

of this person's money to assist in their different schemes of life, but, instead of attending to their affairs, had preferred idleness and the hospitality of his house. Of course, they had not only never returned the money, but had in addition quartered themselves in his house; and it is questionable if they would not have considered abominable to share his last crust a species of ingratitude—a turning their backs upon their friend in his adversity! Be that as it may, there they were, and there they would have remained, had they not been brushed away by the same hand that removed their entertainer, and placed him on a temporary allowance, barely enabling him to support existence, in a quarter remote from all their usual haunts.

He came to Edinburgh, and there I had an occasion to see him; for having in his prosperous days warned him of the ruin that was coming upon him, he thought I must be able to devise some mode of alleviating it, now that it had happened. This, however, was then impossible for me successfully to do. The man who had proved so utterly incapable of managing his own affairs, could not be considered fit to be entrusted with those of others. He could not labour; and to beg he was ashamed. A small annuity, to be purchased by the bounty of those he had obliged, was the only thing that appeared possible in the circumstances. This was at first thought well of, for it was certain that many persons now in prosperous circumstances had received largely from him; and there being no vouchers of their debts, and, from this, no chance of their being recovered in the usual way, and for relief of the creditors, it was hoped the subscription would be certain and liberal. Some of these persons did subscribe, in appearance liberally beyond their circumstances, but this led to enquiries, which showed that they had merely acted as deacons, and that though he had taken no vouchers of actual debt from them, they had taken very sufficient guarantees against being called upon for any part of these unreal subscriptions. In short, the scheme entirely failed, and with it all the poor man's hopes. Even the assistance allowed by his creditors, was, it is said, withheld by their agent, or so negligently paid, that the object of their bounty then wanted even the bread they would have given him. As he sometimes stole to my residence in an evening, he at last mentioned these things; but as he seemed to feel keenly that they impeached his own prudence in times past, and his energy even now, he only muttered them through his teeth, as if his heart could not supply him strength to give them suitable utterance. His refusal to do justice to himself in any thing, must at last have cooled all who wished him well; or though his own hospitality had been taxed so unceremoniously, he must at last have declined to accept of any. Having confined himself at least on pretence of a severe cold, which, from inattention, and want of fire or covering, in an inclement season, he had doubtless caught, he appeared to have been forgotten. The consequences were melancholy. In a few weeks I was summoned to his funeral, and he appeared to have died from the want of every comfort, or even necessary. He had neither had covering food, nor fire, nor the means of procuring them; though he had never complained, nor would even allow an exertion to be made for him—till too late. Then it was made without consulting him, but also without avail; and a man of an Herculean frame, and robust constitution, of temperate habits, and in possession of affluence, and never personally expensive in any thing, whose general information was extensive, his perceptions, as concerned others, clear, and his observations even keen and searching, who in this way showed that he had a very tolerant head, and whose heart was in the last degree honorable and affectionate; who had, in short, no fault so prominent as to exert observation, except in an unpleasable FACILITY—this man, at the age of fifty five, died a beggar, deserted and despised, with an exhausted constitution and a broken heart!

It would be painful even to think what may have been the feelings of this man when he lay down, as he doubtless did, abandoning all hope, so far as this world was concerned, and desirous only to have done with it and with existence. What a retrospect must have risen up to him, of comfort lost, and opportunities of doing good neglected; of money squandered, not only without doing good, but to the encouragement of idleness, dissipation and every worthless propensity; assisting only the most unworthy and ungrateful, and depriving himself, by his overconfidence, of even the means of punishing them!—in short, of fortune and comfort lost, and talents misapplied. The man who is precipitated from fortune in spite of every honorable endeavor to the contrary, has some consolation in the reflection that he has done the best; but the thoughtless squanderer has no consolation. Reflect on only embitters every misery; and unless he is of a mould very different from what is common in such cases, he has no hope but having done with life and consciousness together.

THE FOLLOWING ACT,
Passed in the present Session of the General Assembly
is published by Authority.

An Act relating to the Fisheries, and for the prevention of Illicit Trade in the Province of Nova Scotia, and the coasts and harbours thereof.

WHEREAS by the Convention made between His late Majesty King George the Third and the United States of America, signed at London, on the twentieth day of October, in the year of Our Lord one thousand eight hundred and eighteen, and the statute made and passed in the Parliament of Great Britain in the fifty ninth year of the Reign of his late Majesty King George the Third, all Foreign ships, vessels or boats, or any ship, vessel or boat, other than such as shall be navigated according to the laws of the United Kingdom of Great Britain and Ireland, found fishing or to have been fishing, or preparing to fish, within certain distances of any coasts, bays, creeks, or harbours whatever, in any part of His Majesty's dominions in America, not included within the limits specified in the first article of said convention, are liable to seizure; And whereas, the United States did, by the said convention, renounce forever any liberty enjoyed or claimed by the inhabitants thereof, to take, dry or cure, fish on or within three marine miles of any of the coasts, bays, creeks or harbours, of His Britannic Majesty's Dominions in America, not included within the above mentioned limits; Provided however, that the American Fishermen should be admitted to enter such bays or harbours for the purpose of shelter, and of repairing damages thereon, of purchasing wood and of obtaining water, and for no other purpose whatever, but under such restrictions as might be necessary to prevent their taking, drying or curing fish therein, or in any other manner whatever, abusing the privileges thereby reserved to them; And whereas no rules or regulations have been made for such purpose, and the interests of the inhabitants of this Province are materially impaired; And whereas, the said Act does not designate the persons who are to make such seizure as aforesaid—and it frequently happens that persons found within the distances of the coasts aforesaid, infringing the articles of the conventions aforesaid, and the enactments of the Statute aforesaid, on being taken possession of, profess to have come within said limits for shelter, and repairing damages thereon, or to purchase wood and obtain water, by which the law is evaded, and the vessels and cargoes escape confiscation, although the cargoes may be evidently intended to be smuggled into this Province, and the fishery carried on contrary to said convention and statute:

Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That, from and after the passing of this Act, it shall be lawful for the Officers of His Majesty's Customs, the Officers of Impost and Excise, the Sheriffs and Magistrates throughout this Province, and any person holding a commission for that purpose, from His Excellency the Lieutenant Governor, for the time being, to go on board any ship, vessel or boat, within any port, bay, creek or harbour, in this Province; and also, to go on board any ship, vessel or boat, hovering within three marine miles of any of the Coasts, bays, creeks or harbours thereof, and in either case freely to stay on board such ship, vessel or boat, as long as she shall remain within such port or distance, and if any such ship, vessel or boat, be bound elsewhere, and shall continue so hovering, for the space of twenty-four hours, after the master shall have been required to depart, it shall be lawful for any of the above enumerated Officers or persons to bring such ship, vessel or boat, into Port, and search and examine her cargo, and to examine the master upon oath touching the cargo and voyage, and if there be any goods on board prohibited to be imported into this Province, such ship, vessel or boat, and the cargo laden on board thereof, shall be forfeited, and if the said ship, vessel or boat, shall 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 have been fishing, within such distances of such coasts, bays, creeks or harbours of this Province, such ship, vessel or boat, and their respective cargoes, shall be forfeited; and if the master or person in command thereof, shall not truly answer the questions which shall be demanded of him in such examination, he shall forfeit the sum of one hundred pounds.

And be it further enacted, That all goods, ships, vessels and boats, liable to forfeiture under this Act, shall and may be seized and secured by any such Officer of His Majesty's Customs, Officer of Impost and Excise, Sheriffs, Magistrates or other person holding such commission, as aforesaid, and every person who shall in any way oppose, molest or obstruct, any Officers of the Customs, Officer of Impost and Excise, Sheriff, Magistrate or other person so commissioned and employed as aforesaid, in the exercise

of his office, or shall in any way oppose, molest or obstruct any person acting in aid or assistance of such Officer of the Customs, Officer of Impost and Excise, Sheriff, Magistrate or other person so commissioned and employed as aforesaid, shall, for every such offence, forfeit the sum of two hundred pounds.

And be it further enacted, That all goods, ships, vessels and boats, which shall be seized, as being liable to forfeiture under this Act, shall be taken forthwith and delivered into the custody of the Collector and Comptroller of the Customs, at the Custom house next to the place where the same were seized, who shall secure and keep the same in such manner as other vessels and Goods seized, are directed to be secured by the commissioners of His Majesty's Customs.

And be it further enacted, That all goods, ships, vessels, boats or other thing, which shall have been condemned as forfeited under this Act, shall, under the direction of the principal Officer of the Customs or Excise, where such seizures shall have been secured, be sold by public Auction to the best bidder, and the produce of such sale shall be applied as follows, that is to say:—the amount chargeable for the custody of said goods, ship, vessel or boat, or any other thing so seized as aforesaid shall be first deducted and paid, and the residue divided into two equal Moieties one of which shall be paid to the Officer or other person or persons legally seizing the same, without deduction, and the other moiety to the Government, and paid into the Treasury of this Province, all costs incurred having been deducted therefrom. Provided always, that it shall be lawful for the commissioners of the Revenue to direct that any of such things shall be destroyed or reserved for the public service.

And be it further enacted, That all penalties and forfeitures which may be hereinafter incurred under this Act, shall and may be prosecuted, sued for and recovered, in the Court of Vice Admiralty, having jurisdiction in this Province.

And be it further enacted, That if any goods, or any ship, vessel or boat, shall be seized for forfeiture under this Act, it shall be lawful for the Judge or Judges of any Court having Jurisdiction, to try and determine such seizures, with the consent of the person seizing the same, to order the delivery thereof, on security by bond, with two sufficient sureties, to be first approved by such seizing Officer or person to answer double the value of the same, in case of condemnation, and such bond shall be taken to the use of His Majesty, in the name of the collector of the Customs, in whose custody the goods or ship, vessel or boat, may be lodged and such bond shall be delivered and kept in the custody of such collector, and in case the goods or the ship, vessel or boat, shall be condemned, the value thereof shall be paid into the hands of such collector, who shall cancel such bond, and distribute the money paid in such manner as above directed.

And be it further enacted, That no suit shall be commenced for the recovery of any penalty or forfeiture under this Act, except in the name of His Majesty, and shall be prosecuted by His Majesty's Advocate or Attorney-General, or in his absence by the Solicitor-General for this Province, and if any question shall arise whether any person is an Officer of the Customs, Excise, Sheriff, Magistrate or other person authorised to seize as aforesaid, *vis a voce* evidence may be given of such fact, and shall be deemed legal and sufficient evidence.

And be it further enacted, That if any goods, ship, vessel or boat, shall be seized for any cause of forfeiture under this Act, and any dispute shall arise, whether the same have been lawfully seized, the proof touching the illegality thereof shall lie on the owner or claimant of such goods, ship, vessel or boat, and not on the Officer or person who shall seize and stop the same.

And be it further enacted, That no claim to any thing seized under this Act, and returned into His Majesty's Court of Vice-Admiralty for adjudication, shall be admitted, unless such claim be entered in the name of the owner, with his residence and occupation, nor unless oath to the property in such thing be made by the owner or by his Attorney or Agent by whom such claim shall be entered, to the best of his knowledge and belief, and every person making a false oath thereto shall be deemed guilty of a misdemeanor, and shall be liable to the pains and penalties to which persons are liable for a misdemeanor.

And be it further enacted, That no person shall be admitted to enter a claim to any thing seized in pursuance of this Act, and prosecuted in this Province, until sufficient security shall have been given in the Court where such seizure is prosecuted, in a penalty not exceeding sixty pounds, to answer and pay the costs occasioned by such claim, and in default of giving such security such things shall be adjudged to be forfeited, and shall be condemned.

And be it further enacted, That no writ shall be sued out against, nor a copy of any process served