

by the present article as they have been entitled to enjoy that which is assigned to them by the treaty of Utrecht." By the Treaty of 1762, the *liberty* of fishing in the Gulf of St. Lawrence is given to French fishermen on condition of their exercising the same at the *distance of three leagues* from the shore, and the Treaty of Utrecht is renewed and confirmed as to the liberty on the coast of Newfoundland. Article 13 of the Treaty of Utrecht, signed in 1713, thus concludes:—

"Nor shall the most Christian King his heirs and successors or any of their subjects at any time hereafter lay claim to the said island (Newfoundland) and islands, or to any part of it or them. Moreover, it shall not be lawful for the subjects of France to fortify any place in the said island of Newfoundland or to erect any buildings there besides stages made of boards and huts necessary and usual for drying of fish, or to resort to the said island beyond the time necessary for fishing and drying of fish. But it shall be *allowed* to the subjects of France to catch fish and to dry them on land in that part only of the said island of Newfoundland which stretches from Cape Bonavista to the Northern point of the said island, and from thence running down by the western side reaches as far as the place called Point Niche."

This Treaty of Utrecht appears to be that by which the liberty was first granted to French fishermen, and it will also be seen that in subsequent Treaties very little change has been made up to the Treaty of 1857; and any reader of the article quoted will see that it gives no exclusive right. The success which has invariably attended the arms of England in her wars with France has given this country a control in those waters that has always enabled her to defend the rights of the colonists, and it has been left to the statesmen of this day to sacrifice those rights, which sacrifice the Minister has endeavoured to justify by the false statement that the French had previously exclusive rights by treaty to some portions of the coast of Newfoundland. But there is further evidence that the act of the British Minister was not one of the consequences of which he was ignorant. The Attorney-General in the House of Assembly (Newfoundland) speaking of this Treaty of 1857 on February 6th of that year said, "This Treaty struck the colony with no less astonishment than it took the local legislature by surprise. In 1853 he and his colleagues had brought the subject of the *French aggression*, and of the danger of further concession, under the notice of the Imperial Government, and the points objected to then were the very points they compromised and conceded by this Treaty."

The examination of the various Treaties fails to establish the position assumed by the Minister as to the rights of the French on the coast of Newfoundland. Upon these there may have been dispute; but there could be no dispute with respect to the Labrador fishery. There they had *no claim*. By Treaty they were forbidden to fish on that coast. The 5th Article of the Treaty of 1762 is very distinct upon this point:—"And His Britannic