

THE CONCEPTION-BAY MAN

EUROPEAN NEWS.

EMIGRATION FROM LIVERPOOL.—There has been an increase of 12,774 in the number of emigrants who sailed from the Mersey for all foreign ports during the past quarter as compared with the corresponding quarter of the last year.

The Exeter Flying Post of the 9th April contains the following paragraph:—"The preparations for the Atlantic telegraph are expected to be completed by the time originally named. About 650 miles of the cable out of the 2,200 are now finished, and the aggregate rate of construction at the works of Messrs. Kuper and Co., at Greenwich, and Messrs. Newall and Co., at Birkenhead, is more than 200 miles per week.

The United States Screw Steamship "Niagara," (4,910 tons) left New York on the 20th April, for London, to take on board one-half the Atlantic Telegraph Cable. H. M. Ship "Agamemnon" will take on board the other half, and both ships will then proceed in company, and when mid-way across the Atlantic, the Cable will be spliced, the "Agamemnon" sailing for Ireland and the "Niagara" for this coast.

Two experienced Newfoundland Pilots are to proceed hence in the "Kheronese" to join the "Niagara."

IRELAND.

Lord Francis Conyngham has given £1000 to be distributed amongst the local charities of Clare Ireland.

During the last week an unusually large number of the peasantry have left the west of Ireland for America.

At the Drogheda election the rioting was so serious that Mr. Brodigan ceased to poll, and intimated his intention of setting aside Mr. McCann's return.

There have been some disgraceful election riots in the town of Tipperary. The supporters of Mr. Waldron were pelted with stones, and some of them were severely injured.

FATAL RAILWAY ACCIDENT.—On Thursday forenoon, the 9th, as the carriages were being prepared for the eleven o'clock train to Ballymena, an engine exploded at Belfast, and the fireman, Wm. Sarke, was killed. The engine was raised quite off the rails, and carried over two wagons a distance of about thirty yards, when it fell upon its side and was much battered. The fireman was blown high in the air, and alighted in a field about forty paces off. He was quite dead, and very much mutilated. The wires were smashed by the engine, and communication between Belfast and Derry was stopped until the injury was repaired.

RIOTS AT THE COUNTY ELECTIONS.—There have been alarming riots and intimidation in Mayo. The riot act was read three times on Tuesday, the 7th inst., at Ballinrobe, and the mob was repeatedly charged by dragoons. Colonel Higgin's voters were kept back from the booths. The poll was adjourned until Wednesday.—In Queen's County the election has been adjourned in consequence of mobbing and organised rioting. Mr. Fitzpatrick's voters were attacked by mobs.—Troops have been ordered to keep the peace at the election for the county of Armagh, as it is apprehended that Orange mobs will attack Col. Caulfield's supporters.—It is rumoured that Massey, one of the tenant league candidates, has withdrawn from the contest for Tipperary.

From the St. John's Papers.

PRESENTATION TO THE REV. KYRAN WALSH. Most of our readers are aware of the recent arrangement which has removed the Rev. Kyrán Walsh from the charge of this Parish to that of Harbour Maine, whether the Rev. gentleman proceeded on Saturday last, accompanying his Lordship Dr. Mullock.

It was due both to him and to ourselves that we should endeavour to testify those sentiments with which all are impressed. It has accordingly been deemed fitting that a pecuniary offering should be presented to the Rev. gentleman, accompanied by the Address which appears below. This was done on last Friday morning by a committee—the sum contributed being £205. The Address was read and handed to Father Walsh by the hon. the Chief Justice:—

REV. AND DEAR SIR.—Understanding that you are about to leave St. John's and take charge of the Parish of Harbour-Maine, we have much pleasure in presenting you with the accompanying testimonial of the sincere regard and esteem of a number of your numerous friends and admirers, among whom we claim the privilege of being included.

While you do not look for the reward of your

labours in this world, it must still be a source of gratification to you to feel that you have won the affections and high opinion of all classes of your fellow citizens of different denominations, as well by your exemplary and zealous conduct as a minister of religion, devoting your energies with indomitable perseverance to the discharge of your exalted and arduous duties, as by the interest which, as a citizen you have manifested in the prosperity of the country and its inhabitants, and by your courteous and conciliatory manners upon all occasions.

In giving expression to these sentiments, we beg to assure you that we but faintly express the feelings of the community in your behalf, and while we regret your removal from among us, it will be most gratifying to us to learn that your change of residence has contributed to prolong your days and increase your happiness.

We remain, Rev. and Dear Sir, Yours most sincerely, L. O'Brien, W. Grieve, Edmund Hanrahan, And 131 others.

REPLY.

GENTLEMEN.—I am exceedingly gratified by this unexpected and handsome token of the regard in which you and my other kind friends hold me. It is one of the many proofs I have had the gratification of receiving during my residence in St. John's of the great kindness and friendship entertained towards me.

Permit me to say, however, that in your partiality for me, you have over-stated my services and my claims upon the consideration of the community.

If, as a Minister of the Church of Christ, my humble labours have tended in the smallest degree to promote the honour and glory of God, and the welfare of his children, I merit no special approval on that account, for that was my duty as well as my real delight.

But I can assure you with heartfelt satisfaction, that you do not over-estimate my solicitude at all times, for the well being and prosperity of all my fellow citizens, and my gratitude to those who have cheerfully co-operated with me in assisting the venerated head of the Church in St. John's to carry out the many magnificent works projected by him and his lamented predecessor.

I tender you my sincere acknowledgements for your good wishes in my new station, and be assured I shall always rejoice to hear of the happiness of you and all my kind friends in this city.

Believe me, with sentiments of esteem and regard,

Your most faithful and obedient servant, KYRAN WALSH.

We learn by papers by the last mail that the negotiations with France in reference to the Newfoundland Fisheries have been resumed and we believe we are correct in stating that the Hon. the Attorney General of this Colony is about proceeding to England, we presume for the purpose of aiding in concluding a new Convention. Without expressing any distrust in the integrity of the Hon. gentleman, we may just ask whether an Executive Council who assented to Governor Darling's despatch, No. 66, is altogether a suitable adviser in such an important matter.—Express

Extract from the "History of the Government of Newfoundland," published in the year 1793 by the late JOHN REEVES, Esq., once Chief Justice of this Island.

1763.—Peace established when the French turned attention to the fishery. The French Ambassador presented to our Court a project of arrangement to be reciprocally agreed upon between the two Crowns, for avoiding disturbances and disputes between the English and French in carrying on the concurrent fishery. This matter was referred to the Crown Officers for their opinion, whether the project was consistent with Stat. 10 and 11 Will. 3. and whether the Crown could legally enter into, and had power to enforce such regulations so far as they related to the subjects of Great Britain? To which they answered, that the project contained many things contrary to the Act, as well in respect of the rights of the King's subjects as to the mode of determining controversies arising there; and that the Crown had no power to enter into, or confirm such regulations.

It was, however, thought proper to draw up some additional instructions to the Governor with a view of preventing any interruption or disturbance being given by the English to the French, in carrying on their fishery within the limits appointed by treaty. There were also submitted to the same law officers, who made some alterations and declared that, in such form they might be legally given to the Governor, being conformable with the 13th Article of the Treaty of Utrecht, and not repugnant to the Statute. For, say they, although the statute seems to confine "the whole trade of Newfoundland to English subjects," yet, as the French were at the time of passing the act, and had been for many years before, in possession of several parts of the island, and notoriously carried on an

open fishery, and claimed to be entitled thereto; and as the claim and the exercise of a fishery there, had not been rejected or disallowed by the treaty of 1696, nor by the treaty of Ryswick in 1696, although several petitions of merchants and others, had been presented to the House of Commons in 1696 complaining of encroachments of the French upon the English trade and fishery there, it seemed to them that the statute was not meant to extend to such parts of the Island and its adjacent isles and places as were then left in the possession of the French nor to a bridge or restrain the power of the Crown over the same, consequential upon the making of peace; the exercise of which, in this instance, had received the repeated approbation of both Houses of Parliament in their resolutions upon the treaties of Utrecht and Paris. The Board of Trade said that in framing these additional instructions it became necessary to consider the Stat. 10 and W. 3 passed when the Crowns of Great Britain and France had "distinct rights and possessions on that island" and the subjects of both carried on distinct fisheries upon those parts of the coast which belonged to each respectively, was, they humbly conceived, in no respect properly applicable to the "permissive fishery," which the subjects of France were entitled by treaty to carry on, "in common with the English subjects," within the limit described.

1764.—Collector and Comptroller of Custom first appointed.

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HARBOUR GRACE WEDNESDAY MAY 13 1857

We are informed that negotiations are still pending with regard to the settlement of our Fishery relations with the French, and further that the Hon. Attorney General, is expected to proceed to England for the purpose of enlightening the ministers upon this subject.

Well, before that Functionary leaves on this important mission it would be well if the public were a little enlightened as to his interpretation of the term concurrent. Governor Darling, by and with the advice of his ministers, has declared that it does not include a right to fish upon our own shores at one and the same time with the French, and he grounded his opinion mainly upon the fact that various Admirals on this station in conformity with imperial instructions, insisted upon the abandonment of such right by the Fishermen of the Country, we unfortunately know too well that upon the slightest emergency Newfoundland rights have been sacrificed by the home Government, and that Admirals and Governors whose tenure of office depended upon the high handed exercise of their power, would put in force to the letter any instructions which they might have received without daring to enquire as to their justice or propriety, and we further know that the fishermen were thus forced to yield a right which could not by fair interpretation of Treaty or Convention be violated, but we have yet to learn that wrong having been once enforced by arbitrary power must become right, or that opinions varied by the force of circumstances can abrogate the spirit of existing treaties, change the meaning of solemn declarations, and obtain by presumption the force of law.

Waiving for the present other just grounds of complaint against our local government. The plain question must be decided, are the fishermen of the Country satisfied that their interests should be represented in England, by the head of a Ministry, which first sanctioned, and still by their organ attempt to justify the injurious opinion expressed by Governor Darling in his remarkable despatch? viz. that they have no available rights to the Fishery on those parts of the Coast, which the French have been most iniquitously enabled to monopolise. Let our Ministry be called upon for a candid expression of their view of the subject, when they must either ignore those opinions which they covertly sanctioned, or openly avow the adoption of those views with all their injurious consequences to the country: This the people have a right to expect.—Nay upon the principle of Executive Responsibility to demand; and when a solution upon these points shall have been arrived at it will be full time to enquire what hand, act, or part, the said Ministry, or any member thereof had, either in prompting, promoting, or concealing from the people, that Convention, which with all its ruinous consequences may at any time be deliberately renewed.

To the Editor of The Conception-Bay Man

Dear Sir We, your fellow Townsmen have much pleasure in presenting you with an electrotype head for your excellent paper. Trusting you will accept of this donation, as a slight token of our interest in the welfare of the Conception-Bay Man.

We have the honor to remain Sir Your obt. servts Charles E. Hippisley Wm. Oliver St. John—J

It is our pleasing duty to acknowledge the receipt of the above, and to tender our best thanks to those Gentlemen (strangers to us) who have

so considerably and substantially evinced their interest in the success of the Conception-Bay Man.

The opportune receipt of such a present is at once gratifying to our feelings, and demonstrative of the Patriotism of the Donors whilst sojourning in a distant land; would that every native in the country were actuated by similar sentiments, then would our labour be lightened by the consideration that it was not in vain, and the hope "which wells forth from the deep fount of feeling," be realised, that Liberty may shed its genial influence on this devoted land.

The Honorable the Northern Circuit Court opened at the Court House in this Town on Wednesday 29 April. His Honour acting assistant Judge, George Henry Emerson presiding—there were 13 civil cases on the Docket but not one of them went to a Jury one case on the criminal side.—William Kehoe sentenced to pay a fine of forty shillings sterling for an assault on Captain James Stapleton—the case against James Kehoe stands over till next term. The case of the crown against Susannah Garland for concealment was not proceeded with by the prosecuting officer John Hayward Esq. The court closed on Friday morning last and His Honour the Judge left this town on the same day in the Express Packet.

MARRIED.—At Bay Roberts, on the 2d inst., by the Very Rev. Martin Blackmore, Rural Dean of Conception Bay, Henry T. Moore, Esq., of Harbor Grace, merchant, to Maria, daughter of the late William C. Healey, Esq., London, merchant.

MARRIED.—On Thursday last by the Rev. Bertram Jones, Capt. Henry Davis, to Miss Matilda Andrews.

On Monday last Mr. John Gillart, to Miss Ann George S. Side.

Last evening by the Rev. John Phiney, Mr. John Patsons, to Miss Susanna Newel.

BIRTH.—On Sunday last, the wife of the Rev. Alexander Ross of a Daughter.

It is Appointed unto all once to die. DIED.—Suddenly, on Thursday morning last Sarah Gill Harris, aged 71 years, an old and respectable inhabitant of St. John On Saturday evening last, Mrs. Mary England in the 63rd year of her age.

SHIPPING INTELLIGENCE

ENTERED. May 9.—Wm. Puntton—Roberts—Liverpool, Salt. Joachim & Henrich Steher—Hamburg Prov. 11 Arethusa (Bare.) Kirkpatrick Lpool Gen. Cargo Puntton & Mann May 9.—Huron—Walls—Liverpool Alcyone—Dennisos. Ridlay & Sons. CLEARED. May 9.—Eelfrida Green Brasdor. Puntton & Mann. May 9.—Haider—Tucker—Liverpool. Bella (Sp) Llorca—Seville 11 Carmencia (Sp.) Onandi—Cadiz. Ridley & Sons

COALS! COALS!!

Just Landing Ex Richard Brown from Sydney A Cargo of Prime COAL!

Cheap if taken from the Vessel, RUTHERFORD & BROTHERS. May 11th. 1857.

For Sale.

BY THE SUBSCRIBER, His Premises and Property in Carr Harbour CONSISTING OF A Dwelling House Shop, two Stores,

Two ground Cellars, Fishing Room & Flake. Ten seal nets, with moorings, and six Acres of land (well fenced) Possession to be given the last day of August next.

JOHN BRIDE. May 7th. 1857.

NOTICE.

I will not be accountable for any debt contracted in my name, without a written order from myself.

Robert Morris Harbor Grace, May 12 1857.

The S ARE now land BRIG "WILLIAM A. BARRE & V. British G O Suitable eries.

500 Barre Per. "Joachim & 1270 B 500 Fi 3 P 26 B G The whole of wh able terms. PUN

Choice Are now landing A Ca MUSCOV Which will

F The Cargo 1827 Barre 300 do M 50 do P 50 do T 50 Boxes

Rid HAVE An ad Manufa G O BRID

Further Substantially Riggng ab able craft for N Office

The following Board on the st Resolved.—I be accountable Public Building has control, ex ordered by the ed by the writte Cretary for such Resolved.—I Roads, or servs have authority work of any des the written orde ary

NGW LAND Greyhoun 300 Bar 750 300 30 Bag Dec. 24. 1857