

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday, the Thirteenth Day of February, 1823, in the Fourth year of the Reign of our Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Third Session of the Twelfth General Assembly, convened in the said Province.

4 George IV – Chapter 2

An Act for encouraging the Fisheries of this Province.

Be it enacted by the Lieutenant-Governor, Council and Assembly, that there shall be granted, allowed, and paid out of the treasury of the province, a bounty of one shilling and sixpence for and upon each and every quintal of dry cod fish, of a merchantable quality, suitable for the European markets, and which shall be caught and cured during the continuance of this act, by any of His Majesty's subjects, resident within the province, and which shall be exported or carried out of the same, in vessels owned and registered, wholly and solely by persons resident in this province, to any part of South America, except ports to the northward of the Amazon River, or to any port or place in Europe or Africa: which bounty shall be paid out of the treasury, to the person or persons exporting the same as aforesaid, under and according to the regulations and provisions hereinafter mentioned.

II. And be it further enacted, that the person or persons resident within this province, by whom any quantity of fish, of the aforesaid description and quality, has been caught and cured, and who may be desirous of selling and disposing of the same, and of receiving the said bounty thereon, shall, previous to the delivery of the same, under any sale thereof, procure some regular and sworn inspector and culler of fish, in and for the township, settlement or place, where such delivery is to take place, to inspect, examine and ascertain, the quantity and quality of such fish, and if the same, upon such inspection and examination, shall be found, by the said inspector, to be of a quality denominated merchantable, and fit to be packed, and put up for sale in the European markets, then the said inspector shall grant and subscribe a certificate to such person or persons declaring the quantity of fish so inspected by him, and that the same is of a merchantable quality, and fit for the European markets, and stating the names and residence of the seller and purchaser thereof, and also that, to the best of his knowledge and belief, the said fish was caught and cured by persons residing within this province.

III. And be it further enacted, that upon the purchaser or purchasers of any quantity of fish of the kind and quality aforesaid, paying to the person or persons selling the same as aforesaid, shall deliver up to such purchaser or purchasers, the said certificate of the said inspector and culler, and shall also subscribe and deliver a receipt to such purchaser or purchasers for the sum of money received by him, her or them, as and for the amount of the said bounty upon, and for, the quantity of the said fish sold as aforesaid, provided the bounty so to be paid by the purchaser or purchasers, merchant or merchants, to any and every fisherman, so selling as aforesaid, shall be in the current money of the province, either

on delivery of the said fish, or secured to be paid in money within three months after such delivery, and in no other manner, and sufficient proof of such payment, in manner aforesaid, shall be made to the satisfaction of the board of commissioners before the necessary certificate shall be granted to them.

IV. And be it further enacted, that the person or persons owning any quantity of cod fish, of the said quality and description, who shall intend to export the same from this province to any part of South America, (except to the northward of the Amazon River) Europe or Africa, and who shall be desirous of obtaining the bounty hereby granted, shall, previous to such exportation, make and subscribe an affidavit in writing before some justice of the peace within this province, and to what port or country the same are intended to be carried, and the name of the vessel on board of which such shipment has been made, and the name of the master thereof, and shall also state, in such affidavit, that, to the best of his knowledge and belief, the said fish were caught and cured by His Majesty's subjects resident within this province, and are of a merchantable quality, and fit for the European markets, and shall also state that the same were purchased by him as and for the said quality, and that the full amount of the bounty aforesaid, upon the quality of the said fish, mentioned in the said affidavit, hath been actually paid, or accounted for, or secured to be paid, by him, to the person or persons from whom he purchased the said fish; and that to the best of his knowledge and belief, no part of the said bounty for the said fish has already been paid out of the treasury, and that no part of the said fish shall, with his knowledge or consent, be relanded within this province.

V. And be it further enacted, that the exporter or exporters of any quantity of the said fish, shall, at the time of the exportation thereof, enter into a bond to His Majesty, in double the value of the bounty to be claimed upon the said fish, that the same shall be exported from, and carried out of this province, and landed (the dangers of the seas and enemies excepted) in some port or place within some one of the countries herein-before mentioned: which said bond shall be cancelled on a certificate being produced within twelve months after the giving such bond, under the hand and seal of a British consul, in the state or country within which such fish were landed, stating the actual landing of the same, or on other sufficient proof being produced of such landing of the said fish having taken place.

VI. And be it further enacted, that upon the exporter or exporters aforesaid, of any quantity of the said fish, producing, and filing in the office of the secretary of the province, the aforesaid certificates of the inspector or inspectors of the said fish, and the receipt or receipts before mentioned, from the person by whom the said fish was caught and cured, with the affidavit aforesaid, and also the certificate of the board of commissioners herein after mentioned, such exporter or exporters shall be entitled to receive the full amount of the bounty hereby granted, for and upon such quantity of the said fish mentioned and contained in the said certificate or certificates of the said inspector or culler, as it shall appear in and by the affidavit aforesaid was actually exported as aforesaid; and it shall and may be lawful for a warrant forthwith to pass in his, her, or their favour, to draw and receive from the provincial treasury the said amount of the said bounty.

VII. And be it further enacted, that no part of the bounty hereby granted, shall be paid to any fisherman, or other person, unless he or they shall have procured or purchased within this province, the whole of the supplies for the fishing voyage whereon the fish was caught, for which the said bounty is claimed.

And whereas fish, pickled in hogsheads, butts or casks, and afterwards dried and cured as and for merchantable fish, are not of that quality and description, although they may so appear to the culler, and in this respect frauds may be practiced, for preventing thereof:

VIII. Be it further enacted, that before any bounty is paid for merchantable fish, under the provisions of this act, the person or persons claiming the same shall make oath in writing, before one of His Majesty's justices of the peace, that no part of such fish has been pickled in hogsheads, butts, casks, kids or boxes.

IX. And be it further enacted, that if any culler or inspector of fish, or any vender or purchaser thereof, shall combine or collude with each other, or with any other person or persons, for the purpose of obtaining any bounty upon any fish, nor entitled thereto, under the provisions of this act, each and every such persons shall be liable to the penalty of five pounds, nor more than one hundred pounds, for each and every offence; to be recovered before any two of His Majesty's justices of the peace, by any person who will sue for the same: one half thereof to go to such person, and the other half to be paid and applied for the use of the poor of the town or place where such offence was committed.

And whereas The want of a regular supply of salt, frequently causes that article to become scarce and dear, to the great injury of the fisheries of this province; and whereas it is expedient to procure a plentiful supply of salt, fit for curing fish, on cheap terms for the fishermen:

X. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that whenever any salt, suitable for the curing of fish, shall be actually sold and supplied by any merchant or merchants, trader or traders, resident within this province, to any fisherman or fishermen, after the tenth day of April, in the present year, to be expended in the fisheries of this province, under the rate or price of thirteen shillings and six pence, currency, per hogshead of seven and a half bushels, or eight bushels, as may be for such salt, such merchant or merchants, trader or traders, shall be entitled to claim and receive such bounty thereon as in addition to the price for which such salt shall so be sold, shall amount to the aforesaid price of thirteen shillings and sixpence currency per hogshead. Provided, that no bounty, so to be paid to any such merchant or merchants, trader or traders, shall in any case exceed the rate or sum of two shillings and sixpence per hogshead.

XI. And be it further enacted, that any merchant or merchants, trader or traders, who may claim any such bounty under this act, shall deliver to the treasurer of the province, an account, specifying the prices at which the salt upon which the said bounty is claimed was

sold, together with the names and places of residence of the fisherman or fishermen to whom any such salt has been supplied, with the dates of each supply, and such merchant or merchants, trader or traders, shall make oath before some one of His Majesty's justices of the peace, in which affidavit such merchant or merchants, trader or traders, shall swear, that the said account is in all respects, just and true, and that the price or prices charged therein, is, or are, the true price or prices charged to the fisherman or fishermen therein named, and that such merchant or merchants, trader or traders, hath or have not received, by any ways or means, directly or indirectly, nor doth he, or do they, expect to receive, nor will he or they receive in any way thereafter any greater price or payment for such salt, than the price actually charged in such account; and in addition thereto, such merchant or merchants, trader or traders, shall also deliver unto the said treasurer, a bill of parcels for each quantity of salt charged in such account, which said bill of parcels, shall be accompanied by an affidavit made and subscribed by the fisherman or fishermen to whom such salt has been sold as aforesaid, before some one of His Majesty's justices of the peace, in which affidavit such fisherman or fishermen shall declare that he or they hath or have actually received the salt specified in such bill, from the merchant or merchants, trader or traders, therein named, and that he or they hath or have not paid, nor is, nor are, he or they at any future period by any means or contrivance whatsoever, to pay, or to make up, to any such merchant or merchants, trader or traders, any greater price or value for such salt than the price specified in such bill of parcels, and that the said salt has been actually and truly expended, or is intended to be actually and truly expended, by him or them, in the fisheries of this province during the present year.

XII. And be it further enacted, that the said bounty shall be payable at the treasury at the end of every six months from and after the tenth day of April, during the continuance of this act.

XIII. And be it further enacted, that, before any such bounties be paid, the whole of the claims made for such bounty shall be submitted to a board of commissioners, to be appointed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, which board shall have power to settle the claims of all persons applying for payment of any such bounty, and to call for further proofs if they shall deem it necessary upon any claim so made as aforesaid, and in no other way or manner whatever. Provided, that no bounty shall be paid on salt imported into the province unless the same shall have been so imported from Europe, Africa, or the West-Indies, and the purchase thereof shall be actually made by the fisherman or fishermen, subsequent to the tenth day of April in this present year.

XIV. And be it further enacted, that this act shall continue and be in force for one year from the publication thereof, and no longer.