

That on or about the first of August, having taken in his caplin seine, for the purpose of hauling caplin for bait, (as the cod seine hauling was over) he was much astonished to find, very early in the morning, that his seine had been thrown overboard, from his boat, at his stage-head, during the night, where the water is very deep, and as the tide flows past there with great velocity, it is very likely that it would have been swept away and lost, had not the seine line been attached to the boat; he considered it prudent not to make a noise about it, and ordered his crew to say nothing with reference thereto, fearing it would lead to some unpleasantness.

That about the 15th of August, he lent his boat and seine to a neighbour to haul herring—they succeeded in taking about twenty barrels; and in answer to a question put to him, as to their share or proportion, told them to take what they thought fit; that he was not particular. Things went on smoothly and quietly from this time until the latter part of August, when his caplin seine, which had been placed on a barrow in the stage over-night, all ready for the morning, sound and in good condition, in order to be taken into his boat to haul herring, was found in the morning to have been maliciously cut and injured to so serious an extent, that he could make no further use of it, although herring were, at this time, plentiful and easily hauled; they continued to be abundant during the remainder of the season.

That your petitioner about this time, viz.: the last of August, was subjected to other and very serious outrage and annoyance, several articles of tools, and powder and shot, were stolen from a chest in his stage; his clothes, when put out to dry, were cut in pieces and destroyed at night; his windows were broken also at night, and various other nefarious acts committed; so that he became seriously alarmed for his personal safety and that of his children—two sons and a daughter. In consequence of the many and various attacks made upon his property, he did not consider it prudent to remain in his own house, fearing it might be burnt during the night, when he and his crew would be asleep; he took his bed to a neighbour's house and slept there, occupying his own house during the day only, until the 3rd or 4th of September, when he removed to Battle Harbor with his crew, where he remained a few days, when he obtained a passage for himself and them in a return green fish catcher, bound to King's Cove, for which he had to pay six pounds. He arrived at Carbonear about 25th September.

Thus was he driven to the necessity of abandoning his property and his voyage, together with the prospect of a good fall's catch of cod fish and herring; for the fishery, which had been very slack during the early part of the season, much improved, and there was an excellent fall's catch.

That your petitioner has sustained many inconveniencies and losses distinct from the loss of his voyage, and the damage done to his property, a part of which consists in the deterioration and fair wear and tear, to which Seines, Nets, Boats, Sails, Cordage, &c., &c., are naturally liable and subject.