

To His Royal Highness the Prince  
Regent in Council

The humble Petition of Philip  
Beard & Co of Dartmouth

Sheweth,

That Your Petitioners are Proprietors  
of a fishing Establishment situated at  
Sandwich Bay, in Latitude 55, upon  
the Coast of Labrador.

That finding their Rights invaded  
by transient Vessels from Nova Scotia  
& the United States, no Kings ships  
having been stationed upon that Coast  
for the protection of Persons who take  
Your Petitioners have permanent  
Establishments there since the Summer  
of 1815, and that Your Petitioners will therefore  
be compelled to abandon their  
Establishment and Fishing Trade,  
unless

unless protection be afforded them,  
Your Petitioners humbly beg leave to bring  
the subject under Your Royal Highness's  
Consideration, and deeming it necessary  
to this end, to state to Your Royal Highness,  
the origin and progress of their said  
Fishery at Sandwich Bay, & the grounds  
of their exclusive Right thereto; Your  
Petitioners most respectfully beg leave to  
represent, That by the Act 10<sup>th</sup> & 11<sup>th</sup> of  
Wm 3<sup>rd</sup> Cap 25. it was declared to be  
the right of all His Majesty's Subjects  
resident within the Realm of England  
or the Dominions thereto belonging  
to Trade and fish freely at, and about  
the Island of Newfoundland, and the  
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Strangers should be excluded from  
such Trade and Fishery.

That by the Act 49<sup>th</sup> Geo. 3 Cap. 27  
Labrador was annexed to, and made  
part

part of the Government of Newfoundland,  
& remains so at the present time.

That in the Year 1770, Mr George  
Cartwright sailed from England, & took  
possession of several Ports on the Coast  
of Labrador, for the purpose of prosecuting  
the Cod, Salmon & Seal Fisheries, & was  
the first Settler there.

That the said George Cartwright  
having contracted a friendship, and  
resided some time with the Esquimaux  
Indians, during which he had several  
Vessels employed in the Fishery, he  
ultimately settled in Sandwich Bay  
(the spot now occupied by Your  
Petitioners) and built convenient  
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& also at its entrance, for the various  
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That the said George Cartwright, having contracted a friendship and resided some time with the Esquimaux Indians, during which he had several Vessels employed in the Fishery, he ultimately settled in Sandwich Bay (the spot now occupied by Your Petitioners) and built convenient Houses on the different Rivers in the Bay, & also at its entrance, for the various purposes of the Fishery;

That in order to protect himself from interruption, the said Cartwright

in the Year 1772, made Application to the  
Earl of Dartmouth, then President of the  
Right Hon<sup>ble</sup> the Board of Trade, & in  
consequence a Proclamation was issued,  
the following Fishing Season whereof  
the following is a Copy.

By His Excellency John Molineux  
Thuldrham Esq<sup>r</sup>

"Whereas the Earl of Dartmouth,  
One of His Majesty's of State, has been  
pleased to signify to me, that it has  
been represented to the King, that  
several of His Majesty's Subjects  
have been at a considerable Expence  
in making Establishments on the Coast of  
Labrador, for the purpose of carrying  
on the Seal and Salmon Fisheries, and  
as it is equally just, & expedient that

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on the Seal and Salmon Fisheries, and  
as it is equally just & expedient that  
such Persons should be encouraged  
and secured in their Possessions, as far  
as the nature and interests of the  
Fishery

Fishery, in general upon that Coast will admit, pursuant to His Majesty's Pleasure I do hereby give Notice, that such of His Majesty's Subjects of Great Britain or Ireland, or the Islands of Guernsey or Jersey who have taken, or shall hereafter take actual possession in any of the Rivers and Bays on the Coast of Labrador, or to the Northward of the Straits of Belle Isle, and who have erected, or shall erect Houses and Warehouses and made, or shall make other permanent Establishments, with a view to carry on the Seal & Salmon Fishery, shall be protected, in their Possessions; provided such persons do for the future annually fit out from Great Britain, or Ireland, or the Islands of Guernsey or Jersey, one or more



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Great Britain or Ireland, or the  
Islands of Guernsey or Jersey, one or more  
ships or shifs to be employed in the  
Cod Fishery on the Coast of Labrador,

but

but all persons are to take notice, and I do, by  
these presents proclaim, that no Proprietor  
or proprietors of such fishing Ports, shall  
have any right to claim, nor be suffered  
to occupy any greater extent of the shore  
within the Rivers and Bays on the said Coast  
than I, or His Majesty's Governor for  
the time being, shall judge necessary,  
in proportion to the number of Vessels  
& Men employed in the Fishery, and  
at the said Ports.

Given under my hand on  
board His Majesty's Ship Albborough  
in Chateau Bay 21<sup>st</sup> August  
1773. (signed) M. S.

X That protected by said Proclamation  
Mr Cartwright continued to enjoy the  
peaceable Possession of his Salmon  
Fishery in the Rivers at Sandwich Bay

his Cox Sishery at the entrance thereof,  
 and his sealing Posts on the several  
 Coasts, strictly conforming to the stipulation  
 of having his Shipping every Season  
 from England, & returning thither  
 at the end of it, leaving a sufficient  
 number of Artificers and Men to  
 protect his Possessions from the natives,  
 and to prepare Necessaries of Wood &c  
 for repairing the Stages &c in the Spring.

That during the American War  
 his Settlements were plundered by the  
 Crew of the Boston Privateer *Minerva*  
 when Mr Cartwright's Property to a  
 large amount being carried off,  
 he was ruined, & became a Bankrupt.

That upon this occasion the said  
 Settlements at Sandwich Bay were  
 purchased of his Assignees by Mess<sup>rs</sup>  
 Noble, Pinson & Co<sup>r</sup> of Dartmouth, who

thereupon

thereupon rebuilt the Warehouses  
necessary for the Fishery, & continued  
to carry on the Fishery regularly until  
the Year 1811/12. when the Partnership  
being dissolved, the Settlements at  
Sandwich Bay were assigned to Messrs  
Goble & Hunt as their part of the  
Concern, who continued the Fishery  
until the Year 1816, when the  
Establishment was sold to Your Petitioners  
& who have ever since annually carried  
on Fishing there at, as required by the  
Proclamations of the 1773.

That in the Month of July 1816  
Petitioner O. Beard went out to Sandwich  
Bay with three Vessels, & about Eighty  
Men, in order to prosecute the Fishery  
when he found that a Mr. McPherson  
had arrived from Nova Scotia, and had  
taken possession of a part of the Bay  
& was fishing for Salmon & preventing

the Salmon from taking the usual course  
to the Rivers, which had been for so long  
a period uniformly fished by Your  
Petitioners predecessors, Your Petitioner  
also found that a Vessel had arrived  
from Halifax in Nova Scotia.

That, however, His Majesty's ship  
'Hazard' commanded by Captain  
Cookesley (who had been appointed  
Surrogate for the Labrador Coast by  
the Governor of Newfoundland) having  
arrived out soon after, a Representation  
was made to him of these encroachments  
upon Your Petitioner's Fishery; whereupon  
Captain Cookesley compelled the Vessel  
to desist, but did not think himself  
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but previously to leaving the Harbour

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Captain Cookesley compelled the Vessel  
to desist, but did not think himself  
authorized to send away Mr. G. Pearson;  
but, previously to leaving the Harbour  
Captain Cookesley issued certain general  
Instructions, wherein it was declared  
that

That no Strangers are to lay down their Nets within three Miles on either side the boundaries of Rivers fished by the Proprietors, that is, so long as the said Proprietors do actually fish the same.

That notwithstanding these directions, as no Kings ship has been stationed upon the Coast since the Hazard, and the distance from the Seat of Government at St Johns is so great as five hundred Miles, the rights of Your Petitioners are violated with impunity by Vessels from various parts, the Masters whereof place their Nets at the Mouths of the Rivers & Bay, and thereby destroy the Salmon Fishery, which is the principal object of Your Petitioners in their said Establishments.

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That the consequence is, that  
instead of the annual Average of 750  
Tunnes



150  
Tierces of Salmon as caught prior to 1817  
the quantity caught last Year was only  
450; - 250 Tierces having been caught  
by the said Mr. McPherson and by  
Vessels from the United States, and  
from Nova Scotia, at the very mouths  
of the Rivers & Bay, & Your Petitioners  
are therefore under the apprehension  
of being obliged to relinquish their  
Property and Fishery altogether, it  
being impossible for them successfully  
to compete with Vessels, which  
neither are fitted out from, nor are  
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Your Petitioners therefore humbly  
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and which appears to Your Petitioners  
to be more necessary at the present

Time

as the first article in the  
 Convention recently concluded with  
 the United States, concedes to the  
 Americans, the liberty to take Fish of  
 every kind on that part of the Coast of  
 Labrador on which Your Petitioners  
 Establishment is situated, in common  
 with the subjects of His Britannic  
Majesty.

Your Petitioners therefore humbly  
 pray that protection may be afforded  
 them by such a Grant of the Settlement  
 to Your Petitioners by a specific Deed  
 (subject to the stipulations of the  
 Proclamation of 1773) as shall enable  
 them to enforce by legal process, a  
 just regard <sup>to their rights</sup> and privileges as the  
 Proprietors of the said Fishing  
 Establishments in Sandwich Bay.

And Your Petrs as in duty  
 bound will ever pray to