

Rights of the Colonists.

North America. The rights of France were very extensive, and were considered of great importance by the Government of that country.

The rights of the Colonists, however, with regard to the drying of fish on the Coast of Newfoundland were limited by Act of Parliament, and it is a matter of doubt also, whether their rights of fishery were not also limited by the first clause of the Act 10 & 11 Geo. III, cap. 25.

Article X of Treaty of Commerce between France and United States of 6th February, 1778, on subject of Fisheries.

Appendix I.

In order to protect the interests of French subjects in the Newfoundland fisheries against competition on the part of the fishermen of the United States, the following Article was inserted in the Treaty of Amity and Commerce signed on the 6th February, 1778, between France and these States:—

Article X. "The United States, their citizens and inhabitants, shall never disturb the subjects of the Most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, nor in the indefinite and exclusive right which belongs to them on that part of the coast of that island which is designated by the Treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to His Most Christian Majesty, the whole conformable to the true senses of the Treaties of Utrecht and Paris."

Mr. Fitzherbert;
Paris, August 29, 1782.

Notwithstanding this stipulation, however, France, on the commencement of negotiations in 1872, urged upon the British Government the necessity of resisting the American claim to a participation in the Newfoundland fisheries. It was urged by France that Great Britain was not only bound in interest to reject it, but that she might to do so consistently with the strictest principles of justice, on the ground of her being the sole and undoubted proprietor of the Island of Newfoundland, and, consequently, of the fishery upon its coasts.

Negotiations in Paris for Treaty of Peace between Great Britain and United States.

The freedom of fishery on the banks of Newfoundland and elsewhere was demanded by Dr. Franklin as an indispensable Article in the proposed Treaty of Peace between Great Britain and the United States.

* Annulled by Act of Congress of the 7th July, 1798, c. 67.