

April 11, 1908.

Convention between the United States and Great Britain relating to fisheries in United States and Canadian waters. Signed at Washington, April 11, 1908; ratification advised by Senate, April 17, 1908; ratified by the President, May 11, 1908; ratified by Great Britain, May 12, 1908; ratifications exchanged at Washington, June 4, 1908; proclaimed, July 1, 1908.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Fisheries in United States and Canadian waters.
Preamble.

Whereas a Convention between the United States of America and the United Kingdom of Great Britain and Ireland, providing for the adoption of uniform and effective measures for the protection, preservation, and propagation of the food fishes in the waters contiguous to the United States and the Dominion of Canada, was concluded by their respective Plenipotentiaries at Washington, on the eleventh day of April, one thousand nine hundred and eight, the origin of which Convention is word for word as follows:

Contracting parties.

The United States of America and His Majesty Edward the Seventh, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, and Emperor of India, equally recognizing the desirability of uniform and effective measures for the protection, preservation, and propagation of the food fishes in the waters contiguous to the United States and the Dominion of Canada, have resolved to conclude a Convention for these purposes, and have named as their Plenipotentiaries:

Plenipotentiaries.

The President of the United States of America, Elihu Root, Secretary of State of the United States; and

His Britannic Majesty, the Right Honorable James Bryce, O. M., His Majesty's Ambassador Extraordinary and Plenipotentiary at Washington;

Who, having exchanged their full powers, found in due form, have agreed to and signed the following articles:

ARTICLE I.

International Fisheries Commission.
Appointment of commissioners.
Publ. p. 2001.

The times, seasons, and methods of fishing in the waters contiguous to the United States and Canada as specified in Article IV of this Convention, and the nets, engines, gear, apparatus, and appliances which may be used therein, shall be fixed and determined by uniform and common international regulations, restrictions, and provisions; and to that end the High Contracting Parties agree to appoint, within three months after this Convention is proclaimed, a Commission to be known as the International Fisheries Commission, consisting of one person named by each Government.

ARTICLE II.

International regulations to be prepared.

It shall be the duty of this International Fisheries Commission, within six months after being named, to prepare a system of uniform

and common International Regulations for the protection and preservation of the food fishes in each of the waters prescribed in Article IV of this Convention, which Regulations shall embrace close seasons, limitations as to the character, size, and manner of use of nets, engines, gear, apparatus, and other appliances; a uniform system of registry by each Government in waters where required for the more convenient regulation of commercial fishing by its own citizens or subjects within its own territorial waters or any part of such waters; an arrangement for concurrent measures for the propagation of fish; and such other provisions and measures as the Commission shall deem necessary.

ARTICLE III.

The two Governments engage to put into operation and to enforce by legislation and executive action, with as little delay as possible, the Regulations, restrictions, and provisions with appropriate penalties for all breaches thereof; and the date when they shall be put into operation shall be fixed by the concurrent proclamations of the President of the United States and the Governor-General of the Dominion of Canada in Council.

Enforcement of regulations.

And it is further agreed that jurisdiction shall be exercised by either Government, as well over citizens or subjects of either party apprehended for violation of the Regulations in any of its own waters to which said Regulations apply, as over its own citizens or subjects found within its own jurisdiction who shall have violated said Regulations within the waters of the other party.

Jurisdiction.

ARTICLE IV.

It is agreed that the waters within which the aforementioned Regulations are to be applied shall be as follows: (1) The territorial waters of Passamaquoddy Bay; (2) the St. John and St. Croix Rivers; (3) Lake Memphremagog; (4) Lake Champlain; (5) the St. Lawrence River, where the said River constitutes the International Boundary; (6) Lake Ontario; (7) the Niagara River; (8) Lake Erie; (9) the waters connecting Lake Erie and Lake Huron, including Lake St. Clair; (10) Lake Huron, excluding Georgian Bay but including North Channel; (11) St. Mary's River and Lake Superior; (12) Rainy River and Rainy Lake; (13) Lake of the Woods; (14) the Strait of San Juan de Fuca, those parts of Washington Sound, the Gulf of Georgia and Puget Sound lying between the parallels of 48° 10' and 49° 20'; (15) and such other contiguous waters as may be recommended by the International Fisheries Commission and approved by the two Governments. It is agreed on the part of Great Britain that the Canadian Government will protect by adequate regulations the food fishes frequenting the Fraser River.

Waters governed by the regulations.

Protection to food fishes.

The two Governments engage to have prepared as soon as practicable charts of the waters described in this Article, with the International Boundary Line indicated thereon; and to establish such additional boundary monuments, buoys, and marks as may be recommended by the Commission.

Charts, etc.

ARTICLE V.

The International Fisheries Commission shall continue in existence so long as this Convention shall be in force, and each Government shall have the power to fill, and shall fill from time to time, any vacancy which may occur in its representation on the Commission. Each Government shall pay its own Commissioner, and any joint expenses shall be paid by the two Governments in equal moieties.

Vacancies, etc.

ARTICLE VI.

Duration. The Regulations, restrictions, and provisions provided for in this Convention shall remain in force for a period of four years from the date of their executive promulgation, and thereafter until one year from the date when either the Government of the United States or of Great Britain shall give notice to the other of its desire for their revision; and immediately upon such notice being given the Commission shall proceed to make a revision thereof, which Revised Regulations, if adopted and promulgated by the President of the United States and the Governor-General of Canada in Council, shall remain in force for another period of four years and thereafter until one year from the date when a further notice of revision is given as above provided in this Article. It shall, however, be in the power of the two Governments, by joint or concurrent action upon the recommendation of the Commission, to make modifications at any time in the Regulations.

Revision.

Modifications.

ARTICLE VII.

Exchange of ratifications. The present Convention shall be duly ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty, and the ratifications shall be exchanged in Washington as soon as practicable.

Signatures. In faith whereof, the respective Plenipotentiaries have signed the present Convention in duplicate, and have thereunto affixed their seals. Done at Washington the 11th day of April, in the year of our Lord one thousand nine hundred and eight.

ELIHU ROOT [SEAL.]
JAMES BRYCE [SEAL.]

Ratification. And whereas the said Convention has been duly ratified on both parts, and the ratifications of the two governments were exchanged in the City of Washington, on the fourth day of June, one thousand nine hundred and eight;

Proclamation. Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this first day of July, in the year of our Lord one thousand nine hundred and eight,
[SEAL.] and of the Independence of the United States of America, the one hundred and thirty-second.

THEODORE ROOSEVELT

By the President:
ALVEY A. ADEE
Acting Secretary of State.