

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1788. Saint John, NB: J. Ryan, 1788.

28 George III – Chapter 9

An Act to Amend an Act intituled “An act for regulating the Exportation of Fish and Lumber, and for ascertaining the Quality of the same.”

Whereas great mischiefs have arisen, and may hereafter arise from the exportation of bad and unmerchantable Salmon to foreign markets, for prevention thereof in future,

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the first day of January next, each and every tierce of Salmon exported from this Province, shall contain forty-two gallons English wine measure, and every half tierce twenty-one gallons, each barrel thirty-two gallons, and each half barrel sixteen gallons like measure; all which tierces, half tierces, barrels and half barrels shall be made of white oak or other good hard wood sufficient to hold pickle; and the same shall likewise be full bound with good and sufficient hoops at both ends, leaving no greater space between the hoops in the center or bilge of such tierces than nine inches, nor of such half tierces than seven inches, nor of such barrels than eight inches, nor of such half barrels than six inches;—and such tierces shall be at least five eighth parts of an inch in thickness in the whole of the bilge, and such half tierces, barrels, and half barrels, shall be at least half an inch thick in the thinnest part, and the number of Salmon that each and every of such casks shall contain, and also the net weight of such Salmon shall be marked upon the head of such casks respectively, with a brand or marking Iron, by the person who shall inspect and examine the same.

II. And be it further enacted, That all such Salmon so exported, shall be inspected and examined by a sworn Inspector or Surveyor legally appointed for that purpose, who before he shall brand or mark such casks as herein before mentioned, shall see that all the oil has been carefully extracted therefrom, and that the same are in every respect good and merchantable; and that each such tierce contains at least three hundred net pounds weight, each half tierce one hundred and fifty pounds weight, each barrel two hundred and thirty pounds weight, and each half barrel one hundred and fifteen pounds weight of such Salmon.

III. And be it further enacted, That if any such Inspector or Surveyor shall brand or mark any cask of Salmon, the same not being free from oil And in every respect good and merchantable, and conformable to the directions of this act, he shall forfeit and pay for the first offence the sum of ten pounds, for the second offence the sum of twenty pounds, and shall be forever thereafter rendered incapable to serve in such office.

IV. And be it further enacted, That such Inspector or Surveyor shall be allowed for opening, examining, weighing, inspecting and branding, and heading and tightening, one shilling and three pence for each tierce, one shilling for each half tierce and barrel, and nine pence for each half barrel and no more, to be paid by the shipper.

V. And be it further enacted That all the penalties and forfeitures arising and accruing by virtue of this act shall be recovered, paid, and applied in the same manner that the penalties and forfeitures are directed to be recovered, paid, and applied by the said act for regulating the exportation of fish and lumber, and for ascertaining the quality of the same.

VI. And be it further enacted, That until a Court of Sessions shall be established in the County of Northumberland, any two Justices of the Peace in the same County shall have full power and authority to appoint a sufficient number in their discretion of such Surveyors or Inspectors of Fish in the said County of Northumberland under the same rules and regulations that Inspectors are directed to be appointed in and by the said herein before recited act.