

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1823. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1823.

4 George IV – Chapter 9

An Act for regulating the inspection of Fish, to be consumed within the Province. Passed the 27th March, 1823.

Whereas it is expedient that Fish for home consumption, shall be duly inspected, in order to protect the consumer from imposition—

I. Be it enacted by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, all Pickled Herrings for home consumption, shall be packed in barrels of twenty-eight Gallons at least, which barrels shall be made of well seasoned timber, free from sap, and have three sufficient hoops on each bilge, and three on each end; the Fish shall be all of one kind, sweet, free from rust, and closely packed, and the barrels full of strong pickle; and that no Herrings commonly called Sprats or Fries, shall be deemed merchantable.

II. And be it further enacted, That it shall and may be lawful for the Justices of the Peace in each County, at their first General Sessions to be held after the passing of this Act, and at their first General Sessions in every year afterwards during the continuance of this Act, or the Mayor, Aldermen, and Commonalty of the City of Saint John, as soon as conveniently may be after the passing, and in every year afterwards during the continuance of this Act, and they are hereby respectively required to appoint fit persons to be Inspectors of Fish; for home consumption in each County, Town, or Place, where such may be necessary; which persons shall give bonds in the sum of twenty-five pounds, with two sufficient sureties, and shall be sworn to the diligent and faithful discharge of their trust, and shall continue in such office until other proper persons are appointed in their stead. And in case of death, or the removal of any such Inspector to any other place of residence during the period for which he shall have been so appointed, some other person shall be sworn and appointed in his stead, in like manner as is in such cases provided in and by the first Section of an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the appointment of Town or Parish Officers in the several Counties " of this Province." And every such Inspector so appointed and qualified, shall be allowed and entitled to receive one shilling and sixpence for each and every barrel of Fish so to be inspected and packed by him, under and by virtue of this Act.

III. And be it further enacted, That any Inspector of Fish for home consumption, who shall in any manner, wilfully or negligently, omit or neglect well and truly to examine all Fish for home consumption that shall come under his inspection, by taking the same out of the barrels in which they shall have been salted down, and repacking the same, so that the species and quality of all such Fish may be ascertained, or who shall put his mark upon any empty barrel in which Fish is intended to be salted down, or suffer it to be done, knowingly, by any other person, or lend his branding iron to any other person, for the purpose of marking Fish barrels, or any barrel in which any Fish shall be salted down, to pass the same merchantable without having first duly examined

the Fish in the same, and ascertained the quality hereof, or shall pass any Fish as merchantable contrary to the directions in this Act, or shall in any other manner wilfully or negligently omit or neglect any of the duties of such Inspector, every such Inspector so offending, shall for each and every such offence, (besides the forfeitures his bond) forfeit and pay the sum of three pounds, upon due conviction thereof by the oath, of one or more credible witness or witnesses, before any one of His Majesty's Justices of the Peace in the County where such offence shall be committed, to be levied by warrant of distress and sale of the offender's goods, rendering the overplus, if any, to such offender one half of which penalty shall, on conviction, be paid to the Informer, and the other half to the Overseers of the Poor of the Town or Parish where such offence shall be committed, to be applied to the use of the Poor.

IV. And be it further enacted, That if any person or persons other than a sworn Inspector, shall use any Inspector's brand in branding any barrels in which Fish is intended to be packed, such offender or offenders, shall forfeit and pay the sum of five shillings for each and every barrel they shall so brand; which forfeiture shall be recovered and applied in the manner prescribed in the preceding Section of this Act.

V. And be it further enacted, That any person offering for sale any Pickled Fish not previously inspected in the manner herein before in that behalf directed, and marked by an Inspector of Fish, duly appointed and qualified, shall upon due conviction thereof, forfeit each and every barrel of Fish so offered for sale, and not inspected and marked as aforesaid; which forfeiture shall be recovered and applied as other forfeitures are in and by virtue of this Act.

VI. And be it further enacted, That this Act shall continue and be in force for three years, and from thence to the end of the next Session of the General Assembly.