

Inclosure 2 in No. 1.

Deposition of Alfred Noel.

Newfoundland, Central District, St. John's, to wit.

The examination of Alfred Noel, of St. John's aforesaid, master-mariner, taken upon oath, and who saith:—I am master of the schooner "Nautilus" of this port, and on the 19th day of December last I was at Long Harbour, in Fortune Bay, in the "Nautilus," which was anchored off Woody Island. I had a crew of seven men, and I was there engaged in the herring fishery. There were several American schooners; seven of them were lying off Woody Island, and two French vessels. This island forms the harbour within half a mile of the narrows of Long Harbour; and other American schooners and Newfoundland fishing craft were inside Woody Island, which is the inside part of Long Harbour. All the craft there, English and American, were hauling herrings in seines and nets, and the Americans were purchasing herring from the English. Everything went off quietly, and the greatest harmony prevailed until Sunday, the 6th day of January, when about half-past two o'clock in the afternoon five seines, belonging to the American schooners, were put into the water by their crews at the beach on the north-east side of Long Harbour. I know two of the captains by name, Dago and Jacobs, belonging to Gloster, United States, but do not know the names of their schooners. The whole five seines were barred full of herrings, when the English crews of the crafts belonging to Fortune Bay ordered them to take their seines up or they would take them up for them; and the Fortune Bay men, finding they would not do as they were requested, then hauled up two of the American seines, but without any damage or injury, and two were at the same time taken up by the Americans; and at the same time a seine belonging to Captain Dago was taken up by the Fortune Bay men, the herrings thrown out, and the seine was torn up and destroyed. Before this occurrence on the said Sunday, one of the American schooners had a seine barred with herrings on the beach at Long Harbour for seven days, and it was not at any time meddled with by the Fortune Bay men or any one. Some of the Fortune Bay men had nets out in the water on that Sunday, and the same had been there during the week, but none of the Newfoundland fishermen attempted to haul herrings on Sunday at any time while I was at Long Harbour. The Americans' practice had been until lately to purchase herring from the Newfoundland fishermen in Fortune Bay, but this year and last year the Americans have brought their own seines to haul herring for themselves. The American seines are 30 fathoms deep and 200 fathoms long, whilst those used by our fishermen are 12 or 13 fathoms deep and 120 fathoms long. These American seines are used for barring herring in deep water, such as the Fortune Bay Harbours, viz., Long Harbour, Bay de Nord, and Rencontre. Our fishermen never bar herrings, and herrings have never been barred in Fortune Bay, to my knowledge, until the Americans brought the large seines I have alluded to into Fortune Bay and used them there to the disadvantage of our fishermen. This mode of barring herrings in such harbours as I have mentioned is most destructive and ruinous to the herring fishery in those localities. I do not know the names of the persons who destroyed the seine; there were about eighty vessels from different harbours of Fortune Bay at Long Harbour at the time, and the seine was destroyed by a great lot of people. I left Long Harbour for St. John's on the 31st day of January and arrived here on the 4th instant.

(Signed) ALFRED NOEL.

Sworn before me at St. John's aforesaid, this 8th day of February, A.D. 1878.

(Signed) D. H. PROWSE, J.P. for Newfoundland.

Inclosure 3 in No. 1.

Memorandum by the Attorney-General.

BY the Treaty of Washington the United States' citizens have the right to take, &c., fish on our coasts, irrespective of distance from the shore, in common with the subjects of Her Britannic Majesty (Article XVIII).

By Act, cap. 6, 1876, in amendment of the Consolidated Statutes (1872), cap. 102, "No person shall haul, catch, or take herrings in a seine or such con-