

of the entrance of such bays, as designated by a line drawn from headland to headland at that entrance.

But while Her Majesty's Government still feel themselves bound to maintain these positions as a matter of right, they are, nevertheless, not insensible to the advantages which would accrue to both countries from a relaxation of the exercise of that right; to the United States as conferring a material benefit on their fishing trade, and to Great Britain and the United State conjointly and equally, by the removal of a fertile source of disagreement between them.

Her Majesty's Government are also anxious, at the same time that they uphold the just claims of the British Crown, to evince by every reasonable concession their desire to act liberally and amicably towards the United States.

The Undersigned has accordingly much pleasure in announcing to Mr. Everett the determination to which Her Majesty's Government has come, to relax in favour of the United States' fishermen that right which Great Britain has hitherto exercised, of excluding those fishermen from the British portion of the Bay of Fundy; and they are prepared to direct their Colonial authorities to allow henceforth the United States' fisherman to pursue their avocations in any part of the Bay of Fundy, provided they do not approach, except in the cases specified in the Treaty of 1818, within three miles of the entrance of any bay on the coast of Nova Scotia or New Brunswick.

In thus communicating to Mr. Everett the liberal intentions of Her Majesty's Government, the Undersigned desires to call Mr. Everett's attention to the fact that the produce of the labour of the British Colonial fishermen is at the present moment excluded by prohibitory duties on the part of the United States from the markets of that country; and the Undersigned would submit to Mr. Everett that the moment at which the British Government are making a liberal concession to United States' trade might well be deemed favourable for a counter-concession on the part of the United States to British trade, by the reduction of the duties which operate so prejudicially to the interests of the British Colonial fishermen.

I am, &c.

(Signed) ABERDEEN.

No. 8.

*Mr. Addington to Mr. Stephen.*

Sir,

*Foreign Office, May 8, 1845.*

WITH reference to the correspondence which has passed between this Office and the Colonial Department on the subject of the "Washington" and the "Argus," United States' fishing boats, captured by New Brunswick and Nova Scotia revenue cruisers, the one in the Bay of Fundy, the other off the coast of Cape Breton, for alleged infractions of the Convention of the 20th October, 1818, between Great Britain and the United States, I am directed by the Earl of Aberdeen to transmit to you, for the purpose of being laid before Lord Stanley, copies of two additional notes relative to the capture of the "Argus," which have been recently addressed to Lord Aberdeen by the United States' Minister in this country.

It will be seen that in these notes Mr. Everett urges the expediency of an extension, on the part of Great Britain, to the whole of the coasts of the British Possessions in North America, of the same principle of liberality with respect to United States' fishing boats as Her Majesty's Government have thought proper to apply to the Bay of Fundy. In fact, Mr. Everett appears willing to assume, from the tenor of Lord Aberdeen's note to him, dated the 10th of March last, of which a draft was sent to the Colonial Department on the 16th of November last, that such is the implied intention of Her Majesty's Government.

Although that assumption is erroneous, the note in question having been intended to apply to the Bay of Fundy alone, I am directed by Lord Aberdeen to state to you that it is his decided opinion that the overstrained exercise of an assumed right on our part to exclude United States' fishermen from all those vast inlets of the sea on the British North American coasts, somewhat incorrectly termed bays, ought to be henceforward foregone by us, and that we ought to consider as bays, in the sense of the Treaty, those inlets only which measure from headland to headland at their entrance the double of the distance of three miles, within which it is prohibited to the United States' fishing-vessels to approach the coast for the purpose of fishing.

The Bay of Chaleur, that of Miramichi, and numerous other bays on the coasts of