

of the maritime territory of the British American Provinces previous to the American Revolution, for up to that time the rights they so enjoyed were based solely on the fact of their being British subjects. Having, by their successful rebellion, thrown off allegiance to the British Crown, they lost the character of British subjects, and consequently the basis of their fishing rights having been destroyed by themselves, their previous right of fishing in the maritime territory of the British dominions terminated. (10) Moreover, as already mentioned, the Convention of 1818 was in its nature a settlement of the conflicting claims of the Government of Great Britain and the United States.

The Convention of 1818, therefore, must be taken as the deed of compromise by which alone the rights and privileges of American subjects to fish within the maritime territory of the British North American Provinces are to be measured and ascertained.

Under that Convention, American fishermen have no right to fish within three marine miles of any of the coasts, bays, creeks, or harbors of Canada, on the whole of the south shore of the River and Gulf of St. Lawrence, nor further to the west, on the north shore, than Mount Joly, the exclusive rights of the Hudson's Bay Company to the eastward and northward of that point being reserved. They have the right to fish on the shores of the Magdalen Islands, and also to dry and cure their fish on the now unsettled portion of the coast of Labrador, and by agreement with the inhabitants, proprietors or possessors of the ground on any settled part of that coast. They have, moreover, the right of entering all bays and harbors of the Provinces for the purpose of shelter, of repairing damages therein, of purchasing wood, and of obtaining water.

With respect to Nova Scotia, New Brunswick and Prince Edward Island, American fishermen have no right to fish within three marine miles of any of the coasts, bays, harbors or creeks of those Provinces, nor have they a right to dry or cure fish on any portion or portions of their coasts.

They have no right to fish within three marine miles of the coast of Newfoundland, save from Cape Ray to the Rameau Islands on the southern, and from Cape Ray to the Quirpon Islands on the western and northern coast, and they have the same rights and privileges of