

ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

CAP. LXXIX.

An Act to repeal certain Bounties granted for the Encouragement of the Deep Sea *British* White Herring Fishery, and to make further Regulations relating to the said Fishery. [2d *July* 1821.]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, for the further Encouragement and better Regulation of the *British* White Herring Fishery, it is among other Things enacted, 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 therein prescribed, to the Owner or Owners of any whole-decked Buss or Vessel, of not less than Sixty Tons Burthen, or any Person or Persons hiring the same, 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 therein particularly prescribed: And whereas another Act was passed in the Fifty-first Year of the Reign of His said late Majesty, for amending the said Act: And another Act was passed in the Fifty-second Year of the Reign of His said late Majesty, to rectify a Mistake, and to carry into more effectual Execution the Purposes of the said recited Act; which several Acts, by an Act passed in the Fifty-fourth Year of the Reign of His said late Majesty, were continued

48G.3.c.110.

51G.3.c.101.

52G.3.c.153.

54G.3.c.102.

tinued to the End of the then next Session of Parliament: And
55 G.3. c. 94. whereas by an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty, the said Acts were further amended and made perpetual: And whereas it is expedient that the said Bounty should be repealed; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this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 the said Bounty of Three Pounds *per* Ton shall, from and after the First Day of *June* One thousand eight hundred and twenty-two, cease and determine, and shall be and the same is hereby repealed, so far as regards the Deep Sea *British* White Herring Fishery, in the said recited Acts mentioned.

The Bounty of 3*l.* per Ton, granted by the recited Acts, repealed.

48 G.3.c.110. II. And whereas by the said Act of the Forty-eighth Year of the Reign of His said late Majesty, it is among other Things 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 said Deep Sea Fishery, for the Purposes and with the Powers therein particularly mentioned, which Person so 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 thereby 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 that the said Superintendant shall remain with the Vessels which shall be employed in the Fishery during the Continuance thereof for the Season: And whereas the said Provision is rendered unnecessary by Operation of this Act; be it therefore enacted, That from and after the First Day of *June* One thousand eight hundred and twenty-two, so much of the said Act of the Forty-eighth Year of His said late Majesty's Reign, or of any other Act, as relates to the Appointment of a Superintendant of the said Deep Sea Fishery, and to the Matters and Things to be done by such Superintendant, shall be and the same is hereby repealed: Provided always, that nothing herein contained shall extend, or be construed to extend, to repeal any Act or Provision made for the Appointment or Employment of a Superintendant of the *British* Herring Fishery, other than the said Deep Sea Fishery.

So much of 48 G.3. c.110. or any other Act, as relates to the Appointment of a Superintendant of the Deep Sea Herring Fishery, repealed.

III. Provided always, and be it enacted, That from and after the passing of this Act, it shall be lawful for the Commissioners for the *British* White Herring Fishery, from Time to Time to make such Rules and Regulations directing by what Means and Methods the Provisions of the Acts herein recited, and now in force, or of this Act, or of any Act hereafter to be made relating to the said Fishery, shall be observed, performed, and put in execution, and the Purposes thereof duly answered and fulfilled, as to the said Commissioners shall seem fitting and expedient; and that all such Rules and Regulations shall be as valid and effectual as if the same were set forth in this Act, and shall be obeyed and carried into execution by the Officers of the *British* Herring Fishery, and all other Persons concerned; and that no Bounty granted by the said Act of the Fifty-fifth Year of His said late Majesty's Reign, or by this Act, shall be allowed or paid to any

The Commissioners for the British Herring Fishery may make Regulations for carrying into Execution the Purposes of this and the recited Acts.

No Bounty to be paid unless complied with.

Person or Persons, unless all such Rules and Regulations shall be duly complied with by the Person or Persons thereby required to perform the same.

If Herrings caught in the Irish Fishery shall be produced to the Officers of the British Fishery, or if caught in the British Fishery and produced to the Officers of the Irish Fishery, for the Bounty, the same shall be forfeited, and the Offender shall forfeit 500*l.*

IV. And be it further enacted, That from and after the passing of this Act, if any White Herrings caught and cured in the *Irish* Fishery, and for which any Bounty granted for the Encouragement thereof shall have been paid or allowed, shall be produced to any Officer of the *British* Fishery, for the Purpose of obtaining any Bounty granted for the Encouragement of the same; or if any White Herrings caught and cured in the *British* Fishery, and for which any Bounty granted for the Encouragement thereof shall have been paid or allowed, shall be produced to any Officer of the *Irish* Fishery, for the Purpose of obtaining any Bounty granted for the Encouragement of the same; all such Herrings, with the Barrels containing the same, shall be forfeited, and shall and may be seized by any Officer of the Fishery, Customs, or Excise; and the Person or Persons producing the same shall also forfeit for every such Offence the Sum of Five hundred Pounds, to be recovered and applied in such Manner as any Penalty is directed to be recovered and applied under any Act or Acts in force for the Encouragement of the Fisheries in *Great Britain* or *Ireland* respectively.

55 G. 3. c. 94.

V. And whereas by the said Act made in the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third, it is among other Things enacted, that the Commissioners for the *British* White Herring Fishery be and they are thereby empowered to fix and determine, by Rules or Regulations to be made by them for that Purpose, the Content or Capacity of every Measure commonly called a Cran, by which Fresh Herrings taken in the *British* Herring Fishery shall be bought and sold, also the Form or Dimensions thereof, the Sort or Sorts of Wood of which it shall be made, the Thickness of every Part thereof, the Number and Dimensions of the Hoops with which it shall be bound, and whether the Whole or what Part of such Hoops shall be of Iron, and also to determine and direct what Marks or Characters shall be set, and upon what Part or Parts of every such Measure, as also to appoint a fit Person or Persons at such Place or Places as they shall think proper to examine the same, and upon finding any such Measure to be conformable in all respects to the Rules or Regulations to be made by the said Commissioners as aforesaid, to cause such Marks or Characters as aforesaid to be branded thereon with an hot Iron in his Presence, according to the Rules and Regulations aforesaid; and if at any Time after the First Day of *June* One thousand eight hundred and sixteen, any Cran or Measure not so marked or branded as aforesaid shall be made use of in the buying or receiving, selling or delivering of Fresh Herrings in the *British* Herring Fishery, or on any Part of the Coast or Shores of *Great Britain*, every Person so making use thereof shall forfeit the said Cran or Measure, and also the Sum of Ten Pounds, and the Commissioners for the *British* Herring Fishery shall cause the said Cran or Measure to be destroyed: And whereas the Provisions above recited have not been sufficient for the Purposes thereby intended; be it therefore enacted, That from and after the passing of this Act, if any Person buying or receiving

If any Person buying or receiving fresh Her-

rings shall make use of, or have in his Possession, any Cran or Measure of greater Content than required by the Regulations of the Commissioners of the British Herring Fishery, he shall forfeit the same, and 10*l.*

receiving fresh Herrings shall, for the Purpose of ascertaining the Quantity thereof, make use of or shall have in his Possession any Cran or Measure which, whether the same shall or shall not be branded with such Marks or Characters as is required by the above recited Act, shall be of greater Content or Capacity than is or shall be required by the Rules or Regulations of the said Commissioners of the *British* Herring Fishery, every such Person making use of or having in his Possession any such Cran or Measure, shall forfeit the same, and also the Sum of Ten Pounds, to be recovered and applied in the same Manner as the like Forfeitures are directed to be recovered and applied by the last recited Act; and the Commissioners for the *British* Herring Fishery shall cause the said Cran or Measure to be burnt.

48 G. 3. c. 110.

VI. And whereas by the said Act, made in the Forty-eighth Year of the Reign of His said late Majesty, it is among other Things enacted, that from and after the 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 that Act, a Bounty of Two Shillings: And whereas by the said Act made in the Fifty-fifth Year of the Reign of His said late Majesty, after reciting the Provision last recited, it is enacted, that from and after the First Day of *June* One thousand eight hundred and fifteen, the said Bounty of Two Shillings shall cease and determine, and in lieu thereof a Bounty of Four Shillings a Barrel shall be granted, which Bounty of Four Shillings shall be paid for every Barrel of Herrings which shall be caught, landed, cured, and packed according to the Directions of the said Act of the Forty-eighth Year of the Reign of His said late Majesty, and of that Act, for the Encouragement of the Inhabitants of the *Isle of Man* engaged in the Prosecution of the *British* Herring Fisheries; be it further enacted, That from and after the passing of this Act, the like Bounty of Four Shillings shall be paid for every Barrel of Herrings caught in the Fisheries of the *Isle of Man*, or other *British* Fisheries, in Vessels or Boats fitted out from the said Isle, landed there, and cured and packed according to the Directions of the said Acts passed in the Forty-eighth and Fifty-fifth Years of the Reign of His said late Majesty and of this Act.

55 G. 3. c. 94.

Bounty of 4s. to be paid for every Barrel of Herrings caught in the British Fisheries, cured and packed in the Isle of Man.

Regulations, &c. in Acts 48 & 55 G. 3. extended to the Isle of Man.

VII. And be it further enacted, That all Powers or Authorities, Rules, Regulations, Restrictions, Fines, Penalties, or Forfeitures, in or by the said Acts of the Forty-eighth and Fifty-fifth Years of His said late Majesty's Reign and this Act, or in or by any of them contained or imposed, and now in force or to be in force after the passing of this Act, as far as the same are or shall be applicable, and can be put in execution, shall extend to and be in force in the *Isle of Man*:

The Bounty hereby extended to the Isle of Man to be paid by the Excise in Scotland.

Provided always, that the Bounty hereby extended to the *Isle of Man* shall be paid by Order of the Commissioners of Excise in *Scotland*, in the same Manner as the Bounty of Four Shillings for every Barrel of White Herrings caught in *British* Fisheries, and landed in *Great Britain*, is directed to be paid; and that any such Fine, Penalty, or Forfeiture

Forfeiture as aforesaid, shall or may be sued for, recovered, levied, mitigated, and applied, as any Fine, Penalty, or Forfeiture may be sued for, recovered, levied, mitigated, and applied by any Law or Laws of Custom or Excise in *Great Britain*, or by any Law of Customs in the *Isle of Man*. Recovery of Penalties.

VIII. And whereas by the said Act made in the Fifty-fifth Year of the Reign of His said late Majesty, it is enacted, that when any White Herrings, packed in Barrels or Casks, shall be imported or brought into any Port or Place in *Great Britain* from any Port or Place in *Ireland*, the *Isle of Man*, or from any other Island or Colony under His Majesty's Dominion, the Barrels or Casks containing the said Herrings shall have been, or, within Twenty-four Hours after the landing thereof and before the same shall be put into any Warehouse, shall be branded with such Word or Words as after mentioned respectively; (that is to say,) if imported from any Port or Place in *Ireland*, with the Word "*Irish*;" if imported from the *Isle of Man*, the Word "*Manx*;" if imported from any other Island or Colony under His Majesty's Dominion, with a Word or Words descriptive of the Name of such other Island or Colony respectively; which Word or Words shall be branded on every such Barrel or Cask respectively, in the Manner therein directed, and shall remain thereon distinctly legible; and that any such Herrings shall not be afterwards packed in any other Barrels or Casks unless such Word or Words respectively as aforesaid shall have been so branded thereon as aforesaid; nor shall any such Herrings be laid in Bulk or mixed with any other Herrings, unless the same shall be so laid in Bulk or mixed in a Manufactory of Red Herrings, for the Purpose of being made into Red Herrings; and that if any White Herrings, imported in Barrels or Casks from any such Port or Place as is above mentioned, shall be found in Bulk, or mixed with any other Herrings, unless as aforesaid, or packed in Barrels or Casks, on which such Word or Words shall not have been branded respectively, or shall not remain thereon distinctly legible as aforesaid, contrary to the said Act, all such Herrings, with the Barrels or Casks containing the same, shall be forfeited, and shall and may be seized by any Officer of the Fishery, or of the Customs; but it is by the said Act provided, that nothing in the said Act made in the Forty-eighth Year, or in the said Act made in the Fifty-fifth Year of His said late Majesty's Reign contained, relative to the Size or Thickness of the Barrels or Half Barrels in which White Herrings shall be packed, or against their being made of Fir, or relative to the Exportation of White Herrings, shall extend or be construed to extend to White Herrings imported in Barrels or Casks from *Ireland*, the *Isle of Man*, or from any other Island or Colony under His Majesty's Dominion, such Barrels or Casks being branded in the Manner therein directed: And whereas by the Operation of an Act made in the Fifty-ninth Year of the Reign of His said late Majesty, for the further Encouragement and Improvement of the *Irish* Fisheries, and of an Act made in the last Session of Parliament for the Amendment of the said last-mentioned Act, and by the Operation of this Act, the Provisions of the said recited Act, and the Forfeitures thereby enacted, so far as relates to White Herrings contained in Barrels or Casks imported or brought into any Port or Place in *Great Britain* from *Ireland* 55 G. 3. c. 94. Provision recited requiring Herrings imported from Ireland or the Isle of Man, &c. to have the Barrels branded with the Names of the Countries from whence they come.

The Regulations in recited Act regarding such Herrings imported in Barrels from Ireland or the Isle of Man repealed.

or the *Isle of Man*, have become unnecessary and inexpedient; be it therefore enacted, That the said recited Act of the Fifty-fifth Year of the Reign of His said late Majesty, and the Regulations, Restrictions, and Forfeitures therein contained, so far as relates to White Herrings contained in Barrels or Casks imported or brought into any Port or Place in *Great Britain*, from any Port or Place in *Ireland* or the *Isle of Man*, shall be and the same are hereby repealed.

Quorum of Commissioners.

IX. And be it further enacted, That any thing by this Act directed or required to be done by the Commissioners for the *British* Herring Fishery, shall and may be done by such Number of them as by the Letters Patent for the Appointment of such Commissioners is or shall be determined.

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