

It is now my duty to inform you that the Government of His Britannic Majesty confirms the Special Agreement aforesaid, and in doing so confirms also the understanding arrived at by us that Question 5 of the series of questions submitted for arbitration—namely, from where must be measured the “3 marine miles of any of the coasts, bays, creeks, or harbours” referred to in the said Article—is submitted in its present form with the agreed understanding that no question as to the Bay of Fundy, considered as a whole, apart from its bays or creeks, or as to innocent passage through the Gut of Canso, is included in this question as one to be raised in the present arbitration, it being the intention of the Parties that their respective views or contentions on either subject shall be in no wise prejudiced by anything in the present arbitration.

This understanding is that which was embodied in notes exchanged between your predecessor and myself on the 27th January, and is that expressed in the above-mentioned Resolution of the Senate of the United States.

I have, &c.,

JAMES BRYCE.

Mr. Bacon to Mr. Bryce.

DEPARTMENT OF STATE, WASHINGTON,
March 4, 1909.

Excellency,

I have the honour to acknowledge the receipt of your note of the 4th instant, in which you confirm the understanding in the matter of the Special Agreement submitting to arbitration the differences between the Governments of the United States and Great Britain concerning the North Atlantic fisheries, as expressed in the Resolution of the Senate of the 16 February, 1909, and as previously agreed upon by the interchange of notes with my predecessor of the 27th January, 1909.

I therefore have the honour to inform you that this Government considers the Special Agreement as in full force and effect from and after the 4th day of March, 1909.

I have, &c.,

ROBERT BACON.