

subject in the same sense that Congress has treated it, as a question of national concern, and not as a means of promoting the pecuniary interests of those who control and derive the chief benefit of our fisheries, such as the owners and outfitters of fishing fleets, and warehousemen and those engaged in salting, drying, and canning fish for the interior markets.

The hardy fishermen of the United States will, we believe, also be protected in the administration of our retaliatory laws, and other similar statutes, against the common practice that speculators in the fishing industry now resort to of placing their vessels in charge of captains and crews imported from Canada, because they can underbid our fishermen in the matter of wages.

This practice is a far more serious injury to our fishermen and to the people of the United States than would come from yielding twice the area of fishing waters that are yielded by the delimitations of this treaty, even if they were good fishing waters. It has already compelled many of our best fishermen to withdraw from this, and to seek a living in other pursuits.

XIV.

THE QUESTION OF THE BRITISH HEADLAND THEORY, AS TO SMALLER BAYS AND HARBORS ALONG THE COASTS, AND THE LIMITS OF OUR RENUNCIATION OF THE RIGHTS OF FISHING, AND THE NATURE OF THE RESTRICTIONS UPON THE RIGHTS OF OUR FISHERMEN TO ENTER THE BAYS AND HARBORS OF BRITISH NORTH AMERICA, ARE MATTERS OF DISPUTED RIGHT. ADMISSIONS MADE HERETOFORE BY AMERICAN DIPLOMATISTS, AS TO THE DIFFICULTY OF CONSTRUING, GRAMMATICALLY, THE TEXT OF THE TREATY OF 1818, GIVE COLOR TO THE BRITISH CONSTRUCTION, AND PROVE, AT LEAST, ITS SINCERITY.

It is boldly asserted, in opposition to this treaty, that there is no sort of equivalent for the 1,127 square miles of fishing waters that we concede by the fixed lines of delimitation in this treaty. This assertion impeaches both the right of the British Government and the sincerity of its claim of the headland theory, as it applies to bays more than 6 miles wide at the entrance. Nevertheless that assertion is much weakened by the official opinions of eminent American publicists, communicated to the British Government.

If the territorial claims of both Governments were sincerely asserted, as we believe they were, in reference to the fishing waters, the modification of them by mutual consent has always been held in the conduct