

ITS TERMS DISCUSSED.

The treaty recently concluded at Washington between Great Britain and the United States, and which is now receiving the consideration of the Senate, and the ratification of which has been asked for by the President, is a document which needs the careful consideration of those engaged in the fisheries and whose interests are to be affected by it; and particularly is it entitled to receive the greatest attention and consideration from those gentlemen who are intrusted with the important functions of legislating upon it. Before official action is taken by the Senate upon this treaty, it seems eminently desirable that an expression of opinion should be given by those interested in the fisheries, and that it should be viewed from the standpoint of the fishermen, so that the public may know whether, in the opinion of those whose interests are most affected, this document meets with their wishes and fulfills their requirements, or is stated in such a manner as to definitely and absolutely settle all questions of doubt. The fact that, though the treaty has been published only a few days, it has provoked an endless diversity of opinion and interpretation, seems to make it necessary to prepare this criticism and to state wherein its provisions may or may not be understood, and wherein it is believed that they are inimical to the best interests of American fishermen.

In considering the treaty just concluded, which has been quoted at length, it will be first seen that it purports to be a treaty for the special object of interpreting clearly article first of the convention of October 20, 1818, for the purposes "of removing all causes of misunderstanding in relation thereto, and of promoting friendly intercourse and good neighborhood between the United States and the possessions of her Majesty in North America."

It is doubtless a fact that the gentlemen who acted for the United States earnestly desired to conclude an arrangement which might prevent any misunderstanding in our future fishery relations with the British North American provinces. It is, however, unfortunate, both for them and those citizens of the United States whose interests are most directly affected by this treaty, that its provisions are stated in such ambiguous terms that its proper interpretation is apparently rendered impracticable. Not only is the fisherman, who is unused to the technicalities and construction of diplomatic phraseology, rendered unable to interpret this treaty in a practical manner, so that he may avoid complications, but we find that men learned in law and experienced in diplomacy, men of rare scholarship and executive and legislative ability, find it is difficult to give it a correct interpretation.

It is somewhat noteworthy that this present treaty, which is supposed to take the place of the treaty of 1818, and to be a definition of article first of that convention, fails to specify, as does the treaty of 1818, the particular coasts upon which our fishermen still retain the right to fish in the littoral waters inside the limit. The failure to make this designation in plain and unequivocal language leaves it open to a doubt whether, if the present treaty is ratified, our fisher-