

drying and curing fish on the southern coast of the island, between Cape Ray and the Rameau Islands, as they have on the coast of Labrador to the east of Mount Joly.

But though the intention of the governments contracting was to avoid the possibility of any difficulty arising on the subject of the rights of citizens of the United States to carry on fishing operations within the maritime territory of the British Provinces, yet barely five years had elapsed from the making of the Convention of 1818, when discussions took place as to the meaning of the word bays, therein made use of. The American contended that the signification attached to the word by the greater number of the States of the civilized world should be accepted as defining the bays included in the renunciatory clause; whilst, on the other hand, the British insisted, that having from time immemorial claimed and possessed sovereign power over all bays on the coasts of the dominions of the Crown in all parts of the world, and the Government of the United States having also claimed and exercised such sovereign power over all the bays on the coasts of the United States, the extended meaning attached generally by the two governments to the word "bay" should be held to be the one intended in the convention to apply to that word when used therein.

As already mentioned, the principle of International Law relied upon by the American Government, as to the measurement of the maritime territory seawards of a State, is pretty generally recognized, and if it be not clearly shown that both Great Britain and the United States have refused to admit that principle, and have in fact recognized another by which bays of a greater width than six miles from headland to headland are looked upon as included within the line of coast from which the maritime territory of the State to which the headlands belong is to be measured seawards, but little difficulty should be experienced in deciding against the pretensions of Great Britain. If, on the other hand, the United States, and Great Britain, up to the date of the Convention of 1818, had attached such wider meaning to the word "bay," the American claim must be pronounced unfounded.

A treaty, or convention between States, is but a contract subject to the rules of interpretation applicable to contracts between individuals. Custom in many instances exercises a controlling influence over a contract, changing the meaning of a word from one which it bears almost universally to another which is entirely different, and its influ-