

Extent of the Fishing Interest in Massachusetts.

Statement, compiled from the Statistical Tables, published by order of the Legislature of Massachusetts, indicating the extent of the fishing interest of the Commonwealth, for the year ending 1st April, 1837. The whale fishery not included:—

Vessels employed in the cod and mackerel fishery	1,290
Tonnage of the same	76,089
Number of quintals of codfish caught	510,554
Value of the same	\$1,569,517
Number of barrels of mackerel caught	234,059
Value of the same	\$1,639,042
Number of bushels of salt used in cod and mackerel fishery	837,141
Hands employed	11,146
Capital invested	\$2,683,176

Received and adopted.

In the House of Assembly, April 8, 1841.

Resolved that his Excellency the Lieutenant-Governor be respectfully requested to call the attention of Her Majesty's Government to the Report adopted by this House on the subject of the fisheries, and to urge Her Majesty's Government to give effect to the suggestions therein contained.

(Signed) JOHN WHIDDEN, *Clerk.*

Inclosure 3 in No. 111.

Case.

CASE stated by direction to the Right Honourable Lord Viscount Falkland, Lieutenant-Governor of Nova Scotia, at the request of the House of Assembly of that Province, for the purpose of obtaining the opinion of the Law Officers of the Crown in England.

At the peace of 1783 a Treaty was entered into between the United States and Great Britain, by which the people of the former obtained the right "To take fish on the Grand Bank and all other banks of Newfoundland, in the Gulf of St. Lawrence, and all other places in the sea where the inhabitants of both countries had been used to fish before; and the liberty to fish on such part of the coast of Newfoundland as British fishermen used (but not to dry or cure fish there), and on the coasts, bays, and creeks of all other British dominions in America;" they also obtain liberty to dry and cure fish in any unsettled bays, harbours, and creeks of Nova Scotia, Magdalen Islands, and Labrador, but as soon as any of them were settled this liberty was to cease, unless continued by agreement with the inhabitants. The United States declared war against Great Britain in 1812; peace was subsequently proclaimed, and a Convention was entered into between Great Britain and the United States, and signed at London October 20, 1818, the first Article of which is as followed:—

"Whereas differences have arisen respecting the liberty claimed by the United States for the inhabitants thereof, to take, dry, and cure fish on certain coasts, bays, harbours, and creeks of His Britannic Majesty's dominions in America, it is agreed between the High Contracting Parties that the inhabitants of the said United States shall have for ever, in common with the subjects of His Britannic Majesty, the liberty to take fish of every 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, harbours, and creeks from Mount Joly, on the southern coast of Labrador, to and through the Straits of Belle Isle, 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 for ever 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 portions so settled without previous agreements for such purposes with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce for ever any liberty heretofore enjoyed or claimed by the inhabitants thereof,