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ANNO REGNI
GEORGGII III.
 REGIS

Magnæ Britanniae, Franciæ, & Hiberniæ,

VICESIMO OCTAVO.

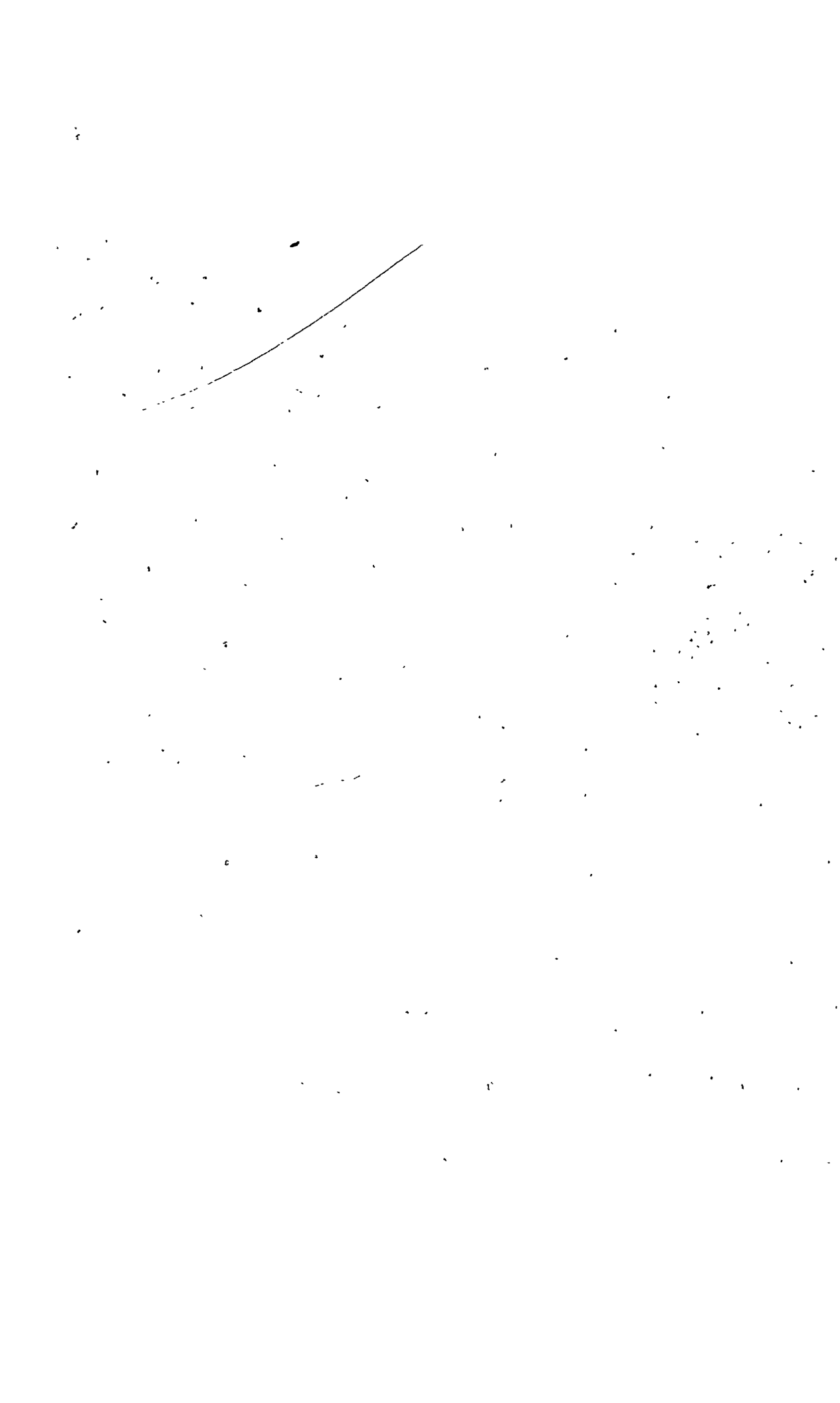
At the Parliament begun and holden at *Westminster*, the Eighteenth Day of *May Anno Domini 1784*, in the Twenty-fourth Year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

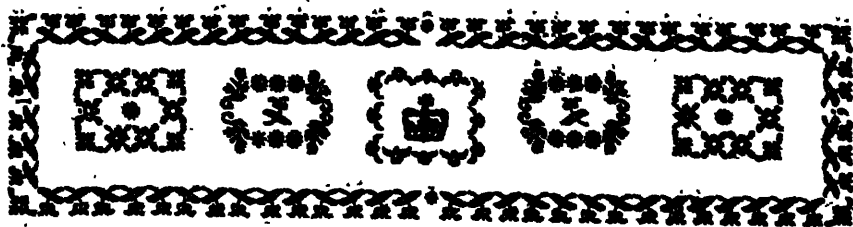
And from thence continued, by several Prorogations, to the Twenty-seventh Day of *November 1787*; being the Fifth Session of the Sixteenth Parliament of *Great Britain*.



L O N D O N :

Printed by **CHARLES EYRE** and **ANDREW STRAHAN**,
 Printers to the King's most Excellent Majesty. 1788.





ANNŌ VICĒSIMŌ OCTAVŌ

Georgii III. Regis.



C A P. XXXV.

An Act to enable His Majesty to make such Regulations as may be necessary to prevent the Inconvenience which might arise from the Competition of His Majesty's Subjects and those of the Most Christian King, in carrying on the Fishery on the Coasts of the Island of *Newfoundland*.



WHEREAS, by the Thirteenth Article of the Treaty concluded at Utrecht on the Fourth Day of April, New Style, in the Year of our Lord One thousand seven hundred and thirteen, between her late Majesty Queen Anne and the Most Christian King Louis the Fourteenth, it was, among other Things, agreed, That the Island called Newfoundland, with the adjacent Islands, should, from that Time forward, belong of Right wholly to Britain, and to that End the Town and Fortress of Placentia, and whatever

Preamble.
Treaty of
Utrecht re-
cited.

other Places in the said Island were in the Possession of the French, should be yielded and given up, within Seven Months from the Exchange of the Ratification of that Treaty, or sooner if possible, by the Most Christian King, to those who had a Commission from the Queen of Great Britain for that Purpose; nor should the Most Christian King, his Heirs or Successors, or any of their Subjects, at any Time thereafter, lay Claim to any Right to the said Island and Islands, or to any Part of them; moreover, it should not be lawful for the Subjects of France to fortify any Place, in the said Island of Newfoundland, or to erect any Buildings there, besides Stages made of Boards, and what necessary and useful for drying of Fish, or to resort to the said Island beyond the Time necessary for fishing and drying Fish: That it should be allowed to the Subjects of France to catch Fish, and to dry them on Land, on that Part only, and in none other besides that Part of the Island of Newfoundland, which stretches from the Place called Cape Bonavista, to the Northern Point of the said Island, and from thence running down by the Western Side, and reaches as far as the Place called Cape Riche: And whereas, by the fifth Article of the Treaty of Peace, concluded at Paris on the Tenth Day of February One thousand seven hundred and eighty-three, between his Majesty and the late Most Christian King Louis the fifteenth, and his Most Catholick Majesty, it was, among other Things, agreed, that the Subjects of France should have the Liberty of fishing and drying on a Part of the Coast of the Island of Newfoundland, such as is specified in the Thirteenth Article of the Treaty of Utrecht, which Article is confirmed and renewed by the present Treaty: And whereas, by the fifth Article of the Definitive Treaty of Peace, concluded at Versailles, between his Majesty and the Most Christian King, on the Third Day of September One thousand seven hundred and eighty-three, it was, among other Things, agreed, That his Majesty, the King of Great Britain, should be maintained in his Right to the Island of Newfoundland, and to the adjacent Islands, as the Whole were assured to him by the Thirteenth

Treaty of
Paris recited.

Treaty of
Versailles
recited.

teenth Article of the Treaty of Utrecht, excepting the Islands of Saint Pierre and Miquelon, which were ceded in full Right, by the said Treaty of the Third Day of September One thousand seven hundred and eighty-three, to His Most Christian Majesty; and that His Majesty, the Most Christian King, in order to prevent the Quarrels which had before then arisen between the Two Nations of England and France, consented to remove the Right of Fishing which belonged to Him in virtue of the aforesaid Article of the Treaty of Utrecht, from Cape Bonavista to Cape Saint John, situated on the Eastern Coast of Newfoundland, in fifty Degrees North Latitude, and His Majesty the King of Great Britain consented, on His Part, that the Fishery assigned to the Subjects of his Most Christian Majesty, beginning at the said Cape Saint John, passing to the North, and descending by the Western Coast of the Island of Newfoundland, should extend to the Place called Cape Rage, situate in forty-seven Degrees and fifty Minutes Latitude: The French Fishermen should enjoy the Fishery which was assigned to them by the said Article, as they had the Right to enjoy that which was assigned to them by the Treaty of Utrecht: And whereas, by a Declaration delivered by His Majesty's Ambassador Extraordinary to his Most Christian Majesty, bearing Date also on the said Third Day of September One thousand seven hundred and eighty-three, His Majesty engaged not only to insure the Execution of the last-mentioned Treaty with His known good Faith and Punctuality, but to give all possible Efficacy to such Principles as may prevent Dispute; and, that the Fishermen of the Two Nations may not give Cause for daily Quarrels, was pleased to engage that He would take the most positive Measures for preventing His Subjects from interrupting in any Manner, by their Competition, the Fishing of the French, during the temporary Exercise thereof which is granted to them upon the Coasts of the Island of Newfoundland, and that He would, for that Purpose, cause the permanent Settlements which should be formed there to be removed; and that He would give Orders that the French Fishermen should not be incom-

Declaration of
the French
King of Sept.
3, 1783, re-
cited.

moded in the cutting of Wood necessary for the Repair of their Scaffolds, Huts, and Fishing Boats; and that the Thirteenth Article of the Treaty of Utrecht, and the Method of carrying on the Fishery which had at all Times been acknowledged, should be the Plan upon which the Fishery should be carried on there, and that it should not be deviated from by either Party, the French Fishermen building only their Scaffolds, confining themselves to the Repair of their Fishing Vessels, and not wintering there; the Subjects of His Britannick Majesty, on their Part, not molesting in any Manner the French Fishermen during their Fishing, nor injuring their Scaffolds during their Absence: And whereas it is expedient, in Conformity to the Definitive Treaty of Peace and the Declaration aforesaid, that His Majesty's Subjects should be prevented from interrupting in any Manner, by their Competition, the aforesaid Fishery of the Subjects of his Most Christian Majesty, during the temporary Exercise thereof which is granted to them on the Coast of Newfoundland; and that all permanent Establishments on that Part of the Coast allotted to the French Fishermen should be removed; and that such Fishermen should be in no Manner molested, contrary to the Tenor of the said Treaty, and the good Faith thereof: In order, therefore, that His Majesty may be the better enabled to carry the said several Treaties and Declarations into faithful and punctual Execution, and to make such Regulations as may be expedient, respecting the Fishery, in the Manner herein-after mentioned, be it 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 it shall and may be lawful for His Majesty, His Heirs and Successors, by Advice of Council, from Time to Time, to give such Orders and Instructions to the Governor of Newfoundland, or to any Officer or Officers on that Station, as he or they shall deem proper and necessary to fulfil the Purposes of the Definitive Treaty and Declaration aforesaid; and, if it shall be necessary to that

His Majesty, by Advice of Council, may give such Orders to the Governor of Newfoundland, &c. as shall be deemed proper to fulfil the Purposes of the Treaty of Versailles, and

END, to give Orders and Instructions to the Governour, or other Officer or Officers aforesaid, to remove, or cause to be removed, any Stages, Flakes, Train Watts, or other Works whateber, for the Purpose of carrying on Fishery, erected by His Majesty's Subjects on that Part of the Coast of Newfoundland which lies between Cape Saint John, passing to the North, and descending by the Western Coast of the said Island to the Place called Cape Rage, and also all Ships, Vessels, and Boats, belonging to His Majesty's Subjects, which shall be found within the Limits aforesaid, and also, in case of Refusal to depart from within the Limits aforesaid, to compel any of His Majesty's Subjects to depart from thence; any Law, Usage, or Custom, to the contrary notwithstanding.

the Declaration of the French King, above recited.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall refuse, upon Requisition made by the Governour, or any Officer or Officers acting under him, in pursuance of His Majesty's Orders or Instructions as aforesaid, to depart from within the Limits aforesaid, or otherwise to conform to such Requisition and Directions as such Governour, or other Officer as aforesaid, shall make or give, for the Purposes aforesaid, every such Person or Persons so refusing, or otherwise offending against the same, shall forfeit the Sum of Two hundred Pounds, to be recovered in the Court of Session, or Court of Vice Admiralty in the said Island of Newfoundland, 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 every such Suit or Prosecution, if the same be commenced in Newfoundland, shall be commenced within Three Months, and if commenced in any of His Majesty's Courts of Record at Westminster, within Twelve Months, from the Time of the Commission of such Offence.

Persons refusing to conform to the Directions of the Governour, to forfeit 200*l*.

How Penalties are to be recovered and appl.ed.

Limitation of Suits.