

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Fifth day of February 1818, in the Fifty-Eighth year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Eighth Session of the Tenth General Assembly, convened in the said Province.

58 George III – Chapter 35

An Act for the encouragement of the Cod and Scale Fisheries of the Province.

Be it enacted, by the Lieutenant-Governor, Council and Assembly, that, from and after the publication of this Act, for the encouragement of the fisheries, there shall be granted and paid to the persons, inhabitants of this province, who shall catch and cure cod and scale fish, in boats and other vessels, wholly owned by the inhabitants thereof, during the present year, from and after the publication hereof, until the first day of December next, the following bounties, that is to say: on all found and well cured cod and scale fish, fit for the European and West-Indian markets, so caught and cured, a bounty of one shilling and three pence per quintal on cod fish, and ten pence per quintal on scale fish, upon certificates to be granted and procured in manner herein after mentioned.

II. And be it further enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, to nominate and appoint for any county or district in the province, two or more fit and proper persons as commissioners for enquiring into, ascertaining and granting certificates for, the quantities and qualities of cod fish and scale fish caught and cured as aforesaid.

III. And be it further enacted, that the sworn culler for the port or place where any such fish shall be brought, shall inspect the fish of the person or persons claiming, or intending to claim, any part of the bounty granted by this act; and such culler shall make and subscribe an affidavit thereof, as follows:— “I, A. B. do swear, that I did on ____ day of ____ inspect the (cod or scale fish, as the case may be,) of ____ landed and stored ____ and did see the whole of said fish weighed, and that the quantity of said fish so inspected by me and weighed in my presence, amounts to ____ quintals”; and the person or persons who shall have caught and cured the said fish, shall also make an affidavit thereof as follows, to wit:— “I, A. B. do swear, that the ____ quintals of ____ fish, for which I now require a certificate, were actually and bona fide caught by me between the ____ day of ____ and ____ day of ____ and cured at ____ and I do swear, that said ____ fish were caught in the boat or vessel belonging to ____ being an inhabitant or inhabitants of this province, actually dwelling at ____ and that such person or persons have actually resided in this province for the space of six months, next before the passing of the act, made in the fifty-eighth year of His present Majesty’s reign, entitled, An Act for the encouragement of the Cod and Scale Fisheries of the Province. And I do further swear that no certificate has been

before granted by any commissioner, nor any bounty paid or received for all or any part of the said fish. So help me God.”

IV. And be it further enacted, that all and every of the said commissioners, shall and may, and they are hereby authorized to, administer the several oaths required to be taken by this Act, and to annex the before mentioned affidavits to the certificates which shall from time to time be granted by such commissioners respectively, agreeably to the directions of this act; and the certificate so to be granted by any such commissioner, shall specify the quantity and quality of the fish, and also that they know the culler of the said fish, and the persons claiming the bounty thereon, and that they are persons worthy of credit, and that they have made inquiry into the taking of such fish and verily believe the account in the said affidavit to be true.

V. And be it further enacted, that the grantee or holder of any certificates, to be granted by the said commissioners pursuant to the directions of this act, shall be entitled to transfer his property and interest in the same, and in the bounty become payable thereupon, by endorsing and signing a memorandum upon such certificate, authorising any person specifically named in such indorsement, to receive the bounty in his stead, provided such memorandum is made and subscribed before some one of the commissioners to be appointed by this act, and is certified by him accordingly.

VI. And be it further enacted, that the said commissioners shall respectively be entitled to demand and receive from the person or persons to whom any such certificate shall be granted by them as aforesaid, and at the time of granting the same, an allowance of five per cent. on the amount of the bounty to be due and payable on such certificate; and every such commissioner shall keep an exact account of all the certificates so to be granted by him, and shall transmit to the treasurer of the province at Halifax, abstracts of the same twice in the year, to wit, on or before the twentieth day of December next, and the twentieth day of May, thence next ensuing, setting forth the dates of the certificates, the person to whom granted, the quantity and quality of such fish, and the names of the owners or persons entitled to receive the bounty thereon, as also that the persons who caught and cured the said fish, are inhabitants of this province.

VII. And be it further enacted, that all the certificates included in the said first abstract of the said commissioners, which shall be returned into the treasurer’s office on or before the twentieth day of December next, shall become payable, and may be paid out of the treasury of the province, on or after the first day of March next; and all the certificates included in the said second abstract of the said commissioners, which shall be returned into the said office, on or before the twentieth day of June, which will be in the year one thousand eight hundred and nineteen, shall and may be paid on or after the first day of October, in the year one thousand eight hundred and nineteen.

VIII. Provided always, and be it further enacted, that the sum to be expended in bounties by virtue of this act, shall on no account exceed the sum of three thousand five hundred

pounds; and provided, that after the payment of the certificates that shall be returned in the first abstract aforesaid, there shall not remain in the treasury, of the monies votes and appropriated for the encouragement of the fisheries, sufficient to pay the certificates included in the second abstract aforesaid, at the rate of the bounty granted by this act, it shall then be lawful for the treasurer of the province to divide the remaining sum among the several holders of such certificates, according to the quantities and qualities of the fish included in their respective certificates.

IX. And be it further enacted, that it shall not be lawful for any commissioner to do any thing under and by virtue of this act, until such commissioner shall have been first duly sworn faithfully to discharge the duty of his office, and no commissioner or commissioners shall on any account certify for the catching or curing any fish, except the fish which shall be caught in a boat or boats, or vessel or vessels, actually belonging to, and owned by, some person or persons actually residing within the district or place described in the commission for the appointment of such commissioner.