

On the conquest of Cape Breton in 1758, British subjects exclusively pursued the fisheries on Brown's Bank, and the banks of Nova Scotia, and on the banks of Newfoundland, in common with the subjects of every European nation.

By the Treaty signed in Paris in 1763 between Treaty of Paris, February 10, 1763. Great Britain and France, the latter Power obtained the confirmation of her fishery rights on the Coast of Newfoundland, as provided by the XIIth Article of the Treaty of Utrecht. With regard, however, to the other fisheries, Great Britain consented to leave to the subjects of the Most Christian King, the liberty of fishing in the Gulf of St. Lawrence, on the condition that the subjects of France did not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the Continent as those of the islands situated in the said Gulf of St. Lawrence. And as to what related to the fishery on the coasts of the Islands of Cape Breton out of the said Gulf, French subjects were not to exercise the said fishery but at the distance of fifteen leagues from the coasts of that island; and the fishery on the coasts of Nova Scotia, or Arcadia, and everywhere else out of the said Gulf, was to remain on the footing of former Treaties.

By the XVth Article of the Treaty of Utrecht Spain. between Great Britain and Spain certain rights of fishing at the Island of Newfoundland had been reserved to the Guipuscoans and other subjects of Spain; but by the XVIIIth Article of the Treaty of Peace between Great Britain and Spain of 1763, His Catholic Majesty had desisted, "as well for himself as for his successors, from all pretension which he might have formed in favour of the Guipuscoans and other his subjects, to the right of fishing in the neighbourhood of the Island of Newfoundland."

From the foregoing it will be observed that at the period of the negotiations of 1782-83, the North American fisheries were principally carried on by fishermen from Great Britain, France, and the American Colonies. It was the subjects only, however, of the first of these Powers which enjoyed unlimited rights of fishing, not only on the bank fisheries, but also upon the Coasts of