

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1787. Saint John, NB: J. Ryan, 1787.

27 George III – Chapter 11

An Act in Addition to an act, intituled an act for regulating the exportation of Fish and Lumber, and for ascertaining the quality of the same.

I. Be it enacted, by the Lieutenant-Governor Council and Assembly, That from and after the passing this act, it shall and may be lawful for any person or persons to ship and export fish commonly called herrings, either with or without pickle, if such herrings are in other respects merchantable, any thing in the said before recited act to the contrary notwithstanding.

II. And be it further enacted, That so much of the said recited act as allows of the exportation of wayney boards or plank from any port or other place in this province, shall be and the same is hereby repealed. And that from and after the passing of this act, no boards or plank shall be exported from any port or place in this province, but such as shall be sawed or hewed into a square edge; and that no boards or plank shall be deemed merchantable if the same shall be split in both ends, or if the same shall be split in any part more than one quarter of the length of such board or plank, any thing in the said recited act to the contrary notwithstanding.

III. And be it further enacted, That it shall and may be lawful to export boards and planks of any length whatever, provided the same are in all other respects agreeable to law, if such length shall be agreed upon both by the buyer and seller of such boards and plank, and the surveyor may pass the same —any thing in the said recited act to the contrary notwithstanding.

IV. And be it farther enacted, That no boards, plank or lumber of any kind shall have the contents marked thereon at the mill where the same shall be sawed, or at any other place, unless the same shall be so marked by a surveyor regularly appointed and sworn for that purpose. And if any person other than such sworn surveyor as aforesaid, shall presume to mark the contents of any boards, plank or other lumber, he shall upon conviction thereof before any one of his Majesty's Justices of the peace, upon the oath of one or more credible witness or witnesses, forfeit and pay the sum of ten shillings for every thousand feet of lumber of any kind so marked; to be levied by warrant of distress, and sale of the offenders goods, rendering the overplus if any after deducing costs and charges to the offender; one half of the said forfeiture to the use of the poor of the town or parish where such offence shall be committed, the other half to him or them who shall inform and sue for the same.

V. And be it further enacted, That if the purchasers of any boards, plank or other lumber, shall choose to take an account of the contents thereof from the surveyor, who shall survey the same as aforesaid, without having such contents marked upon the said lumber, such surveyor shall omit to mark the same, and shall give such

account of the contents thereof if he shall be thereunto required by the purchaser thereof as aforesaid, any thing in the said recited ad to the contrary thereof in any wise notwithstanding.

VI. And be it further enacted, That when any boards or plank shall be marked by any sworn Surveyor as aforesaid, the whole contents thereof shall be so marked, and any allowance for splits or any other cause, shall be deducted from the amount of such contents so marked.

VII. And be it further enacted, That every such surveyor as aforesaid, who shall survey any boards, plank, scantling or ranging timber, not exceeding ten inches square, shall receive therefor eight pence for every thousand feet so surveyed, to be paid by the purchaser thereof and if such surveyor shall also mark the contents thereon, he shall receive only four pence more for every thousand feet so marked, to be also paid by the purchaser thereof as aforesaid and for surveying, numbering and marking ton timber, masts and spars, such surveyor shall receive six pence, and no more for every ton of forty solid feet so surveyed, numbered and marked, to be paid by the purchaser thereof as aforesaid, any thing in the said recited act to the contrary, thereof in any wise notwithstanding.

VIII. And be it farther enacted, That the regulation respecting shingles in the said recited act, which in the same act is declared should not be in force sooner than the first day of January then next, shall be further suspended, and shall not be further in force till the first day of January, which will be in the year of our Lord one Thousand seven Hundred and Eighty Eight, any thing in the said recited ad to the contrary notwithstanding.

IX. And be it further enacted That the said herein before recited act, and every part and clause thereof not altered or repealed by this act, shall continue and be in force in the same manner as if this act had never been made, any thing herein before contained, to the contrary thereof in any wise notwithstanding.