

*The ANCIENT RIGHT of the ENGLISH NATION*

was carried on at *Newfoundland* many years before any settlement was made there — that by the law of humanity or natural justice, ever chearfully observed by the *British* government, the vessels belonging to the subjects of any prince in amity, when in distress, have a right to come into the *British* ports for safety and succour --- that the fishery on the north part of *Newfoundland*, granted to *France* by the treaty of *Utrecht*, is the sole fishery for which shelter, by the *French* memorial of the 15<sup>th</sup> of *July* 1761, was required. By this fishery *France* has been chiefly enabled to supply foreign markets; and with regard to the shelter pretended to be necessary to it, it may be considered, that all the fish, whether caught by boats or large vessels, is dried, cured and prepared to be shipped in harbours or bottoms of deep bays, which are in themselves places of shelter to the fishing vessels --- that by the treaty the subjects of *France* were not to resort to the island of *Newfoundland* beyond the time necessary for fishing and drying of fish — that cape *Bonavista* lies at the distance of about 483 miles from the harbour of *Louisbourg* in *Cape Breton*, the island proposed by this memorial as a place of shelter for this fishery, and point *Riche* lies at the distance of about 342 miles from the same harbour --- that the islands of *St. John* and *Canso* lye at still farther distances. And with respect to the fishery in the gulf, which was to be allowed to *France*, for the sake whereof shelter was also demanded, it may be observed that as all the islands and lands in and near the gulf were to be retained by *Great Britain*, the fish caught there by the *French* subjects, in order to be dried and cured, of necessity was to be carried to some of those harbours in *Newfoundland*, to the use whereof they had good right by the *Utrecht* treaty --- that from the nature of this fishery, and its connection with the other, their annual duration must be the same — that the most desirable place of shelter for the *French* vessels fishing in the gulf, if attainable, must be such harbour in *Newfoundland* as they made use of for curing their fish, this being the seat  
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