

In connection with this correspondence and the grievances complained of, we have had occasion to regard and make reference to the action of our Colonial Legislature on former occasions, in respect of the large issues which are involved in the present subject of consideration; and we have had to revert to the assurances of Your Majesty, as, from time to time, given by Your Majesty's Ministers in confirmation of positions asserted and maintained by this Colony, as to the relative rights of British and French subjects on the Coast of Newfoundland under Treaties between the two great Powers.

In our present deliberations, we have been constrained to regard as a prominent cause of difficulty, these new claims, which in the case of Messieurs Murphy and Andrews, seem to involve the consideration, not only of Fishery rights, but also of Territorial rights, which have hitherto been unquestioned.

The facts set forth before us, which, in their material points are not the subject of dispute, warrant us in the expression of the opinion that in this particular case, as in others, there has been displayed at times, on the part of Imperial authorities, a disposition to make undue concessions in fishery matters to the aggressive claims of the subjects of France, and to subordinate to politic or diplomatic exigencies the undoubted rights of British subjects.

In the case of Messrs. Murphy and Andrews, it is apparent that the French have asserted a right to take and can lobsters, and to erect upon British territory, factories or establishments for the purpose of preserving lobsters.

With due devotion to Your Majesty, we cannot too strongly affirm the position taken by this Colony that the French have no right under any existing Treaty to take lobsters for commercial purposes in any territorial waters of this Island, and therefore *a fortiori*, we humbly contend that the French are unwarranted in the erection of factories or establishments upon our coasts, for the purpose of canning lobsters taken in British waters for the purposes of exportation and sale. The claims asserted by the French in this behalf with all humility we vehemently deny.

We are constrained to regard with regretful resentment, the fact that in the case under consideration, the removal of establishments erected by British subjects for the purpose of taking and canning lobsters, has been enforced by subjects of France, at the instance of the French authorities, a French warship assisting and a British warship interfering to support the unwarranted contention of the French.

By reason of these unwarranted claims, and by this interference with the rights of Your Majesty's subjects, much damage and loss