

Account of Sessions

Harbor Grace



ANNO QUARTO

GULIELMI IV. REGIS.

(2ND SESSION.)

CAP. II.

An ACT to regulate the Cutting of Channels in the Ice, in the various Ports and Harbors of this Island.

[12th June, 1834.]

WHEREAS great inconvenience and delay and many disputes have arisen in the various Harbours in this Island out of which the Seal Fishery is carried on, for want of useful and proper regulations for Cutting Channels through the Ice, to enable Vessels to proceed on the Sealing voyage at the proper season; and it is deemed expedient to remedy the same: *Be it therefore enacted*, by the Governor, Council and Assembly, in Colonial Parliament assembled, and by the authority of the same, that for the purpose of effecting such useful and proper regulations for the Cutting of Channels through the Ice, it shall and may be lawful for the Owners, Masters, and Agents of the Owners of all Sealing Vessels, or a majority of them, in each and every Port and Harbour of this Island respectively where such Vessels shall fit out, on due notice being given by one or more Justice or Justices of the Peace of the time and place of meeting, and which notice the said Justice or Justices shall, upon requisition to him or them in writing for that purpose, signed by any Three or more owners of Sealing Vessels, cause to be given and published, to meet at such time and place; and then and there for the said Owners, Masters and Agents of the Owners of such Sealing Vessels to choose from among themselves, by ballot, a Committee, which Committee shall be called and known by the name of the "Ice Committee," and such Committee, or a majority thereof, shall appoint a Chairman and Treasurer, and shall and may, and they are hereby authorized to frame, make and adopt Rules and Regulations for the Cutting of a Channel or Channels through the Ice, and for carrying into effect the general object and purposes of this Act at such respective Port or Harbour; all which Rules and Regulations being first duly published, shall have full force and effect for one year, and shall be as binding on all Persons affected thereby, as though the same were especially enacted herein: *Provided always*, that in every Port or Harbour where no Justice of the Peace may reside, it shall and may be lawful for any Sheriff's Officer, or for any Three Owners or Agents of Owners of Sealing Vessels to convene a meeting as aforesaid.

Preamble.

Owners &c. of Sealing Vessels to meet on notice by a Justice of the Peace;

and choose a Committee, who shall make regulations for Cutting Channels through the Ice.

—which regulations shall be in force for one year.

Where no Justice of the Peace, a Meeting to be convened by any Sheriff's Officer.

II.—*And be it further enacted*, that such Committee so to be chosen as aforesaid in each Port or Harbour respectively, shall serve until

Committee to serve until another appointed at next General Meeting.

Committees may confirm, alter or amend the rules and regulations of former Committees ;

—may provide, at the expense of the owners of sealing vessels, necessary tools for cutting channels in the ice ;

—and compel the attendance of men from the crews of sealing vessels ;

—or levy a rate on them, to be paid one half by the owners and the other half by the master and crew.

Other vessels using the channels to pay a rate not exceeding 40s. per 100 tons.

Rates, how to be recovered.

Fines may be imposed by Committees ;

—how recovered,

—and appropriated.

the appointment of a Committee at the next General Meeting of the Owners, Masters and Agents of the Owners of Sealing Vessels in such Port or Harbor ; which General Meeting shall take place and be holden on the last Tuesday in January, or the next convenient day thereafter in each and every year : which Committee so appointed as aforesaid, shall and may and they are hereby authorized to confirm, alter or amend the Rules and Regulations made by the former Committee : and which Rules and Regulations so confirmed, altered, or amended, shall, after due publication as aforesaid, have full force and effect and be as binding on all persons affected thereby as though the same were especially enacted herein ;—subject, nevertheless, to be repealed, altered or amended by any and every subsequent Committee in like manner appointed.

III.—*And be it further enacted*, that such Committee as aforesaid, in their respective Ports or Harbors, shall and may and they are hereby authorized to furnish and provide, at the expense of the Owners of such Sealing Vessels as aforesaid, all necessary tools and implements for the purpose of cutting and keeping open Channels in the Ice, for such Sealing Vessels ; and they are likewise hereby authorized and empowered, under such Rules and Regulations as they respectively shall make in the manner hereinbefore prescribed, to compel the attendance of a certain number of men, from the crews of all and every Sealing Vessel and Vessels in each Port or Harbor respectively, or to levy a rate upon all such Sealing Vessels, not exceeding One Shilling, sterling, per man, *per diem*, for every man of the crew of each and every of such Sealing Vessels,—one half of which rate shall be paid by the Owner or Owners, and the other half by the Captain and Crew of such Sealing Vessels respectively ; and also to levy a rate upon all other vessels using any Channels or Channel, made under the orders of such Committee, so that the said rate shall not exceed Forty Shilling Sterling, for every Hundred Tons, Register Tonnage, of such Vessel or Vessels.

IV.—*And be it further enacted*, that if any Owner or Owners, Master or Masters, or any of the Crew of any Sealing or other Vessel, shall refuse or delay to pay the amount of any such rate, for which he or they may be liable under this Act, or under such Rules and Regulations which shall or may be made as aforesaid, such rate shall and may be sued for and recovered in a summary way at the suit of the Treasurer of the respective Committee, before one or more Justice or Justices of the Peace, and, together with all Costs, shall be levied on the Goods and Chattels of the Defendant or Defendants in such suit.

V.—*And be it further enacted*, that the observance of all Rules and Regulations of such Committees as aforesaid, shall be enforced by the imposing of such fine or fines as they respectively shall affix or regulate, so that the same shall not exceed in any one instance the sum of Five Pounds sterling ; and that all Rates, Fines and Penalties imposed by, or to be levied and collected under, the provisions of this Act, or under any such Rules and Regulations, shall and may be sued for and recovered by the Treasurer of the respective Committee, in a summary way, before any one or more Justice or Justices of the Peace, or in any Court of Record in the Colony, and all such Rates, Fines and Penalties so to be collected and recovered, shall be applied under the direction of the said Committees respectively, for the purposes of carrying this Act into operation.