

Labrador, to and through the Straights of Belleisle and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson's Bay Company; And that the American fishermen shall also have liberty forever to dry and cure fish in any of the unsettled bays, harbours and creeks of the southern part of the coast of Newfoundland hereabove 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 harbours of His Britannic Majesty's dominions in America not included within the above mentioned limits; Provided, however, that the American fisherman shall be admitted to enter such bays or harbours for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. 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."

By this article, the *right* to fish

- (1) On the "banks" of Newfoundland,
- (2) In the gulf of St. Lawrence, and
- (3) At all other places in the sea,

remains as under the treaty of 1783.

The *liberties* granted are:

I. To take fish on the following British coasts—

- (a) The southwestern coast of Newfoundland between cape Ray and the Rameau islands.
- (b) The western coast of Newfoundland between cape Ray and the Quirpon islands.
- (c) The shores of the Magdalen islands, and
- (d) The coast of Labrador from mount Joly eastward and northward indefinitely, "without prejudice, however, to any of the exclusive rights of the Hudson's Bay Company."

II. To dry and cure fish on—

- (a) The *unsettled* bays, harbours and creeks of the south-western coasts of Newfoundland between cape Ray and the Rameau islands, and
- (b) The coast of Labrador.

In 1819, an Imperial Act was passed which recited the gravamen of Art. I and provided penalties for fishing in the 'excluded' waters.