



Sess. 1819.

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B I L L

To enable His MAJESTY to make Regulations with respect to the taking and curing Fish in certain Parts of the Coasts of *Newfoundland, Labrador,* and His Majesty's other Possessions in *North America,* according to a Convention made between His Majesty and the United States of *America.*

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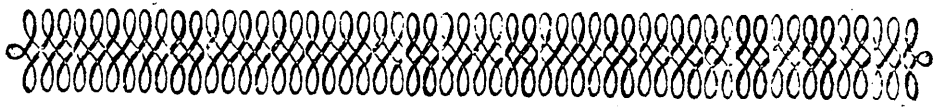
Ordered, by The House of Commons, to be Printed,  
30 April 1819.

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261



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Note.—The Figures in the Margin denote the Number of the Folios in the written Copy.

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1 **W**HEREAS a Convention between His Majesty and the United States of *America*, was made and signed at *London*, on the twentieth day of October one thousand eight hundred and eighteen; and by the First Article of the said Convention, reciting, that differences had arisen respecting the liberty claimed by the United States for the Inhabitants thereof, to take dry and cure Fish in certain Coasts Bays Harbours and Creeks of His *Britannic* Majesty's Dominions in *America*, it is agreed, That the Inhabitants of the said United States shall have for ever, in common with the Subjects of His *Britannic* Majesty, the liberty to take Fish of every kind on that part of the Southern Coast of *Newfoundland* which extends from *Cape Ray* to the *Rameau* Islands, on the Western and Northern Coasts of *Newfoundland*, from the said *Cape Ray* to the *Quirpon* Islands, on the shores of the *Magdalen* Islands, and also on the Coasts, Bays, Harbours and Creeks, from *Mount Jaly* on the Southern Coasts of *Labrador*, to and through the Straits of *Belleisle*, and thence northwardly indefinitely along the coast, without prejudice however to any of the exclusive rights of the *Hudson's Bay* Company; and it was also, by the said Article of the said Convention, agreed, That the *American* Fishermen should have liberty for ever to dry and cure Fish in any of the unsettled Bays, Harbours and Creeks of the Southern part of the Coast of *Newfoundland* above described, and of the Coast of *Labrador*, but that so soon as the same, or any portion thereof, should be settled, it should not be lawful for the said Fishermen to dry or cure Fish at such portion so settled, without previous agreement for such purpose with the Inhabitants, Proprietors, or Possessors of the Ground :

Preamble.

And whereas it is expedient that His Majesty should be enabled to carry into execution so much of the said Convention as is above recited, and to make regulations for that purpose; **Be it therefore Enacted**, by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT from and after the

it shall and may be lawful for His Majesty, by and with the Advice of His Majesty's Privy Council, by any Order or Orders in Council, to be from time to time made for that purpose, to make such regulations, and to give such directions orders and instructions to the Governor of *Newfoundland*, or to any Officer or Officers on that Station, or to any other person or persons whomsoever, as shall or may be from time to time deemed proper and necessary for the carrying into effect the purposes of the said Convention, with relation to the taking drying and curing of Fish by Inhabitants of the United States of *America* in common with *British* Subjects, within the limits set forth in the said Article of the said Convention, and hereinbefore recited, any Act or Acts of Parliament, or any law custom or usage to the contrary in any wise notwithstanding.

King in Council may make regulations for carrying Treaty into effect.

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And be it further Enacted, That from and after the

it shall not be lawful for any person or persons, not being a natural born subject of His Majesty, in any foreign ship vessel or boat, nor for any person in 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*, to fish for, or to take dry or cure any Fish of any kind whatever within

marine miles of any Coasts, Bays, Creeks or Harbours whatever in any part of His Majesty's dominions in *America*, not included within the limits specified and described in the First Article of the said Convention, and hereinbefore recited; and that if any such foreign ship vessel or boat, or any persons on board thereof, shall be found fishing, or to have been fishing, or preparing to fish within such distance of such Coasts, Bays, Creeks, or Harbours, within such parts of His Majesty's dominions in *America* out of the said limits as aforesaid, all such ships vessels and boats, together with their cargoes, and all guns ammunition tackle apparel furniture and stores, shall be

and shall and may be seized taken sued for prosecuted recovered and condemned, by such and the like ways means and methods, and in the same courts, as Ships Vessels or Boats may be forfeited seized prosecuted and condemned, for any offence against any laws relating to the Revenue of Customs, or the laws of Trade and Navigation, under any Act or Acts of the Parliament of *Great Britain*, or of the United Kingdom of *Great Britain* and *Ireland*; provided that nothing in this Act contained shall apply or be construed to apply to the ships or subjects of any Prince Power or State in amity with His Majesty, who are entitled by Treaty with His Majesty to any privilege of taking drying or curing Fish on the Coasts, Bays, Creeks or Harbours, or within the limits in this Act described.

Foreign Vessels not to fish within a certain distance of any British Harbour in America out of prescribed limits.

4

5

263

Americans  
may come  
into such  
Harbours to  
refit.

6 Provided always, and be it Enacted, That it shall and may be lawful for any Fisherman of the said United States, to enter into any such Bays or Harbours of His *Britannic* Majesty's dominions in *America* as are last mentioned, for the purpose of shelter and repairing damages therein, and of purchasing wood and of obtaining water, and for no other purpose whatever; subject nevertheless to such restrictions as may be necessary to prevent such Fishermen of the said United States from taking drying or curing Fish in the said Bays or Harbours, or in any other manner whatever abusing the said privileges by the said Treaty and this Act reserved to them, and as shall for that purpose be imposed by any order or orders to be from time to time made by His Majesty in Council under the authority of this Act, and by any regulations which shall be issued by the Governor or person exercising the office of governor in any such parts of His Majesty's dominions in *America*, under or in pursuance of any such order in council as aforesaid.

Penalty on  
Persons  
refusing to  
remove, or  
disobeying  
orders.

7 And be it further Enacted, That if any person or persons, upon requisition made by the Governor of *Newfoundland*, or the person exercising the office of Governor, or by any governor or person exercising the office of governor in any other parts of His Majesty's dominions in *America* as aforesaid, or by any officer or officers acting under such governor or person exercising the office of governor, in the execution of any orders or instructions from His Majesty in Council, shall refuse to depart from such Bays or Harbours, or if any person or persons shall refuse or neglect to conform to any regulations or directions which shall be made or given for the execution of any of the purposes of this Act, every such person so refusing or otherwise offending against this Act, shall forfeit the sum of \_\_\_\_\_ to be recovered in the superior Court of Judicature of the Island of *Newfoundland*, or in the superior Court of Judicature of the colony or settlement within or near to which such offence shall be committed, or by bill plaint or information in any of His Majesty's Courts of Record at *Westminster*; one moiety of such penalty to belong to His Majesty His Heirs and Successors, and the other moiety to such person or persons as shall sue or prosecute for the same: Provided always, That any such suit or prosecution, if the same be committed in *Newfoundland*, or in any other colony or settlement, shall be commenced within \_\_\_\_\_ calendar months; and if commenced in any of His Majesty's Courts at *Westminster*, within \_\_\_\_\_ calendar months from the time of the commission of such offence.