

**REPORTS OF INTERNATIONAL
ARBITRAL AWARDS**

**RECUEIL DES SENTENCES
ARBITRALES**

**Disagreements between the United States and the United Kingdom, relating
to the Treaty extending the right of fishing, signed at Washington on June 5
1854**

No. 6 – Cardigan

8 April 1858

VOLUME XXVIII pp. 93

NO. 6 – CARDIGAN.

Determining what constitutes a river – prior description as a river by Bayfield, in ancient land grants and repeatedly by the legislature – resemblance to other rivers.

Détermination de ce qui constitue un fleuve – désignation antérieure en tant que fleuve dans l'ouvrage de Henry Mosley Bayfield, dans d'anciens actes de concessions territoriales et de manière répétée par le Parlement – ressemblance avec les autres fleuves.

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I, the undersigned, Arbitrator or Umpire under the Reciprocity Treaty, concluded and signed at Washington on the 5th day of June, A. D. 1854, having proceeded to and examined the Cardigan, in Prince Edward Island, concerning which a difference of opinion had arisen between Her Britannic Majesty's Commissioner and the Commissioner of the United States, as disclosed in Record No. 11 of their proceedings, am of opinion that the Cardigan is entitled to be considered a River.

It is so described by Bayfield. It bears close resemblance to the Montague and the Elliot, which have been declared by both Commissioners, as appears by Records Nos. 9 and 10, to be Rivers. It is so designated by the Crown, in the grant of Lot 34 in 1769; and has been repeatedly recognized as such by the Legislature.

As such Arbitrator or Umpire, I decide the Cardigan is a River.

Dated at Saint John, in the province of New-Brunswick, this 8th day of April, A. D. 1858.

JOHN HAMILTON GRAY.

NO. 7. – BOUGHTON.

Determining what constitutes a river – deep, broad and navigable – ship building facilities – narrow entrance and bar across mouth – prior description as a river by Bayfield, in ancient land grants and repeatedly by the legislature.

Détermination de ce qui constitue un fleuve – profondeur, largeur et navigabilité – proximité des chantiers navals – entrée étroite et présence de banc de sable à l'embouchure – désignation antérieure en tant que fleuve dans l'ouvrage de Henry Mosley Bayfield, dans d'anciens actes de concessions territoriales et de manière répétée par le Parlement.

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I, the undersigned, Arbitrator or Umpire under the Reciprocity Treaty, concluded and signed at Washington on the 5th of June, A. D. 1854, having proceeded to and examined the Boughton, in Prince Edward Island, concerning which a difference of opinion had arisen between Her Britannic Majesty's Commissioner and the Commissioner of the United States, as disclosed in Record No. 11 of their proceedings, am of opinion that the Boughton is entitled to be considered a River.