

NEWFOUNDLAND FISHERIES

Exchange of notes at London October 6 and 8, 1906, with memorandums dated September 12 and 25, 1906

Entered into force October 8, 1906

*Modified and extended by agreement of September 4 and 6, 1907*¹

¹ Malloy 805; Treaty Series 485

EXCHANGE OF NOTES

The American Ambassador to the Secretary of State for Foreign Affairs

AMERICAN EMBASSY,
London, October 6th, 1906

SIR, I am authorized by my Government to ratify a *modus vivendi* in regard to the Newfoundland Fishery Question on the basis of the Foreign Office Memorandum, dated the 25th of September 1906, in which you accept the arrangement set out in my Memorandum of the 12th of September and consent accordingly to the use of purse seines by American fishermen during the ensuing season, subject of course to due regard being paid in the use of such implements to other modes of fishery, which, as you state, is only intended to secure that there shall be the same spirit of give and take and of respect for common rights between the users of purse seines and the users of stationary nets as would be expected to exist if both sets of fishermen employed the same gear.

My Government understand by this that the use of purse seines by American fishermen is not to be interfered with, and that the shipment of Newfoundlanders by American fishermen outside the 3 mile limit is not to be made the basis of interference or to be penalized; at the same time they are glad to assure His Majesty's Government, should such shipments be found necessary, that they will be made far enough from the exact 3 mile limit to avoid any reasonable doubt.

On the other hand it is also understood that our fishermen are to be advised by my Government, and to agree, not to fish on Sunday.

¹ TS 488, *post*, p. 290.