

NEWFOUNDLAND FISHERIES

Exchange of notes at London September 4 and 6, 1907, modifying and extending agreement of October 6 and 8, 1906

Entered into force September 6, 1907

*Modified and extended by agreement of July 15 and 23, 1908*¹

I Malloy 811; Treaty Series 488

The American Ambassador to the Secretary of State for Foreign Affairs

AMERICAN EMBASSY

London, September 4, 1907

SIR:

I am authorized by my Government to ratify a *Modus Vivendi* in regard to the Newfoundland fishery question, as follows:

It is agreed that the fisheries shall be carried on during the present year substantially as they were actually carried on for the most of the time by mutual agreement, under the *Modus Vivendi* of 1906.²

(1) It is understood that His Majesty's Government will not bring into force the Newfoundland foreign fishing vessels act of 1906, which imposes on American fishing vessels certain restrictions in addition to those imposed by the act of 1905, and also that the provisions of the first part of Section One of the act of 1905, as to boarding and bringing into port, and also the whole of Section three of the same act, will not be regarded as applying to American fishing vessels.

(2) In consideration of the fact that the shipment of Newfoundlanders by American fishermen outside the three-mile limit is not to be made the basis of interference or to be penalized, my Government waives the use of purse seines by American fishermen during the term governed by this agreement, and also waives the right to fish on Sundays.

(3) It is understood that American fishing vessels will make their shipment of Newfoundlanders, as fishermen, sufficiently far from the exact three-mile limit to avoid reasonable doubt.

¹ TS 504, *post*, p. 317.

² See exchange of notes at London Oct. 6 and 8, 1906 (TS 485), *ante*, p. 279.