

legislature essential for the protection of its trade. Her majesty's ministers are desirous to remove all ground of complaint on the part of the colonies, in consequence of the encroachment of the fishing vessels of the United States upon those waters, from which they are excluded by the terms of the convention of 1818, and they therefore intend to despatch, as soon as possible, a small naval force of steamers, or other small vessels, to enforce the observance of that convention.

These vessels will, of course, be confined to the performance of the duties with which they are specially charged, and the commanders will be enjoined to exercise a careful discretion in the very delicate office of interfering with vessels belonging to foreign and friendly powers.

With regard to the question of promoting the fisheries of the British colonies by the means of bounties, her majesty's government, although desirous not to sanction any unnecessary deviation from that policy which regulates the commerce of this country, are still disinclined to prevent those colonies, by the interposition of imperial authority, and especially pending the negociations with the United States of America for the settlement of the principles on which the commerce with the British North American Colonies is hereafter to be carried on, from adopting the policy which they may deem most conducive to their own welfare and prosperity.

Entertaining these views, it is the intention of her majesty's government to advise the queen to give her assent to an act passed by the legislature of Prince Edward Island in the session of 1851, for the promotion of its deep sea fisheries, and they will be prepared to give favorable consideration to any acts for a similar purpose which may be passed by the legislatures of the other North American provinces.

I am, sir,

Your most obedient servant,

JOHN S. PAKINGTON.

The officer administering the government of Nova-Scotia.

No. 21.

Government house, Halifax, June 9th, 1852.

SIR—

The despatch No. 13, of the 27th May, which I had the honor to receive by the last mail, has been read with extreme satisfaction by myself and the members of the executive council.

The determination of her majesty's government to efficiently protect the North American fisheries, and to leave the colonial legislatures free to encourage them as may be deemed most judicious, will, I am assured, be received with universal satisfaction.

During the last session the legislature of this province made a very liberal provision for the protection of the coast fisheries. The government is prepared to co-operate with the imperial authorities to the full extent of its means; and on the arrival of his excellency Sir George Seymour, I shall, after consulting with him, make a further report on this very important subject.

I have, &c.,

(Signed)

JOHN BAZALGETTE,
Administrator.

The right honorable

Sir JOHN S. PAKINGTON, Bart., &c. &c. &c.

Government

Government house, Halifax, June 23, 1852.

SIR—

Your excellency is aware that for some years past the importance of protecting the reserved fishing grounds of North America, from unauthorised intrusion, has engaged the attention of the government and legislature of this province.

Of late this subject has assumed a degree of importance from the growth of our commercial marine, of which the produce of the fisheries form the staple export, and from the refusal of the American government, while its citizens annually swarm upon our reserved fishing grounds, to reciprocate the commercial privileges conferred by imperial legislation.

An agreement for mutual co-operation between the provinces, in the protection of our fishing privileges, was entered into by delegates from the three provinces, who met at Toronto in June last, of which I have the honor to enclose your excellency a copy.

During the last session of the legislature, and under the instruction of my predecessor, a very determined spirit was manifested, and very liberal provision was made to increase the force, which, under the provincial act 6, William 4, cap. 8, has from time to time, with the knowledge and sanction of her majesty's government, been employed in this service.

On assuming the government, I found this provision made, and as the season for preparation was short, I deemed it my duty, acting on the advice of the executive council, to give the necessary instructions for fitting out as many cutters as the sum voted would maintain.

These vessels were advertised for, prior to the receipt of Sir John Pakington's despatch of the 27th ultimo, announcing the determination of her majesty's government to employ an additional force of "steamers, or other small vessels" on the coasts of North America this season.

Though this announcement was received with extreme satisfaction by the council, it was still thought desirable that the provincial cruizers should be fitted out and commissioned.

They are—the brigantines '*Halifax*' and '*Belle*,' and the schooners '*Daring*' and '*Responsible*.'

These vessels are now ready for sea, and I have the honor to enclose to your excellency:

1st.—A copy of the commissions given to the commanders.

2nd.—Copy of their general instructions.

3rd.—Copy of an official letter from the provincial secretary conveying their sailing orders and defining the limits of their cruising ground.

I shall feel very much obliged to your excellency for any suggestions which may enable me to make these more complete, and I will most gladly avail myself of the aid of your excellency's more thorough acquaintance with the subject, and long professional experience.

The subject which the imperial and provincial government have in view, I take to be the same—efficient protection of a valuable national resource in spirit of firmness and prudence, which shall not endanger by any rash or ill advised act, the peace between two kindred and friendly nations.

I have, &c.

(Signed) JOHN BAZALGETTE, administrator.

His excellency vice admiral SIR G. F. SEYMOUR, &c. &c. &c.

[Enclosures with above.]

Province

PROVINCE OF NOVA-SCOTIA.

BY HIS HONOR,

COLONEL JOHN BAZALGETTE,

*Administrator of the government and commander in chief,
in and over her majesty's province of Nova-
Scotia and its dependencies, deputy quarter
master general to her majesty's forces serving in
the said province, &c. &c. &c.*

L. S.

J. BAZALGETTE.

To captain

By virtue of the authority in me vested, confiding in your ability and discretion, I do by these presents, by the advice of her majesty's executive council for this province, constitute and appoint you to be an officer for the protection of the fisheries, and for the prevention of smuggling, within three marine miles of any of the coasts, bays, creeks or harbors of the province, with full power to enforce, within those limits, a strict observance of the stipulations of the convention between his late majesty king William the fourth and the United States of America, bearing date the 20th day of October, A. D. 1818, and of the provisions of any act or acts of the imperial parliament, or of the legislature of this province in relation thereto. And I do further, for this purpose, appoint you to be the commander of the government schooner during pleasure.

Given under my hand and seal at arms at Halifax, this
23rd day of June, in the 16th year of her ma-
jesty's reign, A. D. 1852.

By his honor's command,

(Signed)

JOSEPH HOWE

[COPY.]

INSTRUCTIONS

For the commanders of the vessels employed by the government of Nova-Scotia for the protection of the fisheries.

1. To keep a correct log, and particularly as to every circumstance connected with the fishery, noting with as much accuracy as convenient, all foreign fishing vessels, tonnage, cargo, crew, and voyage.

2. When you find foreign vessels fishing, contrary to treaty, within three miles of the coast of Nova Scotia, you are to take means to secure and send them in for trial, with the necessary witnesses, when the infraction admits of clear proof.

3. The rights of fishery ceded to the United States, and retained by British subjects, depend on the convention of 1818, and the acts of this province, passed in 1836, and the 59th George 3rd, with copies of which you are furnished.

4. By the said convention the United States renounced forever any liberty previously enjoyed, to *take, dry, or cure* fish on or within three marine miles of any of the coasts, bays, creeks or harbors of her majesty's dominions in America, and such vessels are liable to seizure for *curing* fish within the limit aforesaid. Due caution must be observed not to interfere

interfere with vessels fishing at other places than the coast of Nova-Scotia, as the convention differs when treating with regard to the Labrador coast, Newfoundland, Bay of Fundy and Magdalen Islands.

5. If a vessel be found violating the treaty, and effect her escape, she is still liable to detention for trial during the same voyage.

6. All seizures must be placed in custody of the nearest convenient custom or excise collector, and information, with a statement of the facts, and the deposition of the master and three of the crew, be sent to the attorney general, through the provincial secretary.

7. When a vessel is found clearly infringing the treaty, compulsory means must be used, if necessary, to detain her for trial; but resort to force can only be justified after every other prudent effort has failed.

8. On capture, it will be prudent to take part of the foreign crew on board the cutter under your command, and place some of your own crew on board the foreign vessel, as a measure of precaution.

9. When any of her majesty's ships are met with in port, you should, when circumstances permit, go on board and confer with the naval commander, and receive any suggestions he may feel disposed to give, which do not conflict with your general instructions.

10. You will report your proceedings briefly in a letter to the provincial secretary whenever you enter a port where there is a post office, always noting where instructions will reach you by return of mail.

(Signed) H. BELL,
Chairman board of works.

Office of board of works, 26th June, 1852.

No. 294.

Provincial secretary's office, Halifax, June 23, 1852.

SIR—

I have it in command from the administrator of the government to transmit to you, herewith, a commission, authorizing you to prevent foreign encroachment on the provincial fishing grounds, together with copies of the imperial and provincial acts, the provisions of which you are thereby appointed to enforce for the protection of the fisheries of the province, and the prevention of illicit trade.

The privileges to which American fishermen are entitled, and your powers and duties as a seizing or as protecting officer, are clearly stated in the acts referred to.

Instructions for your guidance are also enclosed, by which, and the documents above stated, you will be careful to govern yourself, in every particular, with that cautious consideration and deliberate firmness so essentially required from the officer to whom such important and responsible duties are entrusted.

I have, &c.,

(Signed)

JOSEPH HOWE.

JAMES LAYBOLD, Esq.,

Commanding the provincial revenue cruiser "*Halifax*."

[A similar letter to the above, sent to PAUL CROWELL, Esq., commanding the provincial revenue cruiser "*Belle*," and also to PHILLIP DODD, Esq., commanding the provincial revenue cruiser "*Responsible*."]]

No. 25.

Government house, Halifax, June 24, 1852.

SIR—

Referring to your despatch, No. 13, of the 27th May, and to mine of the 9th inst., I have now the honor to transmit a copy of a despatch which I yesterday addressed to his excellency Sir George F. Seymour, with copies of several documents therein enclosed.

These papers will put her majesty's government in full possession of the measures taken by the government of Nova Scotia for the protection of the fisheries, and show how deep an interest is felt in the subject in this maritime portion of her majesty's dominions.

I have, &c.,

(Signed)

JOHN BAZALGETTE,
Administrator.

The right hon. Sir JOHN S. PAKINGTON, &c. &c. &c.

Cumberland, at Halifax, 30th June, 1852.

SIR—

I herewith enclose, for your honor's information, an extract of a letter I have this day received from lieutenant Kynaston, commanding the *Netley*, tender, reporting a prevalent practice of the United States fishermen of obtaining bait within the limits prescribed by the convention of 1818, at the Grand Manan, and near Digby, Nova Scotia.

Lieutenant Kynaston has seized one United States vessel, for fishing near the former Island, in infringement of the convention, and has sent her into St. John's for adjudication.

I have, &c.,

(Signed)

G. F. SEYMOUR,
Vice admiral and commander in chief.His honor lieut. colonel BAZALGETTE,
Administrator of the government, Halifax.

Extract from a report from lieutenant Kynaston, commanding her majesty's cutter Netley, to vice admiral Sir George F. Seymour. June 22d, 1852—sent from St. John's, N. B.

“There is another clause of the convention, which it appears for some time past has been subject to abuse, and in which some restriction may be found necessary.

“By the tenor of the 3rd, the fishermen of the United States are permitted to enter our ports for wood and water, for shelter, and for purpose of repair, but the act distinctly states for no other purpose whatsoever.”

“Now both at Digby, on the Nova Scotia side, and at Grand Manan, on the opposite, I find the Americans congregate in considerable numbers for bait, which they either procure by barter, or by helping themselves, while it appears that they stop the mouths of the inhabitants by the occasional introduction of exciseable goods. The basin of Digby not only abounds in secure nooks and corners, well fitted for carrying on such a traffic with impunity, but the collector tells me that he has not so much as a boat to keep transgressors in check.”

Cumberland,

Cumberland, at Halifax, 1st July, 1852.

SIR—

Having received your letter of the 23d ultimo, enclosing copies of instructions intended for the commanders of the vessels employed by the colonial government for the important object of protecting the fisheries on the coast of Nova Scotia from foreign encroachment, and in which you requested me to offer any suggestions which may enable you to make the instructions more complete, I now do myself the honor of adding some observations to those which I have had personal opportunity of offering for your consideration.

I am well aware of the value of the object to which they refer, and in any remarks which I have already offered, or now do offer, I beg you will believe that I am actuated by a hearty desire that the instructions and conduct of her majesty's vessels and those employed by the colony, should equally conduce to its accomplishment.

In the interview which took place at the government house on the 26th June, when the attorney general, the provincial secretary, and the hon. Mr. Bell, chairman of the board of works, were present, I had an opportunity of urging that the instructions to the provincial vessels and those of her majesty's ships employed on the same service, which enjoin moderation as well as firmness, should be in corresponding language and spirit; and as my observations were received and noted with the utmost attention, I do not consider it necessary to repeat the recommendations I offered on that part of the subject.

I stated at the time the opinion I entertained that the number of men assigned to the vessels was insufficient. The complement appears to have been dependant upon the sum granted by the legislature, and it was intimated that as her majesty's government had now stated their determination to provide additional means for the protection of the fisheries, a smaller number of provincial vessels might be applied, and those better manned and equipped.

With that view I undertook, if the transfer of one or two of the vessels could be arranged, to hire them for her majesty's service for the same object, and manned from the flag ship; and on the 29th ultimo I signified my readiness to employ the brigantine "Halifax" if the government thought fit.

This proposal has not been carried into effect, as it was out of my power to assign the master, as it was proposed, if employed as a pilot in her majesty's service, the same proportion of the produce of any seizures to which he will be entitled under the appointment he holds from the colonial government,—her majesty's order in council and proclamation of the 30th July, 1849, prescribing the scale of distribution in such cases among the officers and crews of her majesty's ships.

Having, whilst the proposed transfer was in abeyance, visited the three vessels, Halifax, Belle, and Responsible, which have been engaged by the colonial government, I consider it my duty to state my opinion of the insufficiency of their general equipment, when applied to control encroachment on the part of foreign fishing vessels said to be well fitted, and to be manned in many instances by a greater number of seamen than those engaged for the provincial vessels (15), which I consider about one half what is requisite; at present they are only equipped and manned as the merchant vessels employed on the coast, and were then armed with a few muskets—though it is proposed, as I understand, to procure a piece of ordnance for each vessel.

It is not unworthy of remark, that the crews of the American fishing vessels are frequently on shares, and that the crews of the protecting vessels, under the existing colonial law which assigns the penalty to the seizing officer, have not the personal interest in the seizure which the crews of the vessels encroaching have in defending their property.

I should therefore recommend that, as opportunities offer, means be taken to man the vessels more suitably for the important duties they have to perform, for if their present weakness should induce resistance, circumstances effecting the public honor and interest

might

might occur, and the task of future protection by the vessels employed on the colonial service would be rendered more difficult.

I have, &c.

(Signed)

G. F. SEYMOUR,

Vice admiral and commander in chief.

His honor COLONEL BAZALGETTE, administrator of the government, Halifax.

Government house, Halifax, July 2, 1852.

SIR—

I have had the honor to receive, and beg to thank your excellency for, your letter of yesterday's date.

I herewith enclose, for your excellency's information, as also to meet the object expressed in your letter, a copy of the amended instructions given to the commanders of the provincial cruizers, which you will find to embody all the suggestions you were kind enough to offer at the interview to which you refer.

I am not without the hope, as the season approaches when the mackarel fishers from the United States congregate in the Gulf of St. Lawrence, that it may be in my power so to strengthen the crews of the provincial vessels, as to render any unlawful attempt of trespass to resist their authority abortive.

I have, &c.

(Signed)

JOHN BAZALGETTE, administrator.

His excellency Sir GEORGE F. SEYMOUR, vice admiral, &c. &c. &c.

Government house, Halifax, July 7, 1852.

MY LORD—

I have the honor to report that this government, acting in the spirit of the memorandum signed at Toronto, on the 21st June, 1851, but going far beyond its requirements, has fitted out four vessels for the protection of the fisheries during the present season.

I transmit copies: 1st—of the commissions issued to the commanders. 2nd—of the instructions given to them. 3rd—of their sailing orders. 4th—of an official letter, which I have deemed it but prudent and respectful to address to his excellency the naval commander in chief.

I will be very much obliged to your lordship for any information which you may please to transmit, shewing the nature of the arrangements made by the government of Canada for the protection of the fisheries.

Your lordship will judge how far it may be proper to forward copies of this despatch, with its enclosures, to her majesty's minister at Washington.

I have, &c.

(Signed)

JOHN BAZALGETTE, administrator.

The right hon. Earl of ELGIN and KINCARDINE, &c.

[A similar letter has been sent to New Brunswick and Newfoundland.]

No. 27.

Government house, Halifax, July 8, 1852.

SIR—

On the 24th June I had the honor to report the steps taken by the provincial government for the protection of the fisheries.

I have now the honor to enclose a copy of the amended instructions, which, at the suggestions of vice admiral Sir George Seymour, have been issued to the captains of the cutters; those, a copy of which was forwarded in my despatch No. 25, having been cancelled.

I also beg to enclose a copy of a despatch, which the vice admiral did me the honor to address to me on the 1st of July, with a copy of my reply, and also a copy of a despatch addressed by me on the 7th of July to his excellency the governor general.

I trust that her majesty's government will perceive that in availing myself of the extensive knowledge and experience of Sir George Seymour, a sound discretion has been exercised; and that while the intentions of the legislature have been zealously carried out, due care has been taken to avoid any thing which might hazard the continuance of the friendly policy and mutual good understanding which at present exists between her majesty's government and that of the United States. 3

I have, &c.

(Signed) JOHN BAZALGETTE, administrator.

The right honorable Sir J. PAKINGTON, Bart. &c. &c. &c.

[COPY.]

Cumberland, at Halifax, July 12, 1852.

SIR—

I beg to acquaint you that I have considered it advisable to take the opinion of the attorney general of Nova Scotia, as to what extent it might be proper to obtain the authority of the governors of her majesty's colonies, to enable the commanders of her majesty's ships to carry fully into effect the act 59, Geo. 3, cap. 38, for the protection of the North American fisheries; and as Mr. Uniacke is of opinion that it would be prudent to have the authority of the governors to enforce the latter part of the 4th section of the said act, as regards foreign vessels, who persist, after due warning, in remaining in, or returning to, any port or harbor in the respective colonies, under circumstances not authorized by the convention of 1818. 4

I have therefore the honor to request you to give commander Colin York Campbell, of her majesty's steam ship Devastation, a commission of the peace, which it has been recommended by the queen's commissioner for negotiating with the French government on the Newfoundland fisheries, to confer on the senior naval officer employed near Belleisle; and I consider the officer stationed in the Gulf of St. Lawrence would also be more useful in preventing irregularities, and in being enabled fully to carry into effect the 4th clause of the act 59, Geo. 3, if he had that advantage.

I have, &c.,

(Signed)

G. F. SEYMOUR,
Vice admiral and commander in chief.

His honor colonel BAZALGETTE, &c. &c. &c.

Government house, Halifax, July 13, 1852.

Sir—

I have had the honor to receive your letter of the 12th inst., and in reply beg to acquaint you that I have given directions that a commission shall be immediately prepared as you desire, for commander Campbell, of her majesty's ship *Devastation*, and that the same shall be forwarded in accordance with your wish.

I have, &c.

(Signed) JOHN BAZALGETTE, administrator.

His excellency vice admiral SIR G. F. SEYMOUR, &c. &c. &c.

PROVINCE OF NOVA SCOTIA.

L. S.
J. BAZALGETTE.

VICTORIA, by the grace of God, of the united kingdom of Great Britain and Ireland, QUEEN, defender of the faith, and of the united church of England and Ireland, on earth the supreme head.

To COLIN YORK CAMPBELL, ESQUIRE,

COMMANDER OF HER MAJESTY'S STEAM SLOOP "DEVASTATION," NOW ON THE
BRITISH NORTH AMERICAN STATION.

Greeting:

KNOW YE, that we have assigned, constituted and appointed, and do, by these presents, assign, constitute and appoint you, the said Colin York Campbell, to be, during pleasure, one of our justices to keep the peace in our province of Nova Scotia, and to keep, and cause to be kept, all the statutes for the good of the peace and for the preservation of the same, and for the quiet rule and government of our people, according to the force, form and effect of such statutes, and to chastise and punish all persons that offend against the form of those statutes, and to cause to come before you all those who to any one or more of our people, concerning their bodies, or the firing their houses, or destroying or injuring their goods, have used threats, and to require them to find sufficient security for the keeping of the peace, or for their good behaviour towards us and our people; and if they shall refuse to find such security, then them in our prisons until they shall find such security to cause to be safely kept. We have also assigned you to exercise within and for the said province, all other the powers and authorities which, by law, do or may appertain to the office of one of our justices of the peace for the said province. And more especially we do, by these presents, authorize and empower you to execute, and carry into effect, all or any the provisions of the imperial act 9, Geo. 3, cap. 38, passed on the 14th day of June, A. D., 1819, entitled, "an act to enable his majesty to make regulations with respect to the taking and curing fish on 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," and of the provincial statutes of Nova Scotia, in relation to the fisheries. And we do hereby command and enjoin all our sheriffs, magistrates, officers, constables, and other our faithful subjects in the said province, if required, to be vigilant in aiding and assisting you in the premises, for the better carrying into effect the provisions

provisions of the before mentioned statutes. In witness whereof we have caused these presents to be made patent, and the great seal of our said province to be hereunto affixed.

WITNESS his honor colonel John Bazalgette, administrator of the government of our said province, at Halifax, this twelfth day of July, A. D. 1852, and in the sixteenth year of our reign.

By his honor's command,

W. H. KEATING, D. S.

Government house, Halifax, July 30, 1852.

Mr LORD—

I have the honor to enclose a copy of a despatch which I have deemed it my duty to address this day to his excellency, her majesty's minister at Washington, with a copy of the return by which that despatch was accompanied.

I have, &c.,
(Signed)

JOHN BAZALGETTE,
Administrator.

The right honorable

Sir JOHN S. PAKINGTON, Bart., &c. &c. &c.

Government house, Halifax, July 30, 1852.

Mr LORD—

I have the honor to enclose a copy of a despatch, which I have deemed it my duty to address this day to his excellency, her majesty's minister at Washington, with a copy of the return by which that despatch was accompanied.

I trust that your lordship will see in the importance of the return itself, a sufficient reason for its direct transmission without my having first communicated with your lordship.

I have, &c.

(Signed)

JOHN BAZALGETTE,
Administrator.

His excellency the GOVERNOR GENERAL.

Provincial secretary's office, Halifax, July 27, 1852.

Sir—

I am commanded by the administrator of the government to request that you will transmit to me, for his honor's information, a return of all American vessels seized for violation of the convention of 1818, between the governments of Great Britain and the United States of America, with the dates of seizure and condemnation or release, as far as relates to this province.

I have, &c.

(Signed)

JOSEPH HOWE.

SCOTT TREMAIN, esquire, registrar court of vice admiralty.

Copy.

[COPY.]

Government house, Halifax, July 30th, 1852.

SIR—

Having observed that many speakers in congress and writers in the United States newspapers, assume that the rights which British subjects claim over the reserved fishing grounds of North America, have never, until recently, been claimed or exercised, I have the honor to enclose for your excellency's information, an official return, taken from the records of the court of vice admiralty, by which it will appear that twenty-eight vessels have been seized and libelled in that court since 1838, and that scarcely a year has elapsed without the rights now more vigilantly guarded, having been asserted in the most public and decided manner.

I have, &c.

(Signed) JOHN BAZALGETTE, administrator.

His excellency JOHN F. CRAMPTON, Washington.

Registry of the court of vice admiralty at Halifax.

SIR—

I have the honor to enclose herewith, for the information of his excellency the lieutenant-governor, a return of the vessels prosecuted in this court, belonging to American citizens, and seized for fishing, or preparing to fish, in British waters, from 1817 to 1821, both inclusive. Also a return of the number of American vessels seized for violation of the convention made between the government of Great Britain and the United States of America, in the year 1818, and prosecuted in this court, with the dates of their seizure and condemnation or restoration. Amongst the papers in the cases of the Betsy and Polly, is a notice endorsed on the fishing licenses of these vessels, of which I beg permission to enclose a copy.

I have the honor to be,

Sir,

Your obedient servant,

SCOTT TREMAIN, registrar.

To the honorable JOSEPH HOWE, provincial secretary, &c. &c. &c.

Court

COURT OF VICE ADMIRALTY AT HALIFAX.

A return of American vessels seized and prosecuted in this court, for fishing, or preparing to fish, within British waters, from 1817 to 1821. Also a return of the number of American vessels seized for violation of the convention made between the governments of Great Britain and the United States of America, in the year 1818, and prosecuted in this court, with the dates of their seizure and condemnation or restoration.

Name of vessel.	Date of seizure.	Condemnation or restoration.
Schr. John, [seized by H. M. S. Dee, at Ragged Island,]	5th June, 1817.	Restored.
General Jackson,	" " "	"
Isabella,	" " "	"
Enterprise,	" " "	"
Exchange,	" " "	"
Defiance,	" " "	"
Lucy,	" " "	"
Welcome Return,	" " "	"
Superb,	" " "	"
Random,	" " "	"
Native,	" " "	"
Rising Sun,	7th " "	"
Jefferson,	" " "	"
Oliver Cromwell,	" " "	"
Nine Sisters,	" " "	"
Rambler,	" " "	"
Violet,	" " "	"
Fox,	16th " "	"
Boat Hake,	" " "	"
Prudence,	" " "	"
Sally,	28th " "	"
Raven,	8th July, 1818.	24th August, 1818.
Nabby, [seized by H. M. S. Belette, off Pope's Harbour, coast of Nova Scotia, claimed, defence put in,]	28th July, 1818.	24th August, 1818.
Washington, [seized by H. M. S. Saracen,]		24th August, 1818.
Betsy, [seized and sent into Halifax,]	August, "	Restored.

Indorsement on schooner Betsy's fishery license before mentioned.

It is hereby notified, that it is the earnest desire of rear admiral Sir David Milne, commander in chief of his majesty's ships and vessels in North America, and in the lakes of Canada, in endeavouring to preserve the maritime rights of his majesty from infringement, to avoid, as much as possible, subjecting the vessels and people of the United States of America engaged in the fisheries to any loss or interruption which they have made themselves liable as to the just rights which belong to the maritime dominions of his majesty in North America. You are therefore allowed to pursue your voyage without further detention, taking notice, however, that if you are again found trespassing on his majesty's rights you cannot expect to receive further indulgences; and you are requested to notify to the vessels of your nation, as far as in your power, to avoid interfering with these fisheries, which

which exclusively appertain to his majesty's subjects, as they will be hereafter proceeded against as the law directs. Given under my hand at Halifax, 58 year of H. M. reign, 1818.

(Signed) DAVID MILNE,
Commander in chief.

Name of vessel.	Date of seizure.	Condemnation or restoration.
Schr. Polly, [seized on south side Bay of Fundy.] N. B.—Similar indorsement to above on the "Polly's" license,	June, 1821.	
Nancy,	27th May, 1821.	22nd August, 1821.
Rising States, [seized at Gulliver's Hole, Bay of Fundy,]	26th May, 1821.	" " "
Golden Rule, [seized by government brig Chebucto,]	1st July, 1821.	Restored.
Milo, [seized at Gulliver's Hole, Bay of Fundy, by H. M. S. Bellette,]	27th May, 1821.	21st August, 1821.
Caroline, [claimed,]	9th June, 1821.	Restored.
White Oak,		21st August, 1821.
Hero,	1st June, 1838.	28th Jany. 1839.
Combine,	1st Novr., 1838.	28th Jany. 1839.
Shetland,	4th June, 1839.	8th July, 1839.
Java,	May, 1839.	5th August, 1839.
Independence,	26th May, 1839.	5th August, 1839.
Magniola,	25th May, 1839.	5th August, 1839.
Hart,	May, 1839.	5th August, 1839.
Battelle,	June, 1839.	8th July, 1839.
Hyder Alley,	14th June, 1839.	8th July, 1839.
Eliza,	14th June, 1839.	8th July, 1839.
May Flower,	June, 1839.	Restored.
Papineau,	2nd June, 1840.	10th July, 1840.
Mary,	2nd June, 1840.	10th July, 1840.
Alms,	11th Sept., 1840.	8th Decr. 1840.
Director,	18th Sept., 1840.	8th Decr. 1840.
Ocean,	1st Octr., 1840.	8th Decr. 1840.
Pioneer,	6th May, 1841.	18th August, 1841.
Two Friends,	20th May, 1841.	Restored.
Mars,	20th Sept., 1841.	2nd Novr. 1841.
Egret,	20th Sept., 1841.	2nd Novr. 1841.
Warrior,	13th Octr., 1841.	9th Novr. 1841.
Hope,	13th Octr., 1841.	Restored.
May Flower,	13th Octr., 1841.	7th Decr. 1841.
Washington,	7th May, 1843.	1st August, 1843.
Hyades,	10th May, 1848.	5th Septr. 1848.
Leonidas,	11th May, 1849.	29th June, 1849.
Harp,	15th Septr., 1850.	28th Jany. 1851.
Tiber,	29th Octr., 1851.	

SCOTT TREMAIN, registrar.

Dated August 12, 1852.

Registry

REGISTRY OF THE COURT OF VICE ADMIRALTY AT HALIFAX.

Abstract shewing the places at which the respective American vessels herein mentioned were seized for infraction of fishing laws, taken from affidavits and examinations on file in this court.

Name of vessel.	Date of seizure.	Where seized.
Schr. John,	5th June, 1817.	} These vessels were seized while at anchor in Ragged Island harbor.
General Jackson,	" " "	
Isabella,	" " "	
Enterprise,	" " "	
Exchange,	" " "	
Lucy,	" " "	
Welcome Return,	" " "	
Superb,	" " "	
Random,	" " "	
Defiance,	" " "	Seized at the entrance of Ragged Island harbor.
Native,	" " "	Seized at Cape Negro.
Rising Sun,	7th " "	} Seized at the mouth of Cape Negro harbor.
Jefferson,	" " "	
Oliver Cromwell,	" " "	Seized while at anchor under C. Negro, about one and a half miles from land.
Nine Sisters,	" " "	Seized at Cape Negro harbor.
Rambler,	" " "	Seized going out of C. Negro harbor.
Violet,	" " "	Seized in Cape Negro harbor.
Fox,	16th " "	In the basin of Annapolis, lying to under a foresail.
Boat Hake,	" " "	At Gut of Annapolis, within half a mile of the land.
Prudence,	" " "	} Seized in the Bay of Fundy, one mile distant from Trout Cove.
Sally,	28th " "	
Raven,	8th July, 1818.	In Mackarel Cove, Beaver Island, lying at anchor.
Nabby,	28th July, 1818.	Off Pope's harbor.
Washington,	" " "	} In Liscomb harbor.
Betsey,	Aug. "	
Polly,	June, 1821.	} At Gulliver's Hole, Bay of Fundy.
Nancy,	27th May, 1821.	
Rising States,	26th May, 1821.	
Golden Rule,	1st July, 1821.	
Milo,	27th May, 1821.	
Caroline,	9th June, 1821.	
Hero,	1st June, 1838.	
Combine,	1st Novr. 1838.	At Turney's Cove, in the Gut of Canso. Whilst under sail at the distance of about three quarters of a mile from the western shore, Gut of Canso.
Shetland,	4th June, 1839.	Yankee Harbor, White Head.
Java,	May, 1839.	At the north-east harbor of Tusket, for fishing off Tusket harbor.

Name

Name of vessel.	Date of seizure.	Where seized.
Schr. Independence,	26th May, 1839,	Fishing at Tuskent Island,
Magniola,	25th May, 1839,	} At Tuskent Harbor.
Hart,	May, 1839,	
Battelle,	June, 1839,	} At Beaver Island, for setting nets at Strait of Canso.
Hyder Ally,	14th June, 1839,	
Eliza,	14th June, 1839,	} At Ellenwood Harbor, Tuskent Island, for fishing abreast of Friar Head, within a line drawn from Margurite Island to Cheticamp Point.
Mayflower,	June, 1839,	
Papineau,	2d June, 1840,	} Abreast of Friar Head or Point near Margaree, in Cape Breton, within the headland of Cheticamp, within two miles of the coast.
Mary,	2d June, 1840,	
Director,	18th Sept. 1840,	} Within one mile distance from the shore of Inverness, Cape Breton.
Ocean,	1st Octr. 1840,	
Alms,	11th Sept. 1840,	} Between Petite Passage and Sandy Cove. One mile off Yankee Harbor, county of Guysboro'.
Pioneer,	6th May, 1841,	
Two Friends,	20th May, 1841,	} Off Margaree Island, one mile from shore.
Mars,	20th Sept. 1841,	
Egret,	20th Sept. 1841,	} Off north side Sable Island.
Warrior,	13th Octr. 1841,	
Hope,	13th Octr. 1841,	} Within Margaree Island, Cape Breton.
Mayflower,	13th Octr. 1841,	
Washington,	7th May, 1843,	} Whilst at anchor in the Bay of Fundy, about five or six miles from the land. Off Cape Ann, eight miles from shore.
✓ Argus*	6th Aug. 1844, (Condemned 5th Nov. 1844,)	
Hyades,	10th May, 1848,	} In the Bay of Fundy, off Gulliver's Hole. At the mouth of Liscomb Harbour.
Leonidas,	11th May, 1849,	
Harp,	15th Sept. 1850,	} Within Margaree Island.
Tiber,	29th Octr. 1851,	
		} About one and half miles off Coast of Cape Breton.

* The following abstract is copied from an affidavit made by Philip S. Dodd, seizer, dated 19th August, 1844.

“ And the deponent saith, that he is now in charge of the schooner ‘ Sylph,’ employed by the government of this province for the protection of the trade of the province, and for the prevention of illicit trade. And the deponent saith, that on Tuesday, the sixth day of August instant, when the deponent was proceeding round the said island in the said vessel, in discharge of his duty as seizer officer under the said commission, he saw a vessel at anchor and engaged in fishing off St. Ann’s Bay—that deponent made for and hailed the vessel, and directed the master to send his boat on board, which was accordingly done—that when the deponent hailed the said vessel she was lying at anchor and actually engaged in taking fish, there being several lines over the vessel’s side, and fish were hauled in after he hailed—that the master of the said vessel then came on board the Sylph in his own boat, when the deponent ascertained that the said vessel was an American fishing vessel, called the Argus, of about forty or fifty tons burthen, of and belonging to Portland, in the
state

state of Maine, in the United States of America, and that the master's name was William Doughty—and the deponent saith, that when the master had boarded the Sylph and the deponent had ascertained the character of the vessel, the deponent pointed out to him the headlands of Cape North and Cow Bay, and informed him that he was fishing on grounds prohibited by the said treaty—and the deponent saith, that the said master freely admitted that the place where he was then fishing was inside of a line drawn from the headlands of Cape North and Cow Bay—and the deponent saith, that he informed the said master that his vessel and cargo were liable to seizure, and that deponent accordingly seized the said vessel, her tackle, apparel, furniture, and cargo, for an infringement of the said treaty—and the deponent saith, that the place where the said vessel was at anchor and fishing, when deponent seized her, was off St. Ann's Bay, on the eastern coast of the island of Cape Breton, about eight miles from the nearest land, but at least two miles within the headlands of Cape North and Cow Bay."

SCOTT TREMAIN, Regr. C. V. A.

CAPT. CAMPBELL'S REPORT.

[COPY.]

H. M. S. S. Devastation, Halifax, 10th November, 1852.

SIR—

I have the honor to state that having, in pursuance of your orders, arrived in the Gulf of Saint Lawrence, for the protection of British fisheries, on the 20th May, I visited the principal fishing stations along the coast, from time to time, and beg to forward a report of my observations while on that service.

Up to the middle of July there was no encroachment by the Americans on the fishing grounds. The cause is, that the inducement does not present itself till the commencement of the mackerel fishing, about that time, when they arrive in great numbers.

There is no part of the Gulf where fish of all kind abound more than on the shores of Prince Edward's Island; it is however extraordinary, but no less true, that during the summer months a vessel may, in fine weather, pass along the whole shore without seeing twenty boats, until arriving off the North Point, where a considerable fishery has lately been established at Tignish, a well chosen station, for, having boats on each side of the point, they can even in strong winds have shelter on either side, and have this year succeeded well.

It is to be hoped that this will be an encouragement for enterprize on other parts of the coast, for it is indeed to be lamented that so much wealth should be lost to the Island. True it is that from position and soil, Prince Edward's Island may be termed the garden of North America, and that the people are chiefly engaged in agricultural pursuits, but having the one advantage, they seem to overlook the additional, and certainly the greater one, of a coast teeming with fish, an advantage which, in less favoured lands, is counterbalanced by a sterile and unfruitful soil.

If appreciated sufficiently to rouse exertion, the wealth of the Island, through its fisheries, might be great. This would immediately provide a circulation of money now so much required.

During July, when the mackarel strike in, the Americans arrive in their very fine schooners in pursuit of them. The fish are only to be taken close along shore, so that if they do not encroach they must be unsuccessful. In former years I am assured these vessels have been in the habit of taking away two, and sometimes three cargoes from the Gulf, and from the 1st August to the 7th October, in fine weather, you cannot run the North Shore down without seeing 100 United States fishery vessels, sometimes 150, which carry, on an average, 500 barrels, worth, say at least £2 sterling per barrel; supposing that only

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only 100 vessels fill up once, the smallest possible estimate of the value taken away annually, from the coast of that island alone, is £100,000 sterling. The mackerel, as the season advances, are both more numerous and of finer quality, indeed the spring fish are very poor, and it would add greatly to the value of the fisheries if they were not taken early.

Nature has provided that at this their spawning season, they do not readily take bait, but from seining and other means adopted by the Americans, if it had not been checked, the fish would have been exterminated in a few years, while the protection of the coast this year will, in all probability, cause a great increase in future seasons.

The water already abounds with small mackerel about three inches long; this, I am told, has not occurred before to any extent, and is imputed to the protection of the spawning fish during spring.

It seems to be a clearly established fact, that not only is the mackerel valuable in itself, but, where that fish is plentiful, the cod is also so.

Proceeding north from Prince Edward's Island, the Bay of Chaleur is the next important fishing ground; at its mouth, on the south side, is the island of Miscou, where there are two considerable fishing establishments connected with Jersey houses. On Shippigan Island up the bay, on the same side, are also several establishments. Again, higher on the main land, is Caraquette, from which there are 150 boats; the people are all of French extraction and speak the language; they sell their fish to the Jersey merchants, of whom they loudly complain in summer for grinding them down as to prices, but in winter are often kept from starvation by advances from these houses; they appear to be a most improvident and thoughtless people.

These islands, Miscou, Shippegan and the main land, form a bay of great extent. The water is shallow, and from being land-locked is usually very smooth. This is a very favorite spawning ground for the mackerel in spring, but the Americans have in former years flocked in after them, capturing them in incredible numbers.

The offal, thrown over while cleaning the mackerel, has had a most injurious effect on the cod fishing, for as I before remarked the large number of mackerel would insure a good cod fishing, were it not that they are fed in this way, and prevented from taking bait, so that what would, if the treaty be observed, be a certainty of success to the British fishermen, has thus been made the cause of failure.

It is highly essential that this ground should (in spring and the early part of summer especially) be rigidly protected, not only on account of its great local importance, but, if the mouth of Chaleur Bay is protected, it is all protected.

Crossing Chaleur Bay there is a considerable fishery carried on at Port Daniel, by a race peculiar to that place. They are descended from some French settlers who attached themselves to Indian women; they are very indolent and improvident, and could not succeed if the fisheries were ever so productive; they also find a market in the Jersey houses.

Higher up, at Paspebiac, are the large fishing establishments of Messrs. Robin & Co., and Messrs. Le Boutillier, of Jersey, whose vessels, amounting to about 2,500 or 3,000 tons, assemble in early spring, moor, and dismantle. The crews are then dispersed among the fishing boats and curing establishments till the autumn, when they return to their vessels, load, fit them out, and proceed to the Mediterranean and South American ports.

The cod fishery at Paspebiac has been as good as in former years, and for the first time for many seasons the mackerel have appeared; for although from the number of American schooners which infested their coast formerly, the people were aware the mackerel were there, they never were permitted to see them close to the shore.

This change gives them great hope for the future, for they attribute all their want of success of late years to the Americans taking the mackerel, and especially to their cleaning them in their waters. Few, however, of the intruders have entered the Bay this season, and if they can be kept out in future, great results are expected.

The next, and by far the most important fishing establishments, are at Perce', Point St. Peter, and Gaspé Bay, chiefly connected with Jersey houses. They have been this season

more successful, with fewer men employed, than for many years past, and attribute it to the Americans having been kept off completely by a boat from this sloop, which for the whole season was stationed at Point St. Peter by your orders. So effectually was the duty performed by this boat that I am assured scarcely an American vessel encroached within the limits between Percé and Cape Gaspé.

To the attention, energy and zeal of Mr. Jenkins, mate of this sloop, the service is alone indebted for the very satisfactory performance of this important duty, as well as for the creditable and steady behaviour of the boat's crew, of whom there was not a single complaint during the whole season.

I would respectfully suggest the expediency of stationing a boat at that Point each season, as from it, in clear weather, the officer can see a great extent of the most important fishing ground in the Gulf.

A great number of the fishermen employed on this part of the coast are from Quebec, but much time is lost in consequence of their not arriving early enough in the season. In Chaleur Bay, as far north as Gaspé, the fishery is exclusively carried on in open boats.

Round the shores of Anticosti, codfish are very numerous; but from the want of harbors, even for boats, the pursuit of them would be hazardous. There is, however, at the S. W. light house, a fine harbor for boats, and a fishery might be established there without difficulty and with great advantage. On two occasions while the sloop was hove to off there, the ship's company were most successful, catching great quantities of cod, even when under the disadvantage of having no proper bait.

Along the coast of Labrador, between the Bay of Seven Islands and Cape Whittle, there are no fishing establishments; but, in former years, the Americans were in the habit of frequenting Seven Islands very much. They, last year, mustering 100 sail of vessels, committed excesses in stealing, and destroying wood, the property of the Hudson's Bay company's agent, the only European resident there. This year, however, only seven or eight vessels have appeared, and they only for a few days. The "Arrow," hired tender, was fortunately there on their arrival, and on removing her to the Bay of Chaleur, I was enabled, in consequence of the cordial co-operation of the Canadian armed brigantine "Alliance," to keep that coast perfectly protected.

Seven Islands is an excellent harbor, and as, during the early part of the summer, mackarel abound within the shelter of that beautiful bay, it will be a valuable rendezvous for the British fishing vessels in future seasons, but they do not appear yet to frequent it. A boat's crew would be sufficient to prevent their being molested.

The cod fishery is good along this coast, but as the country is not inhabited it is only followed by a few small vessels from the neighboring provinces and the Magdalen Islands.

The harbor of Mingan is a very excellent one, and the fisheries in the neighborhood would, if followed up, be very valuable, while the great number of Islands would be most advantageous for shelter.

Round the Magdalen Islands the fisheries have been very productive in former years, and the people are quite dependent on them. The herring and mackarel fishing commences here in June, and the Americans begin to arrive at this time. A considerable number of vessels also arrive from the British provinces, and as the fishing is all carried on by nets in spring, the number laid down is enormous, especially in Pleasant Bay. The fish at this time are making for the close neighborhood of the shore to spawn, and the people seem surprised that the fish is less productive every year, but it is only wonderful that any escape, and that they are not exterminated.

It would be greatly to the advantage of these Islands, and to that of the fisheries generally, if the spring fishing were confined by law to the ground fish (cod, &c.) and if the mackarel were only pursued during the fall of the year. By this means the fishery would revive, and a far greater quantity of fine fish would reward the labor than those of an inferior kind, now decreasing every year. The herring would still be required for a supply of bait, but they are not nearly so important for commercial purposes as the mackerel, and would be well bestowed in that way.

The people of the Islands do not generally complain of the Americans; on the contrary they

they seem to receive them much more warmly than the people from the provinces. This is easily accounted for; the Americans employ a number of them and pay them well, while they buy their little farm produce, and also their fish, and bring them articles free of duty. The people from the provinces, on the contrary, leave nothing and take much away.

These Islands seem much in want of some kind of government. At present, there is no law except that administered by a few magistrates, who are more acknowledged as such by sufferance than by right. If they require to enforce law they have no one to carry it into effect for the apprehension of criminals, (no one daring to act,) while, if they could arrest, there is no prison in the Islands. It does not seem expedient, where several conflicting interests annually meet, that this state of things should continue.

During the late season the people came to an agreement against seining on the shores of the Islands, but the magistrates appeared doubtful whether they could enforce even that very necessary regulation against the provincial and American vessels.

In Saint George's Bay, Newfoundland, the principal fishery is the herring, which commences towards the end of April, and lasts about three weeks, during which time this spring the vast quantity of 21,000 barrels were caught and cured. This great fishery has the effect of making the people careless as to any other, and indeed although the actual season lasts so short a time, the preparation for it is a work of considerable labour, for in many cases the people make their own barrels, and are employed for a long time after the "catch" in curing. It is a very fortunate provision that this fishery is at a season while the weather is yet cold, for if it were not so, advantage could not be taken of the great quantity caught in so short a period. I am informed that, by herring alone, an industrious man may realise from £50 to £70 sterling. The cod fishing is little followed here, and scarcely at all for exportation; a great many eels are caught for winter use. The salmon fishery had not been good this season, and it is never very productive. The law is very loosely administered, but, on my visit, every thing was quiet, and the people contented, in consequence, I presume, of a plentiful herring season. Agriculture is more followed here every year. The short duration of the lucrative fishery, as well as the season of the year at which it is followed, is favorable to this.

Throughout the Gulf, there is no fishery so valuable as that on the Cape Breton shore, especially between Wolf Island and Port Hood, from about the 1st October to the end of the season. At this time the mackerel being very numerous and of the finest quality, draw to a point nearly all the fishing vessels, both colonial and American. The latter this season have been very persevering in their efforts to evade the treaty, and have run great risks for the purpose. Immediately on arriving there I saw the necessity of placing a boat at Wolf Island, for taking advantage of the liberal interpretation of the treaty by the British government, the Americans were in the habit of anchoring, even in fine weather, for the night, close to the island, 100 sail at a time, and weighing the next morning, (if no cruiser was near) throwing their bait over and drifting off shore, keeping the fish attracted for a considerable distance, making the best of the opportunity that circumstances would admit, renewing this scheme each morning. A boat, however, from this sloop in charge of Mr. Jenkins, mate, at once put a stop to it, and shelter under the island was no longer sought to any extent by them. Finding themselves foiled by this and other boats the American flag disappeared almost entirely about the 20th October, being at least a month earlier than in former years; another proof, that to succeed, the treaty must be evaded. Full and free possession would at this time have been secured to the British colonial fishermen, which could not have failed to have been very lucrative, had it not been that a system of collusion and fraud was got up at some of the out-ports in Nova Scotia and Prince Edward's Island, by which American vessels were supplied with the British flag and papers, the latter in most instances disguised with ingenuity worthy of a better cause.

Having had so large a share in the execution of your orders in performing the duty of keeping the Americans off, under the United States flag, I considered it at least as imperatively my duty to prevent their assuming the British flag to cover their depredations. Having observed the number of vessels under English colors increase greatly in the course of a few days, and it being apparent from this, and other indications, that fraud to a great extent

extent was going on, I took advantage on the 13th, 14th, and 15th ultimo, of a large number of vessels anchoring in Port Hood, to examine their papers, generally an easy matter, and one (especially where British vessels are concerned) requiring a very short space of time.

On boarding the vessels, however, I found from the lax state of the administration of the customs laws in some of the provinces, that it was impossible to detect those really fraudulent, among so many which were sailing (perhaps through carelessness) contrary to law, and the weather at the time being very stormy, aggravated my difficulty. Under such circumstances when the weather cleared up on the 20th, having taken the description of each vessel, and the particulars of her illegal papers, I considered it right to release all except the "Creole," now in the vice admiralty court, Halifax, and two vessels without certificates of registry (afterwards released.)

I beg to annex a summary of the defects in the papers of the vessels detained, which will show the amount of difficulty I was involved in, and the cause of the length of detention. I consider it my duty to call your attention respectfully, but earnestly, to this abstract, which shows that fraud to an enormous extent is perpetrated, and that from the almost total disregard of the several acts of parliament for regulating the mercantile marine of Great Britain and the colonies, especially at the out-ports, it is carried on with comparative impunity, and that it must be so, till the correctness of the papers of vessels of real British ownership, enables an officer to detect fraud, which is impossible under existing circumstances.

I cannot close this part of my report without mentioning my reasons for dwelling so much on the mackerel fishery.

1st. That fishery is the only cause of foreign encroachment in the part of the Gulf in which her majesty's sloop has lately been stationed.

2nd. The mackerel affords the best bait to our fishermen, and while the Americans have encroached, not only have they been deprived of it, but the cod fisheries have been ruined by the offal thrown over on the ground.

3rd. The mackerel can alone be taken within the limit prescribed by the treaty, so that while the shore is protected, that fishery is a rich and exclusive privilege of the British colonist.

The preservation of the mackarel may therefore be considered the preservation of all the other fisheries.

It has been remarked, and with truth, that a number of the best colonial fishermen have hitherto preferred serving in United States vessels, and the reasons are obvious.

The United States' vessels have fished, although contrary to treaty, close to the shore for years, almost without hinderance, and their masters have now great experience. They are superior vessels for the purpose, the capital of the owners being generally larger, and the bait, an article of value, being more plentiful, the "catch" is greater. In each case the men are paid on what is called the half-hand system, that is, each man has half his own "catch," paying for his proportion of the bait used. The American vessel is more successful, therefore the fisherman goes to her and is paid in hard cash, the master buying his share, which is taken into market free of a heavy duty, which, if serving in a provincial vessel, he would have indirectly to pay.

The remedy is simple, viz: to keep the Americans off according to the treaty; the provincial vessel then becomes not only more, but alone successful, and it will be the interest of the experienced fisherman to return to his natural employer, in whose vessel he enjoys an exclusive privilege, more in value tenfold than the amount of duty which the United States' vessel frees him from.

To Great Britain, in connection with her North American colonies, this suggests an important consideration, for it cannot be desirable that so many young men should be employed in United States' vessels, and if they are, it cannot be supposed that their loyalty will not be shaken when they continually hear republicanism loudly applauded.

Again, it is obvious that if the British fisheries are protected, and a rich advantage

secured to the colonist, (though he be tainted by such pernicious intercourse,) he knows when he becomes a citizen that he loses it.

It is a matter of no consequence whether the United States fisherman comes in by treaty, contrary to treaty, or by the last means attempted, under false colors, if he does come in and take away the unbounded wealth which he has of late years been taking. The colonist feels that he has not the exclusive advantage which he ought to have, and thinks, as he has been heard to say, that, if not protected, he might as well have the advantage of a free United States market. The effect on the man who looks to self-interest only, is therefore clear; he does not gain by being a British subject, and has nothing to lose on becoming a citizen of the United States. In short, I respectfully submit that the protection of the fisheries forms the closest bond of union between Great Britain and North America. I have been deeply impressed with this opinion during my intercourse with the people, and feel it a duty to represent it.

Before concluding I beg leave to make a suggestion which I believe, if carried out, would not only be the most efficient but the most economical means of protecting the fisheries along the shores of the Gulf. The efficiency of boats has been proved in several instances during the late season, even to the extent of obliging the American vessels to give up attempting to fish near where a boat has been placed. The reason is that in light winds the mackerel vessels are most successful, and if at that time a boat is near, an encroaching vessel must be captured.

I would therefore suggest that from ten to twelve serviceable cutters, or large whale boats, should be stationed at different points along the shores of the Gulf. The proper position for such boats could be at once pointed out by any officer who has once been employed on the service; and I have no hesitation in stating my belief, that with 12 boats well manned and in charge of officers possessing energy and zeal, the Americans might be kept entirely off all the fishing grounds of that part of the Gulf on which the Devastation was lately stationed. A steam vessel would then alone be required to go round and relieve the sick and supply provisions.

It may be thought that boats would be resisted, but I do not conceive it would be so, for within the limits evidence of it would always be at hand, and the interest of the crew is not sufficient to induce them to run the risk, whatever that of the master may be.

If this plan were adopted the men should be steady, and it would be advisable that they should have a small gratuity at the end of the season, if their conduct deserved it.

Colonial grants would be well bestowed for this purpose.

Trusting that my experience during the last season, and the extreme importance with which I view the question of protection to the British fisheries, will be held to excuse my presuming to offer the remarks and suggestions contained in this letter,

I have, &c.,

(Signed) COLIN YORK CAMPBELL, commander.

His excellency vice admiral SIR GEORGE SEYMOUR, K.C.B., G.C.H., &c.

Light houses visited in the Gulf of Saint Lawrence during the summer.

SAINT PAUL'S ISLAND.

On the North Point is a very good fixed light, about 140 feet above the level of the sea, can be seen from the deck 21 miles from N. by E. to E. by N.

On the south end of the Island is a revolving light, which was seen 20 miles from the deck of this sloop, it is visible from West to S. by E. A bell is tolled at this light house by machinery in foggy weather.

Anticosti.

ANTICOSTI.

On the S. W. point is a revolving light 100 feet above the sea ; was seen 19 miles from the deck of this sloop. It is visible from N. N. W. round by West to S. E.

All these lights were found in good order.

(Signed) COLIN Y. CAMPBELL, commander.

Abstract of the state in which the papers of vessels under the British flag were found at Port Hood, between the 13th and 20th October, 1852, as referred to in Commander Campbell's report on the fisheries in the Gulf of Saint Lawrence.

Vessels with master's names not endorsed on certificate of registry—22.

Vessels without any name on their stern—5.

Vessels on the certificate of registry of which owners' names do not appear—2.

Vessels having the name of master different on certificate of registry and clearance—7.

Vessels without any fishing certificate or clearance—9.

Scarcely in one instance was the tonnage marked on main beam, in accordance with the act of parliament.

(Signed) COLIN Y. CAMPBELL,
Commander.

CAPTAIN DALY'S REPORT.

SIR—

From the various duties performed by the revenue schooner Daring, under my command, during the summer, I fear that the slight knowledge I obtained about the fisheries will not be of the character which the importance of the subject demands.

During the summer I visited many harbors on the south shore of the province, and did not see an American vessel in any of them, with the exception of one at Tusket Islands—the schooner Freeman, of Vinal Haven. That vessel came there direct from the United States, for the purpose of shipping men. I made every enquiry of the settlers in the harbors, and they all said that the American fishing vessels do not frequent the harbors as often as formerly, and that they never attempt to set nets, but will buy bait from the resident fishermen, who are always ready to supply them with that article, in exchange, I have no doubt, for American produce, with which those vessels are always well provided and over-stocked. I visited fifty sail of American fishing vessels in the latter part of August and beginning of September,—a list of which is annexed. I found them in great numbers about the Strait of Canso, particularly at McNair's Cove, Pirate Cove, and Plaster Cove,—while Ship Harbor, the only good and secure harbor in the Strait, is completely deserted by them, in consequence, I think, of its being the residence of the collector of excise ; they would not, therefore, be able to do there what I have been told is frequently done at the other places, such as landing cargoes of herrings caught at the Magdalen Islands, and again fit out for another voyage, without reporting to the collector or bonding their fish. I have also been told that freight is frequently landed from American fishing vessels, and, in most instances, without reporting their vessels ; I have found them taking on board empty barrels and salt without asking permission of the collector at Ship Harbor.

In

In fact the American fishermen have the sole control of the Strait of Canso, and do whatever they please. When their vessels have been boarded by me, although courteous and ready in their answers, they still show a great reluctance to move off when requested, and when they do move, it is generally from one cove to another; in that way they will spend many days, hovering about the Strait, thinking that thus they avoid the danger of being detained by the colonial revenue vessels. I only found one instance where the master refused to move, and that was after I had requested him to do so on three different days. I then gave him one hour to get underweigh; after which time I should detain him until the pleasure of the government could be known on the subject. The vessel was the schooner Lone Star, of Belfast, 90 tons, Carvel, master, with a crew of 14 men. H. M. brig Sappho, commander Cochrane, being at the time in the Strait, I waited on him, and explained to him the step I was about to take; he fully agreed with me, and very kindly offered any assistance I might require with men or boats. On my return to McNair's Cove, the vessel had sailed. At another time I boarded the schooner Leonard McKenzie, of Gloucester, 97 tons, 15 men, commanded by a Shelburne man, of the name of Demins. We came up to him, hove to, about half a mile off shore, in the neighbourhood of Port Hood; found her lines all wet, but all the hooks cut off. The crew were very abusive, and said they would heave me overboard, or take me to the United States with them. They endeavoured to get away from our vessel, but from the position of both vessels they could not, although the Leonard McKenzie could sail much faster than the Daring. I took them into Port Hood, and after a strict search of myself and boat's crew, we having remained on board all the time, I could not find sufficient cause to detain the vessel.

I merely state the above to let you see the necessity of having our vessels well manned and equipped for the service, with arms, boats, and every other requisite, to make them efficient and respectable.

The American fishermen deserve a great deal of praise. Their vessels are of the very best description, beautifully rigged, and sail remarkably fast; well found in every particular, and carry large crews, a great many of whom are men from the provinces. The difference between the American and English vessels is very great, for of all the English vessels in the Gulf of St. Lawrence the past fall, there were only four or five could in any way compete with the American. In fact I was surprised to see vessels of such an inferior description remain in the Gulf so late in the season; it is generally a very boisterous place in the months of October and November, unusually so the past fall, and I am surprised that more fatal results have not been the consequence. I can scarcely convey to you a description of most of the English vessels; they are of the worst models, badly masted, poorly rigged, wretchedly found in sails and rigging, and about half manned. With all those disadvantages, some of them have made fair voyages, and most of them would have had a fair catch, had it not been for their unfortunate detention for nine days at Port Hood, by the commander of H. M. sloop Devastation. The result of this is too well known, not only by our fishermen but the mercantile community at large, for me to enter more fully on the subject.

Many persons accuse our fishermen with want of energy; so far from that, I think our men do wonders, when you come to consider the vessels they have to use; and I am quite sure that had our men a good class of vessels, they would outdo the Americans. I can name the Bonnetta, of Barrington; the Presto, of Liverpool; the Ocean Wave, of Lunenburg; and Merlin, of Port Medway, that are good vessels, and have done as well as most Americans, the past season. None of these vessels had as many in crew as most of the American fishermen carry.

On the 10th September I visited Henry, or Justico Island, a small place situated about $1\frac{1}{2}$ miles to the south-west of Smith, or Port Hood Island. I found there about 450 men, with 120 boats, over 1000 nets and several seines. Up to that time they had taken little or no mackerel. The men inhabit four different coves of the island, and suffer a great deal of hardship; indeed they well deserve a good catch of fish; they are mostly from the shores of Cape Breton, Strait of Canso, and the harbors of George's Bay. They live in huts made of a few poles and covered with bark and turf, and are very wretched. They were

were in good spirits, and very vigilant in the pursuit of the fish, for I have seen them out in very bad weather, hauling their nets. They made sad complaint of the destruction of their nets by the vessels frequenting Port Hood, which dash in amongst them with a heavy press of sail, consequently not seeing the nets a sufficient distance off to pass clear of them. The men told me that they can see the light on Cape Jack very often, the distance is about 22 miles, and the elevation about 90 feet.

On several occasions I went along the shore to Cheticamp, which is a harbor situated about 40 miles to the north east of Port Hood. The harbor affords no shelter unless for vessels drawing not more than six feet of water; the coast between the two places affords no shelter, unless a very indifferent anchorage, that is at Sea-Wolf Island, in a depth of from 7 to 8 fathoms, rocky, and consequently bad for hemp cables; and as there is at all times a heavy roll or swell there, it is equally bad for chains. The fishing vessels very frequently lose their anchors, and have to go to the Straits of Canso to be supplied with others. The coast affording such poor shelter, Port Hood is the general rendezvous; as many as 250 sail have been at times an anchor there, and from the middle of October all the vessels endeavor to get in before dark—American as well as English—which is a great cause of complaint amongst our fishermen.

The mackerel fishery about Sable Island has this year failed. The fishery is done with small boats, close to the shore, and principally close to the north west bar. The weather has been very tempestuous about that Island, as well as on the shores of this province, and consequently the sea has been too rough for fishing.

There is another subject to which I would wish to call your attention, that is, our vessels in the American trade: the law directs that all vessels must have a manifest of all the goods on board, signed by the master at the port where laden. I boarded several vessels in the Bay of Fundy, with cargoes, and in no one instance found a manifest; the only paper was the custom house clearance, and that only stated merchandize. On my asking for the manifest, the masters said they never had such a thing, and they always got that done before they entered their vessels; or, in my opinion, they got one made out for all they could not land before coming to an entry. Another serious inconvenience is felt by the revenue officers, from most of our vessels not having their names painted on their sterns; indeed the practice is becoming quite a general one, and in a few years, unless some step be taken, all our vessels will neglect complying with the law.

In explanation of the words, various duties, used at the beginning of this report, I beg leave to state, that the Daring has been employed during the season, in taking provisions to Canso, for the relief of the poor of Guysborough county; taking the members of provincial parliament to Arichat, Gut of Canso, and Guysborough; taking the judge to Sydney; taking oil and light house stores to all the light houses in the Bay of Fundy, with the exception of Yarmouth; taking the mail and passengers to Newfoundland; visiting Sable Island nine times, and bringing therefrom the materials of schooner Star-of-Hope, wrecked on that island in December, 1851; bringing the crew and materials of American fishing schooner Navara, wrecked on the island in September of the past year; and in bringing the crew and part of cargo and materials of brig. Ottoman, of St. Johns, Newfoundland, wrecked on the island in November last.

I have the honor to remain,

Sir,

Your most obedient servant,

JAMES DALY.

To the honorable provincial secretary.

Halifax, January 14th, 1853.

Date.	Rig.	Name.	Where of.	Tons.	Master.	Men.	Cargo.	Where from.	Where bound.
Aug. 23.	Pink Schooner	Ametus	Portsmouth	47	Spinny	7	300 qtls. codfish	Bay Chaleur	Portsmouth
" 24.	"	Arrow	Liverpool, N.S.		McKenzie	8		Ragged Island	Bay Chaleur
" 1.	Pink Schooner	Antelope	Beverly	51	Foster	5	400 qtls. codfish	Bay Chaleur	Beverly
" 1.	Schooner	Amanda	Truro, U. S.	55	Hatch	9	105 bbls. mackerel	Ditto	Truro
" 1.	Schooner	Alert	Westport	60	Sewell	9	500 qtls. codfish	Ditto	Westport
Aug. 24.	Schooner	Blooming Youth	Venal Haven		Langly	5		Venal Haven	G. St. Lawrence
Sept. 1.	Schooner	Banner	Hingham	68	Wilder	15	170 bbls. mackerel	Bay Chaleur	Hingham
Aug. 25.	Schooner	Challenge	Westport	50	Dutton	9	"	Westport	G. St. Lawrence
" 28.	Schooner	City Belle	Belfast		Clarke	14		Belfast	G. St. Lawrence
" 1.	Pink Schooner	Columbus	Boot bay	48	Harris	8	200 qtls. codfish	Bay Chaleur	Banquereau
Sept. 1.	Schooner	Coquette	Boot bay	74	Bennet	10	950 qtls. codfish	Labrador	Boot bay
" 22.	Schooner	Challenge	Boot bay	126	Sargent	10	900 qtls. codfish	Labrador	Boot bay
Aug. 2.	Schooner	D. C. Smith	Truro, U. S.	82	Hopkins	11	140 bbls. mackerel	Bay Chaleur	Boston
Sept. 2.	Pink Schooner	Defiance	Walbro	47	Waller	6	300 qtls. codfish	Bay Chaleur	Walbro
Aug. 28.	Schooner	Emanu	Newport	70	Stowers	12		Province town	G. St. Lawrence
" 1.	Schooner	Ellen Osborne	Gloucester	79	McMillan	13	130 bbls. mackerel	G. St. Lawr'o	Gloucester
" 1.	Schooner	Express	Cranberry Isld.	50	Bunker	7	300 qtls. codfish	Labrador	Cranberry Isld.
Aug. 28.	Schooner	Freeman	Venal Haven	34	Cannut	5		Venal Haven	G. St. Lawrence
" 29.	Schooner	Flying Arrow	Venal Haven	89	Carver	13	350 qtls. codfish	Bay Chaleur	Truro
" 24.	Pink Schooner	Four Sisters	Truro, U. S.	52	Rich	9		Venal Haven	G. St. Lawrence
" 28.	Pink Schooner	Helen Marr	Castine	80	Coonees	8		Venal Haven	Ditto
" 31.	Pink Schooner	Harriet,	Brooklyn	46	Gray	8	98 bbls. mackerel	Bay Chaleur	Gloucester
Sept. 4.	Pink Schooner	J. Howard	Gloucester	40	Reid	8	50 qtls. codfish	Gulph Banks	Portland
Aug. 23.	Schooner	Jane	Portland	56	Griffin	8	350 qtls. codfish	Bay Chaleur	Portland
" 28.	Schooner	Legislature	Bremen	62	Fisk	15		Cohasset	G. St. Lawrence
" 30.	Schooner	Lake	Cohasset	75	Wakefield	14	185 bbls. mackerel	Gulph	Belfast
Sept. 1.	Schooner	Lone Star	Belfast	90	Carrol	11	100 bbls. mackerel	Do.	Gloucester
" 1.	Pink Schooner	Leading Star	Gloucester	73	Lano	10	145 bbls. mackerel	Bay Chaleur	Truro
" 11.	Schooner	Leonard B. Snow	Truro	56	Snow	7	275 qtls. codfish	Ditto	Westport
		Louisa	Westport	36	Juet	15		Gloucester	P. E. Island.
		Leonard McKenzie	Gloucester	97	Demings				

Date.

Date.	Rig.	Name.	Where of.	Tons.	Master.	Men.	Cargo.	Where from.	Where bound.
Aug. 24.	Schooner	Mount Vernon	Venal Haven	68	Lang	10		Venal Haven,	G. St. Lawrence
" 31.	Schooner	Maranda	Truro	58	Cordis	9	100 bbls. mackerel	Bay Chaleur	Truro
Sept. 1.	Schooner	Mayflower	Beverly	64	Hober	7	600 qtls. codfish	Ditto	Beverly
" 4.	Schooner	Maid Queen	Cohasset	74	Holland	14		Cohasset	Bay Chaleur
Aug. 23.	Schooner	Northern Light	Venal Haven	84	Claton	13	150 qtls. codfish	Venal Haven	Ditto
" 24.	Schooner	Ophalin	Cohasset	60	Tuttle	12	30 bbls. mackerel	Bay Chaleur	Cohasset
" 28.	Pink Schooner	Pioneer	Newburyport	39	Coffin	8		Ditto	Newburyport
" 30.	Schooner	Philanthropist	Gloucester	84	Griffin	10		Gloucester	Bay Chaleur
Sept. 4.	Schooner	Perfect	Brooklyn	68	Turner	13	500 qtls. codfish	Brooklyn	Ditto
Aug. 28.	Schooner	Persuader	Newburyport	67	Tuttle	11		Labrador	Newburyport
" 28.	Schooner	Susan & Mary	Deer Island	74	Bunlow	10		Deer Island	Bay Chaleur
" 28.	Pink Schooner	Star of Hope	Cohasset	88	Parry	14		Cohasset	Ditto
" 28.	Pink Schooner	Sharp Shooter	Brooklyn	36	Blake	7		Brooklyn	Ditto
Sept. 1.	Schooner	Sybel	Portland	63	Tennet	10		Ditto	Ditto
Sept. 4.	Schooner	Sun	Cohasset	65	Morris	10	80 bbls. mackerel	Bay Chaleur	Cohasset
" 4.	Schooner	Sunbeam	Gloucester	91	Cameron	13	180 bbls. mackerel	Bay Chaleur	Gloucester
Aug. 30.	Schooner	Toledo	Portsmouth	105	Wilson	13	1000 qtls. codfish	Labrador	Portsmouth
Sept. 1.	Pink Schooner	Wentemora	Gloucester	109	Collins	15	130 bbls. mackerel	Bay Chaleur	Undecided
Aug. 26.	Schooner	Water Witch	Cranberry Isld.	50	Stanly	6	300 qtls. codfish	Labrador	Country Island
		Young Chief	Portland	39	Kemble	6	220 qtls. codfish	Bay Chaleur	Portland

The above 51 sail of American fishing vessels were boarded by me about the Strait of Canso and Port Hood between August 23rd and September 4th, 1852.

JAMES DALY,
Commander revenue schooner During.

Halifax,

Halifax, 30th November, 1852.

SIR,—

The late administrator of the government having been pleased to appoint me to the command of the brigantine '*Halifax*,' one of the revenue cruisers employed during the past summer in the protection of the fisheries around this coast, and the period of that service having expired, I have the honor to report, for the information of his excellency the lieutenant governor, that, on the 29th June last, having previously received my instructions, I set sail from Halifax for Canso harbor, where I arrived on the 3rd July. On my arrival I found several American fishing vessels at anchor; these I boarded on the following morning, and directed to quit the harbor—they wanting neither shelter, wood or water. On the 4th July, at 8, a.m., I again set sail for Ship Harbor, in the island of Cape Breton, (around which island I had been instructed to cruise,) where I arrived that night. From that time until the 8th November instant, I have been engaged in cruising around and about the island of Cape Breton, St. George's Bay and Gut of Canso, rendezvousing at Sydney, Arichat, Port Hood, Margaree, Ship Harbor, and McNair's Cove, as occasion required. In accordance with my instructions, I boarded and have taken an account of 111 American fishing vessels; to the masters of these I explained my instructions, and warned them against any attempt at violating the convention of 1818, and the laws relating thereto. When found in harbor, as directed, I ordered them out. A list of the vessels thus boarded is hereto annexed. I also, as instructed, placed myself in communication with the several naval officers, whom I met, engaged on the same service. All suggestions made by them to me, or directions given, I carried out to the best of my ability; wherever met, those gentlemen invariably treated me with the greatest courtesy and respect. On the 8th November, all the fishing vessels having returned home, I set sail from Arichat, C. B., for Halifax, where I arrived and delivered over my charge on the 11th of the same month.

Owing to a succession of bad weather, the fisheries have not been as productive for our people the past season as in former years, yet a large number of them has fared well. The protection this year afforded by the imperial and provincial governments has been, to a great extent, ruinous to the interests of those Americans who have visited our coast, few only of them getting full fares, whilst many of them have returned home hardly half laden.

Heretofore, they have been enabled to make two and three trips a season, returning with full fares. The cruisers this year have prevented their making anything like enough to pay their cost of outfit; from what I have seen myself, I am strongly of opinion, that should the same measures of protection be taken next year, the American fishing interests, so far as our coast is concerned, will be so seriously injured, as not to warrant the outfit of vessels from their ports for the business.

Before closing, I would call your attention to the fact, that large fleets of American fishing vessels resort to the Banks only in spring, for cod fishing. These vessels, it is notorious, to the number of 20 or 30 at a time, visit our harbors once a week for the purpose of catching bait, generally of a Saturday night. To prevent a continuance of this practice, I would respectfully suggest that a vessel properly manned and equipped be sent out on the first of May, with orders to cruise from Halifax harbor along shore to Canso. This would effectually stop their bait poaching. I would also suggest that in case two vessels should be sent round Cape Breton next summer, that they be manned by crews of 30 or 35 men each; that each vessel be found with two large boats, capable of holding ten men each; these boats I would station as follows: one at Port Hood, one at Margaree, one at St. Ann's Bay, and one in the Gut of Canso,—the vessels themselves could then be cruising about all the time. The difference of expense would be small, and would be amply compensated for by the benefits conferred on our own people and the revenue. In conclusion, I would respectfully call the attention of the Government:—1st, to the loose manner in which the business of entering and clearing vessels is carried on about the Island of Cape Breton, by some of the provincial officers; and 2nd, to a practice which I believe prevails to a large extent in the neighborhood of Canso, Cape Breton and P. E. Island, viz: American fishing vessels are fitted out and supplied in their own ports, clear out and sail for

for the fishing grounds around our shores, enter our ports, where they are transferred to British subjects, who obtain registers for them, under which they fish and sail throughout the season ; when the fishing is done they return as American vessels to the American port from whence they first sailed. A case of this kind I reported to you, on the 25th September last,—the “Meridian.” This schooner I boarded in the Strait of Canso on the 10th of September, she hailed from Castine, U. S., and had American papers for a fishing voyage ; on the 25th of the same month I again fell in with her, about a mile from the shore, her crew at the time in the act of fishing ; on boarding her, with the intention of making her a prize, I was informed she was a British vessel, and was shewn a register issued by the controller of customs at Guysboro’, to one William O. Heffernan, of Canso, on the 15th Sept., five days only after I had first met her ; the papers were all regular, but the circumstances appeared to me so singular that I determined to detain her register, which I forwarded to you for executive action. What has been done in this case I know not, but if such transfers are allowed under the navigation act and laws regulating the fisheries and coasting trade, the supporting of a force for protecting the interests of the colonists is a mere farce, in fact a waste of public money. The case of the Meridian is not the only one that has come to my knowledge, I have heard of several, and I firmly believe that there are persons in the vicinity of the fishing grounds, who make a business of this kind of fraud ;—a committee of the assembly having power to send for persons and papers would obtain such information as would enable the legislature if not to wholly remedy the evils I have brought to your notice, at least to punish those of our own people, whether in office or out, who might hereafter lend themselves to cover the roguish practices of our American neighbors.

I am, sir,

Your obedient servant,

JAMES LAYBOLD.

The honorable JOSEPH HOWE, provincial secretary.

Date of boarding.	Name of vessel.	No. of tons.	No. of crew.	Master's name.	Port where cleared from.	Quantity of fish on board when visited.	
July 4, 1852.	Schr. Sophia Parker	72	12	J. Foster Luther Studdart Blanchard Collins Marshall These vessels were all boarded coming out of North Bay on their way to their respective homes.	Gloucester, U. S.	200 bbls. mackerel	
"	Russel Chantere	72	14		do.	do.	70 do.
"	Flying Arrow	110	15		Essex, U. S.	Essex, U. S.	400 qtls. codfish
"	Vision	73	13		Gloucester, U. S.	Gloucester, U. S.	200 do.
"	Debart	52	10		do.	do.	150 do.
5.	Ship C. C. Dow	540	17		New York, U. S.	New York, U. S.	100 bbls. mackerel
"	Schr. Wintymorin	109	15		Gloucester, Mass.	Gloucester, Mass.	165 qtls. codfish
18.	Gazelle	88	15		do.	do.	150 do.
"	Ella Osburn	59	13		do.	do.	100 bbls. mackerel
20.	Northern Light	71	10		do.	do.	165 qtls. codfish
21.	Constitution	67	12		do.	do.	150 do.
"	D. R. Proctor	68	10		do.	do.	150 do.
24.	Ocean Wave	80	14		do.	do.	180 do.
Aug. 2.	Manset	55	8		do.	do.	400 qtls. codfish
"	Ann	56	9		Cape Ann	Cape Ann	100 bbls. mackerel
3.	Amerday	70	12	do.	do.	100 do.	
"	Sebin	83	10	do.	do.	135 do.	
4.	City Belle	97	14	do.	do.	108 do.	
"	A. M. Brunard	80	12	do.	do.	100 do.	
"	Nathan Eldridge	80	14	do.	do.	160 do.	
"	J. King	100	15	do.	do.	102 do.	
5.	N. Bener	72	12	do.	do.	150 do.	
"	Lindia	86	12	do.	do.	150 do.	
"	W. H. Steel	72	12	do.	do.	150 do.	
9.	Zephyrs	65	12	do.	do.	180 do.	
"	Raper	49	9	do.	do.	400 qtls. codfish	
"	Charlotte	69	19	do.	do.	100 bbls. mackerel	
"	F. M. Dyer	130	16	Boston, Mass.	Boston, Mass.	225 do.	
"	Pilot	66	10	do.	do.	66 do.	
10.	Thanwell	58	10	do.	do.	188 do.	
"	Seine	62	10	do.	do.	120 do.	

11.	Fancy Adeline	93	13	Webber H. Flain W. Fry Webb O. Lapkin D. Dlayet Browner J. Jenkins C. Silvester G. Taney J. L. John T. Baley G. W. Dodge W. Webb Mechabo Dinnings Ballins M. Blaster	do.	180 do.	
"	Sarah Adeline	91	15		Ports in Mass.	do.	160 do.
"	A. Paint	83	13		do.	do.	200 do.
"	Twilight	80	16		do.	do.	207 do.
"	Cummings	74	15		do.	do.	200 do.
15.	H. Rogers	88	15		do.	do.	200 do.
"	Gold Hunter	96	14		do.	do.	203 do.
"	Sebin	89	13		do.	do.	180 do.
"	Arrow				do.	do.	
"	Mary & Hope				do.	do.	
19.	Victorine	89	16		Dennis, Mass.	Dennis, Mass.	
"	Walter Baker	146	16		New York	New York	350 qtls. codfish
"	Long Fellow	31	8				
31.	Union	40	8				
"	Sarah Elizabeth			Brooklyn	Brooklyn		
"	Four Brothers	46	8	Gloucester	Gloucester	28 bbls. mackerel	
"	Hazard	64	10	Venal Haven	Venal Haven		
Sept. 5.	Mary Jones	68	11	Castine	Castine		
7.	Mount Vernon	60	11	Gloucester	Gloucester	450 qtls. codfish	
"	Oseold	62	11	do.	do.		
"	Convany	85	13	Portland	Portland		
"	Samuel Jones	86	12	Rockland	Rockland		
"	Hornet	59	10	Portsmouth	Portsmouth		
"	Toronto	64	8	Deer Island	Deer Island		
"	Seabeam	67	10	Castine	Castine		
"	Serdin	84	12	Portland	Portland		
"	Duroc	111	15	Newburyport	Newburyport		
"	Look-out	60	9	Castine	Castine		
"	Alice	56	8	Gloucester	Gloucester		
10.	Meridian	56	11	Belfast	Belfast		
"	Champion	92	14	Gloucester	Gloucester		
11.	Machuka.	97	15	Gloucester	Gloucester		
"	Leonard McKenzie	91	16	Cohasset	Cohasset	3 qtls. codfish	
"	Eliza			Portsmouth	Portsmouth		
"	Five Sisters	35	7				

Date of boarding.	Name of vessel.	No. of tons.	No. of crew.	Master's name.	Port where cleared from.	Quantity of fish on board when visited.
Sept. 11.	Schr. Baltimore	89	10	S. Kines	Westport Mo.	180 bbls. mackerel
14.	Missouri	98	14	W. Woodbury	Gloucester	280 do.
15.	Leonard McKenzie	90	13		do.	155 do.
22.	Alyam	70	11		Cohasset	
"	Redolant	65	10		Gloucester	
25.	Augusta Parker	60	10	W. Downey	do.	133 do.
29.	Ningara	73	11	S. Smith	do.	
"	Susan Young	75	12	E. D. Woston	do.	
"	R. C. Parsons	79	14	J. Doherty	do.	
"	Shooting Star,	80	14	W. Ramer	Moidart	200 do.
"	Brauidard	68	11	B. Harney	Venal Haven	50 do.
"	Arkansa	59	10	J. McQueen	Gloucester	150 do.
Octr. 1.	Coquette	83	14	J. Fisher	Portsmouth	120 do.
"	Ohkeda	60	9	M. Kelly	Gloucester	200 do.
"	Challenge	92	13		do.	250 do.
"	Wintymorin	109	14	Kallaner	do.	200 do.
"	S. J. Collins	93	12	Collins	do.	100 do.
"	Bloomer	84	13	W. Whitney	Belfast	20 do.
2.	Lucy Ann	67	10	A. R. Pienes	Gloucester	20 do.
"	Creolo	63	15	B. B. Stannet	Boston	20 do.
"	Premium	59	10	S. Webb	Deer Island	60 do.
"	Witch of the Wave	94	13	Stephen Smith	Gloucester	130 do.
"	Scyphers	65	11	Dailey	Newburyport	71 do.
6.	Fanny	93	13	Fauboust	Salisbury	112 do.
"	Native American	115	15	A. Laud	do.	15 do.
"	W. F. Tonbaks	47	9	A. Frisborg	Westport	70 do.
"	Eliza	135	17		Portsmouth	300 do.
"	Sarah	83	13		do.	92 do.
"	Jenny Lind	79	11	S. Hanes	Southport	150 do.
"	P. G. Maddocks	73	10	G. Thompson	do.	200 do.
"	James	77	12	Canning	Salisbury	120 do.

"	Nancy	79	12	T. Berry	Boat Bay, U. S.	185 do.
9.	Sea Witch	87	12	E. McQueen	Gloucester	187 do.
11.	Flying Arrow	89	13	Causar	Venal Haven	225 do.
"	Charles Ruber	97	13	C. McDonald	Gloucester	280 do.
15.	Scarlet Feather	85	13	W. Stuart	do.	200 do.
20.	Perignn	60	10	W. Page	Newburyport	180 do.
"	Independence	95	12	Andrew Knight	do.	200 do.
"	Golden Eagle	68	13	Jos. Weeks,	Gloucester	20 do.
21.	B. H. Carless	78	11	Reat	do.	250 do.
"	Susan Young	75	12	E. D. Watson	do.	109 do.
29.	Julia Franklin	92	16	E. Low	Georgetown	300 do.
"	John James	87	14	John Beath	Gloucester	42 do.
"	E. Merchant	88	12	C. A. Bener	do.	225 do.
"	C. E. Haskell	84	13	W. B. Lufkin	do.	240 do.

(A true copy from log of brigantine "Halifax.")

Halifax, November 30, 1852.

JAMES LAYBOLD.

Return of vessels boarded by the revenue schr. Responsible, P. S. Dodd, commander.

Date.	Vessel's name.	Where from.	Tons	Men.	Fish on board.	Vessels in Port Hood, &c.
July 14.	Chas. Rueben	Gloucester	81	13		In Port Hood, bound for the bay.
23.	Arctic	Lubec	99	15		Strait of Canso, bound ditto.
	Red Rover	Barnstable	99	15		do. do.
	Elizabeth	do.	98	14		do. do.
	Paragon	Newburyport	66	13		do. do.
	Andes	Beverly	52	11	250 qtls. codfish	Bound home.
	Brainard	Mount Desert	68	12		for the bay.
	Majestic	Booth Bay	65	10		do. do.
	Sun	Cohasset	65	11		do. do.
	Prescilla	Belfast	66	11		do. do.
	D. Lambord	Truro	95	13		do. do.
	John A. Paine	do.	96	13		do. do.
	C. M. Walton	do.	78	12		do. do.
Aug. 29.	Leon. B. Snow	Gloucester	58	12	145 bbls. mak.	Bound home.
	Ella Osbourne	do.	79	13	100 do.	For shelter.
	Amaranthe	Portland	75	15		Bound in the bay.
	Lake	Cohasset	75	15		do. do.
	Mount Vernon	do.	68	11	10 do.	In for wood, &c.
Sept. 3.	Star of Hope	do.	83	14		Bound in the bay.
	Nicade Queen	do.	75	13		do. do.
Oct. 2.	Ella Osbourne	Gloucester	79	13	300 do.	Bound home.
	Susan Young	do.	76	15		} Reported at the Custom House at Fort Hood, and remained in harbor over 24 hours.
	E. P. Howard	do.	82	16		
	N. C. Parsons	do.	79	15		For shelter.
	Golden Eagle	do.	72	13		Bound in the bay.
	Richard	Truro	90	14		For the bay.
	Itaska	Gloucester	80	14		In for shelter.
	Isabella	do.	87	12		do.
	Lucy Pulcifer	do.	80	13		do.
	Republic	do.	102	14		do.
	Speed	Portland	96	13		do.
	Brandywine	Frankfort	60	10	200 do.	do.
	Wentemoyeth	Gloucester	109	14	250 do.	do.
	S. J. Collins	do.	92	12	200 do.	do.
	Convoy	do.	68	11	86 do.	do.
	Morengo	do.	82	13	200 do.	do.
9.	William Wilson	Plymouth	97	14	80 do.	do.
18.	Atlas	Newburyport	57	11	70 do.	
19.	Richard	Truro	90	14	40 do.	

All the other American vessels that frequented Port Hood for protection, or otherwise, were boarded and examined by commander Campbell, of H. M. steamer "Devastation."

P. S. DODD,
Commanding schooner "Responsible."

Date

Date.	Name of vessel.	Where from.	Master's name.	Tons.	No. of crew.	Barrels of mackerel.	Qtls. of Codfish.	Remarks, &c.
July 26, 1852.	Mary Eliza	Orleans	Crosby	75	9		2	AT JOHN ISLAND. Come in to land sick men.
"	Wave	Gloucester	Davis	77	8		40	Come in for shelter.
"	Helen Maria	Gloucester	Spirry	40	8		40	Come from Argyle.
30	Raven	Belfast		45	5	Few fresh.	4	Come in for shelter.
Sep. 13	Good Hope	Truro	Small	88	10		1000	From Labrador.
14	Joseph Howard	Gloucester	Reed			95		From Chaleur Bay.
23	Essex	Rockport	McLain	47	9	70		From Chaleur Bay.
"	Harp	Rockport	Giles	49	9	110		From Chaleur Bay.
25	Itaska	Gloucester	Lewis	80	14			From Gloucester.
Nov. 8	Charles S. Howard	New London	Samuel Beebe	87	7			For shelter.
8	Science	New London	Anson Beebe	90	7			For shelter.

PAUL CROWELL.

The following resolutions and addresses were unanimously adopted at a large and influential meeting of the citizens of Halifax, held in the hall of the province building, on the 2nd of September, 1852.

TO HIS EXCELLENCY COLONEL

SIR JOHN GASPARD LE MARCHANT,

Knight, and knight commander of the orders of Saint Ferdinand and of Charles the third of Spain, lieutenant-governor and commander-in-chief in and over her majesty's province of Nova-Scotia and its dependencies, chancellor of the same, &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY—

We, her majesty's dutiful and loyal subjects, the mayor and aldermen of the city, and representatives of the city and county of Halifax, respectfully request that your excellency will be pleased to transmit, by this night's mail, to the right honorable the secretary of state for the colonies, to be laid at the foot of the throne, a dutiful and loyal petition, unanimously adopted this day by a very large and influential meeting of our fellow citizens, held in the province hall.

We also pray that the resolutions, a copy of which is annexed, and which were passed with equal unanimity, may be also forwarded to the right honorable the colonial secretary.

This petition, and these resolutions, have been adopted in consequence of the alarming intelligence having been received, that negotiations are pending between the British government and the American minister in London, for surrendering to the citizens of the United States, the right of fishing on the coasts and within the bays of the British North American colonies, from which they are now excluded by the convention of 1818. We entreat your excellency, as the queen's representative in this province, to convey to her majesty's government, a strong remonstrance against any such concession of fishing rights as appears to be contemplated.

The immediate departure of this mail will not permit our detailing all the disastrous results to be apprehended from the concessions now required by the American government; but we must beg that you will assure her majesty's ministers that the information just received has occasioned the most intense anxiety throughout the community, it being evident that our rights, once conceded, can never be regained.

By the terms of the convention of 1818, the United States expressly renounced any right of fishing within three marine miles from the coasts and shores of these colonies, or of entering their bays, creeks and harbors, except for shelter, or for wood and water.

If this restriction be removed, it must be obvious to your excellency that it will be impossible to prevent the Americans from using our fishing grounds as freely as our own fishermen.

They will be permitted to enter our bays and harbors, where, at all times, *unless armed vessels are present in every harbor*, they will not only fish in common with our own fishermen, but they will bring with them contraband goods to exchange with the inhabitants for fish, to the great injury of colonial traders and loss to the public revenue. The fish obtained by this illicit traffic will then be taken to the United States, where they will be entered as the produce of the American fisheries, while those exported from the colonies in a legal manner are subject to oppressive duties.

We need not remind your excellency that the equivalent said to have been proposed, that of allowing our vessels to fish in the waters of the United States, is utterly valueless, and unworthy of a moment's consideration.

We would fain hope that the reports which have appeared in the public press respecting the pending negotiations between the two governments, are without any good foundation.

We cannot imagine that her majesty's government, after having taken prompt and decided

ded measures to enforce the true construction of the treaty, will ever consent to such a modification of its terms as will render our highly valued rights a mere privilege to be enjoyed in common with foreigners.

We therefore pray your excellency to exert all your influence to induce her majesty's ministers to stay any further negotiations on this vitally important question until the rights and interests of the inhabitants of this province are more fully enquired into and vindicated.

Halifax, 2nd September, 1852.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

THE HUMBLE MEMORIAL OF THE UNDERSIGNED MERCHANTS AND INHABITANTS OF HALIFAX, AND OTHER PARTS OF NOVA-SCOTIA,

Conveued at a public meeting, held at Halifax, on Tuesday the 2nd of September, 1852.

SHEWETH :

By the mail recently arrived from England, your memorialists have learned, with deep concern, that it is in contemplation of your majesty's ministers to surrender to the United States of America privileges of fishing on the coasts of your majesty's North American colonies, to which, at present, your majesty's subjects are alone entitled.

Time is not afforded to enter at large on this subject, nor is it necessary. Repeatedly have the vital importance of these fisheries and the necessity of preserving unimpaired the restrictions against encroachment by which they are guarded, been urged on the imperial government. It was believed the time had long passed when a question could be raised on either of these points. To stimulate imperial aid in protecting and maintaining acknowledged rights, was all it was imagined that was required of the colonies; and they fondly trusted this consummation had been attained, when, in the present season, your majesty's war steamers came commissioned on this service.

Little, may it please your majesty, was it anticipated these were to be the precursors of a transfer alike injurious and humiliating to your loyal colonial subjects, or for this aid that so large a price would be demanded.

May it please your majesty, when the United States, by the treaty of 1818, solemnly renounced forever, the right to fish within three miles of the coasts, bays, creeks or harbors of certain portions of your North American territory, the stipulation was neither extraordinary or extravagant. It is matter of common history, that sea-girt nations claim peculiar rights within a league of their shores; and equally plain, that according to the maxims of international law, this claim is defined by lines drawn not only between the formations of bays, but from the headlands of indentations of the coast.

But had it been otherwise, the stipulation was part of a general treaty in which concession on one side may be presumed to have been compensated by concession on the other, and loss in one particular by gain in another; and the engagement was made in language too explicit, and in terms too well understood, to admit the possibility of misapprehension.

Shall nations, may it please your majesty, be absolved from the obligations of their contracts, and complaints be respected when made by a people, which, between individuals, would be treated as puerile!

If conciliation, irrespective of right, be the principle on which is to be withdrawn the restriction against the entry of Americans into the bays and indentations of the coast to fish, limiting them alone to the distance of three miles from the shore, the concession of the privilege to fish within this latter distance must be equally granted,—as, indeed, has been already urged in the American congress,—the restriction in both cases rests on the same authority; and the concession in each would be demanded by the same principle. It may not be the province of your majesty's colonial subjects to suggest how far such a principle is consistent with national honor and independence; they have a right to pray that it be not carried out at their expense.

When the welfare of the empire is supposed to demand extensive alterations in the laws of trade and navigation, the peculiar interests of the colonies are not permitted to disturb the general system, by the continuance of conflicting regulations, however necessary, from long usage, and the competition of foreigners, more powerful and more fostered by their own governments.

In the present case, the possession to be surrendered, is no offspring of artificial arrangements, falling with a complicated policy of which it formed a part.

No, may it please your majesty, your loyal subjects in Nova Scotia raise their voice against the injury of an inheritance conferred upon your North American subjects by nature—connected with their soil by the laws and usages of nations—confirmed to them by solemn compact; and which practically enjoyed by them peculiarly, and as your other majesty's subjects cannot enjoy them, can be surrendered only at their extreme injury and great loss.

Surely, may it please your majesty, your loyal colonial subjects have a right to ask for some better reason for this sacrifice of their peculiar right and interest than the demand of a foreign power—the aggrandizement of a foreign people.

It is reported that the American government, with characteristic diplomatic skill, have offered to concede a similar privilege on their own coast in return for that they seek on the coasts of British North America.

The proffered boon is valueless to the colonists—they want it not, and would derive no benefit from it. The offer may deceive the uninformed, or it may afford an excuse to palliate the sacrifice of your colonial subjects' rights—it may have been made by our sagacious neighbours with this object—but to those who will suffer by the pretext, it is but the addition of insult to wrong. If rights so entirely colonial, and so clear as this, are to be sacrificed to American influence, the colonists should know it. Let them not, may it please your majesty, be treated as children or imbeciles, by nominally granting them a privilege which they know, and the Americans know, to be worthless, as an equivalent for one which both equally know to be of incalculable value. For let it not be urged upon your majesty, that what the Americans seek is of no value; their earnestness is certain evidence to the contrary.

It is, may it please your majesty, of value; of great value in itself; of, perhaps, greater value still, as the best—the only safe-guard against violation of the restriction which prohibits the approach of the American fishermen within three miles from the shore.

Your memorialists deprecate all negotiation—all compromise on the subject. The Americans will not—probably they cannot, grant an equivalent for the privileges they seek, and the only security for the colonies is the entire abandonment of the present negotiations.

Your memorialists most earnestly entreat your majesty that the existing fishery restrictions may be preserved in their letter, and that your majesty's power may be put forth to prevent their violation.

And your petitioners, as in duty bound, will ever pray, &c.

1. *Resolved*, That the citizens of Halifax feel deeply grateful to her majesty's government for the solicitude evinced by the determination to "remove all ground of complaint on the part of the colonies in consequence of the encroachments of the fishing vessels of the United States upon the reserved fishing grounds of British America," expressed in the despatch of the right hon. the secretary of state for the colonies, dated the 22d of May.

2. *Resolved*, That the citizens of Halifax have regarded with interest and satisfaction, the judicious measures adopted by vice admiral Sir George Seymour, to carry out that determination with firmness and discretion.

3. *Resolved*, That securely relying upon the justice and maternal care of their sovereign, the citizens of Halifax are reluctant to believe that, because a few exciting speeches have been made in congress, and a single ship of war has visited their coasts, the queen's government will relax their vigilant supervision over British interests, or yield up rights secured by treaty stipulations.

4. *Resolved*, That history teaches that the commercial prosperity and naval power of every maritime state have risen, by slow degrees, from the prosecution of the fisheries, in which seamen were trained, and hardy defenders nurtured.

5. *Resolved*, That reading this lesson aptly, the great commercial and political rivals of England—the United States and France—have, for many years, fostered their fisheries by liberal bounties, and freely spent their treasure that they might recruit their navy and extend their mercantile marine.

6. *Resolved*, That by the aid of these bounties, France and the United States maintain on the banks and coasts of North America, 30,000 seamen respectively, which either power, in case hostilities impend, can call home to defend its national flag, and, if need were, launch against the power of this empire.

7. *Resolved*, That without the aid of bounties, the fisheries of British America have been prosecuted, and her maritime interests have expanded, until her shores are peopled with a hardy class of men, who consume, almost exclusively, the manufactures of England in peace, and who, in times of danger, would leap into the shrouds of their national ships to defend the flag they reverence.

8. *Resolved*, That the cession of the Aroostook territory, and the free navigation of the St. John, the right of registry in colonial ports, and the free admission of the productions of the United States into British America at revenue duties only, have been followed by no corresponding relaxation of the commercial system of the United States which would justify a further sacrifice of colonial interests.

9. *Resolved*, That while more than one half of the sea coast of the republic bounds slave states, whose laboring population cannot be trusted upon the sea—the coasts of British America include a frontage upon the ocean greater than the whole Atlantic seaboard of the United States. The richest fisheries in the world surround these coasts. Coal, which the Americans must bring with them should they provoke hostilities, abounds at the most convenient points. Two millions of adventurous and industrious people already inhabit these provinces, and the citizens of Halifax would indeed deplore the sacrifice of their interests, by any concession to a power which ever seconds the efforts of astute diplomacy by appeals to the passions of their people—the full force of which has been twice broken on British America within the memory of this generation, and, in a just cause, with the aid of the mother country, could be broken again.

Basilisk, at P. E. Island, 23rd August, 1852.

SIR,—

I have the honor to forward your excellency, a copy of statements made to the officers of the hired armed tender "Telegraph," as I think it right you should be informed of the notices which are said to have been issued to the fishing vessels of the United States, by the commanders of the provincial vessels employed for the protection of the fisheries; and I am not aware of the lines therein described having been sanctioned by authority.

I have, &c.,

G. F. SEYMOUR,
Vice admiral, &c. &c.

His excellency Sir J. GASPARD LE MARCHANT, &c. &c.

Statements of the masters of four American fishing vessels, touching the information received by them from the commanders of the provincial vessels Halifax and Responsible, respecting the limits within which they were allowed to fish.

1. R. W. Armstead, master of the United States' schooner Angenora, of Frankfort, states,—about the 27th July, he went on board the Responsible, and was informed by her commander, that if he found him fishing within three marine miles of a line drawn from Cape Gaspe to north point of Prince Edward's, he would seize his vessel.

2.

2. Stephen Morey, master of the U. S. schooner R. Roster, of Deer Island, stated that he went on board "Halifax" laying in McNair's Cove, Gut of Canso, about the 23rd of July, and was informed by the commander of that vessel, that his orders were to draw a line from Port Hood to the east point of P. E. Island, thence to the north point of P. E. Island, thence to Birch Point on Mission Island, and that he would seize any vessels that he found fishing within three marine miles of that line.

3. William Page, master of the U. S. schooner Paragon, of Newburyport, stated to Mr. Sutton, that on or about the 23rd of July he was informed by the commander of the schr. Responsible, that he should draw a line from headland to headland on any part of the coast of Nova Scotia, and seize any vessel that he found fishing within three marine miles of such a line.

4. Stephen Randall, master of the U. S. schooner Montezuma, states that on or about 20th July, whilst laying in Pirate Cove, Gut of Canso, he met the master of the Halifax, (James Laybold,) who informed him that he was not allowed to fish within three marine miles of a line drawn from the North Cape to Cape Gaspe', and that he would seize his vessel if he found him fishing within that distance of that line.

Several other masters of American vessels corroborated these statements, but I did not think it necessary to take the particulars.

[COPY.]

Government house, Halifax, August 26, 1852.

SIR—

Referring to your excellency's letter of the 23rd instant, which, with its enclosures, I have had the honor to receive, I beg to remind you that copies of the instructions under which the captains of the provincial cruisers are acting, are in your excellency's possession. On reference to these you can satisfy yourself that they contain no authority whatever to act upon our construction of the convention, except where vessels are actually found fishing within three marine miles of the shore.

Your excellency may be assured that the provincial government have every desire to avoid controversy on the point now under discussion by the governments of Great Britain and the United States.

Copies of the statements made by the masters of the American fishing vessels have been sent to the captains of the Halifax and Responsible, and I will communicate with you again when I have their explanations on each representation respectively that the American masters have made.

I have, &c.

(Signed) J. GASPARD LE MARCHANT.

Vice admiral Sir G. F. SEYMOUR, &c. &c. &c.

Provincial secretary's office, Halifax, August 27, 1852.

SIR—

I am commanded by the lieutenant-governor to call your attention to the enclosed copy of a despatch from vice admiral Sir George F. Seymour, with statements of certain masters of American fishing vessels enclosed. You will, without delay, furnish me with such explanations as will enable the lieutenant-governor to judge how far the conversations which

which are made matter of complaint, have been accurately reported. And, in the meantime, you will take care to detain no vessel which is not found trespassing *within three miles of land*.

I have, &c.

(Signed)

JOSEPH HOWE.

Captain J. LAYBOLD, P. R. C. Halifax.

[A similar letter addressed to captain P. DODD, P. R. C. Responsible.]

Port Hood, Cape Breton, August 29, 1852.

SIR—

Since my report of the 23rd, I have been down the eastern shore, and returned to Port Hood on the 29th. On Friday last I had the honor of seeing the admiral on board H. M. S. Basilisk, off Port Hood Island, and received from him a copy of two statements made by American fishermen, with reference to information said to have been given by me.

1st. R. W. Armstead, master of the U. S. schr. "Agenora," of Frankfort, states that, about the 27th of July last, he went on board the schr. "Responsible," and was informed by her commander, that if he found him fishing within three marine miles of a line drawn from Cape Gaspé to the north point of Prince Edward Island, he would seize his vessel.

2nd. William Page, master of the U. S. schr. "Paragon," of Newburyport, stated to Mr. Sutton, that, on or about the 23rd day of July, he was informed by the commander of the schr. "Responsible," that he would draw a line from headland to headland on any part of the coast of Nova Scotia, and seize any vessel he found fishing within three marine miles of such a line.

These statements I have copied verbatim, and although not called upon to answer them, I still think it my duty to do so. The first is altogether false; there has not been any American captain on board the schr. "Responsible" since I have had charge of her, except a captain Dixon, of the schooner Empire, which vessel was repairing at that time in the Strait of Canso; and again, on the twenty-seventh of July, the schr. Responsible was coming up from Margaree Island, both which facts can be attested to if required by half the ship's company; and as I had nothing to do at Prince Edward's Island, it is scarcely probable, I should have made any statement with reference to any lines to be drawn on that coast.

The assertion of William Page, master of the schooner Paragon, may be correct, for I did to several American captains (and he may have been one of them) say, that I should draw a line from the headlands of the coast and bays of Cape Breton, and seize all American vessels found trespassing within three marine miles of such line; and such are my intentions until further orders, as I consider myself bound to do so by my instructions, in which I am referred to the convention of 1818; and as it would be great presumption in me to attempt to put any construction on that treaty, I feel myself bound by the opinions of the queen's advocate, and her majesty's attorney general, given in 1841; and also by the result of the trial of the American schooner Argus, which vessel was seized by me within a line drawn from Cow Bay Head to Long Point, near Cape North, Cape Breton, and condemned.

As the Halifax and Daring are about this part of the coast, I shall proceed through the Strait of Canso, and down the south shore of Cape Breton, and return by Cape North.

I have the honor to remain,

Sir,

Your obedient servant,

P. S. DODD.

The honorable the PROVINCIAL SECRETARY, &c. &c. &c.

Port Hood, Cape Breton, September 1st, 1852.

SIR—

I have the honor to acknowledge the receipt of your letter, dated 26th August, enclosing a copy of a despatch from vice admiral Sir George F. Seymour, with statements of certain masters of American fishing vessels, a copy of which statements were handed to me by the vice admiral on the twenty-seventh of August, and which I answered on the twenty-ninth.

The orders not to detain vessels unless found trespassing within three miles of land shall be strictly attended to.

I have, &c.

P. S. DODD.

The honorable the PROVINCIAL SECRETARY.

[COPY.]

Port Hood, Cape Breton, September 1, 1852.

SIR—

In reply to your letter of the 27th August, enclosing, for explanation, the statements of two masters of American fishing vessels, made to the naval commander of the schooner Telegraph, I beg to say that the statements made are incorrect :

1st. Stephen Hanley, master of the schooner R. Roster, of Deer Island, states that he went on board the Halifax, lying in McNair's Cove, about the 23d of July. On reference to my log, I find, that on the 23rd July, I was off Margaree Island, with but one vessel in sight, the schooner New England, of Port Hood, Cape Breton.

2nd. Stephen Randall, master of the American schooner Montezuma, states that on or about the 20th July, whilst lying in Pirate Cove, I informed him that he was not allowed to fish within three miles of a line drawn from the North Cape to Cape Gaspé. So far from making any such statement, I have refused to answer questions put by several American masters, referring them to the commanders of H. M. ships for the information they required, they having reference to limits without my jurisdiction ; but, I informed several American masters to draw the line from Cape George to Port Hood, which line would include the Saint George's Bay, relative to which I addressed you on the 25th ultimo.

I would further mention, for the information of his excellency, that since I left Halifax, no American captain has been on board my vessel. I hope this statement will prove satisfactory to his excellency.

I have nothing to report, there being no American vessels on the coast.

I am, sir,

Your obedient servant,

(Signed) JAMES LAYBOLD.

The hon. PROVINCIAL SECRETARY.

Provincial secretary's office, Halifax, September 6, 1852.

SIR—

Referring to a despatch addressed to the lieutenant-governor, by vice admiral Sir G. F. Seymour, enclosing statements made by the masters of several American fishing vessels,

sels, I have the honor, by the lieutenant-governor's command, to enclose for the vice admiral's information, copies of explanatory letters which have been received at this office, from captains Laybold and Dodd.

I have, &c.,

(Signed)

JOSEPH HOWE.

W. D. JEANS, Esq., &c.

Provincial schooner Daring, Gut of Canso, August 28th, 1852.

SIR—

On my arrival here this morning from Port Hood, I found an American fishing schooner taking on board empty barrels for her fishing voyage; and as the thing is becoming quite a practice, and as the question has been several times asked me if it can be done, to which I declined giving any answer until I have the opinion of the government on the subject.

I have been told that more than one American vessel has landed a load of herrings from Magdalen Islands in the Strait, and fitted out again for the mackerel fishery.

Our fishermen complain that American vessels, with all their other advantages, should be allowed to fit out so convenient to the fishing ground. As the hook and line fishery has not as yet commenced on Cape Breton shore, I will await your answer in visiting all parts of the Strait and Arichat, calling at Plaister Cove on mail day, where you will please direct.

I am, sir,

Your most obedient servant,

JAMES DALY.

The honorable JOSEPH HOWE, provincial secretary, Halifax.

Provincial secretary's office, September 1st, 1852.

SIR,—

Referring to your letter of the 25th ult., I beg to acquaint you, that American vessels which have regularly entered at a port where there is a revenue officer, can land fish or purchase barrels, but they have no right to an irregular use of this privilege at places where no officer is stationed.

I am, sir,

Your obedient servant,

JOSEPH HOWE.

Capt. DALY, commanding schr. Daring.

No. 22.

Downing street, 19th October, 1852.

SIR,—

I transmit for your information and guidance, the copy of a report of the law officers of the crown, on certain legal questions raised by vice admiral Sir George Seymour, in a memorandum

memorandum (of which I also enclose a copy) on the subject of the fishery convention with the government of the United States in 1818, and on the imperial act 59, Geo. 3, cap. 38.

I have, &c.
(Signed) JOHN S. PAKINGTON.

Lieut.-governor Sir J. G. LE MARCHANT, Nova-Scotia.

Memorandum of legal questions relating to the North American fisheries.

Whether under the act ⁵⁹ George 3, cap. 38, the commanding officers of H. M. ships or vessels, require any commission from the governors, or officers administering the government of the colonies, to carry out the stipulations of the convention of 1818, with the United States, relative to the fisheries on their respective coasts, either in seizing vessels infringing the regulations, or in compelling them to quit any port or harbor when they are not there for the purposes defined by the convention; or whether the orders under which such commanding officers are acting under competent authority from the imperial government, are sufficient to enable them to enforce the terms of the convention. The fishing vessels of the United States are found in great numbers at Port Hood and adjacent harbors in Cape Breton, New Brunswick, and those of Prince Edward's Island, where they pass their Sundays, and the men land in great numbers, which leads to illegal traffic, and to an undue influence over the inhabitants, and, from their numbers, are beyond control.

Such entry not being included under the causes admitted by the third clause of 59 George 3, cap. 38, can a vessel, so offending, be seized by H. M. ships for a contravention of the act? (or if she remains or returns after receiving due notice of the illegality of the practice;) or is the offence only punishable under the 4th clause by the colonial authorities, after notice has been given, by imposition of penalty recoverable in the supreme court of the colony? and how are offenders to be detained in the latter case?

It being agreed in the convention of 1818, that the inhabitants of the United States may take fish of every kind on the shores of the Magdalen Island, Sir John Dodson and Mr. Wylde gave an opinion, in their letter to Viscount Palmerston, in August, 1841, that American citizens have no right to land on those islands or to conduct the fishery from Nova Scotia shores.

Nevertheless, I find that an instruction has been issued on the North American station by successive commanders in chief, commencing in 1828, that practical interference with the United States' fishermen on the Magdalen Islands should be avoided, although their right to fish from the shores, or to dry or cure their fish there, should not be acknowledged.

It is now reported that the crews of the United States vessels interrupt the fisheries of H. M. subjects at the Magdalen Islands.

I have to request instructions, whether United States vessels so fishing from the shores of the Magdalen Islands, or in drying and curing fish on the said islands, shall be seized, and whether with or without warning for infraction of the treaty.

The Magdalen Islands are under the government of Canada, and considered to make part of the county of Gaspé, but I understand there are at present no means whatever of enforcing measures by civil power.

(Signed) G. F. SEYMOUR,
Vice admiral and commander-in-chief.

Cumberland at Halifax, July 8th, 1852.

I subjoin some queries, or points, respecting the construction of the convention, which were held doubtful in this province when the late instructions to their vessels were framed.

1st. Has an American fishing vessel a right to enter a harbor of Nova Scotia in serene weather, and afterwards proceed to sea, without purchasing wood and water, or is she liable to seizure under existing laws?
2nd.

2nd. If an American fishing vessel should approach within the limit, and there violate the terms of the convention, and the existing laws, and escape beyond three miles, can she be seized by a provincial cutter on the high seas beyond the three marine miles?

3rd. How far do the regulations passed by his majesty, in council, in 1836, extend? Can a vessel commissioned by the province of Nova Scotia enforce the observance of these regulations in the waters around the provinces of Nova Scotia, New Brunswick, or Prince Edward's Island? Can a cutter, commissioned by the government of Nova Scotia, enforce the 59 Geo. III, cap. 38?

(Signed)

G. F. SEYMOUR,
Vice admiral and commander in chief.

Cumberland, at Halifax, July 8th, 1852.

[COPY.]

Doctors' commons, July 30th, 1852.

MY LORD—

I am honored with your lordship's commands, signified in lord Stanley's letter, of the 26th instant, addressed to the law officers, stating that he was directed to transmit the copy of a memorandum which has been received from vice admiral Sir G. Seymour, requesting information upon points connected with the execution of instructions issued by H. M. government in regard to the North American fisheries, under the convention of London, of the 20th October, 1818, and the act 59, Geo. 3, cap. 38, for carrying that convention into effect, and to request that the law officers would take this paper into consideration, and report to your lordship their opinion as to the answer which should be returned to Sir G. Seymour's questions.

In obedience to your lordship's commands, I have the honor to report, that, in order to enable the law officers of the crown to advise upon this case, it will be necessary that they should be furnished with copies of all the regulations, instructions, and orders in council, which have been issued with respect to the fisheries in question since the passing of the statute 59 Geo. III, cap. 38, (14 June, 1819,) and especially of the "*orders under which H. M. naval officers are acting under a competent authority from H. M. government,*" and also of "*the regulations passed by his majesty in council in 1836,*" expressly referred to by vice admiral Seymour.

If any instructions have been issued, or laws enacted, with respect to these fisheries in the North American colonies, it would also be desirable that the law officers should be informed thereof, and furnished with copies.

I have, &c.

(Signed)

J. D. HARDING.

The EARL OF MALMESBURY, &c. &c. &c.

[COPY.]

Doctors' commons, Sept. 25th, 1852.

MY LORD—

We are honored with your lordship's commands, signified in Mr. Addington's letter of the 16th instant, stating that with reference to the queen's advocate's letter of the 30th July last, requesting to be furnished with certain documents relating to the North American fisheries, to enable the law officers of the crown to furnish your lordship with a

report upon certain points connected with that subject, he was directed to transmit to us therewith, two letters and their enclosures, from the admiralty, and from the colonial office, containing the information specified in the queen's advocate's letters above referred to; and Mr. Addington is pleased to request that we would report to your lordship, at our earliest convenience, upon the points stated in vice admiral Sir George Seymour's memo., which was referred to us on the 26th July last.

In obedience to your lordship's commands, we have the honor to report that,

First.—We are of opinion that the commanding officers of her majesty's ships or vessels are empowered to seize fishing vessels only in the cases mentioned in the 2nd section of the 59th Geo. III, c. 38, viz.: if found fishing, or to have been fishing, or preparing to fish, within the prescribed limits; and that they do not require any commission from the governors, or officers administering the government of the colonies, to carry out the stipulations of the convention of 1818; but that they may, by virtue of their instructions, enforce the terms of the convention, by interrupting intruders, warning them off, and compelling them to desist from fishing.

Secondly.—With respect to the resort of fishing vessels of the United States to British harbors, in violation of the convention, but without the taking, or curing, or drying of fish, we are of opinion that vessels so offending cannot be seized by her majesty's naval officers, but that such offence is only punishable under the 4th section of the statute 59 Geo. 3, cap. 38; whether persons so offending may or may not be detained during the proceedings depends upon the local law of each colony.

We are also of opinion that, independently of the express provisions of the statute, vessels so offending may be warned off, and, in default of obedience, may be compelled to depart by the exercise of whatever force is reasonably necessary for that purpose, and this may be done, either by the governor, or those acting under his orders, or by the commanders of her majesty's ships acting under the instructions to Sir George Seymour.

If it be deemed expedient that a power to seize vessels in such cases should be conferred upon naval officers, or others, this must be done by order in council.

Thirdly.—We are of opinion that neither the drying and curing fish at the Magdalen Islands, nor the fishing from the shores of those islands, (if the persons so fishing are on the land when fishing) will render vessels liable to seizure for infraction of the treaty.

Upon the general question as to the right of fishing from the shores of the Magdalen Islands, we are disposed to agree with the opinion therein expressed by Sir J. Dodson and Sir Thomas Wylde, in their report, dated August 30th, 1841.

If it should be considered advisable to prevent the commission of any such acts upon the Magdalen Islands (which are in our opinion in contravention of the convention) it may be done after warning and without seizing vessels, by interrupting the fishermen and compelling them to depart.

With reference to the further or additional queries or points, subjoined to the memorandum of vice admiral Sir George Seymour, we have the honor to report as follows:

First—(additional.) We presume that the harbor of Nova Scotia here referred to, is among the waters forbidden by the convention. If this be so, a fishing vessel of the United States cannot lawfully enter it at all in serene weather, or otherwise than for shelter. If such a vessel should enter in violation of the convention, it may be dealt with (not by seizure) but by interruption or compelling the fishermen to depart, or by proceeding under section 4 of 59 Geo. 3, cap. 38.

Second—(additional.) An American fishing vessel, if found either actually fishing, or preparing to fish, or to have been fishing within the waters prohibited, may be pursued by any officer having competent local authority, under the statute 59 Geo. 3rd, cap. 38, in any vessel (whether colonial or of her majesty's navy) beyond the limits of prohibition, and may be, by any such officer, seized on the high seas; but we should recommend this course to be adopted only in very clear cases, and with extreme caution.

Third—(additional.) We think that under the colonial act (Nova Scotia) 6 Wm. 4, cap. 8, and the order in council of June 15th, 1836, the right to enforce the observance of the

Will have after

the regulations in question is limited to the officers specified in that act, and to the coasts of that colony, and that it cannot be exercised beyond those limits by any vessel commissioned by the governor of Nova Scotia only.

We have, &c.

(Signed)

J. D. HARDING.
FRED. THESIGER,
FITZROY KELLY.

The Earl of MALMESBURY, &c. &c. &c.

Port Hood, August 23rd, 1852.

SIR—

In acknowledging the receipt of a copy of a letter addressed to capt. Crowell, (the instructions contained in which shall be particularly attended to,) I beg leave to report, that after having completed the crew of the schooner Responsible at Sydney, I proceeded as far as Cape North, calling at the different bays, with the intention of going round the island by the way of Cape St. Lawrence, but on the night of Monday the sixteenth, experienced a heavy blow from the north west, which obliged me to bear up and run round Scattarie, thence through the Strait of Canso, and I arrived at Port Hood on the twenty-second, and start again to-morrow down the eastern shore.

I would respectfully ask permission to enquire, if American fishing vessels are denied the privileges granted to foreign shipping in the free ports; the question has been suggested, in consequence of American vessels sailing under their fishing licenses only, having on more than one occasion landed freight at the Strait of Canso, by permission of the officer of the port, the duties having been secured; and if this be not contrary to the terms of the convention of 1818, may I presume that they have a right, with or without freights, to enter our free ports for other purposes than those of shelter, and obtaining wood or water; and by reporting to the officers of the customs or excise, can remain unmolested by the commanders of the cutters.

I have the honor to remain,

Sir,

Your obedient servant,

P. S. DODD.

The honorable the PROVINCIAL SECRETARY, &c. &c. &c.—Halifax.

Provincial secretary's office, August 28th, 1852.

SIR—

I have to acknowledge the receipt of your letter of the 23rd instant, and to acquaint you in reply to your enquiry, that no American fishing vessels are entitled to commercial privileges in provincial ports, but are subject to forfeiture if found engaged in traffic. The colonial collectors have no authority to permit freight to be landed from such vessels, which under the convention can only enter our ports for the purposes specified therein, and for no other.

I have, &c.

(Signed)

JOSEPH HOWE.

Captain P. S. DODD, revenue cruiser Responsible.

Provincial

Provincial secretary's office, August 28, 1852.

SIR,—

I am commanded by his excellency the lieutenant-governor to transmit to you, the enclosed extract of a letter received from the commander of the provincial revenue cruiser *Responsible*, and to request that you will, without delay, furnish, for the information of his excellency, a particular report of any fishing vessel sailing under American license, which may have landed freight or paid duties at your port within the present year.

I have, &c.,

(Signed)

JOSEPH HOWE.

P. J. BROUARD, esquire,
Collector of colonial duties, Gut of Canso.

Impost and excise office, Ship Harbor, Sept. 4th, 1852.

SIR—

In answer to your communication of the 28th ult., I beg to state, for the information of his excellency, that no American vessel under a fishing license has been admitted to entry at this port within the present year.

The gentleman from whom captain Dodd received his information, received a few barrels of bread stuffs by an American vessel, from Baltimore, bound to Magdalen Islands to purchase a cargo, and not to fish for the same; the said gentleman being in Halifax at the time of her arrival here, could not tell under what papers she was sailing.

Yesterday I had an opportunity of meeting captain Dodd and his informant, and captain Dodd desires me to say that his information was incorrect.

I beg to enquire if every class of foreign vessels are not admitted to entry in this province.

I am, sir,

Your obedient servant,

PETER J. BROUARD.

The honorable the PROVINCIAL SECRETARY.

[COPY.]

No. 30.

Downing street, 7th December, 1852.

SIR,—

I transmit herewith for your information and guidance, an extract of a despatch from vice admiral Sir George Seymour, addressed to the lords commissioners of the admiralty, stating his intention of suggesting to the governors of her majesty's North American colonies, the expediency of taking certain steps with a view to the better protection of the British fisheries during the next fishing season.

Her majesty's government consider the recommendations of Sir George Seymour on this subject of great value and importance, and I have to instruct you to take the necessary steps, in concert with your executive council, for carrying them into effect.

I have, &c.

(Signed)

JOHN S. PAKINGTON.

Lieut.-governor Sir J. G. LE MARCHANT, Nova-Scotia

Copy.

[COPY.]

Admiralty, 24th November, 1852.

MY LORD—

I am commanded by my lords commissioners of the admiralty to send you herewith, for the information of secretary Sir John Pakington, a copy of a letter from vice admiral Sir George Seymour, dated the 4th instant, No. 185, proposing certain regulations for the future protection of the North American fisheries.

I am, &c.

(Signed)

AUG. STOPFORD.

Lord DESART, &c. &c. &c.

Extract of a letter from vice admiral Sir George Seymour to the secretary of the admiralty, dated Cumberland, at Halifax, 4th Nov., 1852.

“ With regard to the circumstances reported in my letter No. 177, of the 27th ult., the general irregularity of the Nova Scotia vessels, which the custom houses have not sufficiently checked, appear to be now acknowledged, as well as the difficulties in which Com. Campbell was placed, from those irregularities.

“ I have in consequence conferred with the lieutenant-governor of this province on the subject, and have suggested to him that if the same necessity shall exist next season of protecting the colonial fisheries, the task will be much lightened if the fishing vessels of a certain tonnage are numbered, and bear their numbers on the hull and mainsail, like the pilot vessels in the channel, which I think with the proper enforcement of the customs regulations and more care about granting of British registers, may check the growing disposition to carry on an American trade under British colors, with the assistance of the laboring fishermen, who are indifferent under what flag they serve.

“ As Sir Gaspard LeMarchant approves this proposal, I shall communicate it to the governor general and to the lieutenant-governors of New Brunswick and Prince Edward Island.”

CASE OF THE MERIDIAN.

[COPY.]

Port Hood, Cape Breton, September 25th, 1852.

SIR—

I send for the information of his excellency the following statement :—On the 10th instant while in the Strait of Canso I boarded the American fishing schooner Meridian, of Castine, U. S., bound on a fishing voyage. Finding her this morning within a mile and a half of the shore, with her crew in the act of fishing, I boarded her and demanded to see her papers, when to my surprise the captain produced a British register, granted on the 15th September, 1852, by Mr. Goodman, collector of customs at Guysborough, to William Heffernan of the Strait of Canso, as owner. I understand that this is not the only case of a similar character which has occurred in the Strait of Canso. Our fishermen complain very much of a system that enables American vessels thus to evade the navigation laws. I have detained the register, until I obtain further information on the subject. I hope that his excellency in council will take this matter into serious consideration, and instruct

me what I shall do in this matter and what course I shall pursue in any future case of a similar character. Should the government decide in favor of the Meridian, then we may expect the practice of obtaining British registers for foreign vessels engaged in fishing to become universal.

I have, &c.

(Signed) JAMES LAYBOLD.

The honorable JOSEPH HOWE, provincial secretary, Halifax.

Provincial secretary's office, September 30.

SIR—

Referring to your letter of the 25th instant, reporting circumstances in connection with the registry at the port of Guysborough of the American schooner Meridian, I have it in command from the lieutenant-governor to direct that you will forthwith transmit to me the register retained by you, so as to enable his excellency to order such investigation as the case may require.

I have, &c.,

(Signed) JOSEPH HOWE.

Capt. JAMES LAYBOLD, revenue cruiser Halifax.

Provincial secretary's office, September 30.

SIR—

I have it in command to enclose to you a copy of a letter just received at this office from captain James Laybold, of the provincial cruiser Halifax, and to request that you will take the necessary steps to ascertain whether in granting the register to which captain Laybold refers, there has been any violation of law by the officer at the port of Guysborough.

I have, &c.

(Signed) JOSEPH HOWE.

HENRY TREW, esquire, &c. &c. &c.

Port Hood, September 25th, 1852.

SIR—

At the request of captain Laybold, of brigantine Halifax, I beg leave to submit to you the following statement:—

For some time past a practice appears to have prevailed to some extent, by which American fishing vessels are obtaining British registers, under a transfer or pretended transfer from the original owners to British subjects, and under such register are engaged fishing on these shores.

Captain Laybold this day found a schooner called the Meridian, lately belonging to Castine, fishing within the limits, and on boarding her, discovered that she had a British register issued by Frederick R. Goodman, controller of customs at Guysboro', under date September 15th, 1852, and with one John Williams, a British subject, master, but having also on board Joshua Dodge, the former master, an American subject, and some other Americans.

Captain

Captain L. brought the vessel into the harbour, and the late and present masters having come with him to my office, said Joshua Dodge stated that he came into the Strait of Canso about the 10th instant, under an American enrolment and mackerel fishing license, having also with him a bill of sale from the former owners to William O. Heffernan, of McNair's Cove. That the vessel was then surveyed and a British register obtained, and she has since 16th September been engaged in taking mackerel in this Bay as a British vessel.

He also states that he had on board on his arrival in the Strait of Canso, some mackerel lines, a bait-mill, and a very little bait, and her supplies for fishing were furnished by Mr. Heffernan.

Captain Laybold with my consent has permitted the vessel to continue fishing, but the register is deposited with me, and the vessel is to be dealt with as may be directed; and would therefore be very much obliged by your communicating with him and me on the subject as early as possible.

Had this vessel come to the province under a clearance from the United States merely for the purpose of being delivered to the purchaser, the transfer might have been quite legal; but if under present circumstances it is so decided, it will prove a source of great trouble, and an easy method of violating the treaty.

I have no doubt that if it is found that this contrivance will answer, great numbers of American fishing vessels will next season be nominally British property, and in the fall will send home their fish by vessels having American papers—and lay up here during winter, and the next season meet their consorts in the Bay, who will again provide them with supplies and again take home their fish.

I sincerely trust means will be found to suppress this practice before it becomes general.

The present Nova Scotia fishing marine, of which about seventy sail were last night anchored in this harbor, will soon be a great credit to Nova Scotia, if our own waters are kept exclusively for them.

I beg leave most respectfully to submit the foregoing statement to his excellency and council, and to request the favor of an answer at your convenience.

I am, sir,

Your most obedient, humble servant,

HIRAM BLANCHARD,
Collector colonial duties.

The honorable JOSEPH HOWE.

Provincial secretary's office, October 4, 1852.

SIR—

Referring to your letter of the 25th September, I have it in command to acquaint you that a communication has already been addressed to captain Laybold, in reference to the "Meridian," and that the collector at Guysborough has been called upon to report fully the facts upon which the register was granted to her at that port.

Your letter has been laid before the lieutenant-governor and the vice admiral; and I will thank you to report to me, weekly, what you may observe in respect to the fisheries, until the navigation closes.

I have, &c.

(Signed) JOSEPH HOWE.

HIRAM BLANCHARD, esquire, Port Hood.

Custom house, Halifax, 12th November, 1852.

SIR—

With reference to a letter received at this office from the honorable Joseph Howe, enclosing a letter from Mr. James Laybold, and respectively dated the 25th and 30th of September last, relative to the schooner "Meridian," of the port of Guysborough, in this province, I have the honor herewith to transmit copy of a letter on this subject, from Mr. Goodman, controller of customs and navigation laws for the port of Guysborough, together with the original certificate of registry of the said vessel, and copies of the declaration and bond made and entered into by Mr. Heffernan, at the time the said certificate of registry was granted.

The certificate of registry, declaration and bond, appear on the face of them, to be perfectly correct; but it does seem somewhat singular and extraordinary to me that Mr. Heffernan should become sole owner (as declared by him) of three American vessels, at the same period of time. In order to test the truth of the said declarations, I would submit that the provincial government should make an especial application to the collector at the port of Gloucester, in the United States, (where it is alleged in the declaration the Meridian was built,) for the purpose of ascertaining whether the Meridian, and the other two vessels owned by Mr. Heffernan, have been struck off the list of vessels belonging to the said port, or whether their American certificates of registry have been delivered up to be cancelled, and if he still considers them to be sailing under the American flag.

I have the honor to be,

Sir,

Your obedient servant,

HENRY TREW,

Controller H. M. customs.

W. H. KEATING, esquire, deputy secretary.

Provincial secretary's office, Halifax, November 26, 1852.

SIR—

The attorney general having reported to the lieutenant-governor that a practice has been adopted by Americans of selling their vessels, fitted out for fishing, to subjects of her majesty, resident in this province, such vessels being at the time of transfer in British waters, and having particularly called attention to the case of the "Meridian," detained on the 25th September by captain Laybold, commanding the provincial revenue cruiser "Halifax," who found her on the 10th September, with American papers, bound on a fishing voyage, and on the 25th of the same month sailing and fishing under a British register, granted on the 15th September by Mr. Goodman, controller of customs at Guysborough, to William Heffernan, of the Strait of Canso; and other cases of a similar nature having occurred, whereby the restrictions imposed by the convention of 1818, and laws in aid thereof are evaded, and will (if the practice be not stopped) engender serious detriment to those engaged in the fisheries of the province; I have received the lieutenant-governor's command, to request that the proper officers may be instructed, when any application is made by a British subject for the transfer of a foreign bottom to be registered as a British vessel, that the papers and a full statement be sent to your office at Halifax, and that the previous occupation and locality of the vessel sought to be so transferred be distinctly represented. Your early attention to and report upon this subject is requested.

I have, &c.

(Signed)

WM. H. KEATING,
Dep'y. secretary.

HENRY TREW, esquire,
Controller of customs and navigation laws, Halifax.

No. 294.

Custom house, Halifax, 29th November, 1852.

SIR—

I have the honor to acknowledge your letter of the 26th inst., relative to a report made by the attorney general to the lieutenant-governor, that a practice has been adopted by Americans of selling their vessels, fitted out for fishing, to subjects of her majesty resident in this province; and alluding more particularly to the case of the Meridian.

I herewith enclose copy of a circular addressed from this office to the several controllers at the registering out-ports, including Prince Edward's Island, under my survey, and I will thank you to inform his excellency the lieutenant-governor, that I shall prepare a full report on this subject by the next steamer, to the honorable the commissioners of her majesty's customs, for their instructions and directions thereon.

I have the honor to be,

Sir,

Your obedient servant,

HENRY TREW, controller.

W. H. KEATING, esquire, deputy secretary.

Government house, Halifax, December —, 1852.

SIR—

The attorney general of this province has reported to me that, in several cases, citizens of the United States have sold to British subjects vessels fitted out for fishing, such vessels being at the time in British waters, and my attention has been particularly directed to the case of Meridian, detained on the 25th September last by captain Laybold, commanding the provincial revenue cruizer Halifax, who found her on the 10th September with American papers bound on a fishing voyage, and on the 25th of the same month sailing and fishing under a British register granted on the 15th September, by Mr. Goodman, controller of customs and navigation laws at Guysboro', to William Heffernan of the Strait of Canso, in this province. It is evident that serious detriment to the interests of the provincial fisheries must thus result, and that the restrictions imposed by the convention of 1818 will be evaded, if preventive means be not adopted. With a view to this object, I beg to request that your excellency will cause enquiries to be made at the port of Gloucester, Massachusetts, where the Meridian is alleged to have been built, and at Castine, where she is supposed to have been registered, and that you will be so good as to report whether her name has been struck from the list of vessels of that port, or whether their American certificates of registry have been delivered up to be cancelled, and when, or whether the Meridian is still regarded as a vessel sailing under the American flag; also any information that it may appear to you to be important to communicate on the subject.

I have the honor to be,

Sir,

Your obedient servant,

J. G. LE MARCHANT.

JOHN F. CRANPTON, esquire, &c. &c. &c., Washington.

CASE OF THE HELEN MARIA.

(By telegraph.)

Pubnico, July 27, 1852.

Boarded American schooner "Helen Maria," of Gloucester, having on board fresh mackerel, apparently taken within twenty-four hours. She had been in port forty-eight hours, as stated by the master. I have detained her, and taken the opinion of Simon D'Entremont, as to the mackerel found on board. I have placed schooner with the collector at Pubnico.

PAUL CROWELL.

The honorable the PROVINCIAL SECRETARY.

(By telegraph.)

Provincial secretary's office, 28th July, 1852.

Send deposition of your mate and two of crew, or others knowing facts. Meanwhile hold on.

W. H. KEATING, D. S.

Capt. CROWELL, Yarmouth.

Yarmouth, 22nd July, 1852.

SIR—

As I cannot receive an answer by telegraph this evening, and the mail leaving this place before I shall receive an answer from you in the morning, I have decided to state a few facts relating to the schooner Helen Maria. On Monday afternoon I boarded her, lying at anchor at John's Island, New Pubnico; he had been in to Argyle on Sunday by his own statement, and had come from Argyle to John's Island but a short time before I boarded him. I made enquiry if he had taken any fresh bait. I understood him to say he had none on board. I discovered some mackerel scales on deck, and in looking in some barrels which stood on deck, I found a barrel covered with an old basket about half or two-thirds full of small mackerel, such as are in our harbors at this time—they appeared to be very fresh. I ordered him into Pubnico, and sent four hands on board. On arriving at Pubnico, I went on shore and brought on board Mr. Willet and Simon D'Entremont, esq., who said they believed the mackerel to have been taken that day, likewise the mate and two of the men which I sent on board say that some of the crew informed them the mackerel was taken from the time they left Argyle until they came to at John's Island. After taking the opinion of the gentlemen before mentioned, I informed the master I should detain the vessel, and put her in charge of Mr. Willet, the officer of the port—accordingly he had her taken to the wharf. The captain left immediately for Argyle. Yesterday morning I left Pubnico for this place with the Belle, but did not arrive here until late in the evening. I immediately communicated by telegraph, in hopes of receiving a decided answer. These are all the proofs I have. The captain says he took the fish on Brown's bank, but my opinion is that they were taken in the harbor. I shall wait your answer by telegraph in the morning, and govern myself for the time to come accordingly, and send your decision to Mr. Willet. I shall then proceed to St. Mary's Bay, where I expect to hear the decision respecting the pilot boat, and take the men I left there, and likewise receive any further instructions you may give. I have not found any Americans in the bay, but the wood coasters require looking after.

I am your obedient servant,

PAUL CROWELL.

The honorable JOSEPH HOWE.

Yarmouth,

Yarmouth, 31st July, 1852.

SIR—

According to your request, by telegraph, I now enclose you the depositions of one of my officers and three of the men under my command. Had I went to Argyle, I doubt not but I could have got other testimony respecting the taking of the fish in the schooner "Helen Maria," than that now sent you. Mr. Willet and Mr. D'Entremont, of Pubnico, stated to me, when the vessel was taken there, that if they were called to give oath respecting the time the fish were taken, that were found on board of the "Helen Maria," they would say, that to the best of their judgment, they were caught the same day they were brought into Pubnico.

Since writing the above, a man by the name of Malone told me that Enoch Goodwin, of schooner Transit, fisherman, of Argyle, told him he saw some of the crew of the "Helen Maria" taking mackerel in Argyle.

I am, &c.

PAUL CROWELL.

The honorable JOSEPH HOWE.

N. B. In the first communication I sent you by telegraph, I stated that the H. M. had been in port 48 hours,—since then I have seen the master, and he says I misunderstood him, that he came in on Sunday instead of Saturday.

YARMOUTH, S. S.

Personally appeared before me, Reuben Clements, one of her majesty's justices of the peace for said county, John Morrison, mate, and James McDonald, Hector McLellan, and Duncan McQueen, seamen, all of the brig. Belle, Paul Crowell, master, who deposes and saith—that on Monday evening, 26th July, instant, we were sent on board the schooner "Helen Maria," of Gloucester, Cape Ann, U. S., which vessel was lying at John's Island, near Pubnico, and we were directed to take said schooner "Helen Maria" into Pubnico. While on board of said vessel we saw a quantity of fresh mackerel, which to all appearance had been taken or caught that day. We also heard one of the crew of the said schooner "Helen Maria" say, that said mackerel were taken while said vessel was on her passage from Argyle to John's Island.

On our arrival at Pubnico, the schooner "Helen Maria" was delivered to the care of Thomas Willett, esquire, officer of said port.

JOHN MORRISON,
JAMES McDONALD,
HECTOR McLELLAN,
DUNCAN McQUEEN.

Sworn before me, this 28th day of July, 1852.

R. CLEMENTS, J. P.

Pubnico, July 31st, 1852.

SIR—

Capt. Crowell, of the revenue cutter, left with me the American fishing schr. Helen Maria, and sailed for Yarmouth on the 27th inst., to communicate with you by telegraph. He promised to inform me on learning your decision, but I have not since heard from him. I put the schooner at Simon D'Entremont's wharf, and on the evening of the 29th instant, the crew, assisted by others, made an attempt to rescue her, but failed. The captain, being an Argyle man, had friends to assist him. After making the attempt the captain and crew

crew left for Yarmouth, and she is now seized and stripped. She has on board about two hundred quintals of green fish, lightly salted, and consequently would not keep long. I wait your reply.

I have the honor to be,

Your obedient servant,

THOMAS WILLETT.

To the honorable the PROVINCIAL SECRETARY, Halifax.

Pubnico, August 5th, 1852.

SIR—

I beg to state that, in writing to you concerning the American fishing schooner "Helen Maria," I committed an error relating to the quantity of fish on board. I understood that she had eleven thousand fish on board, but she has but eleven thousand pounds, a large part of which is halibut.

I have, &c.

(Signed)

THOMAS WILLETT.

The honorable PROVINCIAL SECRETARY, Halifax.

*Consulate of the United States of America, Halifax, N.S., }
August 7th, 1852.*

SIR—

I take the liberty of enclosing, with a request that you will lay it before his excellency the lieutenant governor, the protest of the master and crew of the American fishing schooner Helen Maria, taken before H. A. Grantham, esquire, the consular agent at Yarmouth, which vessel is now detained by the master of the revenue vessel Belle, at Pubnico, for an alleged breach of the fishing convention between Great Britain and the United States of America.

I trust, on perusing this document, his excellency will feel fully satisfied of its correctness, and I respectfully solicit from him, through you, an order for the release of the Helen Maria.

You will also confer a further favor by returning the protest, when his excellency has decided on the case.

I have the honor to be,

Sir,

Your most obedient servant,

THOMAS M. BRAINE,
Acting consul U. S.

The honorable JOSEPH HOWE, provincial secretary, Halifax.

Provincial secretary's office, August 6th, 1852.

SIR,—

There being reason to hope that friendly negotiation may, before long, adjust the fishery question, his excellency the lieutenant governor is unwilling to press upon captain Spinney,

Spinney, in the meantime, a severe construction of the law ; I have therefore been commanded to authorise you to release the "Helen Maria."

I have, &c.

(Signed)

JOSEPH HOWE.

THOMAS WILLETT, esquire, &c., Pubnico.

Provincial secretary's office, Halifax, August 6th, 1852.

SIR—

Having laid before the lieutenant-governor your reports, and the depositions forwarded therewith, I have been commanded by his excellency to direct the release of the schooner Helen Maria.

His excellency commands me to acquaint you that, in view of the risks which may follow any indiscretion on the part of the officers commanding the provincial cruisers, his excellency will hold them strictly accountable for any want of prudence ; and commands me to acquaint you that while it is the intention of the government to protect the rights of fishery clearly established by the convention of 1818, it is bound to respect the privileges which others may lawfully enjoy undisturbed by any strained or vexatious construction of those which British subjects enjoy.

I have, &c.

(Signed)

JOSEPH HOWE.

PAUL CROWELL, Esq., P. R. cutter "Belle."

Provincial secretary's office, August 6th, 1852.

SIR—

I have it in command from his excellency the lieutenant-governor to transmit to you the enclosed copy of an official letter, addressed this day to captain Paul Crowell, and to call your attention particularly to the instructions therein contained.

I have, &c.,

(Signed)

JOSEPH HOWE.

Captain JAMES LAYBOLD, brigantine Halifax.

[A similar letter addressed to Capt. P. Dodd, also to Capt. James Daly.]

Provincial secretary's office, August 7th, 1852.

SIR,—

Referring to your letter of this day's date, I beg to enclose a copy of a letter, which, by command of the lieutenant-governor, I yesterday addressed to the collector at Pubnico, directing him to deliver up the schooner Helen Maria to her owner.

I have, &c.

(Signed)

JOSEPH HOWE.

THOMAS M. BRAINE, esquire, acting consul.

Pubnico, August 10th, 1852.

SIR—

In your note to release the schooner "Helen Maria," I am not informed to whom I am to look for the expenses I have been to, in stripping and securing the vessel; I have informed Mr. Grantham, the American consul, at Yarmouth, that captain Spinney can have the vessel by paying the expenses of taking care of her and paying the light duty. Please inform me if I am correct in so doing.

I have, &c.

THOMAS WILLETT.

The honorable JOSEPH HOWE, provincial secretary, Halifax.

N. B.—Captain Spinney and crew, caused considerable expense by the attempted rescue, by getting the schooner on a ledge, the tide being down, and wind on shore.

THOMAS WILLETT.

Provincial secretary's office, August 16th, 1852.

SIR—

Referring to your letter of the 10th instant, I am commanded to instruct you to give up the Helen Maria without further delay.

You can forward the bill for the expenses to this office, and the necessary steps will be taken for the recovery of them through the American consul here.

I am, &c.

(Signed)

JOSEPH HOWE.

THOMAS WILLETT, esquire.

ADDITIONAL FISHERY CORRESPONDENCE.

No. 25.

Custom House, Halifax, 22nd February, 1852.

SIR—

With reference to my letter of the 29th November, 1852, No. 294, I have the honor herewith to enclose, for the information of his excellency the lieutenant-governor, printed copies of two letters received by the last steamer, from the honorable the commissioners of her majesty's customs, relative to the American schooner "Meridian," and the British schooner "Creole," together with the orders thereon, transmitted from this office to the controllers of customs and navigation laws at the several registering ports in this province and Prince Edward's Island, under my survey.

I have the honor to be,

Sir,

Your obedient servant,

HENRY TREW, controller.

To the honorable the PROVINCIAL SECRETARY, Halifax.

Copy.

[COPY.]

No. 4.

Custom house, London, 28th January, 1853.

SIR—

The board having had under consideration your report dated 9th ultimo, No. 68, transmitting papers and correspondence in reference to granting certificates of registry to American fishing vessels, purchased by owners resident in the province of Nova Scotia, and requesting instructions and directions thereon :

I am desired to acquaint you, that as so much of the act of the 8th and 9th Victoria, ch. 89, sec. 5, as provides that no ship shall be registered except such as be wholly of the build of some part of the British dominions, has been repealed by the act of the 12th and 13th Victoria, chap. 29, sec. 1, British registry cannot be refused to American or other vessels of foreign build, upon the parties making the declaration required by that act, and complying with all legal requisites ; and especially with the provisions of the 20th section of the act of 13th and 14th Victoria, cap. 95, which requires that the original names of all foreign vessels purchased by British subjects and registered as British vessels should be recorded on the registry thereof, in order to maintain the identity of such vessel.

I am further to acquaint you, with reference to the provincial secretary's letter, dated 26th November last, that, upon a party complying with all the requisites above specified, you would not be justified in refusing to grant a certificate of British registry, although you might not be in possession of, or be furnished with, a statement of the previous occupation and locality of the foreign vessel about to be registered as a British vessel, unless you shall, in each case, be indemnified by the provincial government against any proceedings which might be instituted against you for declining to register in the absence of the particulars required in the latter part of the provincial secretary's letter above alluded to.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed)

F. E. GARDNER.

The comptroller H. M. customs,
Halifax, Nova Scotia.

Custom house, Halifax, 18th February, 1853.

The foregoing copy of a letter from the honorable the commissioners of her majesty's customs, is transmitted to the controller of customs and navigation laws at the port of _____, for his information and government.

[COPY.]

No. 5.

Custom house, London, 28th January, 1853.

SIR—

The board having had under consideration your report, dated 9th ultimo, No. 69, transmitting a letter from the master of H. M. steam ship Devastation, in charge of the schooner "Creole," which had been detained for a breach of the fishery convention of 1818, and also upon the ground of sailing under a false registry, in which report you advert
to

to the circumstance, that prior to the present transaction, the "Creole" had been abandoned at sea, and was subsequently towed into an American port and sold for the benefit of all concerned, the British consul at Boston endorsing the transfer on the certificate of registry, instead of forwarding it to you, for the purpose of being cancelled, and request the board's directions on the subject; also, whether the purchaser, who is a British subject, residing at Boston, in the United States, and who has not taken the oath of allegiance to that republic, is entitled to be owner of the said vessel, with reference to the 11th and 12th sections of the registry act 8th and 9th Victoria, cap. 89, and the 17th section of the act 12th and 13th Victoria, chap. 29.

I am desired to acquaint you, that all vessels proceeded against for breach of the fishery convention, are required by the 5th section of the provincial act of Nova Scotia, 6th Wm. 4, chap. 8, to be delivered into the custody of the officers of the colonial revenue, as signified in the board's order of the 20th August last, No. 43, and so far as regards those proceedings in the present case, you are to govern yourself by the orders you may receive from the provincial government, and you are to report to the board the result of the prosecution.

I am also to acquaint you, with reference to the endorsement made on the certificate of registry of the vessel in question, that although, in strictness, the British consul at Boston, instead of endorsing the same, should have transmitted it to you, for the purpose of being cancelled, and to enable the purchaser to register her *de novo* at your port; nevertheless, the board are of opinion, that enough has not been shewn to justify her forfeiture on that ground.

With respect to the question raised by you, as to the right of a British subject, residing in a foreign country, to be the owner of a British ship, the board have very carefully considered the same, and having conferred with their solicitors, and particularly adverted to the very important words contained in the form of declaration prescribed by the registry act 8 & 9, Vic., ch. 89, and which have been *omitted* in the form of declaration which has been substituted in lieu thereof, in the 19th section of the act 12 & 13, Vic., ch. 29, are of opinion, that, under the provisions of the 17th sec. of the last recited act, all natural born subjects of her majesty, although residing in a foreign country, upon making the declaration prescribed by the 19th sec. of the act, as well as upon complying with all other legal requisites, are to be deemed to be qualified to be owners of British ships.

I am, sir,

Your most obedient servant,

(Signed) F. E. GARDNER.

The comptroller H. M. customs,
Halifax, Nova-Scotia.

Custom house, Halifax, 18th February, 1853.

The foregoing copy of a letter from the honorable the commissioners of her majesty's customs, is transmitted to the controller of customs and navigation laws at the port of for his information and government.

CASE OF THE MERIDIAN.

Further correspondence in continuation of papers communicated to the provincial legislature of Nova-Scotia, on the 28th January, 1853.

[COPY.]

Washington, January 25, 1853.

SIR—

I have this day received your excellency's despatch, dated the 22nd ultimo, and I have the honor to inform you that I have directed her majesty's consul for the state of Massachusetts, to use his best endeavors to obtain the information which your excellency requires in regard to the fishing vessel "Meridian."

The United States' secretary of state, to whom I communicated the substance of your excellency's despatch, informs me that the registers of American vessels, sold abroad, should be delivered up to the American consul residing at the port nearest the place where the sale is effected, and that consequently the American register of the "Meridian," if her sale had been legally effected in a port of Nova Scotia, ought to be found in the possession of the American consul in that province. Registers so delivered up, are ultimately forwarded by the consuls to the department of state at Washington, but this is only done at stated intervals. I have, however, requested the secretary of state to have enquiries made as to whether the certificate of registry of the "Meridian" has been received here.

I have, &c.

JOHN F. CRAMPTON.

His excellency Sir GASPARD LE MARCHANT, &c. &c.

Washington, 7th February, 1853.

SIR—

With reference to my letter of the 25th ultimo, acknowledging receipt of your excellency's letter of the 22nd December last, I have the honor to inclose copies of letters which I have received from the United States' secretary of state and her majesty's consul for the state of Massachusetts, in reply to the enquiries I had addressed to them, respectively, relative to the American fishing vessel "Meridian," which had been detained by the provincial revenue cruiser "Halifax," under the suspicion of having fraudulently obtained a British register.

So soon as the additional information promised me by Mr. Everett and Mr. consul Grat-tan reach me, I shall lose no time in communicating it to your excellency.

I have, &c.,

(Signed) JOHN F. CRAMPTON.

His excellency Sir J. GASPARD LE MARCHANT, &c. &c.

Department of state, Washington, 4th February, 1853.

SIR—

I have the honor to acknowledge the receipt of your note of the 25th ult., expressing a wish to be informed whether the American register of a fishing vessel called the
 39 "Meridian,"

"Meridian," which, on the 10th September last, was found bound on a fishing voyage, with American papers, and, fifteen days afterwards, sailing and fishing under a British register, has been transmitted to the proper department at Washington.

Application having been made to the treasury department with a view to enable me to comply with your request, I have now the honor to enclose to you the copy of a letter on the subject of your enquiry, from the acting secretary of the treasury. You will see from it, that the register referred to has not been received at the treasury department, but that from the fact that the report made to that department on the 28th of December, 1852, by the collector at Penobscot, of the names of vessels claiming fishing bounty, includes the schooner "Meridian," he has been instructed to make enquiry concerning the identity of the two vessels, for the information of your government.

I avail, &c.

(Signed)

EDWARD EVERETT.

JOHN F. CRAMPTON, esquire.

Treasury department, February 2nd, 1853.

SIR—

I have the honor to acknowledge the receipt of your note of the 31st ultimo, making enquiry, at the instance of the British government, whether the American register of the fishing vessel "Meridian," supposed to be registered at Castine, had been given up to be cancelled, and if so, when.

The coasting and fishing vessels of the United States, are not by law provided with registers issued by this department. They are enrolled and licensed at the custom house of the district where their owners reside, and copies of such enrollment with the appropriate license, are furnished to such vessels, instead of the registers issued to vessels engaged in foreign trade. They are required to be surrendered on a change of ownership, in the same manner.

The collector of the district of Penobscot, of which the custom house is at Castine, in his report of the 28th December last of the names of vessels claiming fishing bounty, includes the schooner "Meridian," Joshua W. Dodge, master. As this district is very extensive and includes several ports where fishing vessels are owned and fitted out, this may be a different vessel from that referred to in your note. The question of identity cannot be ascertained but by recourse to the collector, who has been required to report at his earliest convenience in answer to your enquiry, as well as any other facts and circumstances within his knowledge, which may throw light upon it.

I have, &c.

(Signed)

W. L. HODGE,
Acting secretary of treasury.

HON. E. EVERETT.

Boston, February 2, 1853.

SIR—

I beg to acknowledge the receipt of your letter of January 25, inclosing a copy of a letter from his excellency the lieutenant-governor of Nova Scotia, relative to the fishing vessel "Meridian," and desiring me to make certain enquiries in regard to that vessel at the ports of Gloucester and Castine.

I have taken steps to procure the information desired by his excellency the lieutenant-governor, but Castine being in the State of Maine, and somewhat remote from this place, it is possible that some time may elapse before I receive a reply to my enquiry.

I will not fail immediately to communicate to you whatever information I can obtain.

I have, &c.

(Signed)

EDMUND A. GRATTAN.

J. F. CRAMPTON, esquire.

Washington, 15th February, 1853.

SIR—

With reference to my letter of the 7th instant, I have now the honor to transmit to your excellency, herewith, copies of a letter, and of its enclosures, which I have received from the secretary of state of the United States, from which your excellency will perceive that the enrolment and license of the American fishing vessel "Meridian," which had been detained by the provincial revenue cruiser "Halifax," under the suspicion of having fraudulently obtained a British register, have not been surrendered to the competent authorities of the United States.

I have, &c.

(Signed)

JOHN F. CRAMPTON.

His excellency Sir J. GASPARD LE MARCHANT, &c. &c. &c.

Treasury Department, February 12, 1853.

SIR—

I have the honor to enclose herewith a copy of the report just received from the collector of the district of Penobscot, in reply to the inquiry of your letter of the 2nd inst., and shewing that the enrolment of the schooner "Meridian," therein referred to, has not been surrendered.

I have, &c.,

(Signed)

THOMAS CORWIN.

Honorable EDWARD EVERETT.

Department of State, Washington, February 15, 1853.

SIR—

Referring to my note to you of the 4th instant, relative to the case of the fishing schooner "Meridian," I have the honor to transmit to you herewith, a copy of a letter on the subject, from the secretary of the treasury, and of the report of the collector of the district of Penobscot, which accompanied it, from which it appears that the enrolment and license of the vessel referred to, have not been surrendered.

I avail, &c.

(Signed)

EDWARD EVERETT.

JOHN F. CRAMPTON, esquire, &c. &c.

Custom

Custom house, Castine, February 7th, 1853.

Sir—

In reply to your letter of the 2nd instant, relative to the schooner "Meridian," accompanied by a copy of the note of the secretary of state, of the 31st ultimo, I beg leave to say that it appears from the records of this office that a schooner called the "Meridian," built at Gloucester, Mass., in the year 1824, of the burthen of fifty-six $\frac{82}{95}$ tons, was enrolled at this port, April 13th, 1850. That having been employed a portion of the season of 1852 in the cod fisheries, her cod fishery license was surrendered on the 20th of August, 1852, and on the same day a mackerel license was granted to her, and that there has been no surrender of said enrolment, or of the last named license.

It is understood that the "Meridian" has not yet returned from her mackerel cruize, and it is matter of common report here that she had been seized by the British provincial authorities.

I have, &c.,

(Signed) C. J. ABBOTT, collector.

The honorable THOMAS CORWIN, &c.

(PART. 2.—See page 264.)

[COPY.]

No. 4.

Downing street, 3rd February, 1853.

Sir—

My predecessor, Sir John Pakington, received your despatch No. 13, of the 2nd September last, transmitting two addresses adopted by a public meeting at Halifax on the subject of the pending negotiations between this country and the United States respecting the fisheries; but he postponed the communication of his views on that despatch in consequence of the pressure of other correspondence on the same subject, and left it unanswered on quitting office.

2. You will inform the mayor of Halifax, and the numerous and influential body of memorialists, that their petition was laid before her majesty, who was pleased to receive the same very graciously.

3. The inhabitants of Halifax may rely on the determination of her majesty's government that, in the pending commercial negotiation with the United States of America, the interests of the North American possessions of her majesty will be carefully considered: the prosperity of those parts of the empire being the leading object kept in view by them in the provisions of the intended treaty.

I have, &c.

(Signed) NEWCASTLE.

His excellency Sir GASPARD LE MARCHANT, &c. &c. &c.