

kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau Islands on the Western and Northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands; on the shores of the Magdalen Islands; and also on the coasts, bays, harbors, and creeks from Mount Joly on the southern coast of Labrador to and through the Straits of Belleisle, and thence northwardly indefinitely along the coast; without prejudice, however, to any of the exclusive rights of the Hudson Bay Company: and that the American fishermen shall also have liberty, forever, to dry and cure fish in any of the unsettled bays, harbors, and creeks of the southern part of the coast of Newfoundland here above described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce forever any liberty heretofore enjoyed or claimed by the inhabitants thereof to take, dry or cure fish on or within three marine miles of any of the coasts, bays, creeks or harbors of His Britannic Majesty's dominions in America, not included within the above mentioned limits. Provided, however, that the American fishermen shall be admitted to enter such bays or harbors for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatsoever. But they shall be under such restrictions as may be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them."(2)

Discussions as to the interpretation of the Convention were entered into as early as 1823 between the British and American Governments, the former claiming in favor of its subjects the exclusive right of fishing not only in the bays on the coasts of Nova Scotia and New Brunswick, and that portion of Canada to the south of the River and Gulf of St. Lawrence, and to the westward of Mount Joly on the north, but also within three miles of lines drawn from headland to headland of all such bays, including specially those of Chaleur and Fundy. The latter Government insisting that in those bays its fishermen had a right to fish at any distance over three miles from the land. For