

" 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 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."

Here then was the adjustment of the fishery question. The Americans were secured by the Treaty in the rights specially mentioned in the first article of that Convention, and under the limitations therein contained; and further, they distinctly renounced all privileges they had theretofore exercised or claimed, which were not contained in that Treaty. With regard to "fishing in the sea," it left the rights of Americans just as they had existed under the Treaty of 1783, though it curtailed their geographical limits for taking fish, while it gave new facilities for curing the same. Under the former Treaty they could not use the shores of Newfoundland, although they might catch and cure fish on the coasts, bays and creeks of the Magdalen Islands and the mainland, on condition that when settled, the consent of the inhabitants should be obtained for landing and curing. By the Treaty of 1818, they could both take and cure fish on the coasts of certain parts of Newfoundland, and a limited extent of Labrador, subject only to permission for drying and curing when the settlers permitted it on inhabited coasts, but the liberty of fishing and curing fish on the coasts, bays, and harbors of Nova Scotia, and that part of Labrador south-west of Mount Joly, near Natashquan River, and almost opposite to the east end of the Island of Anticosti, was altogether withheld.

But further, by this Treaty the Americans admitted the rightful act of Great Britain in withholding so much of the liberty for fishing formerly conceded to them as had given rise to "differences," and the United States *voluntarily renounced for ever any freedom, before "enjoyed or claimed," to take, dry, or cure fish on or within three marine miles of any other portions of the coasts, bays, creeks, or harbours of British America.* And, further, they stipulated that their fishing vessels shall have the privilege of entering such bays or harbours for the purpose of "*shelter,*" and of "*repairing damages therein,*" of "*purchasing wood,*" and of "*obtaining water;*" and while stipulating for such privileges they distinctly agree that they shall go in "*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."

The British Government, on the 14th June, 1819, passed the Imperial Act, 59 Geo. III., cap. 38, in the Appendix annexed marked B, which provided the authority of law for enforcing respect to the Treaty within British jurisdiction.