

carried on by the inhabitants of the United States, and that he should conform himself to the said Treaty.

Colonial Acts in connection with the Convention.

Address of Legislature of Nova Scotia.

Nova Scotia.

6. It seems probable that for some years the powers given by the Imperial Act were sufficient to check the fishermen in encroaching on prohibited waters or defrauding the Customs Revenue. But in 1836 the Council and House of Assembly of Nova Scotia complained that the colonists had experienced great inconvenience and loss in this branch of industry (fisheries) by foreign interference; and that the Revenue was "injuriously affected by the illicit trade carried on by vessels ostensibly engaged in the fisheries who hover on the coast, and in many cases combine trade with the fishery;" and in the same year the first Colonial Act was passed in that province (6 Wm. IV, cap. 8). The Act, after reciting in effect that persons engaged in smuggling or illicit fishery in the prohibited waters escape confiscation by professing to have come thither for the purpose of shelter and repairing damage, or to obtain wood and water, provided,—

(1.) That Customs Officers, Magistrates, and Commissioners appointed by the Lieutenant-Governor may board any vessel within any port, bay, or harbour of the Province, or hovering within three marine miles of any such port, bay, or harbour.

(2.) That if such vessel be bound elsewhere, and after being required to depart continues hovering for twenty-four hours, she may be brought into port, the cargo searched, and the master examined.

(3.) That if there be any goods on board prohibited to be imported into the Province, the vessel and cargo shall be forfeited.

(4.) That if the vessel be foreign, and not navigated according to the laws of Great Britain and Ireland, and shall have been found fishing or preparing to fish or to have been fishing within such distance of such coasts, bays, or harbours of the Province, she and her cargo shall be forfeited.

(5.) That if the master untruly answers the questions to him he shall forfeit 100*l*.

This Act was confirmed by Order in Council of the 15th June, 1836, and by another Order of 6th July, 1836, it was declared that the provisions of the Act should be the fishery rules, restrictions, and regulations of Nova Scotia.