

An English View of the Newfoundland Question.

[From the London Times.]

The Newfoundland Legislature is up in arms against a Convention just agreed on between the English and French Governments on the subject of the Fisheries. A Report of the Committee of the Legislative Council is half pathetic, half rebellious.—The mother country is charged with the deliberate abandonment of the rights and interests of the Colony, and a preference of the foreigner to her own offspring. She is almost, in terms, called *injusta nocera*. "We should be either more or less than men if bitterness were not added to our disappointment, when we now find that the parent which would not stretch out her hand to help will do so to despoil her own household, and would fain take her children's bread to give it unto strangers."—Their politeness stops short of the exact quotation.

The state of the case appears to be this: The Fisheries of Newfoundland have been from the first discovery of the island, mainly in the hands of the French. Before an English colony had settled in the place, a French establishment at Placentia was already working the Newfoundland coast, and, on the principle of the right of the first comer, was already in rightful possession of the Fisheries of Newfoundland. The two great wars between this country and France were terminated in the peace of Utrecht, deprived the French of all right to the territory of the island, but they still clung to their Fisheries, and that peace guaranteed them the exclusive privilege over the larger part of the coast. The peace of 1763 continued the same privilege. By the peace of 1783 the French exclusive right of fishing on the coast of Newfoundland was to commence on the east coast at Cape St. John, and thence to extend round the Strait of Belle Isle, including all the western shore as far as Cape Ray. That is to say, the exclusive fishing over the Newfoundland coast was secured to them. The revolutionary war, of course, deprived them for the time of the privilege, but it was regained at the peace of 1814.—The sovereignty, however, over the Newfoundland waters had not been enjoyed all this time by the English colonist without producing some feelings of proprietorship, and from the peace of 1814 to the present time the exclusive rights of the French fishermen have been a constant grievance to the English colonist and a subject of dispute. He has never acquiesced in them, and, if we are to trust the statement in this report, his arguments have at times influenced the Colonial office, and obtained language from it discrediting the French right. However, the French right has never been formally disallowed, but has, with this under-protest and murmur against it, gone on to the present time. Inasmuch, however, as any permanent dispute on such a subject whatever might be the rights of it, was disadvantageous, and led to collisions between fishing parties, and angry feeling generally, it was thought best a short time ago to review the whole question, and the result of this question between the French and English Governments was the Convention which is exciting, just now, so much indignation in Newfoundland.

This Convention confirms the French privilege of exclusive fishing secured by the Peace of 1814, and to the extent laid down in the treaty of 1763, which the peace of 1814 recognized,—that is to say, from

Cape St. John, on the east coast, to Cape Ray, on the extreme south west corner, i. e., half the east and the whole of the west coast of Newfoundland. But, this being the general principle of the Convention, a modification is made, by which the French give up a certain part of the west coast, i. e., the part between the Hunter and Cape Ray, about 10 miles, to English fishing exclusively, in exchange for 80 miles' fishing on the coast of Labrador, to be enjoyed by them in common with the English. It must be added, however, that from the line of coast given up to exclusive English fishing, five fishing ports, with a neighborhood of three miles, coast attaching to each, is excepted, and retained exclusively by the French.

Now, this being the arrangement, our first impression certainly would be that the English side had the best of the bargain.—The confirmation of the French privilege will, of course, disgust those who have disputed its right, but if that privilege is matter of treaty this part of the present Convention cannot be helped. We have no alternative but to confirm it. The only part of the Convention which was optional is the matter of exchange, and here, as we say, we seem at first sight to have the best of the bargain. A hundred and fifty miles of coast, with the exception of five fishing ports and three miles attaching to each, are transferred from the exclusive use of French to the exclusive use of the English fishermen, while, in exchange for this total transfer, the French are only admitted to an equal share with the English of 80 miles of the coast of Labrador. This transfer is indeed called by the Legislative Council of Newfoundland, "the retention by the British of the exclusive use of our own coast," which being considered the orthodox aspect of it, of course the Council "thanks you for nothing." But what does the Council mean by "our own coast?" If they mean our own for ordinary inland purposes, nobody denies that, because the coast for such purposes of course, ~~was always in the possession of the territory of the island;~~ but such a proprietorship of the coast as this is wholly irrelevant to the present question.—If they mean by "our own coast," our own coast for fishing, that is not true. The Council of Newfoundland proceeds upon the tacit assumption that, as lords of the territory of Newfoundland, the coast of Newfoundland naturally belongs to them, with its Fisheries and everything appertaining to it. But that is the very distinction which those successive treaties acknowledged at the Peace of 1814 made.—They separated the Fisheries of Newfoundland from the territory. It must be confessed that such an arrangement is an awkward one. Every squire likes to have the fishing of the river which runs by his estate. The land and the water go together in our natural ideas. But arrangements by treaty, however artificial they may be, must be observed.

It is no wonder that, assuming so high a ground of proprietorship, the Council of Newfoundland grumbles at this Convention. But independently of this fundamental blot upon the Convention, that it recognizes French right, the Council also finds fault with the particular bargain made, and pronounces itself much the loser in the exchange of a share of the Labrador Fisheries for the exclusive use of half the west coast of Newfoundland. The exception of the five fishing ports from this latter transfer is pronounced to depreciate the value of the concession so much that it is hardly worth accepting. These five fishing ports,

they say, "are the only ports along the shore to and in which a vessel of any size can approach or fire," while "the concurrent rights" in Labrador will "operate to the prejudice if not the extinction of British interests." They draw an alarming picture of "codfish diverted from migration" by the enormous "Seins" and "Bullocks" of French fishing; they complain of the permission given to "take" "herring" and "caplin" as bait; they appeal to the bounty given by the French Government, 50*l.* for each man of the crew when the fish are dried at Newfoundland, and 30*l.* when the fish are taken to France undried, as giving the French fishermen an unfair advantage, against which the English cannot compete.

We are unable, of course, in the absence of proper local information to decide upon the details involved in such a convention as this. The exception of the five fishing ports from the line of coast given up to the English may be a great drawback from that concession for anything we know to the contrary; and we are aware that in such arrangements French diplomacy has before now shown itself more skilful than our own. But the first impressions which these complaints from Newfoundland certainly raise, is, that what they are really angry with is the fact that the Convention has recognized at all, or to any extent, the French exclusive privileges of fishing on the coast of Newfoundland.

FROM OUR LONDON CORRESPONDENT.

LONDON, April 24, 1857.

Mr. Hayter has issued his mandate.—Hon. members are invited in a royal sort of a way, equivalent to a command, to be present at the opening of Parliament on the 30th. The Ministry are girding up their loins. Four of their number are without seats, namely, Mr. F. Peel, Admiral Berkeley, Viscount Mounch, and Mr. J. Hall, Under-Secretary for the Colonies. The two last are said to have resigned their appointments, as they can render no service unless they are in parliament. Mr. Peel retains office, and it is hoped that a vacancy may be found for him. In fact it is announced that General Williams will vacate his seat for Calne, in order to make way for the Under-Secretary for War. It is not absolutely essential that Admiral Berkeley should be in the House, and he may therefore retain his seat at the Admiralty Board. There has been a misunderstanding between the Premier and the Secretary for Ireland, Mr. Horsman. It seems that the latter, instead of going over to Ireland after his return for Stroud, went to Scotland to look after his own affairs, the consequence of which was that "the Irish elections were mismanaged." This is the report, though one can hardly see how the Secretary for Ireland could influence the constituencies in any legitimate way in the choice of representatives. Any how, "the usual good temper of Lord Palmerston" was riled.—Mr. Horsman was called upon for an explanation, and the consequence was the resignation of this gentleman. For a time it was confidently stated that Mr. Bernal Osborne, the Secretary to the Admiralty would have the vacancy, but it is now rumored that the differences for the present have been arranged. There is much gossip as to the ministerial intentions. Some declare that nothing of importance will be attempted this year on account of want of time. Others declare that Lord Palmerston is ready with a Reform Bill, which will seek to please both the Liberals and Conservatives, or