

GEORGE KNOWLING.

**SCHOOL BOYS' BOOTS.**

Guaranteed solid leather, stand in wet or dry weather.

Strong, Smart looking pegged or sewn Children's Boots made to stand the wear and tear of growing children, whilst being nicely finished and up-to-date, lasts on hygienic principles, particular attention is paid to strength and durability.

**Boys' Strong Pegged Boots,**  
\$1.05, 1.10, 1.15, 1.20, 1.30, 1.50 to 1.70.  
**Boys' Veal Calf McKay Sewn School Boots,**  
\$1.25, 1.30, 1.35, 1.50 to 1.65.  
**Boys' Box Calf McKay Sewn School Boots,**  
\$1.35, 1.40, 1.50, 1.60, 1.70 to 2.60.  
**Boys' Dongola McKay Sewn School Boots,**  
\$1.35, 1.40, 1.45, 1.50, 1.60, 1.80 to \$2.10.  
**Boys' Tan McKay Sewn School Boots,**  
\$1.25, 1.30, 1.35, 1.40, 1.45 to 2.30.

SATISFACTION GUARANTEED OR YOUR MONEY REFUNDED.

**G. KNOWLING.**

sept12,m&th,51

**Evening Telegram**

W. J. HERDER, - - Proprietor  
W. F. LLOYD, - - - Editor.

Monday, Sept. 12, 1910.

**The Hague Decision.**

We notice that Hon. A. B. Aylesworth, Minister of Justice, who prepared the Canadian side of the fishery case, expressed his opinion of the award in the following terms: "It is a win all along the line for us."

It is pleasing to find that this opinion coincides with that of the Secretary of State for the Colonies and confirms generally the opinion expressed by Attorney General Morison. The two Attorneys have seen the award. We have not, and cannot therefore express an opinion based on the text of the decision. If the text bears out the opinions of these men, Newfoundland has won a great victory. Great credit is due to Sir Robert Bond for forcing the question to an issue and to himself and his Government for getting them before the Hague Tribunal. It must be remembered that the document containing the submission was signed at Washington during the then Attorney General's (Mr. Kent's) visit there. He had to do with settling the terms of the submission. After the resignation of the Bond Government last year, the further conduct of the case was in the hands of the Newfoundland and British Government counsel.

If the text of the decision bears out the opinions we have referred to, Newfoundland has won a famous victory which should be the occasion of National Rejoicing.

We have written with reserve, as there is a conflict between the different reports; for instance, on article 2, Congressman Gardner claims that America won. Mr. Stead says Newfoundland won. So does Mr. Morison.

On this matter Congressman Gardner comments thus:—

"The menace to Gloucesters in the herring fisheries was a point in point 2, and this was decided in our favor. Sir Robert Bond knew that for netting a crew of 50 men was wanted. If a Gloucester schooner were to bring the whole fifty, it would raise the price of herring to a figure where no one could buy. The Newfoundland Premier therefore attempted to prohibit New England vessels from shipping Newfoundlanders to make up their crews. If he had prevailed at the Hague our fishermen would have had a serious reverse. Our contention was that the flag of the vessel carried and covers the whole crew, and that it would be as obviously unjust to demand a whole Yankee crew on a Yankee schooner as a whole British crew on a steamer flying the British colors. We were sustained in this very important point."

Mr. Stead says that American rights to employ aliens in their fishing boats is recognized as unassailable, but Newfoundland's rights to exclude aliens who may happen to find themselves on American ships, from fishing in Newfoundland waters, is equally recognized. "The clause runs:—To prevent any misunderstanding as to the effect of the award, the Tribunal expresses the opinion that non-inhabitants employed as members of fishing crews on United States' vessels derive no benefit or immunity from the Treaty."

This quotation seems to us to incline the scales in favour of the view expressed by Messrs. Morison and Stead.

We will state our reading of it: Under the Convention of 1818 Ameri-

cans can employ non-inhabitants of the United States, but these latter, so at their own risk. If they are Newfoundlanders, they are subject to Newfoundland laws. If these laws prohibit Newfoundlanders from working on American fishing vessels in the treaty waters, Newfoundlanders so employed are liable to the penalties of such laws. The decision thus sustains wholly the contention of Sir Robert Bond and vindicates the attitude taken in the Dubois and Crane cases, which were in charge of Mr. Kent. It may be, but here we write with more reserve, that all aliens, except inhabitants of America, would be liable to the same penalties. It would thus appear that Gloucester has lost what it had most hoped to gain.

**The Text of the Award.**

After writing the above editorial we got from an exchange a copy of the award:—

1.—The right of Great Britain to make regulations without the consent of the United States as to the exercise of the liberty to take fish referred to in article 1 of the treaty of October 20, 1818, in the form of municipal laws, ordinances or rules of Great Britain, Canada or Newfoundland is inherent in the sovereignty of Great Britain. The exercise of that right by Great Britain is, however, limited by the said treaty in respect of the said liberties therein granted to the inhabitants of the United States in that such regulations must be made bona fide and must not be in violation of the said treaty regulations, which are (1) appropriate or necessary for the protection and preservation of such fisheries, or (2) desirable or necessary on grounds of public order and morals, without unnecessarily interfering with the fishery itself, and in both cases equitable and fair as between local and American fishermen, and not so framed as to give unfairly an advantage to the former over the latter class, are not inconsistent with the obligation to execute the treaty in good faith, and are, therefore, reasonable and not in violation of the treaty.

For the decision of the question whether a regulation is or is not reasonable as being or not in accordance with the dispositions with the treaty, and not in violation thereof, the treaty of 1818 contains no special provision. This settlement of differences in this respect that might arise thereafter was left to the ordinary means of diplomatic intercourse. By reason, however, of the form in which question 1 is put, and by further reason of the admission of Great Britain by her counsel before this tribunal that it is not now for either of the parties to the treaty to determine the reasonableness of any regulations made by Great Britain, Canada or Newfoundland, the reasonableness of any such regulation if contested must be decided, not by either of the parties, but by impartial authority in accordance with the principles herein above laid down, and in the manner proposed in the communications laid down by the tribunal.

In virtue of article 4 of the agreement, the tribunal further decides that article 4 of the agreement is, as stated by counsel, of the respective parties at the argument, permanent in its effect and not terminable by the expiration of the general arbitration treaty of 1908 between Great Britain and the United States. In execution, therefore, of the responsibilities imposed on this tribunal by the said articles 2, 3 and 4 of the special agreement, we hereby pronounce in their regard as follows:

**Treaty.**  
2.—Now, therefore, in view of the preceding considerations, this tribunal is of opinion that the inhabitants of the United States, while exercising the liberties referred to in the said article 4, have a right to employ as members of the fishing crews of their vessels persons not inhabitants of the

United States, but in view of the preceding considerations, the tribunal, to prevent any misunderstanding as to the effect of its award, expresses the opinion that non-inhabitants employed as members of the fishing crews of United States vessels derive no benefit of immunity from the treaty, and it is so decided and awarded.

3.—For these reasons the tribunal decides and awards that an American fishing vessel should report, if proper conveniences for doing so are at hand, is not unreasonable for the reasons stated in the foregoing opinion. There should be no such requirement, however, unless there be reasonably convenient opportunity afforded to report in person or by telegraph, either at a custom house or to a custom official, but the exercise of the fishing liberty by the inhabitants of the United States should not be subjected to the purely commercial formalities of report, entry and clearance at a custom house, nor to light, harbor or other dues not imposed upon Newfoundland fishermen.

4.—And it is decided and awarded that such restrictions are not permissible unless American fishermen entering such bays for any of the four purposes aforesaid, and remaining there, do not hereinafter specifically required, if thought necessary by Great Britain or the Colonial Government, to report either in person or by telegraph at a custom house or to a custom official is reasonably convenient opportunity therefore is afforded, and it is so decided and awarded.

5.—For these reasons the tribunal decides and awards in case of bays the three marine miles are to be measured from a straight line drawn across the body of water at the place where it ceases to have the configuration and characteristics of a bay. At all other places the three marine miles are to be measured following the star or osties of the coast. Now this tribunal hereby recommends for the consideration and acceptance of the high contracting parties the following rules and methods of procedure:

(1) For determining the limits of the bays hereinafter enumerated, in every bay not hereinafter specifically provided for, the limits of exclusion shall be drawn three miles seaward from straight line across the bay in the part nearest the entrance at the first point where the width does not exceed ten miles.

(2) In the following bays where the configuration of the coast and the local climatic conditions are such that foreign fishermen when within the limits of exclusion might possibly and bona fide believe themselves on the high seas, the limits of exclusion shall be drawn in each case between the headlands hereinafter specified as being those at and within which such fishermen might be reasonably expected to recognize the bay under average conditions.

For or near the following bays, the limits of exclusion shall be three marine miles seawards from the following lines, namely:

For the Baie des Chaleurs, the line from the light at St. John's to the light at Point St. Anne's Bay in the province of Nova Scotia, the line from the light at Point Anson to the nearest point on the opposite shore of the mainland.

For Fortune Bay in Newfoundland, the line from Connaigre Head to the light on the southeasterly end of Rameau Island, thence to Fortune Head.

For or near Barrington Bay in Nova Scotia, the line from the light on Stockard Island to the light on the south point of Cape Sable, thence to the light at Bassaro Point.

At Chedabucto and St. Peter's Bays the line from Cranberry Island light to Green Island light thence to Point Rouge.

For Mira Bay, the line from the light on the East Point of Scatarie Island to the light on the north-easterly point of Cape Morice.

At Placentia Bay in Newfoundland, the line from Latrine Point on the north-easterly point of the bay to the southerly point of Red Island, thence

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**Girls' Buff McKay-sewn School Boots,**  
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\$1.00, 1.05, 1.10, 1.15, 1.20, 1.25, 1.30 to 2.00.

**Magnificent Gift to Millertown.**

Special to Evening Telegram.

GRAND FALLS, Yesterday. Mr. Kennedy Jones, one of the Directors of the Grand Falls enterprise, has presented \$5,000 towards the erection of a hospital at Millertown. The needs of the district, which is the centre of a large area of logging and agricultural pursuits are great, and a modern hospital will be a great boon to the populace of that part of the island. It is proposed to name the new hospital after Mr. Kennedy Jones' daughter, Miss G. Kennedy Jones, who is accompanying her father on his second visit of inspection.

by the most southerly point of Meresheen Island to the mainland.

At Long Island and Bryer Island on St. Mary's Bay, in Nova Scotia, shall be taken as the coasts of such bays.

**BAY OF FUNDY NOT INCLUDED IN AWARD.**

It is understood that nothing in these rules refers either to the Bay of Fundy considered as a whole apart from its bays and creeks or as to the innermost passages through the Cut of Canoe which were excluded by the agreement made by exchange of notes between Mr. Bacon and Mr. Bryce, dated February 21st, 1909, and March 4th, 1909, or to the Bay of Fundy which was provided for by the decision of the Privy Council in the case of the direct United States Cable Company vs. the Anglo-American Telegraph Company, in which decision the United States have acquiesced.

Answer to question 6:—

6. Therefore this tribunal is of opinion that American inhabitants are entitled to fish in the bays, creeks and harbors of the coast of Newfoundland and the Magdalen Islands, and it is so decided and awarded.

Answer to question 7:—

7. For these reasons this tribunal is of opinion that the inhabitants of the United States are so entitled in so far as concerns this treaty, before the Bruce express, accompanied by his parents, to go to Hospital for an abscess in the thigh, is very ill and lay in a comfortable cot made for him, and was carefully looked after on the train. He was taken to Hospital.

By the Bruce express also a man was brought here from Clareville suffering from typhoid fever. He was accompanied by Dr. Leslie and Const. Gardner, and had a car all to himself as the physician and the Reid Mtd. Co. did not deem it prudent for passengers to go near him. He is very ill and was taken to the Fever Hospital.

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