova Scotia, the Magdalen Islands, and Labrador, so long as they should remain unsettled; but so soon as any of them became settled, the United States' fishermen were not to be allowed to use them without the previous permission of the inhabitants and proprietors of the ground.

The IIIrd Article of the Treaty of Paris of Treaty of Paris, September 3, 1783. the 3rd of September, 1783, is as follows :—

“It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank and on all the other banks of Newfoundland; also in the Gulf of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that Island), and also on the coasts, bays and creeks of all other of His Britannic Majesty's Dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same, or either of them, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such Settlement without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.”

It should, however, be observed that the rights conceded to the United States' fishermen under this Treaty were by no means so great as those which, as British subjects, they had enjoyed previous to the War of Independence, for they were not to be allowed to land to dry and cure their fish on any part of Newfoundland, and only in those parts of Nova Scotia, the Magdalen Islands, and Labrador where no British Settlement had been or might be formed, expressly excluding Cape Breton, Prince Edward Island, and other places. Rights secured to United States' subjects by Treaty of 1783.

So matters stood until the war of 1812 Outbreak of war of 1812. broke out, when, of necessity, the right of American citizens to fish in British waters, and to dry and cure their fish on British territory,