

Commissioners or
major part of them
to act.

III. *And be it Enacted*, That the Commissioners or Directors, or the Major Part of them, shall proceed on, and act in all Matters, relative to the carrying into Execution the said Act, any thing therein to the contrary notwithstanding.

C A P. IV.

An Act for Regulating the Fishery within the Harbour of *Halifax*.

No Nets to be set
but from Sun-set to
Eight o'clock in
the morning,

Distance from Shore
& from each other
prescribed.
Penalty £. 5

Distribution & ap-
plication of the Pe-
nalty.

§§§§ E it Enacted, by the Governor, Council and Assembly,
§ B § That from and after the Publication of this Act, no per-
§ son shall presume to set or affix any Net or Nets be-
§ tween *Jebusto-Head*, and the Head of the North-West-
Arm, but from Sun-Set to Eight o'Clock in the Morning, and at
the Distance of Fifty Yards from the Western Shore, and at least
Fifty Yards from each other; leaving a Passage of Fifty Yards for
Vessels to pass, under the Penalty and Forfeiture of Five Pounds,
to be recovered on the Oath of one credible Witness, before any
one of his Majesty's Justices of the Peace, or by view of the said
Justice.

II. *And be it further Enacted*, That all Penalties incurred and arising by this Act shall be applied, one Moiety to the Person who shall inform and Sue for the same, the other Moiety to be paid into his Majesty's Treasury for the Use of the Province, the same to be levied by Distress and Sale of the Offenders Goods and Chattels, together with the Charges of such Distress and Sale, rendering the Overplus (if any be) to the Owner or Owners thereof.

To be in force to
the 31st December
1773.

III. *And be it also Enacted*, That this Act shall continue, and be in Force, until the Thirty First Day of *December* of the present Year One Thousand Seven Hundred and Seventy Three.

C A P. V.

An Act to prevent for a limited Time the Exportation or Shipping of Wheat, Rye, Barley, Flour, Meal, and Pease, from any of the Ports or Places in this Province, within the *Bay of Fundy*.

Preamble.

§§§§ HEREAS great Inconvenience and Detriment arises from
§ W § the Shipping of Grain, before the Season proper for
§ Threshing out the same, and to prevent a Scarcity thereof.

I. *Be it Enacted by the Governor, Council and Assembly*, That no
Wheat.

Wheat, Rye, Barley, Flour, Meal or Pease, the produce of this Province, shall be Shipped from any of the Ports or Places in the *Bay of Fundy*, from and after the First Day of *September* next, until after the First Day of *April*, in the Year of One Thousand Seven Hundred and Seventy Four.

No Wheat, &c. to be Shipped &c. 'till after 1st April 1774.

II. *And be it Enacted*, That if the Master of any Ship, Vessel or Boat shall presume to receive on Board the same, any Wheat, Rye, Barley, Flour, Meal, or Pease, contrary to the Meaning and Intent of this Act, he shall Forfeit and pay the Sum of Twenty Pounds, and all such Wheat, Rye, Barley; Flour, Meal, or Pease, so laden, shall be forfeited, and shall and may be seized by any of His Majesty's Justices of the Peace, who are hereby empowered to seize the same.

Master of Vessel &c. receiving on Board any Wheat, &c. to forfeit 20 £. and all such Wheat, &c.

Provided, That nothing in this Act shall be construed, to debar any Person carrying Wheat, or other Grain, in any Boat passing the Rivers from one Town to another, or to or from Mill or for the necessary Provision of the Vessel's Crew.

Nothing to extend to debar, carrying Wheat, &c. to Mill, or from Town to Town.

Provided, Also that any Person aggrieved by the Restrictions prescribed by this Act, may apply to the Governor, Lieutenant-Governor, or Commander in Chief, and His Majesty's, Council, who are hereby authorized and empowered to grant such Relief therein as shall appear to them to be requisite and necessary.

Any Person aggrieved to apply to Governor.

III. *And be it also Enacted*, That the Forfeitures incurred by this Act, shall be recovered on the Oath of one credible Witness, in any of His Majesty's Courts of Record in this Province, and after deducting the Expences of Prosecution be divided, one Moiety to His Majesty for the Use of the Government of this Province, and the other Moiety to him or them who shall inform, seize or sue for the same.

Recovery of Penalties and Forfeitures in any Court of Record on Oath of one Witness.

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