

*Fisheries (North America).*

Colonies and the Islands thereof, and also upon the *Magdalon Islands*, for the Purpose of drying their Nets and curing their Fish; provided that in so doing they do not interfere with the Rights of private Property or with *British* Fishermen in the peaceable Use of any Part of the said Coast in their Occupancy for the same Purpose.

It is understood that the above-mentioned Liberty applies solely to the Sea Fishery, and that the Salmon and Shad Fisheries, and all Fisheries in Rivers and the Mouths of Rivers, are hereby reserved exclusively for *British* Fishermen.

And it is further agreed that, in order to prevent or settle any Disputes as to the Places to which the Reservation of exclusive Right to *British* Fishermen contained in this Article and that of Fishermen of the *United States* contained in the next succeeding Article apply, each of the High Contracting Parties, on the Application of either to the other, shall, within Six Months thereafter, appoint a Commissioner. The said Commissioners, before proceeding to any Business, shall make and subscribe a solemn Declaration that they will impartially and carefully examine and decide, to the best of their Judgment and according to Justice and Equity, without Fear, Favour, or Affection to their own Country, upon all such Places as are intended to be reserved and excluded from the common Liberty of fishing under this and the next succeeding Article; and such Declaration shall be entered on the Record of their Proceedings. The Commissioners shall name some Third Person to act as an Arbitrator or Umpire in any Case or Cases on which they may themselves differ in Opinion. If they should not be able to agree upon the Name of such Third Person, they shall each name a Person, and it shall be determined by Lot which of the Two Persons so named shall be the Arbitrator or Umpire in Cases of Difference or Disagreement between the Commissioners. The Person so to be chosen to be Arbitrator or Umpire shall, before proceeding to act as such in any Case, make and subscribe a solemn Declaration in a Form similar to that which shall already have been made and subscribed by the Commissioners, which shall be entered on the Record of their Proceedings. In the event of the Death, Absence, or Incapacity of either of the Commissioners or of the Arbitrator or Umpire, or of their or his omitting, declining, or ceasing to act as such Commissioner, Arbitrator, or Umpire, another and different Person shall be appointed or named as aforesaid to act as such Commissioner, Arbitrator, or Umpire, in the Place and Stead of the Person so originally appointed or named as aforesaid, and shall make and subscribe such Declaration as aforesaid.

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