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CONFIDENTIAL.

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Gl. Brit. Foreign Office

Correspondence in 1776 respecting French Rights of Fishery in Newfoundland under Article XIII of the Treaty of Utrecht.

No. 1.

*Viscount Weymouth to Viscount Stormont.*

(No. 4.)

My Lord,

*St. James', January 26, 1776.*

THE French Ambassador at this Court, as you are already informed, has applied to me expressing great discomfort at the interruption given to their fishery by the residence of a great number of English on those parts of the Island of Newfoundland allotted for the concurrent fishery; stating that these residents occupied all those parts that were intended for the equal advantage of the fishers of both countries. To obviate this cause of complaint, to which his Excellency pretends the orders given to the Naval Officer commanding on that station had procured no remedy, the Ambassador has proposed on behalf of his Court that a certain portion of the Island of Newfoundland should be allotted to the French fishery. That portion to be from the Baie des Trois Isles inclusive, down the western coast, from thence round Cap de Raye and a considerable part of the southern coast towards the Baie de Désespoir, as they have traced it with the pen on a Map entitled "Carte réduite du Golphe de St. Laurent of the year 1754."\* If a concurrent fishery were allowed to them there, it would ere long be a cause of discontent, and an exclusive right, your Excellency must be convinced, cannot by any means be given them.

It may be proper to observe to your Excellency that every legal method is constantly used by His Majesty's Governor of the island to prevent the resident fishery from extending, as it is by its principle opposite to the interest of the nation; but no means can be found effectual to make them remove from thence; and force cannot legally be used, as the XIIIth Article of the Treaty of Utrecht lays no restraint on the residence of the English, though it does on that of the French fishers.

The Court of France would still have cause of complaint if, by the number of settlers, the ground was so fully occupied that the French fishers had not space sufficient for their summer residence, and for carrying on that part of their business that is to be performed on shore; but from the most accurate inquiry the case is otherwise. The real cause of complaint does not depend on us to remove, but on them.

For some years past the Court of France have thought proper to offer bounties to such of their fishers who should explore new places, and they are particularly directed to seek for fish in all the creeks and harbours where the English shall be seen fishing. This occasions uneasiness and heartburnings that the utmost attention of the Naval Commanders cannot suppress. Their success on these occasions is generally short of what they would have had if they had kept to the coast usually frequented by them, but it furnishes them with occasions of complaint; and their want of success is no loss to them, as the deficiency is made up to them equal to the most successful vessel, number of men and tonnage considered. This matter was fully stated to M. de Guerchy in . . . , and hopes were entertained that the Ministry of France would put a stop to a practice that gives them seeming grounds of complaint, and which from the opinion of their oldest and most skilful fishers is prejudicial to their own interest.

A conversation I have just now had with Sir Hugh Pallisser enables me to add some information to my letter, which was nearly written.

The ice is driven from the coast of Labrador, on the breaking of the frost, to that part of the island where the resident fishery is established, and accumulates there in such large quantities that the coast is inaccessible till a month after the other parts are frequented; and the chief use the residents make of it is for the winter fishery.

\* This part of the coast is actually inhabited.