

to refer to some of the early Acts of Parliament relating thereto, particularly with regard to Newfoundland.

Act 10 and 11 Wm. III, cap. 25. By an Act passed in 1699 it was provided that no alien or stranger whatsoever (not residing within the Kingdom of England, dominion of Wales, or town of Berwick-upon-Tweed) should at any time thereafter take any bait, or use any sort of trade of fishing whatsoever in Newfoundland.

Act 15 Geo. III, cap. 31. By a further Act passed in 1775, the privilege or right of drying fish on the shores of Newfoundland, was not to be enjoyed by any of His Majesty's subjects arriving at Newfoundland from any other country except from Great Britain, or one of the British dominions in Europe.

These Acts have been alluded to in order to show that the British American Colonists, previous to the war of independence, did not enjoy equal rights on the shores of Newfoundland with British subjects arriving direct from the British dominions in Europe.

Fishery Rights of Foreign Powers.

It will be also useful to state, before referring to the negotiations of 1782-83, what were the fishery rights enjoyed by foreign Powers at that period, and more particularly by France.

Treaty of Utrecht, March 31, 1713. By the XIIIth Article of the Treaty of Utrecht, France, in consideration of her ceding all her territorial rights on the Island of Newfoundland, obtained the right to fish, and to dry such fish on land within a district stretching from Cape Bonavista on the eastern side of the island to Point Riche on the western side. But the island called Cape Breton, as also all others both in the mouth the River St. Lawrence, and in the Gulf of the same name, were acknowledged to belong of right to France.

France.

By the XIIth Article of the Treaty of Utrecht, by which Nova Scotia or Arcadia had been ceded to Great Britain by France, the cession had been made in such ample manner and form that French subjects were excluded from all kind of fishing "in the said seas, bays, and other places on the coasts of Nova Scotia; that is to say, upon those which lie towards the east, within thirty leagues, beginning from the island commonly called Sable, inclusively, and thence along to the south-west."