

By His Excellency John Elliot Esq^r
Governor and Commander in
Chief in and over the Island of
Newfoundland &c. &c.

Where as on the 29th day of July
last M^r Lee Agent for Mess^{rs} Arthur French jun^r & Co^s of Dart-
mouth Merchants presented to me the following Petition

To His Excellency John Elliot Esq^r
Governor and Commander in Chief
in and over the Island of Newfoundland

The humble Petition of Arthur
French jun^r and Co^s Sheweth

"That on or about the fifth Day
of this instant July M^r Geo: Williams or People belonging to
him did without our knowledge cast up and remove
a Boundary or Landmark of our Plantation here together
with some Stones of our Flake thereon.

"We therefore humbly pray your
Excellency will take the same into your consideration
and administer such Justice in this Premises as
to your Excellency may seem most meet.

And

C/N VOL 11 1786-A

"And your Petitioner will as in duty
bound ever Pray. being most respectfully

Your Excellency's most obed^t.

And very humble Servant

St. John's 28 July 1786

Arthur French jun^r & C^o

And Geo: Williams upon being directed to state in Writing the particulars of the Transaction alluded to in the said Petition having returned the following Answer.

"In Answer to the within Petition presented to His Excellency John Elliot Esq^r Governor and Commander in Chief In and over the Island of Newfoundland &c. &c. by Mess^{rs} Arthur French jun^r & C^o against Geo: Williams relating to a Boundstone and some Shores In which case the said Geo: Williams, Answer as follows, That some years back the Boundstone in Question was put down by a M^r Bastard without his knowledge then Agent for Mess^{rs} Arthur French & C^o some feet upon the said Geo Williams's Grounds Two Years back M^r B. Cullen also Agent for Mess^{rs} Arthur French and C^o by the desire of Geo Williams promised to remove the said Stone or enquire there into knowing it to be an encroachment M^r Arthur

"French the last Summer also promised to have the Stone
"surveyed but was from time to time omitted and the said
"Geo: Williams not at that time in want of the ground
"did not urge its removal, In Answer to the Stone being
"cast up the said George Williams waited upon Mr: Lee
"some time in the beginning of this month in order to
"have the Affair investigated but did not find him at
"home, but before he had an opportunity of seeing him some
"Servants of Geo: Williams was put to clear some Earth near
"where the stone stood and contrary to his orders the Servants
"by Accident or Mistake undermined the Stone and it fell
"down; In a few Days he called upon Mr: Lee and offered
"to leave the matter to any two or three People of his own
"choice who was acquainted with the Premises to
"which he agreed but after refused Therefore the said Geo:
"Williams hopes that his Excellency will order a speedy
"Settlement such as he thinks most eligible.

I judg'd it necessary for
"the Satisfaction of both Parties to have the matter en-
"quired into by a Surrogate and therefore directed Cap:
"Gower of His Majestys Ship, Salisbury to take to his
"assistance

assistance some of the eldest (and best informed) Inhabitants
of this Place to inquire very particularly into the rights
which the Parties might respectively have to the Pre-
-mises in dispute, and to report to me the same
with his Opinion thereon

And whereas Capt^o Gover having
with four Persons whom he took to his assistance) viewed the
Premises and examined such Evidence as he thought
necessary to set the Matter in the clearest light Reported
to me as follows

"Capt^o Gover having in Con-
-sequence of His Excellency the Governor's directions en-
-quired into the dispute between Mess^{rs} Arthur Fanchin j^r
and C^o and M^r Geo: Williams as stated in the fore-
-going Petition and examined such Evidence as he
-thought necessary to set the matter in the clearest
-light. Is of opinion that the Petitioners Complaint
-is well founded but that the injury complained of
-was done without M^r Williams's knowledge or consent
-by one of his (M^r Williams) Servants in clearing the
-ground to erect a Storehouse upon; the Parties have
-therefore agreed to put an end to the dispute and to have the

boundaries of their Premises marked out by four Persons
 (well acquainted with the Fishery) who were recommen-
 ded to Capt^r Gower as proper people to give their Ad-
 vice. He is further of Opinion that the Boundstone between
 the two properties should be immediately fixed and the
 limits between the Beams and Longers settled agree-
 able to Written Opinions (which accompany this
 Report and are to be looked upon as forming a part
 of it) of the four persons above mentioned.

"St. John's Newfoundland
 6th August 1786

"(Signed) "C. Gower

Written Opinions which
 accompanied (and are
 alluded to in) Capt^r
 Gowers Report.

"We the undermentioned persons are of
 opinion that there ought to be left a vacancy
 of three foot between each Beam, & each man's
 Longers to go over the Beam eighteen Inches
 and meet one the other and the Boundstone
 in the middle of each under and their
 shores to go on one the others ground
 according to its ancient Custom 4 Augth 1786
 Hugh Hamlin
 William Rowe

By Order of Capt^r Gower of His Majesty's Ship
 Salisbury to view a Dispute between two Fish-
 ing Rooms and a Boundstone between M^r Geo.
 Williams & M^r Arthur French & Co. for view-
 ing it and deliberately considering the same
 we are of the same opinion as above signed
 by Hamlin and Rowe two Master Voyagers
 St. Johns 6th August 1786
 Samuel Jutsham
 Adm^r D^r Barnes

With which I am perfectly Satis-
fied and approving thereof do hereby order and direct that the
Boundstone between the Premises (of Mess^{rs} Arthur French
jun^r and C^o and Mr George Williams) alluded to in the said
Petition and Answer be immediately fixed and the limits
of the Beams and Longers of their Plakes settled agree-
-able to the aforementioned written Opinions of Hugh
Hamlin, Williams Rowe, Samuel Tutsham and And^{rs}
Barnes, upon which Captⁿ Gowers Report was princi-
-pally founded. and the High Sheriff of the Island (or his
Deputy) is hereby authorized and directed to see it carried
into Execution.

Given under my Hand in St. Johns
the
10 Day of August 1786

By His Excellency's Command

J. M. W. J.