

INTRO-  
DUCTORY.

in the "Fiona," calling at St. Pierre on the way. We all reached St. John's on the evening of October 6th, and remained there until October 29th, taking evidence and discussing matters with the Colonial Government. We reached Liverpool on November 6th, and have since been engaged in preparing this Report.

5. The weather was fine during our cruise in the "Fiona" until we reached Bay of Islands, where we were detained for two days by a violent gale. The third day we visited the establishments in the Bay, and anchored for the night in Lark Harbour. The following morning, on going to sea, a gale from the south-west prevented our landing at Bluff Head, Port-a-Port, Long Point, or Red Island, as we had hoped to do; we were, however, able on a later day to land at Red Island; but, even then, we had to leave unvisited the French factory at Les Vaches, on the mainland opposite. We were the guests of the Colonial Government while on board, and we received every attention and were well and liberally treated in all respects.

Season too  
far advanced.

6. If the visit of the delegates to England could have taken place two months earlier, so that we might have been on the coast in July and August, we should have prosecuted our inquiries with more satisfaction to ourselves. The weather in those months is more settled, and we could probably have landed everywhere that we wished, the fishery, as well as the lobster catching, would have been at their busiest time. As it was, the cod rooms were being dismantled, and the men were about to leave for France, while the lobster season was nearly at its end, and the packers were preparing to return to St. Pierre, to which place the *poiss pêcheurs* had, with the exception of those at Red Island and Tweed Island, already returned.

Commission  
read :  
meetings  
with  
Ministers.

7. Upon September 13th, the day after our first arrival at St. John's, we read our commission publicly at a representative meeting of all classes held in the Legislative Council Chamber, the Governor presiding, when an address of welcome was presented to us by the town (Appendix, No. 2). We furnished the Ministers with a copy of the Commission, and handed them our Instructions for perusal, leaving the latter with them for two days. The Ministers, with whom we held three meetings, urged the advisability of our being accompanied in our cruise by one of their number, in order that the case for the Colony might be placed fully before us, and our inquiry thus made exhaustive. To this we assented, and Mr. Morine, the Receiver-General, was deputed for the purpose. Having to visit Halifax he left us at Bay of Islands on September 28th, and on our arrival at St. George's Bay his place was taken by Mr. Carty, the acting Attorney-General. While on board Mr. Morine handed to us a Memorandum setting forth the argument of the Government (*see* Appendix, No. 3).

Procedure.

8. We examined every witness brought forward by these gentlemen, and to ensure that none of their points were overlooked we invited them, at the close of our examination, to put questions for themselves to the witnesses. We supplemented this evidence by calling other witnesses for ourselves, by personal observation, by referring to official correspondence and other documents, including the careful and accurate reports of the naval officers which are sent every year to the Admiralty, and were placed at our disposal.

9. We would call attention to the evidence of Commodore the Honourable Maurice Bourke, who, during his commission, has taken great pains to make himself acquainted with the details of this involved and complicated question, and furnished us with much valuable information. We also added to our knowledge by conversation with, and personal inquiry from, persons of all classes and callings, including an interesting conversation with M. des Isles, the French agent. By these means we have formed what we hope is a correct view of the state of affairs on the Treaty Shore. We are glad to take the opportunity of acknowledging the courtesy with which the captains of the French rooms and the lobster packers received us, and the readiness with which they described their operations.

Treaty of  
Paris root of  
difficulty.  
Present state  
of fishery.

10. It seems to us that the root of the Newfoundland difficulty is to be found in the Treaty of Paris, February 10, 1763, by which France lost the Canadian fishery. For within a few days from that date she began to claim rights in Newfoundland. In 1713, by the Treaty of Utrecht, France had given up her claims to Newfoundland, and undertook to make no further claim of right to any part of that Island; and by the same treaty England undertook to allow to French subjects the privilege of catching fish and drying them on land. By the Treaty of Paris, 1763, the liberty of fishing and drying, such as it is specified in Article XIII. of the Treaty of Utrecht, was renewed and confirmed to the subjects of France. As soon as this was