

CONFIDENTIAL.

Rough Draft.
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*Memorandum by Mr. Rothery on the British
North American Fisheries Question.*

IN order to understand clearly the points which will have to be considered in connection with the Fisheries Question, it will be necessary to give a brief history of the negotiations which have from time to time passed between this country and the United States of America on the subject.

The great value of the fisheries, not only on the banks of Newfoundland and in the Gulf of St. Lawrence, but also on the coasts of Nova Scotia, New Brunswick, and the other countries now constituting the dominions of this country in North America, were well known from a very early period, and they were annually visited by large fleets of fishing vessels from all the principal maritime States of Europe.

The Colonists of course, so long as they remained subjects of this country, and until the American War of Independence broke out, enjoyed as British subjects the right not only of fishing in British waters, but also of landing on British territory for the purpose of curing and drying their fish, a liberty, be it observed, without which the right of only catching fish is comparatively of little value. When, however, the War of Independence broke out, those who were in revolt against the British Crown, could of course no longer exercise their right within British jurisdiction, and on the return of peace it became a question how far and to what extent those rights should be renewed to them.

The question was very fully discussed in the negotiations which preceded the Treaty of the 3rd of September, 1783. Great Britain did not deny the right of the American citizens to fish on

