

of drying and curing their fish. Mr. Bagot then offered a portion of the southern coast of Newfoundland, from Cape Ray eastward, to the Rameau Islands, which Mr. Munro also declined as inadequate to the wants, and he subsequently, in December, 1816, offered the use to American fishermen, in common with the British, of both the districts previously named. This proposition the American Government neither accepted nor rejected, but proposed to postpone the decision to enable them to get further information as to its suitableness. In the month of June, 1817, twenty American vessels were seized at Ragged Island in Nova Scotia, and this again forced the immediate consideration of the subject upon the notice of the American Government, and on the 28th of July, 1818, instructions were given by Mr. Adams, the then Secretary of State of the United States, to Messrs. Rush and Gallatin, which resulted in the following October in obtaining the Treaty of 1818, the terms of which have been already stated.

Determined to maintain the rights of their Colonial subjects, the vessels so seized for trespassing upon the fishing limits of British territorial jurisdiction were prosecuted in the Admiralty Courts of Nova Scotia; and while these courts held that they were illegally in port and violating the Treaty the absence of any Imperial or Provincial statute providing the machinery for enforcing penalties or confiscation enabled them to escape. This decided action on the part of His Britannic Majesty brought matters to an issue, and taught American statesmen the folly of their untenable and exacting attitude during the discussion of the former peace negotiations and propositions were subsequently made, as above stated, to the British Government, which resulted in the Fishery Article of the Convention of 1818:

"ART. 1.—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, harbors, 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 Quirpen Islands, on the shores of the Magdalen Islands, and also on the coasts, bays, harbors, and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Straits of Belleisle, 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, harbors 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 portion so settled, without previous agreement for such purpose, 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, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks or harbors of His Britannic Majesty's dominions