

in the West Indies, with any cargo upon the deck, or on the spar deck of such ship (as the case may be) which would prevent his rightfully obtaining such certificate, is guilty of a misdemeanor, and shall be liable to be punished by imprisonment for any term not exceeding two years and not less than three months, or by fine not exceeding 800 dollars, or by both fine and imprisonment in the discretion of the Court before which he is convicted.

11. Any ship in respect of which any penalty is incurred under, this Act, may be seized and detained by order of the Court by or before which such penalty is imposed or recovered until such penalty be paid, or security given for the payment thereof, and unless payment be made or satisfactory security be given within thirty days, such ship may, at the expiration thereof, be sold by order of the Court, and the said penalty and all the costs paid out of the proceeds, the surplus (if any) being paid over to the owner of the ship.

12. The whole of every pecuniary penalty recovered under this Act shall belong to Her Majesty, and shall be paid over to the Receiver-General by the officer or person receiving the same, and shall be thereafter appropriated in such manner as the Governor in Council may direct in each case.

13. This Act shall not apply to any vessel sailing from British Columbia.

No. 3.

The Earl of Kimberley to the Earl of Dufferin.

My Lord,

Downing Street, July 7, 1873.

I HAVE the honour to inform you that Her Majesty will not be advised to exercise her power of disallowance with respect to the Act of the Legislature of Canada, entitled "An Act respecting Deck Loads," a transcript of which accompanied your despatch No. 141 of the 5th of June last.

I have, &c.
(Signed) KIMBERLEY.