

Court a full detail of the conference with me relative to the fishery. It is therefore probable no inconvenience will arise from your Excellency having delayed speaking to M. de Vergennes on the subject.

The first impression is often very important, and His Majesty was desirous that M. de Vergennes' mind should be prepared by your Excellency for an argument which M. de Guines seems to think a new one and of the utmost importance to their fishery.

It certainly is very material that the French Ministers should be satisfied, as early as possible, that nothing is couched under the claim of a right to residents on the Island of Newfoundland that can interfere with the liberty allowed them of carrying on their fishery on the coast. The manner and the time must now be left to your Excellency, not doubting that you will avail yourself of your penetration and knowledge of M. de Vergennes' character that no inconvenience may arise from the delay.

I am, &c.
(Signed) WEYMOUTH.

No. 5.

Viscount Stormont to Viscount Weymouth.

(No. 18. Secret.)

My Lord,

Paris, February 21, 1776.

AFTER we had finished the Portugal business I mentioned to M. de Vergennes the care Commodore Legge had taken of the French ship stranded at Nova Scotia. He told me that he was already acquainted with the generous humanity with which we had acted upon that unfortunate occasion, and that M. de Guines had received particular orders to express the sense this Court has of that obligation, and to express it in the strongest terms.

I told him, my Lord, in my answer that everything we could do of this kind was not only due to humanity, due to the friendship that reigns between the two Courts, but was no more than a just return for their late behaviour on a similar occasion. After he had repeated his thanks for what Commodore Legge had done, I asked him, my Lord, in a careless manner, if M. de Guines had given him an account of what had passed in his conferences with your Lordship upon the subject of the Newfoundland fishery. He answered with a very grave face, "Hélas, oui, il m'en a rendu compte d'abord" Your Lordship will permit me to observe here that, as the earliest opportunity I could have had of executing the King's commands was on Tuesday, the 13th instant, I could not have been in time to give the first impression. After a short pause, M. de Vergennes said, "I doubt M. de Guines did not put the thing upon the proper footing; there may be no direct violation of the Treaty, but Treaties between Great Powers that mean to live in friendship are always to be construed in a fair, liberal manner. If we were to interpret the right of fishing which the Treaty of Utrecht gives us into an exclusive right of fishing upon that coast, it would be a strained and false construction. If, on the other hand, you, by settlements which may not be directly contrary to the letter of the Treaty, preclude us from the exercise of the right that is given us, you act unkindly, and in effect take that right away.

"For instance," said he, "you give me this room, and you fill it so full that I cannot turn round in it; would this be a fair and handsome proceeding?" He said this with a smile, and as I was desirous of keeping him in the good humour, to which I was glad to see him returned, I answered that I would *come to his room* before I had done, but could not begin there, and must first take a pretty large compass, for which I begged his patience.

I then, my Lord, told him that I was authorized to give the strongest and most positive assurances that we meant to fulfil all our engagements with them *loyalement*, and with the utmost sincerity and good faith; that His Majesty's naval officers on the Newfoundland Station would receive the most positive orders to prevent every the least molestation of the French fishers, and to pay the strictest attention that they enjoy to the fullest extent all those rights to which they are entitled by the Treaties of Utrecht and Paris; that as to the exchange proposed by M. de Guines, it appeared upon the fullest examination inadmissible, and, besides many other objections, would not remedy the evil complained of, as there would soon be the same concurrent fishery established there, and consequently the same possibility of disputes and jealousies.

That, convinced as we were of the impossibility of agreeing to this exchange, your Lordship could not do otherwise than decline all further negotiation with regard to it, that His Majesty would have ordered such a negotiation if it could have been brought to a