

"*French* fishermen." Whatever the force of these words may be considered in other respects they do not, I conceive, amount to a condition that no other use shall be made of these islands; and whether their force considered apart be such that the ample nature of the cession is thereby contracted, limited, and wholly restrained to the purpose of shelter, as they contain no express restriction thereof to this sole use, I should leave to abler judges, in case the matter entirely rested here; but it is evident that the operation and effect of the cession is not wholly to be determined by the words used on the part of *Great Britain*, without taking into consideration the *French* kings engagement hereupon, the minds of both parties being united in each stipulation. The engagement is thus expressed, "And his said most *Christian* majesty engages "not to fortify the said islands; to erect no buildings upon "them, but merely for the convenience of the fishery; and "to keep upon them a guard of fifty men only for the "police;" so that instead of being applied to the sole use of shelter for the *French* fishermen, it is now declared these islands are to serve as a convenience for their fishery, whereby their use is so far enlarged that I shall not take upon me to mark its limits—That the cession of them being made in perpetuity a perpetual and effectual security touching their future state and use seems very desirable--- That this cession is accompanied with no express provision that an *English* commissary shall reside on each or either of the said islands, or that the commander of the *English* Squadron at *Newfoundland* shall be at liberty from time to time to inspect them, to see that the stipulations are punctually observed, nor any other mean of information provided for that purpose; wherefore I shall more largely consider the *French* kings engagement whereon so great dependance is placed. His most *Christian* majesty, I presume, is a man of honour, and consequently intended to fulfil his engagement when he entered into it; nevertheless I can easily conceive that even during his time these islands

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