ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. CX.

An Act for the further Encouragement and better Regulation of the *Britiſh* White Herring Fiſhery, until the Firſt Day of *June* One thouſand eight hundred and thirteen, and from thence to the End of the then next Seſſion of Parliament.

[25th *June* 1808.]

WHEREAS the Improvement of the *Britiſh* White Herring Fiſheries is an Object of moſt eſſential Importance to the Wealth and commercial Proſperity, as well as to the Naval Strength of this Kingdom, for the Attainment of which it is expedient, that more effectual Regulations ſhould be made, in order to the inſuring a due and proper Attention to the curing, ſorting, and packing of White Herrings, that the Credit of the *Britiſh* Fiſheries in our Colonies and in Foreign Parts may be maintained; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of *June* One thouſand eight hundred and nine, a Bounty of Three Pounds *per* Ton ſhall be paid annually in the Manner herein after preſcribed, to the Owner or Owners of any whole decked Buſs or Veſſel of not leſs than Sixty Tons Burthen, being *Britiſh* built, owned in *Great Britain*, and manned, navigated, and regiſtered according to Law, which ſhall be fitted out for and be actually employed in the Deep Sea *Britiſh* White Herring Fiſhery on the Coaſts of *Great Britain* or *Ireland*, in the Manner and under the Regulations preſcribed by this Act; provided, that ſuch Bounty ſhall not, in

A Bounty of £3 per Ton to be paid annually to the Owners of Buſſes employed in the Deep Sea Britiſh White Herring Fiſhery.

If a hired Buss be employed in the Deep Sea Fishery, the Persons hiring the same shall be entitled to the Bounty as Owner.

in respect of any Buss or Vessel, be computed or paid on any greater Number of Tons than One hundred, although such Buss or Vessel shall be of greater Burthen: Provided always, that if any Buss or Vessel properly fitted for the Deep Sea White Herring Fishery in the Manner required by this Act, shall be hired for carrying on the said Fishery, the Person or Persons hiring the same shall be entitled to the Bounty on the Tonnage thereof, in the same Manner as if such Person or Persons was or were Owner or Owners of such Buss or Vessel.

Manner of Fishing in the Deep Sea Fishery.

II. And be it further enacted, That no Vessel shall be deemed or considered to be employed in the Deep Sea Herring Fishery, unless the Nets shall be attached to the Vessel while they are set, and shall be shot directly from and hauled into the same without the Intervention or Use of a small Boat for that Service, the Vessel not being at Anchor while the Crew are shooting the Nets nor during the Time they are set, nor while the Crew are hauling or taking them in, nor unless the Herrings caught or taken in the Manner aforesaid, shall receive their First Cure on board such Vessels in Barrels and not in Bulk.

A Bounty of 2s. per Barrel to be paid on White Herrings taken in the British Fishery.

III. And be it further enacted, That from and after the said First Day of *June* One thousand eight hundred and nine, there shall be paid for every Barrel containing Thirty-two Gallons of White Herrings, caught in the *British* Fisheries and landed in *Great Britain*, and which shall be cured and packed according to the Directions of this Act, a Bounty of Two Shillings.

13 G. 1. c. 26. and c. 30. recited.

IV. And whereas by Two several Acts passed in the Thirteenth Year of the Reign of His late Majesty King *George* the First, it was amongst other Things provided, that it should be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal, appointed by the Treaty of Union to be kept in *Scotland* in place of the Great Seal thereof, to nominate and appoint any Number of Persons resident in *Scotland*, not exceeding the Number of Twenty-one, to be Trustees for overlooking, directing, and better improving the Linen and Hempen Manufactures within that Part of *Great Britain* called *Scotland*, with Power to the said Trustees, or any Number of them, by the said Letters Patent to be determined, to assemble at such Place or Places, and to make such Rules and Orders for the Improvement of the said Manufactures, and for preventing Abuses therein, as they shall think expedient, consistent with the true Intent and Meaning of that Act, and with the Laws and Statutes of the Realm; and also to appoint the same Number of Persons to be Trustees and Commissioners for managing and directing the Application of the Sums in the last-mentioned of the said Acts, according to the Plan and Method that should be settled and established as therein mentioned, and for executing the several Powers and Authorities which by the said Letters Patent shall to them be committed by His Majesty, His Heirs or Successors: And whereas it is expedient that the Number of Trustees or Commissioners by the said Acts so limited, should, for the Purposes of this Act, be increased; be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal, appointed by the Treaty of Union to be kept in *Scotland* in place of the Great Seal thereof, to increase the Number of the said Trustees to Twenty-eight.

c. 13. recited.

The Number of the Trustees, by the recited Acts limited to 21, may be increased to 28.

V. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Letters Patent under the Great Seal, appointed by the Treaty of Union to be kept in *Scotland* in place of the Great Seal thereof, to nominate and appoint any Number of such Trustees or Commissioners as aforesaid, not exceeding Seven, to be Commissioners specially for overseeing, directing, and better improving the White Herring Fishery, with Power to them or any Number of them by the said Letters Patent to be determined, to execute or cause to be executed the Provisions of this Act in the Manner herein mentioned, and for that Purpose to appoint a Secretary, and such Clerks and other Officers under them (the Number of such Clerks and other Officers being first approved of by the Lords Commissioners of the Treasury or any Three of them) as they the said Commissioners to be appointed for the Herring Fishery shall think fit; and also that it shall be lawful for the said Lords Commissioners of the Treasury, or any Three or more of them, to direct such Salaries or Allowances, and all such other Expences as shall be incurred in the Execution of this Act, to be paid to such Secretary, Clerks, and other Officers, as the said Lords Commissioners of the Treasury shall approve of; provided always, that no Person shall act as a Commissioner under the Authority of this Act, who shall be concerned directly or indirectly in the White Herring Fishery.

His Majesty may appoint Seven of the Trustees for Manufactures and Fisheries in Scotland, to be Commissioners for the Herring Fishery.

VI. And be it further enacted, That the said Commissioners for the Herring Fishery, to be appointed by virtue of this Act, before they proceed in the Execution of the Powers and Authorities vested in them by this Act (save only the Power of administering the Oath herein-after mentioned) shall severally take and subscribe the following Oath; that is to say,

Commissioners for the Herring Fishery to be sworn.

'I *A. B.* do swear, That I will faithfully and honestly, according to the best of my Skill and Judgment, execute the several Powers and Trusts 'reposed in me, by an Act passed in the Forty-eighth Year of the Reign 'of His Majesty King *George* the Third, intituled, An Act [*here insert the 'Title of this Act*] according to the Terms and Purport of the said Act; 'and that I am not, directly or indirectly, concerned as an Adventurer 'in the White Herring Fishery or as a Curer of Herrings, nor will I, so 'long as I shall continue to act as a Commissioner under the said Act, be 'concerned, either directly or indirectly, as an Adventurer in the said 'Fishery or as a Curer of Herrings. 'So help me GOD.'

Oath.

Which Oath any One of the said Commissioners may administer to the other or others of them.

VII. And be it further enacted, That the said Commissioners for the Herring Fishery, appointed by virtue of this Act shall, and they are hereby required to deliver in annually, on the First Day of *June* in every Year, to the Board of Trustees or Commissioners for Fisheries and Manufactures in *Scotland*, appointed in pursuance of the above recited Acts, a full and accurate Report of their Proceedings for the Year preceding, and shall also cause to be laid before each House of Parliament, within Fourteen Days after the Commencement of every Session, a Copy of the said Report, signed by the said Commissioners of the Herring Fishery.

Commissioners to make a Report to the Board of Trustees for Fisheries and Manufactures in Scotland, and to Parliament.

VIII. And

The Admiralty to appoint an Officer of the Navy to be Superintendant of the Deep Sea British White Herring Fishery.

VIII. And be it further enacted, That it shall be lawful for the Lords Commissioners of the Admiralty to appoint a Commissioned Officer in His Majesty's Navy as Superintendant of the Fishery described in this Act as the Deep Sea Fishery, for the Purpose of causing the same to be carried on according to the Regulations of this Act, and also as well for preserving Order among the Persons employed therein, as for protecting them and their Vessels against Enemies, which Person so to be appointed Superintendant, shall annually proceed in a proper Vessel or Vessels of sufficient Force, to be provided for that Purpose, to *Brassey Sound* in *Shetland* (which is hereby appointed to be the Place of Rendezvous of the said Deep Sea *British* White Herring Fishery) so as to arrive there before the Fifteenth Day of *June*, and the said Superintendant shall remain with the Vessels which shall be employed in the Fishery during the Continuance thereof for the Season; and shall, as often as he shall be required, transmit to the Lords Commissioners of the Admiralty and to the Commissioners for the Fishery, a List of the Busses or Vessels employed in the said Fishery, together with the Number and Ages of the Men employed on board thereof, distinguishing the Capacities in which they respectively act.

Superintendant to be sworn.

IX. And be it further enacted, That the Officer who shall be appointed Superintendant as aforesaid, shall take and subscribe the Oath following, which Oath any One of the Commissioners for the Fishery, or any Justice of the Peace, shall be authorized to administer:

Oath.

'I *A. B.* do solemnly swear, That I am not, directly or indirectly, concerned as an Adventurer in the White Herring Fishery or in any other 'Fishery, or as a Curer of Fish; and that I will not be concerned therein, 'either directly or indirectly, during the Time I shall act as Superintendant of the White Herring Fishery. 'So help me GOD.'

Treasury to appoint Officers of the Fishery.

X. And be it further enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, to appoint Persons at the respective Places on the Coast of *Great Britain*, where Herrings are caught or cured, and at the Ports or Places where Vessels are usually fitted out for the *British* Herring Fishery, and where Vessels employed in the said Fishery usually discharge their Cargoes, and also at the Ports of Exportation, to overlook the Curing of all Herrings caught, to take an Account of and clear out all Salt, Nets, Barrels, and other Stores shipped or put on board any Buss, Vessel, or Boat for the said Fishery, and to inspect and take Account of all Herrings landed or exported, and to certify whether the Fish are properly pined, cured, and packed, so as to be entitled to the Bounty of Two Shillings *per* Barrel hereby granted, or fit to be exported; provided always, that no Person shall be appointed an Officer for the Performance of any of those Duties unless such Person shall have exercised the Trade of a Cooper, and been employed in the curing and packing of Herrings, and shall be skilful therein, and fully qualified to execute the Duties which will be required of him under the Provisions of this Act, Certificates of which Qualifications shall be transmitted to the Lords Commissioners of His Majesty's Treasury, by such Persons and in such Manner as shall be satisfactory to the said Lords Commissioners; and every such Officer, so to be appointed, shall obey such Instructions, Orders, or Directions as he shall from Time to Time receive from the said Commissioners for the Herring Fishery, to be appointed by

Qualification of Persons to be so appointed.

Officers to obey the Orders of the Commissioners of the Herring Fishery.

virtue of this Act, ſignified under their Hands or under the Hand of their Secretary.

Officers of the Fiſhery and Secretary, Officers and Clerks under the Commiſſioners of the Herring Fiſhery to be ſworn.

XI. And be it further enacted, That the Secretary, and every Clerk or Officer of the Fiſhery to be appointed by virtue of this Act, ſhall be liable to be ſuſpended or diſmiſſed from his Office or Employment reſpectively, by the ſaid Commiſſioners for the Herring Fiſhery, either for Incompetency or for Neglect of Duty; provided always, that every ſuch Officer of the Fiſhery, and the Secretary, and every Officer and Clerk under the Commiſſioners for the Herring Fiſhery, appointed by virtue of this Act, ſhall, previous to his entering upon the Duties of his Office, take and ſubſcribe the following Oath;

Oath.

'I *A. B.* do ſwear, That I will faithfully and honeſtly, according to the 'beſt of my Skill and Judgment, execute the Office and Truſt com- 'mitted to me, of [*the Name of the Office to be here mentioned*] and that 'I am not, directly or indirectly, concerned as an Adventurer in the 'White Herring Fiſhery or in any other Fiſhery, or as a Curer of Fiſh, 'nor will I, ſo long as I ſhall continue to act as [*the Name of the Office to 'be here mentioned*] be concerned, either directly or indirectly, as an Ad- 'venturer in the ſaid Fiſhery or as a Curer of Fiſh. So help me GOD.'

Which Oath any One of the ſaid Commiſſioners for the Herring Fiſhery may adminiſter to ſuch Officer.

No Net to be uſed that has a Meſh of leſs than One Inch from Knot to Knot.

XII. And be it further enacted, That from and after the Firſt Day of *June* One thouſand eight hundred and nine, no Perſon ſhall uſe in any River or Lock or at Sea, in or on the Coaſt of *Great Britain*, any Herring Net, or any Traul Net, Drag Net or other Sea Net for the taking of Herrings, which hath a Meſh of leſs than One Inch from Knot to Knot, or any falſe or double Bottom Cod or Pouch, or ſhall put any Net, though of legal Size, behind the others to deſtroy the ſmall Fiſh, and that every Perſon offending herein ſhall forfeit every ſuch Net as aforeſaid, and the Sum of Forty Pounds for every ſuch Offence; and it ſhall be lawful for the Commiſſioners for the Herring Fiſhery, to be appointed purſuant to this Act, to cauſe every ſuch Net to be burnt.

How Buſs ſhall be fitted out for the Bounty on Tonnage.

XIII. And be it further enacted, That no Buſs or Veſſel ſhall be deemed to be properly fitted out for, and to be duly employed in the *Britiſh* Deep Sea White Herring Fiſhery, ſo as to entitle the Owner or Owners to any Bounty on the Tonnage thereof by virtue of this Act, unleſs ſuch Buſs or Veſſel ſhall have on board (put up in new Barrels) Sixteen Buſhels of Salt, at the leaſt for every Laſt of Herrings which ſuch Buſs or Veſſel ſhall be capable of containing, and alſo as many more new Barrels as ſuch Buſs or Veſſel is capable of carrying; nor unleſs ſuch Buſs or Veſſel ſhall have on board Three hundred Square Yards of Netting at the leaſt for every Ton of her Admeaſurement, together with the cuſtomary Quantity of other Materials, for the Equipment and mounting of the Quantity of Netting hereby required to be provided; nor unleſs ſuch Buſs or Veſſel ſhall be manned with the Number of Men following at the leaſt: that is to ſay, with Ten Men if ſuch Buſs or Veſſel ſhall not exceed the Burthen of Sixty Tons; if ſhe ſhall exceed the Burthen of Sixty Tons, and ſhall be under the Burthen of Seventy Tons, with Eleven Men; and if ſuch Buſs or Veſ-

sel shall be of the Burthen of Seventy Tons or upwards, then with One Man more for every Ten Tons by which such Buss or Vessel shall exceed Seventy Tons, Two of which Number respectively may be foreign Seamen experienced in the Deep Sea Herring Fishery, any Thing in any Law to the contrary notwithstanding; provided always, that no Buss or Vessel which shall exceed the Burthen of One hundred Tons, shall be required to have on board any greater Quantity of Salt, or of Netting or Materials for the mounting thereof, or any greater Number of Men, than a Vessel of the Burthen of One hundred Tons is hereby required to have on board, or any greater Number than Five hundred Barrels; provided also, that it shall not be deemed necessary for any Buss or Vessel to have on board the full Number of Men hereby required, until her Arrival at the Rendezvous of the said Deep Sea Fishery.

The full Number of Men not required to be taken on board till Arrival at the Rendezvous.

XIV. And be it further enacted, That in order to entitle the Owner of every Buss or Vessel who shall claim any Bounty on the Tonnage thereof, to receive the same by virtue of this Act, such Buss or Vessel shall be cleared out from the Port in *Great Britain* where such Buss or Vessel was *bonâ fide* fitted for her intended Voyage, and shall proceed directly to *Brassey Sound* in *Shetland*, where she shall arrive on or before the Twenty-second Day of *June* in each Year, and the Crew shall not shoot or wet the Nets before the Twenty-fourth Day of the same Month, from which Day they shall continue to fish in Manner herein described on the Coasts of *Great Britain* or *Ireland*, until the Fifteenth Day of *September* following, unless before the last-mentioned Day the Quantity of Herrings taken in the said Buss or Vessel, and cured and packed on board thereof, shall amount to Four Barrels of Herrings not repacked, or in the State in which they are called Sea Sticks, for every Ton not exceeding One hundred Tons of the Admeasurement of such Buss or Vessel; and that no Fish other than Herrings shall be taken or cured by the Crew of such Buss or Vessel, nor shall any Fish not taken by the Crew thereof be received on board the same, during the whole Course of the Voyage, save only for the Sustenance of the Crew; and that all the Herrings which shall be taken by the Crew of such Buss or Vessel, and cured and packed on board thereof, shall be landed in *Great Britain*.

Description of the Voyage to be made by Busses to obtain the Tonnage Bounty.

XV. And be it further enacted, That the Owner or Owners or any One of them, or the Agent of the Owner or Owners of any Buss or Vessel who shall intend to fit out the same for the Deep Sea *British* White Herring Fishery, and in respect thereof to claim any Bounty on the Tonnage thereof by virtue of this Act, shall give Notice thereof in Writing under his or their Hand or Hands, to the Officer of the Fishery appointed in that Behalf, at or for the Port or Place where such Buss or Vessel shall be intended to be fitted out, and shall in such Notice specify the Name of such Buss or Vessel, the Port to which she belongs, whether she was actually built in the *British* Dominions, or was taken and condemned as lawful Prize; the Name or Names of the Owner or Owners and of the Master thereof respectively, the Tonnage thereof according to the Register, and the Date of the Registry of such Vessel; and shall also therein declare, that the said Buss or Vessel is sufficient, and in every Respect fit and proper for such Voyage and Fishing as aforesaid; and shall specify also the Quantity of Salt, the whole Number of Barrels, distinguishing those which are filled with Salt from those which are empty; the Quantity of Netting with Materials for mounting

Regulations for fitting and clearing out Busses at the Port of Outfit, to obtain the Tonnage Bounty.

the Name, and the Quantities and Sorts of Provisions for the Crew during the Voyage, which shall be intended to be shipped or put on board such Buss or Vessel; and the Officer to whom such Notice shall be given, or such other Officer as shall be thereunto duly appointed, shall go on board such Buss or Vessel, and view the Condition thereof, and shall examine the Register to ascertain the Accuracy of the Statement of her Tonnage, and also shall examine and take Account of the Quantity of Salt, and of the several and respective Sorts of Stores and Provisions stated to be intended to be put on board such Buss or Vessel in such Notice, and shall see the same shipped or put on board accordingly; and if it shall appear to him that such Buss or Vessel is sufficient, and in every respect fit and proper for such a Voyage, and is stored, victualled, and fitted out in Terms of such Notice, and according to the Regulations of this Act, the said Officer shall certify the same on the Back of the Notice, and One or more of the Owners or their Agent, and the Master of such Buss or Vessel, shall respectively make Oath before an Officer of the Fishery, that it is truly his determined Purpose that such Buss or Vessel as then furnished and provided, shall forthwith, after Licence shall be granted, proceed to *Brassey Sound* in *Shetland*, and be there on or before the Twenty-second Day of *June*, having on board not less than such a Number of Men (to be mentioned in the Oath) as such Buss or Vessel is hereby required to have on board, and shall not shoot or wet her Nets before the Twenty-fourth Day of the same Month of *June*, and shall fish for Herrings in the Deep Sea Fishery in Manner following; that is to say, the Crew shall shoot and haul the Nets directly from and into the said Buss or Vessel, without the Intervention or Use of a small Boat, the Nets being attached to the Vessel while they are set, the Vessel not being at Anchor when the Crew are shooting the Nets, during the Time the Nets are set, nor while the Crew are hauling or taking them in; and shall cure all the Herrings taken or caught in the said Nets in Barrels and not in Bulk on Board such Buss or Vessel, and that the Crew of the said Buss or Vessel shall so continue fishing in the Deep Sea *British* White Herring Fishery, upon the Coasts of *Great Britain* or *Ireland*, in an orderly and regular Manner, and without impeding or obstructing the Crew of any other Vessel which shall be employed in the said Fishery, from the said Twenty-fourth Day of *June* until the Fifteenth Day of *September* in every Year, unless before the last-mentioned Day the Herrings taken or caught and cured in Manner aforesaid by the Crew of the said Buss or Vessel, shall amount to or exceed the Proportion of Four Barrels of Herrings not repacked, or in the State in which they are commonly called Sea Sticks, and that no Fish other than Herrings shall be taken or cured by the Crew of such Buss or Vessel, nor any Fish not caught or taken by the Crew thereof received on board the same, during the whole Course of the Voyage, save only for the Sustenance of the Crew during the Voyage; and that all the Herrings which shall be taken by the Crew of such Buss or Vessel, and cured and packed on board thereof, shall be landed in *Great Britain*, which Oaths, subscribed by the respective Parties making the same, and also the said Notice, with such Certificate indorsed thereon as aforesaid, shall be transmitted by the said Officer to the Commissioners to be appointed pursuant to this Act, and the Master of the said Buss or Vessel; and the Owner or One of the Owners, or the Agent of the Owners, shall, with One or more sufficient Surety or Sureties, enter into Bond to His Majesty, His Heirs and Successors, in a Sum equal to Treble the Amount of the Bounty computed on the Tonnage of such Buss or Vessel (which Bond any Officer

Owner or Agent, and Master, to make Oath;

and to give Bond.

of

of the Fiſhery is hereby authorized and required to take, and which ſhall be exempt from the Duties on Stamped Vellum Paper and Parchment) for the faithful dealing of the Maſter and Crew of ſuch Buſs or Veſſel in reſpect of ſuch Voyage and Fiſhing, all which Requiſites having been duly performed, the proper Officer of the Fiſhery, by Inſtrument in Writing under his Hand (ſetting forth the Particulars, which ſhall appear by the Notice and Certificate indorſed thereon as herein mentioned, and alſo that Bond has been given according to the Direction of this Act) ſhall give to the Maſter of ſuch Buſs or Veſſel licenſe to proceed on his Voyage to the Rendezvous of the ſaid Deep Sea Britiſh White Herring Fiſhery.

Officer of the Fiſhery to give the Maſter a Licence to proceed on his Voyage.

XVI. And be it further enacted, That upon the Arrival of ſuch Buſs or Veſſel at *Braſſey Sound*, the Rendezvous hereinbefore provided for the ſaid Deep Sea Fiſhery, the Maſter thereof ſhall enter ſuch Buſs or Veſſel with the Superintendant of the ſaid Fiſhery, and ſhall produce to him his Licence, and alſo (if required) the Regiſter or Certificate of Regiſtry of the ſaid Buſs or Veſſel, and ſhall deliver to him a Statement in Writing on what Day the ſaid Buſs or Veſſel ſailed from the Port where ſhe cleared out, and what Quantities of Salt, Barrels, Nets, with Materials for mounting the ſame, and of Proviſions reſpectively, ſhall be then on board ſuch Buſs or Veſſel, and to what Port in *Great Britain* he intends to return for the diſcharge of the ſaid Buſs or Veſſel; and the ſaid Superintendant ſhall then go on board ſuch Buſs or Veſſel, and, as far as Circumſtances will permit, ſhall inform himſelf whether the ſaid Stores and Proviſions are actually on board thereof, and ſhall muſter and take an Account in Writing of the Number, Names, and Deſcriptions of the Crew thereof, which ſhall be entered at the Foot or on the Back of the Licence; and if he ſhall be ſatisfied that ſuch Buſs or Veſſel is completely ſtored, and has on board the Number of Men required by this Act, he ſhall, by a Certificate under his Hand, declare the ſaid Buſs or Veſſel to be entitled to commence the ſaid Deep Sea White Herring Fiſhery for the Tonnage Bounty.

Regulations for examining Buſſes at the Rendezvous of the Deep Sea Fiſhery.

XVII. And be it further enacted, That the Herrings taken, cured and packed on each Day by the Crew of ſuch Buſs or Veſſel, ſhall be diſtinguiſhed from all other Herrings by a Mark or Marks, Character or Characters, to be ſet on the Barrel or Barrels in which the ſame ſhall be packed, of ſuch Deſcription and in ſuch Manner as ſhall be preſcribed by any Regulation to be made by the Commiſſioners for the Fiſhery by virtue of this Act, and ſhall denote on what Day ſuch Herrings were ſo taken, cured, and packed, and whether the ſame were cured and packed gutted, or were cured and packed ungutted, and Herrings gutted after the Day when the ſame were taken ſhall be packed ſeparately from other gutted Herrings, and ſhall be diſtinguiſhed by a Mark or Character to be ſet as aforeſaid, which Marks or Characters ſhall not be at any Time effaced or altered.

Herrings taken every Day by the Crews of Buſſes to be diſtinguiſhed by a Mark on the Barrels in which they are cured.

XVIII. And be it further enacted, That it ſhall be lawful for the Superintendant of the Fiſhery, or any Perſon or Perſons acting by his Orders, at all Times whenever he ſhall think fit, either at Sea, during the Continuance of the Fiſhery, or after the Return from the Fiſhery, to go on board any of the Veſſels employed in the Fiſhery under his Superintendance, to inſpect the Licence and Certificate of Regiſtry of ſuch Veſſel, and the Journal kept by the Maſter, purſuant to the Directions of this Act (all which the Maſter of every ſuch Buſs or Veſſel, on being thereunto required, ſhall forthwith

Powers and Duties of the Superintendant of the Deep Sea Fiſhery.

produce and deliver to the ſaid Superintendant for his Inſpection and Examination, and the ſaid Superintendant is hereby empowered to detain any ſuch Buſs or Veſſel till all or any of the ſaid Documents demanded by him ſhall be ſo produced or delivered to him) and to aſcertain whether the Number of Men hereby required to be on board the ſaid Buſs or Veſſel be actually employed therein during the Fiſhing, and until they be diſcharged according to the Directions of this Act, and to inſpect the Manner in which the Herrings are taken, cured, and packed, and whether the Maſter and other Perſons on board the ſame are in all Reſpects carrying on and proſecuting the ſaid Fiſhery in the Manner hereby required; and if any Perſon or Perſons ſhall impede or obſtruct, or attempt to impede or obſtruct, any other Perſon or Perſons in the lawful Proſecution of the ſaid Fiſhery, the ſaid Superintendant ſhall require ſuch Perſon or Perſons ſo impeding or obſtructing, or attempting to impede or obſtruct any other Perſon or Perſons, to deſiſt from ſo doing; and if ſuch Perſon or Perſons ſo required to deſiſt, ſhall diſregard ſuch Requiſition, it ſhall be lawful for the ſaid Superintendant to employ ſuch Force as ſhall be neceſſary to compel him or them to preſerve Order; and if it ſhall appear to the ſaid Superintendant that the Number of Men hereby required to be on board each Buſs or Veſſel, were not on board thereof at any Time when they ought to have been, according to the Regulations of this Act, or that the Maſter or any Part of the Crew are or were not in all Reſpects carrying on and proſecuting the Fiſhery in the Manner hereby required, or had impeded or obſtructed, or attempted to impede or obſtruct, any other Perſon or Perſons in the lawful Proſecution of the ſaid Fiſhery, the ſaid Superintendant ſhall report the ſame fully and particularly to the Commiſſioners for the Herring Fiſhery to be appointed by virtue of this Act, and ſhall deliver one Copy of ſuch Report under his Hand, to the Maſter of ſuch Buſs or Veſſel, and ſhall tranſmit another Copy to the ſaid Commiſſioners by the firſt Opportunity; and if any Perſon or Perſons ſhall reſiſt or obſtruct ſuch Superintendant, or any Perſon or Perſons acting under him in the Execution of any of the Powers to him or them given by this Act, every Perſon ſo offending ſhall forfeit and pay the Sum of One hundred Pounds: Provided always, that it ſhall be lawful for the Maſter of any Buſs or Veſſel licenſed and cleared out for the ſaid Deep Sea Fiſhery, at any Time during the Continuance of the Fiſhing as limited by this Act, to tranſhip into any other Veſſel not being licenſed for the ſaid Fiſhery purſuant to the Directions of this Act, any Quantity of Herrings which ſhall have been taken by the Crew of ſuch Buſs or Veſſel, and by them cured and packed in Barrels on board the ſame, and the ſaid Herrings ſo tranſhipped ſhall be conveyed to and landed at the Port in *Great Britain* where ſuch Buſs or Veſſel ſhall be intended to be cleared inwards, and ſhall be deemed and taken to be Part of the Cargo of ſuch Buſs or Veſſel; provided that the Maſter of the Veſſel in which ſuch Herrings ſhall be carried into Port, ſhall bring with the ſaid Herrings a Copy of the Licence of the Buſs or Veſſel out of which the ſaid Herrings were received, with a Declaration under the Hand of the Maſter thereof (indorſed on ſuch Copy) ſetting forth the Number of Barrels of Herrings ſo tranſhipped out of ſuch Buſs or Veſſel, into ſuch other Veſſel as aforeſaid, that the ſame were taken and cured as aforeſaid, ſpecifying the Date of the taking, curing, and packing of the Herrings contained in each Barrel, and whether the ſame were cured and packed gutted, or were cured and packed ungutted, and diſtinguiſhing

Herrings may be tranſhipped out of a Buſs at the Deep-Sea Fiſhery into another Veſſel, previouſly to the 16th Day of July, and carried into Port.

guiſhing each Barrel by the Marks or Characters (to be ſpecified in ſuch Declaration) which ſhall be ſet on the Barrels in which the ſaid Herrings ſhall be packed reſpectively, as alſo the Name of the Veſſel on board of which the ſame ſhall be tranſhipped, the Name of the Maſter thereof, and the Name of the Port for which the ſame were ſo put on board, which Declaration ſhall be produced to the Officer of the Fiſhery at ſuch Port, before any of the ſaid Herrings ſhall be unſhipped or laid on Land; and the Maſter of ſuch Veſſel ſhall make Oath at the Foot of the ſaid Declaration, before the ſaid Officer, that the Herrings on board the ſaid Veſſel are the very ſame which were tranſhipped out of ſuch Buſs or Veſſel, as mentioned in the ſaid Declaration; and ſuch Officer ſhall attend the landing thereof, and take account of the Herrings landed out of the ſaid Veſſel, together with the Marks on the Barrels containing the ſame.

Buſs not arriving at the Rendezvous or not eginning to fiſh at the Time preſcribed, &c. not to loſe the Benefit of obtaining the Tonnage Bounty upon certain Conditions.

XIX. And be it enacted, That if any Buſs or Veſſel ſhall not arrive at the Rendezvous of the ſaid Deep Sea Fiſhery till after the Twenty-ſecond Day of *June*, and ſhall not begin to fiſh till after the Twenty-fourth Day of the ſame Month in any Year, and it ſhall be made appear to the Satisfaction of the Commiſſioners for the Herring Fiſhery appointed by virtue of this Act, that ſuch Buſs or Veſſel did really and *bona fide* take her Departure for the ſaid Rendezvous Five Days at the leaſt before the ſaid Twenty-ſecond Day of *June*; or if any ſuch Buſs or Veſſel which ſhall have been licenſed for the ſaid Deep Sea Fiſhery, and for which a Certificate ſhall have been obtained at the Place of Rendezvous to entitle the Crew to commence the Fiſhery, ſhall at any Time before the Fifteenth Day of *September* in the ſame Year, be compelled to diſcontinue fiſhing by ſtreſs of Weather, loſs of Nets or Stores, or other unavoidable Cauſe, before the Quantity of Herrings ſhall have been taken and cured as required by this Act, and to come into any Port, Harbour, or Anchorage on the Coaſt of *Great Britain* or *Ireland*, the Owner of ſuch Buſs or Veſſel ſhall not for ſuch Cauſe be precluded from receiving the Tonnage Bounty; provided the Maſter thereof, in the Caſe laſt-mentioned, ſhall give immediate Notice of ſuch his Arrival, and of the Diſtreſs or Neceſſity which forced him to take ſhelter in ſuch Port, Harbour, or Anchorage, and ſhall make Proof thereof by the Oaths of himſelf and his Mate before any Officer of the Fiſhery at ſuch Port or Place, which Oaths ſuch Officer is hereby authorized to adminiſter; and if there ſhall not be any Officer of the Fiſhery at the Port or Place, the Oaths ſhall then be adminiſtered by any Juſtice of the Peace, and the ſame ſhall be written at the Foot or on the Back of the Licence, and ſhall be ſubſcribed by the Parties making the ſame: Provided alſo, that the Maſter of ſuch Buſs or Veſſel ſhall uſe his utmoſt Endeavours to refit the ſaid Buſs or Veſſel, and to take on board the Supplies, and the Number of Men neceſſary to enable him to continue his fiſhing Voyage (as the Caſe may require) and ſhall accordingly return to and continue the Fiſhing in Manner herein directed, and ſhall in either of the Caſes above-mentioned continue to fiſh in Manner aforeſaid, after the Fifteenth Day of *September*, until the Expiration of ſuch a Space of Time as, when added to the Time during which ſuch Buſs or Veſſel ſhall have fiſhed before that Day, ſhall be equal to the Period which extends from the Twenty fourth Day of *June* to the Fifteenth Day of *September* next enſuing, unleſs the Crew thereof ſhall have taken, cured, and packed before the Expi-

ration of that Time, such Quantity of Herrings as is hereinbefore mentioned; any Thing herein contained to the contrary notwithstanding.

The Tonnage Bounty not to be paid on any Buss which shall not have on board the full Number of Men except in certain Cases.

XX. And be it further enacted, That the Bounty granted by this Act, shall not be allowed or paid in respect of any Buss or Vessel which shall not have had on board the Number of Men hereinbefore required, from the Time when the Crew thereof shall have been mustered at the Rendezvous by the Superintendant as aforesaid, during the whole Continuance of the Fishing, and until the said Buss or Vessel completed her Fishing in Manner prescribed by this Act, and until she shall return to a Port in *Great Britain*, and the Crew shall be there mustered by the proper Officer of the Fishery at such Port, before whom the Master and Mate shall make their Oaths that the Number of Men required by this Act were on board such Buss or Vessel during the whole of the Time aforesaid, unless any Diminution of the said Number of Men shall have been occasioned by Death, Sickness or actual Desertion; and in the Event of any such Diminution of the Crew, that the Master used his utmost Endeavours to keep up and have on board the full Number of Men by this Act required, from the Day when the Crew were mustered at the Rendezvous, until the Day when the Crew shall have been again mustered on the Return of the Buss or Vessel into a Port of *Great Britain*, which Oaths such Officer is hereby authorized and required to administer, and the same shall be written at the Foot or on the Back of the Licence, and subscribed by the Parties making the same; and the said Officer shall there also certify the Number, Names, and Description of the Men who were on board the said Buss or Vessel, upon the Muster made by him as herein directed.

The Master of every Buss employed in the Deep Sea Fishery, for the Tonnage Bounty, to keep a Journal.

XXI. And be it further enacted, That the Master of every Buss or Vessel in respect whereof the Tonnage Bounty shall be claimed by virtue of this Act, shall keep a Journal, in which all Transactions and Occurrences shall be inserted every Day during the whole Course of the Voyage, from the Time of beginning to put on board the Vessel her Stores or Provisions, to the Time of her returning into a Port in *Great Britain* for the Discharge of her Cargo, specifying the Quantity of Stores and Provisions of each Sort put on board before the Departure of the Vessel from the Port where she was fitted out, the Time of her Arrival at the Rendezvous, and there being permitted to commence Fishing, the Number of Men taken on board, at what Place or Places respectively, the Winds and Weather, the Station of the Vessel each Day at Noon, and the Places, if any, where she put in, and the Causes thereof, the Number of Barrels of Herrings taken, and the Number thereof cured and packed every Day, distinguishing Herrings cured and packed gutted, from Herrings cured and packed ungutted, and Herrings gutted on the Day when they were taken from Herrings gutted afterwards, specifying also the Mark or Marks set on each Barrel of Herrings so taken, cured, and packed respectively, pursuant to the Directions of this Act; also the Number of Barrels of Herrings (if any) with the respective Marks thereon, transhipped into any other Vessel for the Purpose of being carried into Port, with the Name of such Vessel, the Name of the Master thereof, and the Port to which she was bound; the Death, Disability, or Desertion of any of the Crew, and the Endeavours used to supply the Places of such Persons.

XXII. And

Regulations with respect to any Buss returning from the Deep Sea Herring Fishery, into a Port in Great Britain for the Discharge of her Cargo.

XXII. And be it further enacted, That upon the Return of any such Buss or Vessel to any Port of *Great Britain*, where the Cargo thereof is intended to be landed, the proper Officer of the Fishery shall immediately go on board and view the Condition of the Vessel and of her Lading, and the Master shall forthwith deliver up to such Officer his Licence, with the several Certificates and the Oaths required to be taken, written at the Foot or on the Back thereof, and also his Journal signed by himself, and shall verify upon Oath before such Officer the Truth of the said Journal so delivered up, and shall also make Oath before said Officer in the following Terms; that is to say,

'I do swear, That I am Master of the Buss or Vessel the of arrived at this Port from the Deep Sea White Herring Fishery, 'that the said Buss or Vessel was certified by the Superintendant to be entitled to commence the Fishery at the Rendezvous, on the 'Day of in consequence whereof I proceeded in Prosecution 'of the said Fishery for Herrings, from the Day of 'to the Day of [*here mentioning the Day of beginning and the Day of finally ceasing to fish, and in case the Fishing was interrupted add*] except a Part of the Time, to wit, from the Day 'of to the Day of during which 'Period the said Fishery was interrupted by stress of Weather [*or as the Case may be*] by the Death, Sickness, or Desertion of [*here mentioning the Number*] of the Crew of the said Buss or Vessel, or by the Loss 'of Square Yards of Netting, or of other Stores [*specifying the Sort and Quantity*] and that the Crew of the said Buss or Vessel 'fished in an orderly and regular Manner, and did not nor did any of them 'impede or molest any other Person or Persons employed in the lawful 'Prosecution of the said Fishery; that all the Herrings caught or taken by 'the Crew of the said Buss or Vessel were cured in Barrels on board the 'said Buss or Vessel, and no Part of them was cured in Bulk; that no Fish 'other than Herrings were taken by the Crew of the said Buss or Vessel, 'and that no Fish not taken by the Crew thereof, were, during the Course 'of the Voyage, received or are now on board such Buss or Vessel, except 'for the Sustenance of the Crew thereof; that no Part of the Herrings 'taken, cured, and packed by the Crew of the said Buss or Vessel have 'been unshipped or delivered out of the same, excepting Barrels 'of Herrings transhipped out of the said Buss or Vessel on the Day 'of and put on board the whereof 'was Master for this Port, and that since the 'Day of last past, when the said Buss or Vessel cleared out for 'the said Fishery, till the Day of when 'the Crew thereof finally ceased to fish, the Number of Men and Quantity 'of Netting and other Stores required by Law were constantly on board 'the said Buss or Vessel employed in the Prosecution of the said Deep Sea 'Fishery [*or, in case the Number of Men was diminished or any Part of the Stores were lost, the Time when such Diminution or Loss happened to be specified, and that such Diminution happened by Death, Sickness, or Desertion, as the Case may be, and if by Desertion, that it happened without the Consent or Connivance of the Master, mentioning the Time when, and the Manner in which any such Diminution of the Number of Men or loss of Stores was supplied,*] and that during the whole of the Time aforesaid, the said Buss or 'Vessel

'Veſſel was not employed in any Manner or for any Purpoſe except in the 'Herring Fiſhery.'

Which Oath ſuch Officer as aforeſaid is hereby authorized and required to adminiſter.

Commiſſioners of the Fiſhery to enquire into any Matter of Complaint ſtated in Report of the Superintendant, and determine thereon.

XXIII. And be it enacted, That in all Caſes where the Superintendant of the Fiſhery ſhall be of Opinion there has been any Thing culpable in the Conduct of the Maſter or Crew of any Buſs or Veſſel claiming the Tonnage Bounty, or that he or they ſhall have failed in complying with any of the Proviſions in this Act, which ſhould prevent the Bounty being paid, and the Superintendant ſhall have made a Special Report thereof to the Commiſſioners for the Herring Fiſhery, and ſhall have tranſmitted the ſame to them, the ſaid Commiſſioners ſhall forthwith make proper Enquiry thereinto, giving Notice to the Maſter and Owner or Owners of ſuch Buſs or Veſſel, or his or their Agent, that they may attend ſuch Enquiry if they ſhall think fit, and the ſaid Commiſſioners ſhall, upon Conſideration of all the Circumſtances attending each Caſe, make ſuch Order thereupon as to them ſhall ſeem proper, according to the true Intent and Meaning of this Act.

Officer of the Fiſhery to attend the Landing of the Herrings, Salt, &c. out of each Buſs, and take Account thereof, and certify the ſame, &c.

XXIV. And be it further enacted, That the Officer of the Fiſhery at each Port ſhall attend the Landing of the Herrings and of the Salt which has not been uſed, and the Barrels (if any) not uſed, and the Nets out of each Buſs or Veſſel which ſhall have arrived from the Deep Sea Fiſhery, and ſhall take a particular Account thereof, ſpecifying the Marks on the Barrels containing Herrings and ſhall examine the Maſter's Journal, with the other Documents delivered by him, and the Account of the Cargo landed, and ſhall certify ſuch Inſpection and Examination, together with his Obſervations thereon, with the Quantity of each reſpective Deſcription of Herrings gutted or ungutted, which ſhall have been landed out of the ſaid Buſs or Veſſel; and in caſe any Herrings ſhall have been landed at that Port out of any other Veſſel, the Maſter of which brought a Declaration under the Hand of the Maſter of the ſaid Buſs or Veſſel, that the Quantity of Herrings therein mentioned were taken, cured, and packed by the Crew of ſuch Buſs or Veſſel, and tranſhipped out of the ſame into the ſaid other Veſſel, and the Maſter, of which other Veſſel made Oath that the Herrings which were on board thereof, were the ſame that were ſo tranſhipped as aforeſaid, ſuch Officer ſhall in that caſe certify alſo the Quantity of Herrings of each Deſcription ſo landed out of ſuch other Veſſel, mentioning the Name of ſuch Veſſel, and the Name of the Maſter thereof, and ſhall certify alſo the Tonnage of the ſaid Buſs or Veſſel by Admeaſurement.

Officer of the Fiſhery to tranſmit the Licence, the Maſter's Oath, and the Officer's Certificate made on the Return and Diſcharge of each Buſs, &c. to the Commiſſioners.

XXV. And be it further enacted, That the Officer of the Fiſhery at each Port ſhall tranſmit without Delay to the Commiſſioners for the Herring Fiſhery to be appointed by this Act, the Licence with the Oaths and Certificates written at the Foot or on the Back thereof, hereby required to be delivered up to him, together with the Oath required to be made by the Maſter on his Return into the Port for the Diſcharge of his Cargo, and the Certificate or Certificates hereby directed to be made by the proper Officer of the Fiſhery at ſuch Port, alſo the Declaration produced, and Oath made by the Maſter of any Veſſel out of which Herrings were landed, as having been tranſhipped out of ſuch Buſs or Veſſel during the Fiſhing: And if the

Regulations as to the Manner of paying the Bounty of 3 l. per Ton.

said Commissioners shall be satisfied that all the Conditions, Rules, and Regulations by this Act directed to be observed have been duly fulfilled with respect to such Voyage and Fishing, they shall immediately give a Debenture or Certificate for the Payment to the Owner or Owners of the said Buss or Vessel, or to his or their Assigns, of the Bounty by this Act payable upon the Tonnage of such Buss or Vessel, the Amount whereof shall be mentioned in such Debenture or Certificate; and the said Commissioners shall at the same Time transmit the Licence, Oaths, and Certificates, and Declaration aforesaid, with Notice of their having granted such Debenture or Certificate, to the Commissioners of Excise in *England* or *Scotland* respectively; and the Commissioners of Excise or any Three or more of them in *England*, or the Commissioners of Excise or any Three or more of them in *Scotland*, on receiving such Documents, shall and they are hereby authorized and required respectively, without Delay, to give an Order to their Cashier, or transmit an Order to the Collector of Excise at or nearest the Port or Place where such Buss or Vessel discharged her Cargo (at the Option of the Person or Persons entitled to receive the same); and such Cashier or Collector on receiving such Order, is hereby required to pay on Demand the Sum expressed in such Debenture or Certificate, out of any Money in his or their Hands arising from any Duties under the Management of the said Commissioners of Excise: Provided always, that in case the Master of any such Buss or Vessel shall have neglected to enter any Transaction, Occurrence, Matter, or Thing hereby required to be entered in his Journal, it shall be lawful for the said Commissioners for the Herring Fishery to be appointed by virtue of this Act, to make such Abatement from the Amount of the Bounty claimed for such Vessel as they in their Discretion shall think fit.

In case of any Omission being made in the Journal, the Commissioners may make an Abatement of the Bounty.

Restriction of Ports or Places where a Buss may discharge her Crew or Cargo.

XXVI. And be it enacted, That no Bounty shall be paid by virtue of this Act, on the Tonnage of any Buss or Vessel which shall be fitted out, or shall discharge her Crew or any Part thereof, or shall land her Cargo at any Port or Place other than One where an Officer of the Fishery shall be stationed.

Mariners employed in the Deep Sea Fishery, exempt from being impressed.

XXVII. And be it further enacted, That the Mariners employed in every Buss or Vessel in the Deep Sea White Herring Fishery, not being more than the Complement herein-before required to be on board the same, shall be and the same are hereby protected from being impressed into His Majesty's Service, during so long Time as such Buss or Vessel shall be actually carrying on the said Fishery, and until her Voyage Home from thence to the Port of her Discharge shall be fully completed and ended.

Owners of Busses entitled to the Tonnage Bounty, to pay the Crew 2s. per Barrel on the Herrings taken and cured by them.

XXVIII. And be it further enacted, That the Owners or Hirers of every Buss or Vessel employed in the said Deep Sea Fishery, who shall be entitled to receive the Tonnage Bounty under this Act, shall pay to the Master, Mate, and Crew thereof (over and above such Wages as the said Crew shall by Agreement be entitled to receive an Allowance equal in Amount to Two Shillings, for every full packed Barrel of Herrings contained in the Cargo taken by them, Two-eighth Parts thereof to the Master, One-eighth Part to the Mate, and the remaining Five-eighth Parts to the rest of the Crew, to be equally divided among them, which Allowance shall be paid whenever the said Cargo of Herrings shall be full packed.

XXIX. And

Officer to act in abſence of Superintendant.

XXIX. And be it further enacted, That in caſe of the Abſence of the Superintendant of the Deep Sea Herring Fiſhery from Illneſs or other unavoidable Cauſe, any Officer of the Fiſhery authorized by the Commiſſioners for the Herring Fiſhery to be appointed purſuant to this Act, may and he is hereby authorized and required to do and perform every Matter or Thing which is hereby required to be done and performed by the Superintendant at the Rendezvous of the ſaid Deep Sea Fiſhery, or while the Fiſhery ſhall be going on.

Allowing an additional Bounty of 1 l. per Ton for the Firſt 30 Buſſes fitted out for and employed in the Herring Fiſhery, and entitled to the Bounty of 3l. per Ton.

XXX. And be it enacted, That for or in reſpect of the firſt Thirty Buſſes which ſhall be fitted out and licenſed for, and ſhall be employed in the Deep Sea White Herring Fiſhery, according to the Regulations of this Act, and the Crews of which ſhall reſpectively take, cure, and pack the Quantity of Herrings hereby required, the Owner or Owners thereof who ſhall be entitled to the ſaid Bounty of Three Pounds *per* Ton, ſhall be reſpectively entitled to a further Bounty of Twenty Shillings *per* Ton for One Year; and that of the Buſſes, the Crews of which ſhall have taken the ſaid Quantity of Herrings, thoſe ſhall be preferred which ſhall have been firſt fitted out and licenſed; and in caſe of Equality in that Reſpect thoſe Buſſes, the Crews of which ſhall have taken the greater Quantity of Herrings, ſhall be preferred to thoſe which ſhall have taken a leſs Quantity thereof.

Regulations for clearing out Veſſels (other than Buſſes on the Tonnage Bounty) with Salt, &c. for the Britiſh Herring Fiſhery.

XXXI. And be it further enacted, That whenever any Veſſel or Boat, for which it is not meant the Tonnage Bounty ſhall be claimed, ſhall be intended to be fitted out at any Port or Place in *Great Britain* where an Officer of the Fiſhery ſhall be ſtationed for the *Britiſh* Herring Fiſhery, the Perſon intending ſo to fit out ſuch Veſſel or Boat, ſhall give Notice thereof in Writing to the ſaid Officer of the Fiſhery at ſuch Port or Place, ſpecifying the Quantity of Salt, the Quantity of Netting, the Number of Barrels, and the Quantity of other Stores which he intends to put on board the ſaid Veſſel or Boat, which he ſhall not ſhip or put on board without the Preſence of ſuch Officer; and the ſaid Officer ſhall examine the Stores which ſhall be tendered to be ſhipped, and ſee the ſame put on board the ſaid Veſſel or Boat, and ſhall give the Maſter a Certificate that the ſaid Stores, ſpecifying the Quantities and Sorts thereof reſpectively were ſo ſhipped or put on board in his Preſence, mentioning the Name of the ſaid Veſſel or Boat, and the Name of the Maſter thereof; and if any Salt, Barrels, Nets, or other Fiſhing Stores, ſhall be ſhipped or put on board any ſuch Veſſel or Boat at any ſuch Port or Place as aforeſaid, for the *Britiſh* Herring Fiſhery, before ſuch Notice ſhall be given, or without the Preſence of ſuch Officer as aforeſaid, or be removed from thence in ſuch Veſſel or Boat without ſuch Certificate as aforeſaid, the ſame ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Fiſhery or of the Cuſtoms or Exciſe.

Regulations with reſpect to Veſſels or Boats cleared out with Salt, and curing and taking on board Herrings at the Fiſhery, and proceeding

XXXII. And be it further enacted, That the Maſter of every Veſſel or Boat which ſhall proceed to the *Britiſh* Herring Fiſhery, having on board Salt to be uſed in the curing of Herrings, ſhall keep an Account of the Quantity of Herrings which he ſhall cure or cauſe to be cured every Day, and of the Quantity of Salt uſed in the curing thereof, and ſhall mention in ſuch Account the Name of the Loch, Bay, or other Place on the Coaſt where ſuch Herrings ſhall be cured, and the Manner in which the ſame ſhall be cured, namely, whether in Barrels or in Bulk, whether gutted or ungutted, whether on board or on ſhore, and whether by the Crew of ſuch Veſſel

therewith to a Port in Great Britain, and clearing Inwards.

Veſſel or Boat, or by Perſons reſiding on ſhore, and by a Mark or Marks to be ſet on the Barrel or Barrels in which the ſame ſhall be cured, according to ſuch Regulations as ſhall be made in that behalf by virtue of this Act; the Quantity of Herrings cured in Barrels every Day, ſhall be diſtinguiſhed from all other Herrings, and the Quantity of Herrings cured ungutted from the Quantity cured gutted, in which Account ſhall be ſpecified ſuch Mark or Marks ſet on the Barrels reſpectively, and the Number of Barrels of Herrings ſo cured, with the Marks ſet thereon, which ſhall be ſhipped or put on board ſuch Veſſel or Boat every Day, and if any Quantity of ſuch Herrings ſhall be ſhipped or put on board any other Veſſel or Boat to be carried to any Port in *Great Britain*, the Number of Barrels of Herrings, with the Marks ſet thereon, ſhall be ſpecified in ſuch Account, with the Name of ſuch other Veſſel or Boat and the Port for which the ſame ſhall be bound which Account, ſigned by the ſaid Maſter, together with the ſaid Certificate, by the Officer of the Fiſhery in whoſe Preſence the ſaid Salt was ſhipped in ſuch Veſſel or Boat, the ſaid Maſter ſhall bring with the ſaid Herrings on board thereof, to any Port or Place of *Great Britain* to which the ſame ſhall return or arrive for her Diſcharge; and if any Officer of the Fiſhery ſhall be ſtationed at ſuch Port or Place, the Maſter ſhall (before any Herrings or other Article ſhall be unſhipped out of ſuch Veſſel or Boat) deliver the ſaid Account and Certificate to ſuch Officer, and ſhall verify the ſaid Account on Oath before him who ſhall attend the Landing of the Herrings, Salt, and other Stores, and take a particular Account thereof; or if no Officer of the Fiſhery ſhall be ſtationed at ſuch Port or Place, he ſhall verify the ſaid Account on Oath before the Chief Officer of Exciſe or Cuſtoms there, or any Juſtice of the Peace or other Magiſtrate, and tranſmit the ſame ſo verified on Oath, with the ſaid Certificate, to the neareſt Officer of the Fiſhery; and the Officer of the Fiſhery to whom the ſaid Account ſhall be ſo delivered or tranſmitted, ſhall upon Demand deliver to the ſaid Maſter a Copy of the ſaid Account, and of the Oath by him made thereon, certified by the ſaid Officer under his Hand to be a true Copy.

Regulations reſpecting Veſſels arriving from the Fiſhery laden with Herrings cured with Salt, carried out in a different Veſſel.

XXXIII. And be it further enacted, That the Maſter of every Veſſel or Boat arriving from the *Britiſh* Herring Fiſhery at any Port or Place of *Great Britain*, having on board Herrings cured with Salt, which had been carried from any Port or Place in *Great Britain* to the ſaid Fiſhery in a different Veſſel or Boat, ſhall bring with the ſaid Herrings a Declaration ſigned by the Maſter of the Veſſel or Boat in which the ſaid Salt was carried to the Fiſhery (with a Copy indorſed thereon of the Certificate by the Officer of the Fiſhery in whoſe Preſence the Salt was ſhipped) which Declaration ſhall expreſs the Name of the Veſſel or Boat in which the Herrings ſhall be ſhipped, the Name of the Maſter thereof, the Number of Barrels of Herrings ſhipped or put on board the ſame, with the Marks ſet on the ſaid Barrels reſpectively, the Day on which the Herrings contained in each of the ſaid Barrels reſpectively were cured, and the Manner in which the ſame were cured as herein-before deſcribed, and what Quantity of the Salt ſpecified in the Certificate, of which a Copy ſhall be ſo indorſed on ſuch Declaration, was uſed in the Curing thereof, which Declaration ſhall be verified by the Perſon making the ſame, upon Oath, to be adminiſtered by the Officer of the Fiſhery at the Place where the Herrings ſhall be ſhipped or laid on board; or if there ſhall be no ſuch Officer there, then before any Officer of the Fiſhery near ſuch Place, or any Officer of the Cuſtoms or Exciſe at or near the ſame, or before any Juſtice of the Peace, Sheriff Depute

pute or Substitute, which Declaration so verified, the Master of the said Vessel or Boat arriving with the said Herrings (before any Part of the Cargo thereof shall be unshipped) shall deliver to the Officer of the Fishery at the Port or Place where he shall arrive for the Discharge thereof, who shall attend the landing of the Cargo and take a particular Account thereof; and if no Officer of the Fishery shall be stationed at such Port or Place, then the said Master shall in such Case transmit the said Declaration so verified as aforesaid, to the Officer of the Fishery nearest to such Port or Place.

Herrings, Salt, or other fishing Stores from the Fishery, landed contrary to the aforegoing Regulations, forfeited.

XXXIV. And be it further enacted, That if any Herrings or Salt, or other fishing Stores shall be landed, or shall be unshipped with Intent to be landed, out of any Vessel or Boat arriving from the *British* Herring Fishery (other than a Buss or Vessel which shall have been licensed for the Deep Sea Fishery) at any Port or Place where an Officer of the Fishery shall be stationed, before such Certificate and such Account to be kept by the Master respecting the Herrings cured as aforesaid, or such Declaration so verified as aforesaid respectively, shall be delivered to, and such Account, verified on Oath before the said Officer of the Fishery as is herein directed, or without the Presence of such Officer of the Fishery as aforesaid, or shall be landed or shall be unshipped with Intent to be landed at any Port or Place where no Officer of the Fishery shall be stationed, before such Certificate and Account, or such Declaration so verified as aforesaid, shall be produced to, and such Account verified on Oath before such Officer of the Excise or Customs, or such Justice of the Peace or other Magistrate as aforesaid respectively, and transmitted to the Officer of the Fishery nearest to such Port or Place, or without the Presence of the proper Officer of the Customs, all such Herrings or Salt or other Fishing Stores shall be forfeited, and shall and may be seized by any Officer of the Fishery, or of the Customs or Excise; provided that if any such Herrings, Salt, or other Article shall be seized on Account of any Error or Omission of any Thing required by this Act to be done, which shall appear to the said Commissioners for the Fishery not to have been wilful, it shall be lawful for the said Commissioners to waive the Forfeiture of such Articles, and to levy in lieu thereof on the Parties a Penalty not exceeding the Sum of Ten Pounds.

Regulations respecting Curers having Salt stored at the Fishery, proceeding to cure Herrings therewith.

XXXV. And be it further enacted, That whenever any Person or Persons having Salt stored on Shore at any Place where the Herring Fishery is carried on, shall intend to cure Herrings therewith, such Person or Persons shall, before he shall begin there to cure Herrings, give Notice of his Intention so to do to the Officer of the Fishery at or nearest to such Place, and shall keep an Account of the Quantity of Herrings which he shall cure every Day, and of the Quantity of Salt which shall be used in the curing thereof, and shall in such Account mention the Manner in which the Herrings shall be cured, namely, whether cured in Barrels or in Bulk, whether cured gutted or ungutted, and by a Mark or Marks to be set on each of the Barrels in which the same shall be packed, according to such Regulation as shall be made by virtue of this Act, shall distinguish the Quantity of Herrings cured every Day from all other Herrings, which Mark or Marks shall be specified in the said Account; and before any such Herrings so cured and packed shall be removed, or shall be shipped or put on board

any Veſſel or Boat, in order to be removed from the Place where the ſame were ſo cured, or ſhall be produced to any Officer of the Fiſhery, to be certified for the Bounty of Two Shillings *per* Barrel hereby granted, the Curer thereof ſhall deliver ſuch Account thereof as aforeſaid to the Officer of the Fiſhery at or neareſt to ſuch Place, and verify the ſame upon Oath before ſuch Officer; and the ſaid Officer ſhall and is hereby required to give a Copy of ſuch Account, and of the Oath thereon, certified by him to be a true Copy, to the Perſon by whom the ſame ſhall be ſo delivered and verified as aforeſaid.

What Herrings ſhall be entitled to the Bounty of 2s. per Barrel.

XXXVI. And be it further enacted, That the Bounty hereby granted of Two Shillings *per* Barrel on White Herrings, ſhall not be paid or allowed for any Herrings which ſhall not have been taken in the *Britiſh* White Herring Fiſhery after the ſaid Firſt Day of *June*, or for any Herrings which ſhall be of bad or indifferent Quality, or for any broken Herrings, or for any Herrings which were not originally gutted, or which were cured in Bulk, or otherwiſe than in Barrels, or which having been cured in Barrels ſhall have been afterwards laid in Bulk, or which ſhall not be repacked or Bung packed, and in all Reſpects properly cured and packed, or of which the Barrel ſhall not contain of Fiſh, excluſive of the Weight of Salt and Brine, Two hundred and Twenty-four Pounds Weight, except Herrings intended to be exported to any Place out of *Europe*, which ſhall and are hereby required to be repacked with great Salt, the Barrel of which Herrings ſhall contain Two hundred Pounds Weight of net Fiſh; nor for any Herrings which ſhall be contained in any Barrel not of ſufficient Strength, or not containing Thirty-two Gallons *Engliſh* Wine Meaſure, or on which the Name of the Curer thereof, and the Name of the Port or Place where and the Year when the ſame were cured, ſhall not be branded with an hot Iron, in large, legible, conſpicuous, and permanent Characters, or on which ſuch Mark or Marks, Character or Characters, ſhall not have been ſet at the Fiſhery, as is directed by this Act, or ſhall not remain thereon diſtinctly legible, denoting the Day on which the ſame were cured, and that the ſame were cured gutted; nor for any Barrel of Herrings on which at the Time of its being produced to the proper Officer of the Fiſhery, in order to be branded with a Mark or Character to denote that the Curer thereof is entitled to the Bounty of Two Shillings *per* Barrel hereby given according to the Directions of this Act, any ſuch Mark or Character ſhall be found to have been formerly branded, or any Mark or Character ſhall be found to have been branded purſuant to any former Act, in reſpect of any Bounty *per* Barrel thereby granted, or any Mark or Character whatſoever formerly branded, ſhall be found to have been altered or effaced; nor until a Mark or Character to denote that the Curer thereof is entitled to the Bounty hereby given, ſhall be branded thereon, by Order and in Preſence of the proper Officer of the Fiſhery, after the ſame ſhall have been produced to and inſpected by ſuch Officer, according to the Directions of this Act.

Bounty of 2s. per Barrel, to whom, on what Conditions and Regulations, and by whom to be paid.

XXXVII. And be it further enacted, That the ſaid Bounty of Two Shillings *per* Barrel hereby granted on White Herrings, ſhall be payable and paid to the Curer or Curers thereof, on the Production of the Fiſh to the proper Officer of the Fiſhery, in order to be branded and certified for the Bounty; and ſuch Officer of the Fiſhery to whom any Barrels of Herrings

rings shall be so produced, shall examine the Barrels and inspect the Herrings contained in all, or in such and so many of them as he in his Discretion shall think necessary, for the Purpose of ascertaining whether the Herrings so produced are in every Respect such as to entitle the Curer or Curers thereof to the Bounty hereby granted, according to the Provisions of this Act; and for that Purpose the said Curer or Curers shall, at his or their own Charge, upon being thereunto required by the said Officer, place or cause to be placed the said Barrels of Herrings in such convenient Order or Situation as shall be pointed out by the said Officer (the Outsides being free from any Tar, Dirt, or other Substance which may cover or conceal any Mark thereon) and open or cause to be opened any Barrel so produced, and raise or remove, or cause to be raised or removed the Herrings, or any Part thereof, out of such Barrel, and furnish the said Officer with Weights and Scales for weighing any Herrings, and assist him effectually in weighing the same; and upon every Barrel of Herrings which, on such Examination and Inspection as aforesaid, shall be found by the said Officer to be in all Respects such as to entitle the Curer or Curers thereof to the Bounty of Two Shillings *per* Barrel hereby granted, there shall be branded with an hot Iron, by Order and in Presence of the said Officer, such Mark or Marks, Character or Characters, as the Commissioners for the Herring Fishery, to be appointed pursuant to this Act, shall direct, and as shall denote that the same is deemed to be of the proper Description; and whether the same is Bung packed or repacked, and the Year in which the same shall be so branded; and by Order and in Presence of what Officer; all which being duly performed, the said Officer of the Fishery shall give the Curer or Curers of the said Herrings a Debenture or Certificate for Payment of the said Bounty of Two Shillings *per* Barrel on the Number of Barrels of Herrings so branded, which on being allowed by the Commissioners for the Herring Fishery (such Allowance being stated in Writing under the Hands of the Commissioners at the Foot of the said Debenture or Certificate) the said Curer or Curers, or his or their Assigns, shall be entitled to the Bounty of Two Shillings *per* Barrel on the Number of Barrels of Herrings therein mentioned; and the Commissioners of Excise in *England*, or the Commissioners of Excise in *Scotland* respectively, upon such Debenture being produced to them, shall, without Delay, cause the same to be paid in the same Manner as the Bounty on the Tonnage of Busses or Vessels employed in the Deep Sea Fishery, is directed by this Act to be paid.

Herrings of certain Descriptions which are not entitled to the Bounty of 2*s.* per Barrel, produced to the Office in order to obtain the Bounty, forfeited.

XXXVIII. And be it further enacted, That if any Herrings not caught or taken in the *British* Herring Fishery, or any Herrings in respect whereof any Bounty *per* Barrel granted by any former Act shall have been paid or allowed, or any broken Herrings, or any Herrings which were not originally gutted, or which were cured in Bulk or otherwise than in Barrels, or which having been cured in Barrels shall have been afterwards laid in Bulk, or any Herrings mixed or packed with any such Herrings as aforesaid, or any Herrings (other than Herrings repacked with great Salt) of which the Barrel shall not contain of net Fish, exclusive of the Weight of Salt and Brine, Two hundred and twenty-four Pounds Weight, or any Herrings repacked with great Salt, of which the Barrel shall not contain of net Fish, exclusive of the Weight of the Salt and Brine, Two hundred Pounds Weight, or any Herrings packed in any Barrel which shall be of less

leſs Content or Capacity than Thirty-two Gallons *Engliſh* Wine Meaſure, or on which the Name of the Curer thereof, and the Name of the Port or Place where, and the Year when the ſame were cured, ſhall not be branded with an hot Iron in large, legible, conſpicuous, and permanent Characters, and in Manner directed by any Rule or Regulation which ſhall be made by the Commiſſioners for the Herring Fiſhery in that Behalf, or on which ſuch Mark or Marks, Character or Characters, ſhall not have been ſet at the Fiſhery as is directed by this Act, or ſhall not remain thereon diſtinctly legible, denoting the Day on which the ſame were cured, and that the ſame were cured gutted, ſhall be produced to any Officer of the Fiſhery, to be branded in his Preſence and certified by him, for the Purpoſe of obtaining the ſaid Bounty of Two Shillings for the ſame, or which, having been ſo produced and branded, ſhall be again produced to any ſuch Officer for the ſame Purpoſe, all ſuch Herrings, with the Barrel or Barrels containing the ſame, ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Fiſhery: And if any Herrings, not being forfeited by this Clauſe, ſhall be produced to any Officer of the Fiſhery for the Purpoſe aforeſaid, and ſuch Officer ſhall deem ſuch Herrings to be of bad or indifferent Quality, or not properly cured or packed, or the Barrel or Barrels in which the ſame ſhall be packed not to be of ſufficient Strength, and that for ſuch Cauſe he ſhall think the Curer thereof is not entitled to the ſaid Bounty of Two Shillings *per* Barrel, ſuch Officer ſhall without Delay apply by Petition, ſtating the Matter in Diſpute, to any Juſtice of the Peace reſiding at or near the Place where ſuch Herrings ſhall be produced, giving Notice thereof to the Curer, that he may attend the Hearing if he ſhall think fit; and ſuch Juſtice of the Peace ſhall forthwith nominate and appoint Two or more ſkilful Perſons to inſpect the ſaid Herrings and the Barrels in which they ſhall be packed, and the Perſons ſo nominated and appointed ſhall inſpect the ſaid Herrings and Barrels accordingly, and ſhall certify on their Oaths, to be taken before the ſaid Juſtice, their Opinion on the Matters in Diſpute, according to the beſt of their Skill and Judgment; which Determination of ſuch Perſons, or of the major Part of them, ſhall be concluſive reſpecting the ſaid Bounty of Two Shillings *per* Barrel.

Herrings (not forfeited) produced to obtain the Bounty, and by the Officer deemed not entitled thereto, the Proprietor inſiſting on the contrary, in what Manner the Diſpute ſhall be ſettled.

XXIX. And be it further enacted, That whenever any White Herrings repacked ſhall be intended to be ſhipped or put on board any Veſſel or Boat at any Port or Place in *Great Britain*, in order to be carried Coaſtwiſe to any other Port or Place therein, in order to be exported from thence for any Port or Place out of *Europe*, the Perſon intending to ſhip the ſame ſhall give Notice of ſuch Intention to the Officer of the Fiſhery at the Port or Place of ſhipping, and ſhall in ſuch Notice declare that the ſaid Herrings were not repacked till after the Expiration of Fifteen Days at the leaſt from the Day when the ſame were firſt cured and packed, and ſuch Officer ſhall attend and ſee the ſame ſhipped; and if it ſhall appear that the Herrings ſo ſhipped ſhall have been repacked Fifteen Days at the leaſt from the Day when they were firſt cured and packed, the ſaid Officer ſhall give a Certificate thereof under his Hand to the Maſter of the Veſſel or Boat in which the ſaid Herrings ſhall be ſo ſhipped to be carried Coaſtwiſe, ſpecifying the Marks on the Barrels, and the Name of the Veſſel or Boat in which the ſame ſhall have been ſo ſhipped, the Name of the Maſter thereof, and the Port for which the ſame ſhall be bound.

White Herrings repacked going Coaſtwiſe for Exportation, to be accompanied with Certificate that they were not repacked before the Elapſe of Fifteen Days from the Day when firſt cured.

XL. And be it further enacted, That no White Herrings shall be exported or shipped, or tendered to any Officer of the Fishery or of the Customs, to be shipped for Exportation at any Port or Place in *Great Britain* or any Port or Place whatever, unless the Barrel in which the same shall be packed shall be at least Half an Inch in Thickness at the Bulge, or for any foreign Port or Place in *Europe*, unless such Barrel shall be bound with Sixteen Hoops at the least made of Wood or Iron; nor shall any such Herrings be exported or shipped, or tendered to be shipped as aforesaid, for any Port or Place out of *Europe*, unless the Barrel in which the same shall be packed shall be a new Barrel and full bound, and have one Iron Hoop at each End; nor unless such Herrings shall have been repacked, and a Space of Time not less than Fifteen Days shall have intervened from the Day when the same were originally cured and packed, before the same were repacked, all which shall be made to appear to the Satisfaction of the proper Officer of the Fishery and of the Customs, at any Port or Place to which the same shall have been brought Coastwise for Exportation, by Certificate to be granted by the proper Officer of the Fishery at the Port or Place from which the same were so sent Coastwise as aforesaid, and Oath made thereon by the Exporter or his Agent before any such Officer, that the Herrings tendered for Exportation are the same that were brought Coastwise with such Certificate; nor shall any Barrel of White Herrings be exported or shipped, or tendered to any such Officer as aforesaid to be shipped for Exportation at any Port or Place in *Great Britain* for any Port or Place whatsoever, being branded with any Mark or Character to denote that the Curer thereof is or was entitled to the Bounty of Two Shillings *per* Barrel hereby granted, unless the same shall in all Respects be such as is by this Act required to entitle the Curer thereof to the said Bounty; nor shall any Barrel of White Herrings be shipped for Exportation, till the Proprietor or his Agent shall have produced the same to the proper Officer of the Fishery, and performed every Thing which shall have been required of him by the said Officer, and which the Curer on producing the same in order to obtain the Bounty thereon is by this Act required to perform, nor shall the same be so shipped without the Presence of the said Officer; and that all White Herrings, with the Barrels containing the same, which shall be exported, shipped or tendered to be shipped for Exportation contrary to this Act, shall be forfeited, and shall and may be seized by any Officer of the Fishery or of the Customs. Certain Herrings prohibited to be exported.

XLI. And, in order to prevent any Frauds in the Exportation of Herrings, be it further enacted, That every Officer of the Fishery to whom any Barrels of White Herrings shall be produced or tendered in order to be shipped for Exportation, shall examine the same, and inspect and weigh the Herrings in such and so many of the Barrels as he shall think proper, in order to ascertain whether the said Barrel or Barrels of Herrings be in all Respects such as may lawfully be exported or shipped to be exported to the Port or Place for which the same shall be entered: Provided always, that if any White Herrings contained in any Barrel or Barrels which shall be so marked with any Mark or Character to denote that the Curer thereof is or was entitled to the said Bounty of Two Shillings per Barrel as aforesaid, not being prohibited to be exported for any Cause other than on due Examination their being found to be of such Description as not to entitle the Curer thereof to the Bounty of Two Shillings *per* Barrel, and not of such a Description as would make them liable to Forfeiture, in case they were produced Officer to inspect Herrings tendered for Exportation.

duced by the Curer with Intent to obtain the ſaid Bounty, ſhall be tendered to any Officer of the Fiſhery to be ſhipped for Exportation, and ſuch Officer ſhall deem ſuch Herrings to be of bad or indifferent Quality, or not properly cured or packed, or the Barrel or Barrels in which the ſame ſhall be contained not to be of ſufficient Strength, and that for ſuch Cauſe the ſame cannot be allowed to be exported or ſhipped for Exportation, according to the true Intent and Meaning of this Act, the Herrings or the Barrels containing the ſame ſhall not be forfeited; and if in the Event of a Refuſal to allow the Exportation for any of thoſe Cauſes, the Proprietor ſhall not be ſatisfied with the Opinion of the Officer, the Matter in Diſpute ſhall be ſettled and determined in the ſame Manner as is hereinbefore directed in the Caſe of a like Diſpute ariſing between the Curer of Herrings and the Officer of the Fiſhery, to whom the ſame ſhall be produced in order to obtain the ſaid Bounty of Two Shillings *per* Barrel.

No Coaſt Sufferance or Cocket, or Landing Sufferance from the Cuſtoms, ſhall be required for Salt, Nets, &c. for the Herring Fiſhery, or Herrings, Salt &c. from thence.

XLII. And be it further enacted, That it ſhall be lawful to ſhip or put on board any Buſs, Veſſel or Boat, at any Port or Place in *Great Britain*, where an Officer of the Fiſhery ſhall be ſtationed for the *Britiſh* Herring Fiſhery, Salt, Nets, Barrels, and other Fiſhing Stores and Proviſions neceſſary for the Suſtenance of the Crew thereof, and to carry and convey the ſame to the ſaid Fiſhery without a Sufferance or Warrant or Coaſt Cocket from the Officers of the Cuſtoms, and alſo to unſhip and land Herrings and Salt, Nets, Barrels, and other Fiſhing Stores out of any Buſs, Veſſel, or Boat from the *Britiſh* Herring Fiſhery, without a Sufferance or Warrant from the Officers of the Cuſtoms, and without the Preſence of an Officer of the Cuſtoms, except in any Caſe where any ſpecial Proviſion is made to the contrary in this Act: Provided the ſame be reſpectively ſhipped or put on board, carried, landed or unſhipped in the Manner, and according to the Regulations of this Act: Provided alſo, that nothing herein contained ſhall extend to repeal any Proviſions in any Act made for ſecuring the Duties on Salt, with reſpect to ſhipping, carrying or landing Salt.

Officer of the Fiſhery to tranſmit Copies of Documents of the Salt, &c. ſhipped, and Herrings, Salt, &c. landed, to the Collector, &c. of the Cuſtoms.

XLIII. And, in order that the proper Officers of the Cuſtoms and Exciſe may be informed of and be enabled to regiſter the true Quantities of all Salt, Nets, Barrels, or other Fiſhing Stores ſhipped at the reſpective Ports of *Great Britain* for the *Britiſh* Herring Fiſhery, and of all Herrings, Salt, Nets, Barrels, and other Fiſhing Stores brought from the *Britiſh* White Herring Fiſhery, and landed at the reſpective Ports of *Great Britain*; be it enacted, That every Officer of the Fiſhery, by whom any Licence or Certificate ſhall be granted to the Maſter of any Buſs, Veſſel, or Boat, ſpecifying the reſpective Quantities of Salt, Nets, Barrels, or other Fiſhing Stores ſhipped or put on board ſuch Buſs, Veſſel, or Boat, at any Port or Place of *Great Britain* for the *Britiſh* Herring Fiſhery, ſhall without Delay tranſmit to the Collector, Comptroller, or other Chief Officer of the Cuſtoms at ſuch Port, a Copy of the Licence or Certificate ſo granted by him; and every Officer of the Fiſhery by whom an Account ſhall be taken of any Herrings, Salt, Nets, or other Fiſhing Stores landed out of any Buſs, Veſſel, or Boat from the *Britiſh* Herring Fiſhery at any Port or Place in *Great Britain*, ſhall without Delay tranſmit to the Collector and Comptroller or other Chief Officer of the Cuſtoms at ſuch Port, a Copy of the Account ſo taken by him as aforeſaid, with the Name of the Buſs, Veſſel, or Boat, the Name of the Maſter thereof, and the Port where the ſame was fitted or cleared out for the ſaid Fiſhery.

XLIV. And

XLIV. And be it further enacted, That it shall be lawful to cure and pack Herrings taken in the *British* Herring Fishery in Half Barrels, each of which shall contain Sixteen Gallons *English* Wine Measure, and that the Bounty hereby granted of Two Shillings *per* Barrel shall be allowed and paid for Herrings contained in such Half Barrels, two such Half Barrels being accounted equal to one Barrel, provided that such Half Barrels, and the Herrings contained therein, shall be subject and liable to all the Regulations, Penalties, and Forfeitures by this Act provided and imposed, in the same Manner as if the Herrings were packed in Barrels. Herrings may be cured and packed in Half Barrels.

XLV. And be it further enacted, That it shall be lawful for any Officer of the Fishery to go and remain on board any Buss, Vessel, or Boat, having on board any Salt, Barrels, or other Fishing Stores in *Great Britain*, intended for the *British* White Herring Fishery, or being at any Place where Herrings shall be taken or cured, or proceeding from any such Place for any Port or Place in *Great Britain*, to examine the Condition of all Herrings, Salt, Barrels, or Nets on board of any such Buss, Vessel or Boat, and to put any Mark or Marks on the Barrel or Barrels in which any Herrings shall be contained on board thereof, and to take an Account of the Names and Descriptions of the Crew of such Buss, Vessel, or Boat, and the Master of every such Vessel or Boat shall, if required by any Officer of the Fishery so to do, produce and deliver to such Officer for his Inspection, the Certificate of Registry (if such Vessel or Boat shall be liable to Registry) and the Licence, Certificate, or Declaration which he shall or ought to have on board, and shall give to such Officer a true account of the Name of the Owner or of each of the Owners of such Buss, Vessel, and Boat, and of the Place where such Owner resides, and the Name of each of the Crew thereof; and if any Master of any such Buss, Vessel, or Boat as aforesaid, shall not, upon being required by any Officer of the Fishery so to do, comply with all or any of the Requisitions herein contained, every Person so offending shall forfeit and lose the Sum of Twenty Pounds. Officers of the Fishery may go and remain on board Vessels or Boats, inspect Documents, &c.

XLVI. And be it further enacted, That upon every Boat which shall be employed in the *British* Herring Fishery, within the Limits of a Port or Four Leagues of the Coast of *Great Britain*, there shall be painted in White Roman Letters not less than Two Inches in Length, on a Black Ground, the Name of the Place to which the same shall belong, on a conspicuous Place outside of the Stern, and the Name or Names of the Owner or Owners thereof on a conspicuous Place inside of the Stern, and every Boat employed in the said Fishery within the Limits or Distance aforesaid, on which such Names as aforesaid shall not be painted in Manner before directed, shall be forfeited, and shall and may be seized by any Officer of the Fishery, Customs, or Excise. Boats employed in the Herring Fishery, to have the Name of the Place to which they belong, and Name of Owner painted thereon.

XLVII. And be it further enacted, That it shall be lawful for any Officer of the Fishery, at all Times when Herrings are curing and packing or repacking, and at all other Times in the Day (or if in the Night in the Presence of a Constable or other Officer of the Peace) to enter and come into any Cellar or Warehouse of any Curer of Herrings, or into any Place where Herrings shall be cured, packed or repacked, to view and inspect Herrings during the Time of their being cured, packed or repacked, and to put such a Mark or Marks on any Barrel or Barrels in which they shall be packed or Officers of the Fishery may enter Warehouses, Storehouses, &c. of Fish Curers.

or repacked, as they ſhall think fit; which Mark or Marks ſhall not be altered or defaced.

Commiſſioners to appoint the Forms of Documents, and the Manner of carrying this Act into Execution.

XLVIII. And be it further enacted, That the Commiſſioners for the Herring Fiſhery to be appointed purſuant to this Act, ſhall and they are hereby authorized to make Rules and Regulations directing in what Form and Manner every Journal, Declaration or Account required by this Act ſhall be kept or made, and by what Means and Methods the Proviſions of this Act ſhall be obſerved, performed, and put in Execution, according to the true Intent and Meaning thereof; alſo for ſorting the Herrings taken, (that is to ſay), for packing or repacking Herrings of one Claſs ſeparately from Herrings of another Claſs, or from any other Herrings whatever, ſuch Claſſes to be determined and defined in and by ſuch Rules or Regulations as aforeſaid, according to Size or other Deſcription or Denomination, as to the ſaid Commiſſioners ſhall appear moſt conducive to the Improvement of the ſaid Fiſhery; the Herrings of each Claſs to be diſtinguiſhed by ſuch Mark or Character reſpectively, as in and by the ſaid Rules and Regulations ſhall be directed; and whenever any Herrings ſorted according to ſuch Rules or Regulations as aforeſaid, ſhall be produced to any Officer of the Fiſhery, according to the Directions of this Act, ſuch Officer being ſatisfied that ſuch Herrings are duly ſorted, and to what Claſs the ſame ought to belong, he ſhall cauſe ſuch Mark or Character to be burnt on each Barrel in his Preſence, as by the ſaid Rules and Regulations ſhall be directed, in order to denote how the ſaid Herrings ſhould be claſſed; and the ſaid Commiſſioners are hereby authorized to make Rules or Regulations directing what Marks or Characters ſhall be ſet or branded on any Barrel or Barrels of Herrings for any of the Purpoſes of this Act reſpectively, the Size of every ſuch Mark or Character, and the Part of the Barrel on which the ſame ſhall be ſet or branded, and the Manner in which any Mark or Character not hereby required to be branded ſhall be ſet thereon, which Rules and Regulations they are hereby required to make Public, in the Manner which ſhall appear to them likely to be moſt effectual for the Information of the Parties intereſted therein; and if any Mark or Character ſhall be ſet or branded on any Barrel of Herrings for any of the Purpoſes of this Act, in any Manner which ſhall not be conformable to the ſpecial Proviſions of this Act, or to ſuch Rules and Regulations as aforeſaid; or if any Mark or Character more than the true or proper Mark or Marks, Character or Characters preſcribed by this Act, and by ſuch Rules or Regulations as aforeſaid, ſhall be ſet or branded on any Barrel of Herrings, the Curer or Curers, Proprietor or Proprietors thereof ſhall not be entitled, in reſpect of the ſame, to claim any Benefit by this Act provided, for any Barrel of Herrings marked or branded according to the true Intent and Meaning thereof; and if any Journal, Declaration, Account, or Oath by this Act required to be kept or made, or any Thing required by this Act to be done or performed by or on Behalf of any Curer or Proprietor of Herrings, or Owner or Owners, or Maſter of any Ship, Veſſel, or Boat, ſhall reſpectively be kept, made, done, or performed, in any Form or Manner not conformable to ſuch Rule or Regulation as aforeſaid, ſuch Perſon or Perſons ſhall not be entitled to claim any Benefit by this Act, to which ſuch Perſon would have been entitled in caſe ſuch Journal, Declaration, Account, or Oath, or other Matter or Thing had been reſpectively kept, made, done, or performed, according to the true Intent and Meaning of this Act.

XLIX. And

XLIX. And be it further enacted, That every Perſon before whom any Oath is hereby directed or required to be made ſhall be, and every ſuch Perſon is hereby authorized and required to adminiſter ſuch Oath; and if any Perſon or Perſons ſhall wilfully make a falſe Oath reſpecting any Thing which by this Act is required to be ſworn, every ſuch Perſon ſhall upon Conviction be liable to the Puniſhment of Perjury. Perſons wilfully making falſe Oath, guilty of Perjury.

L. And be it further enacted, That if any Perſon, other than an Officer of the Fiſhery, or not being authorized by or without the Preſence of ſuch Officer, ſhall fraudulently burn or brand or cauſe to be burnt or branded, or have in his Cuſtody or Poſſeſſion any Inſtrument for the Purpoſe of burning or branding on any Barrel or Caſk of Herrings any Mark or Marks, Character or Characters, which by virtue of this Act ſhall be appointed or directed to be burnt or branded on any Barrel of Herrings, by Order and in Preſence of ſuch Officer, or any Mark or Character in Imitation thereof; or if any Perſon ſhall alter, eraze, or falſify any Licence, Certificate, Account, Declaration, Oath or other Document preſcribed by this Act, every Perſon ſo offending ſhall on being convicted thereof in *England* before a Juſtice of the Peace, or in *Scotland* before the Sheriff of the County where the Offence ſhall be committed or the Offender found, ſhall for every ſuch Offence forfeit and pay a Sum of Money not exceeding Fifty Pounds, or ſuffer Impriſonment for any Time not exceeding Six Months; and every Barrel or Caſk on which any ſuch Mark or Character ſhall be fraudulently burnt or branded as aforeſaid, with the Herrings therein contained, and every Inſtrument which ſhall be in the Poſſeſſion of any Perſon for the Purpoſe of fraudulently burning or branding the ſame, ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Fiſhery, Cuſtoms, or Exciſe. Penalty on Perſons fraudulently branding Barrels of Herrings with Marks appointed to be branded by Officers, &c. or falſifying Documents.

LI. And be it further enacted, That if any Mark ſet or branded on any Barrel of Herrings by any Officer or Officers of the Fiſhery, purſuant to this Act, or to any Rules or Regulations which ſhall be made by the aforeſaid Commiſſioners for the Herring Fiſhery ſhall be altered or defaced, every ſuch Barrel, with the Herrings therein contained, ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Fiſhery. Penalty for altering or effacing Marks.

LII. And be it further enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend to repeal or alter any of the Proviſions in an Act paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act for transferring the Management of the Salt Duties to the Commiſſioners of Exciſe, and for repealing the Duties on Salt, and the Drawbacks, Allowances, and Bounties paid thereout, and for granting other Duties, Drawbacks, Allowances, and Bounties thereon*, reſpecting the Uſe or Application of Salt in curing Fiſh. Not to repeal the Proviſions of 38 G. 3. c 89.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, reſiſt, oppoſe, moleſt or hinder, any Officer or Officers of the Fiſhery, or any Perſon or Perſons acting in his or their Aid or aſſiſtance in the Execution of this Act, or of any Matter or Thing therein contained, Perſons reſiſting, &c Officers of the Fiſhery, to forfeit 50l.

contained, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds.

Penalty on Officers receiving Fees.

LIV. And be it further enacted, That if any Officer of the Fishery shall demand, take or receive, directly or indirectly, any Fee, Gratuity or Reward whatever, other than such Salary as shall be allowed him by the Crown, for any Thing done by him in the Execution of this Act, or of his Office or Employment aforesaid, every such Officer on being convicted thereof shall forfeit his Office and the Sum of One Hundred Pounds, and shall be deemed thenceforth incapable of being employed in any Office or Employment under the Crown.

Commissioners may allow Premiums or Bounties for Fishing Herrings in Boats exceeding 15 Tons in Scotland,

LV. And, for encouraging the Inhabitants on the Sea Coasts of *Scotland*, to provide larger Boats than are now used in the Herring Fishery, and to take Herrings at a greater Distance from the Shore than can be done in such small Boats as are now used therein; Be it further enacted, That from and after the First Day of *June* One thousand eight hundred and nine, the said Commissioners for the Herring Fishery to be appointed pursuant to this Act shall be and they are hereby authorized to allow Premiums or Bounties not exceeding the Sum of Three thousand Pounds in the whole in any one Year, to be paid to Persons who shall employ Boats of a Burthen not less than Fifteen Tons by Admeasurement in the taking Herrings on the Coast of *Scotland*, who shall cure and pack the same according to such Plan, and to such Rules and Regulations as the said Commissioners shall make and publish in that Behalf; and that within one Month after the Fifth Day of *April* in each Year, the said Commissioners shall cause a List to be made of the Names of the Persons entitled to the said Bounties or Premiums, the Place of Residence of each of the said Persons, the Name of the Boat or Boats, and the Tonnage thereof, which shall be employed by each Person or Persons respectively, and the Sum of Money which they shall assign to each Person respectively, which List, certified by the said Commissioners, shall be transmitted to the Commissioners of Excise in *Scotland*, and the said Commissioners of Excise shall and are hereby authorized and required to cause the said Sums to be paid out of any Money in their Hands arising from Duties under their Management, to the respective Persons entitled thereto, on their respectively producing and delivering a Certificate from the said Commissioners for the Herring Fishery to that Effect; provided that the said Bounties or Premiums shall not exceed the aforesaid Sum of Three thousand Pounds in any One Year.

Quorum of Commissioners.

LVI. And be it further enacted, That any Thing by this Act directed or required to be done by the Commissioners for the Herring Fishery to be appointed pursuant to this Act, shall and may be done by such Number of them as by the Letters Patent for the Appointment of such Commissioners shall be determined.

Penalties and Forfeitures how to be sued for.

LVII. And be it further enacted, That any Fine, Penalty, or Forfeiture by this Act imposed, except in any Case where other Provision is hereby made, shall be sued for, recovered, and levied as any Fine, Penalty, or Forfeiture may be sued for, recovered, or levied by any Law or Laws of Customs or Excise, or by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, or in the Court of

Exchequer in *Scotland*, respectively, One Moiety of such Fine, Penalty, or Forfeiture shall be to the Use of His Majesty, His Heirs and Successors, and the other Moiety to such Person or Persons as shall inform or sue for the same.

Provisions relating to Justices, &c. in the Execution of their Offices, to extend to this Act.

LVIII. And be it further enacted, That all Privileges, Protections, and Provisions given and ordained by any Act or Acts for Justices of the Peace, or Officers of the Customs and Excise, on the Occasion of their acting in the Execution of their respective Offices, as to any Action or Suit, or the tendering of Amends, or the Payment of Costs or other Thing, shall extend to the aforesaid Commissioners of the Herring Fishery, and to the Superintendant and the Officers of the Fishery appointed in pursuance of this Act, and to all Persons appointed to act under them, or acting in their Aid or Assistance in the Execution thereof.

Officers not liable to Suits for Acts done in enforcing this Act.

LIX. And be it further enacted, That no Superintendant or other Officer acting in the Execution of any of the Provisions of this Act, or in the enforcing any Rules and Regulations made and in force under the Authority thereof, shall be deemed a Trespasser, or be liable to any Action, Suit, or Prosecution, for or by Reason of any Act, Matter, or Thing done in the Execution of his Office, and for the carrying the Provisions of this Act into Execution, and enforcing any Rules or Regulations established under the same, and not done by him maliciously; and if any Person shall bring a Suit or Action for any such Matter or Thing, and the Court or Jury shall find that the same was not done maliciously, such Person shall be nonsuited, and pay Treble Costs to the Defendant.

Jurisdiction of Sheriffs in Scotland extended.

LX. And whereas it may be useful to provide a Jurisdiction for preserving Order and settling Disputes among Persons carrying on the Fishery for Herrings on the Coast and in the Lakes of *Scotland*; be it therefore enacted, That the Jurisdiction of the Sheriffs and Stewarts Depute of *Scotland*, and their Substitutes, shall be extended over all Persons engaged in catching, curing, and dealing in Fish in all the Lochs, Bays, and Arms of the Sea within their respective Counties and Stewartries, and also within Ten Miles of the Coasts of their said Counties and Stewartries, and that in as full and ample a Manner as the same is exercised over the Inhabitants of these Counties and Stewartries; and if any Loch, Bay, or Arm of the Sea shall adjoin to Two or more Counties or Stewartries, or any other Part of the Sea shall be within Ten Miles of the Coasts of Two or more Counties or Stewartries, the Sheriffs and Stewarts of the said Counties and Stewartries shall have and exercise a concurrent Jurisdiction over such Persons as aforesaid, in any such Loch, Bay, or Arm of the Sea which shall be in or opposite to their respective Counties and Stewartries, or any Part of the Sea within the aforesaid Distance of the Coast thereof.

Continuance of Act.

LXI. And be it further enacted, That this Act shall continue in Force until the First Day of *June* One thousand eight hundred and thirteen, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1808.