

In submitting these papers for the consideration of the Marquis of Salisbury, I am desired to request that you will direct his attention to the Act of the Legislature of Newfoundland, Cap. 6 of 1876, "To amend the law relating to the coast fisheries," section 3 of which prohibits the taking of squid "by means of any seine, bunt, or other such contrivance."

The question of how far certain provisions of the Law of Newfoundland are or are not at variance with the intention of the Treaty of Washington is, Sir Michael Hicks Beach believes, now under the consideration of the Secretary of State for Foreign Affairs, in connection with the claims of American fishermen arising out of the Fortune Bay disturbances.

On this point I am desired to call attention to paragraph 5 of Sir John Glover's despatch, in which he asks for instructions.

I am, &c.
(Signed) JOHN BRAMSTON.

Inclosure 1 in No. 8.

Governor Sir J. Glover to Sir M. Hicks Beach.

Sir, *Government House, Newfoundland, August 28, 1879.*

I HAVE the honour to inclose, for your information, copy of a letter from the United States' Consul at this port, dated the 23rd instant, putting forward a complaint that opposition had been offered by our fishermen to the crew of the American schooner "Howard Holbrook," when attempting to seine for squid at Smith's Sound, in Trinity Bay.

2. This appearing to be a repetition of the interruption which occurred in Fortune Bay in 1878, I at once applied to the Senior Naval Officer for the service of one of Her Majesty's ships of war to convey to the spot a legal officer charged with the duty of inquiring into the correctness of the statements put forward to sustain the case which I conclude would, if supported by evidence, have been followed by the United States' Government submitting a claim for compensation.

3. The Senior Naval Officer, complying with my request, dispatched Her Majesty's ship "Zephyr" to Smith's Sound, and on her return I was furnished with the inclosed Report of Judge Prowse, the legal officer deputed by my Government to conduct the inquiry, which proves most fully, by sworn evidence, that the whole charge against our fishermen was frivolous, and void of all sustainment.

4. It will be seen from the evidence inclosed that the question involved is, whether our local laws for the protection of a fishery common to two Contracting Parties, but passed subsequent to the date of the Treaty, are binding on the one party who have not assented to what they consider a modification of, or indeed a violation of, contract.

5. I should desire to be instructed on this point, because the great number of American vessels frequenting our waters in the exercise of their fishery rights under the Treaty of Washington may, ere the present season be ended, produce an indefinite number of claims for compensation on the part of the American Government.

6. The depositions which should accompany Mr. Prowse's Report are so voluminous that it has been found impossible to forward them by the present mail, but they will be sent by the next.

Trusting my proceedings may meet your approval, I have, &c.
(Signed) JOHN H. GLOVER.

Inclosure 2 in No. 8.

Mr. Molloy to Governor Sir J. Glover.

*United States' Consulate, St. John's, Newfoundland,
August 23, 1879.*

Sir, HEREWITH beg to inclose statement of Captain Daniel McFaden, of the schooner "Howard Holbrook," of Gloucester, Massachusetts; also statement of Martin Ryan, of Torbay, pilot of said vessel, complaining of the interference of Cooper and others, of Smith Sound, Trinity Bay, in preventing his procuring supply of bait, which I have the honour to call your Excellency's attention to, and reply at earliest convenience.

I have, &c.
(Signed) THOMAS N. MOLLOY,
United States' Consul.