ANNO TRICESIMO QUINTO

Georgii III. Regis.

CAP. LVI.

An Act to continue and amend an Act, made in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the more effectual Encouragement of the* Britiſh *Fiſheries*.

[5th *May* 1795.]

WHEREAS an Act was paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, intituled, *An Act for the more effectual Encouragement of the* Britiſh *Fiſheries*; which Act was to continue in force from the Firſt Day of *June* One thouſand ſeven hundred and eighty-ſeven, for the Space and Term of Seven Years, and from thence to the End of the then next Seſſion of Parliament: And whereas an Act was paſſed in the Twenty-ſeventh Year of His preſent Majeſty's Reign, to extend the Proviſions of the ſaid Act: And whereas it is expedient that the ſaid firſt-mentioned Act, together with the Alterations and Amendments made in the ſame by the laſt-mentioned Act, ſhould be continued for a limited Time, with Amendments therein: Be it 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 Act, paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, together with the Alterations and Amendments made therein by the ſaid Act paſſed in the Twenty-ſeventh Year of His preſent Majeſty's Reign, ſhall be and continue in force from and after the Firſt Day of *June* One thouſand ſeven hundred and ninety-five, for the

Preamble.

26 *Geo.* III. Cap. 81, and

29 *Geo.* III. Cap. 10, recited,

and continued for 2 Years.

the Space and Term of Two Years, and from thence to the End of the then next Seſſion of Parliament.

Veſſels clearing out between *June* 1 and *Nov.* 20, entitled to Bounties.

II. Provided always, and be it further enacted, That any Buſs or Veſſel which ſhall clear out of ſome Port in *Great Britain* for the ſaid Fiſhery, between the Firſt Day of *June* and the Twentieth Day of *November* in one and the ſame Year, and ſhall proceed immediately upon the ſaid Fiſhery, ſhall entitle the Owner or Owners thereof to the Bounties granted by the ſaid Acts, or either of them, in the ſame Manner as if ſuch Buſs or Veſſel had cleared out of ſome Port in *Great Britain* between the Firſt Day of *June* and the Firſt Day of *October* in one and the ſame Year; any Thing in the ſaid Acts, or either of them, to the contrary notwithſtanding.

Herrings not entitled to 20 *s. per* Ton, but to 1 *s. per* Barrel, afterwards cured, to be paid 1 *s. per* Barrel more.

III. And be it further enacted, That for all Herrings which ſhall be landed from any Boat or Veſſel not entitled to the Bounty of Twenty Shillings *per* Ton, but entitled to the Bounty of One Shilling *per* Barrel, granted by the ſaid Act paſſed in the Twenty-ſixth Year of His preſent Majeſty's Reign, and which ſhall afterwards be properly ſalted and cured, there ſhall be paid a Bounty of One Shilling *per* Barrel, in Addition to the Bounty of One Shilling *per* Barrel, granted by the ſaid Act, for ſuch Herrings.

Herrings, &c. ſprinkled with Salt on landing, may be carried Coaſtwiſe in Bulk free of Duty.

IV. And whereas Doubts have ariſen whether Herrings which ſhall have been landed at the fiſhing Places upon the Coaſts of *Great Britain*, and ſprinkled with Salt, to be afterwards carried Coaſtwiſe in Bulk to the Reſidence of the Curers, were not ſubject to Forfeiture; to remove which Doubts, and for the greater Encouragement of the *Britiſh* Fiſhery, be it hereby enacted by the Authority aforeſaid, That the Curers of Herrings, reſiding in any Part of *Great Britain*, ſhall and may, during the Time of each and every Seaſon of the *Britiſh* Fiſhery, carry Coaſtwiſe in Bulk, free of any Duty whatever, Herrings, or Cod, Ling, Hake, and Salmon, actually taken in the Herring Fiſhery, that ſhall have been landed and depoſited in any Warehouſe or Store under the Care and Inſpection of the Salt Officers at any Place of Fiſhery upon the *Britiſh* Coaſts, and there ſprinkled with Salt taken out of any Warehouſe under the Revenue Locks, for the Uſes of the *Britiſh* Fiſhery, which Salt ſhall have been depoſited, during the Time of the Fiſhery, in any Store or Warehouſe for the Purpoſe only of ſprinkling ſuch Herrings or other Fiſh ſo taken, to preſerve them until the ſame ſhall be afterwards carried Coaſtwiſe to that Part of *Great Britain* where ſuch Herrings or other Fiſh are to be entirely cured, or otherwiſe diſpoſed of: Provided always, that it ſhall be expreſſed in the Cocquet, Tranſire, or other Coaſt Diſpatch to accompany the ſaid Herrings and other Fiſh, that no Bounty whatever has been paid or claimed upon the ſaid Herrings and other Fiſh at any Time previous to the ſhipping of the ſame to be carried Coaſtwiſe; and that the ſaid Herrings and other Fiſh ſhall be ſubject to all the Reſtrictions, Regulations, Penalties, and Forfeitures, now in force under this, or any other Act or Acts for the Security of the Duties on Salt.

Cocquet to expreſs that no Bounty has been paid on ſuch Fiſh.

Act in *Scotland* of 3d Seſſion of 11th Parliament of Queen *Anne*, recited,

V. And whereas by an Act, paſſed in *Scotland* in the Third Seſſion of the Firſt Parliament of Her late Majeſty Queen *Anne*, intituled, *An Act for advancing and eſtabliſhing the Fiſhing Trade in and about this Kingdom*, it is among other Things enacted, That it ſhall be lawful to the Sheriffs, Baillies of Regalities, and Magiſtrates of Burghs, or any having Commiſſion

from them, not only to visit on all Occasions the curing and packing of Herring or White Fish in their respective Bounds, and also to pitch on any Barrel after it is made up and marked, and cause break open the same, and raise the Herrings, if they think fit, from the very Bottom; and in case they be not cured or packed as in the said Act is ordained, or that they be broken, bruised, spilt, or not gutted Herring or Fish among them, the said Sheriffs, Baillies, Magistrates, or others commissioned by them, after the same is clearly proven by experienced and famous Witnesses, are thereby ordained to secure the whole Casks where the said insufficient Herring or White Fish shall be found, and the Persons to whom they belong shall pay for each Last One hundred Marks *Scots*, the Half to be given to the Discoverer and the Rest to the Poor of the Parish, and proportionally for smaller Quantities of such insufficient Herring or White Fish, and the said insufficient Herring or Fish shall be discharged to be exported at any Time thereafter; be it enacted, That so much of the said in Part recited Act as relates to the securing of Casks of Herrings for or in respect of any ungutted Herrings being found therein, and to any Fine or Penalty to be paid by the Person or Persons to whom any Casks of Herrings shall belong in respect of any ungutted Herrings being found therein, and to the discharging of the Exportation of any Casks of Herrings for or in respect of any ungutted Herrings being found therein, be, and the same is hereby repealed.

and in Part repealed.

VI. And whereas it frequently happens that Arrestments are used in the Hands of the Commissioners of the Customs in *Scotland*, or their Receiver General, for the Purpose of attaching the Bounty that may be due to Proprietors of Vessels employed in the said Fishery, but in which no Specification is made of the Name of the Vessel whereof the Bounty is meant to be attached, whereby much Inconvenience and Embarrassment often arise, there being many Persons of the same Name Proprietors of different Vessels, which renders it difficult and uncertain with Precision what particular Bounty is intended to be attached, whereby Payments have some Times been made notwithstanding such Attachments, at other Times Delays have been occasioned in Payment of Bounties not intended to be attached, all which might be remedied if in the Arrestments the Name of the particular Vessel was specified; be it therefore enacted by the Authority aforesaid, That in all Arrestments to be used in the Hands of the said Commissioners or Receiver General, for the Purpose of attaching Bounties due to Owners of any of the said Vessels fitted out for the said Herring Fishery, the Schedule and Execution of the Arrestment shall specify the Name of the particular Vessel or Vessels whereof the Person against whom the Arrestment is used may be Owner, and of which his Share of the Bounty is meant to be attached, otherwise such Arrestments shall be null and void.

Arrestments to specify the Names of Vessels when Bounties are to be attached by Commissioners of Customs in *Scotland*.

VII. And be it further enacted by the Authority aforesaid, That if, during the Continuance of this Act, any Person, being a Subject or Inhabitant of the *United Provinces*, who has been employed in carrying on the Herring, Cod, Ling, Haddock, or other White Fisheries, or the Fisheries carried on in the *Greenland Seas* and *Davis's Streights*, or the Turbot Fishery, or in building Vessels, or in cutting Whalebone, or in making Nets or Barrels, or in preparing Salt for the said Fisheries, shall come into this Kingdom with Intent to reside herein, and shall go before some Justice of

Inhabitants of the *United Provinces*, employed in the Herring Fishery, &c. or in building Vessels, &c. coming to reside in this Kingdom, may, on cer-

tain Conditions, import Fiſh Duty free, export them, be entitled to Bounties, carry on their Trades, &c.

of the Peace, Sheriff Depute or Subſtitute, or Principal Magiſtrate of ſome City or Town of this Kingdom, or before the Principal Officer of His Majeſty's Cuſtoms in ſome Port of this Kingdom, and ſhall take the Oath of Allegiance to His Majeſty, and ſhall obtain a Certificate of his having taken ſuch Oath, which Oath and Certificate ſuch Juſtice of the Peace, Sheriff Depute or Subſtitute, Magiſtrate, and Officer reſpectively, are hereby authorized and required to adminiſter and give, on Payment of no greater Fee than Two Shillings; and if ſuch Perſon ſhall produce or tranſmit ſuch Certificate to the Commiſſioners of His Majeſty's Cuſtoms in *England* or *Scotland* reſpectively, and ſhall make it appear to the Satisfaction of ſuch Commiſſioners, by Oath or Examination before them, or before Perſons duly authorized by them for that Purpoſe, that he is a Subject or Inhabitant of the ſaid *United Provinces*, and had been employed in ſome one or other of the ſaid Fiſheries, or in building Veſſels, or in making Nets or Barrels, or in preparing Salt for the ſaid Fiſheries, and that he hath come into this Kingdom with Intent to reſide herein, and to carry on ſome one or other of the ſaid Fiſheries, Trades, or Employments, it ſhall and may be lawful for the ſaid Commiſſioners of His Majeſty's Cuſtoms in *England*, or any Four or more of them, or for the ſaid Commiſſioners of His Majeſty's Cuſtoms in *Scotland*, or any Three or more of them, to grant to ſuch Perſon a Certificate thereof; and ſuch Perſon ſhall be forthwith entitled to enter for Importation, Duty free, and afterwards to re-export any Cargo of Fiſh, or the Produce thereof, caught in any of the ſaid Fiſheries, which he may then have brought into the Ports of this Kingdom, and ſhall from thenceforth be authorized to carry on from the ſaid Ports, the ſaid Fiſheries, or any of them, or to exerciſe in any Place therein any of the ſaid Trades or Employments, and to import and export ſuch Fiſh or Oil, or other Produce thereof, into or from any Ports of this Kingdom, in the ſame Manner, and with all the ſame Advantages, as any *Britiſh* Subject, and be entitled to all ſuch Bounties, Premiums, and Emoluments, as are granted by either or both of the Acts continued by this preſent Act, and to no other, ſubject nevertheleſs, in the Caſe of claiming ſuch Bounties, to the ſame Rules, Regulations, Reſtrictions, Penalties, and Forfeitures; and ſuch Perſon ſhall thereupon be entitled to become the Maſter or Mariner of any *Britiſh* Ship or Veſſel, employed in carrying on any of the ſaid Fiſheries.

Such Perſons, Owners in Whole or in Part of Veſſels, and bringing them into this Kingdom, may, by Order of the Privy Council, have them regiſtered, and be entitled to the Privileges of *Britiſh*-built Veſſels.

VIII. And be it further enacted, That if any ſuch Perſon or Perſons who ſhall have qualified, or ſhall qualify himſelf or themſelves in Manner before directed, being the Owner in Whole or in Part of any Ship or Veſſel heretofore employed in ſome one or other of the ſaid Fiſheries, has brought or ſhall bring any ſuch Veſſel into any of the Ports of this Kingdom, and ſhall prove, in the Manner directed in an Act, paſſed in the Twenty-ſixth Year of His Majeſty's Reign, intituled, *An Act for the further Increaſe and Encouragement of Shipping and Navigation*, having taken the Oath hereunto annexed, inſtead of the Oath required by the ſaid Act, that he or they is or are the ſole Owner or Owners, or that he or they, and ſome other Perſon or Perſons, being Subjects or Inhabitants of the ſaid *United Provinces*, who ſhall have come to this Kingdom, and have proved the ſame in Manner before directed, or ſome *Britiſh* Subject or Subjects, are the ſole Owner or Owners of ſuch Ship or Veſſel, it ſhall and may be lawful for His Majeſty, by and with the Advice of His Privy Council, to order ſuch Ship or Veſſel ſo owned to be regiſtered,

and to have a Certificate thereof, and ſuch Ship or Veſſel ſhall by virtue thereof become entitled to the Privileges of a *Britiſh*-built Ship or Veſſel, under the Regulations and Reſtrictions herein-after mentioned.

While the Owners reſide in the Kingdom ſuch Veſſels may import the Fiſh caught, export them, and import in return ſuch Articles as *Britiſh*-built Ships, if properly manned.

IX. And be it further enacted, That during ſuch Time as the Owner or Owners of ſuch Ship or Veſſel ſhall continue to be reſident within this Kingdom, it ſhall be lawful for ſuch Ship or Veſſel to carry on any of the ſaid Fiſheries, and to import and export into and from this Kingdom, and to carry to the Port of any Country in *Europe*, the Fiſh caught in any ſuch Fiſheries, and the Oil and other Produce thereof, and ſuch Ship or Veſſel ſhall be entitled to the like Advantages as any *Britiſh*-built Ship or Veſſel employed in any of the ſaid Fiſheries, and to all ſuch Bounties, Premiums, and Emoluments, as are granted by either or both of the Acts continued by this Act, and to no other, ſubject nevertheleſs, in caſe of claiming ſuch Bounties, to the ſame Duties, Rules, Regulations, Reſtrictions, Penalties, and Forfeitures; and every ſuch Ship or Veſſel may import from any ſuch Foreign *European* Port, in return for ſuch Fiſh, Oil, or Produce, any Articles which any *Britiſh*-built Ship may by Law import from thence, ſubject nevertheleſs to the ſame Duties, Rules, Regulations, Reſtrictions, Penalties, and Forfeitures, as any *Britiſh*-built Ship employed in the like Trade: Provided always, that every ſuch Ship or Veſſel employed in the Manner before mentioned, ſhall be manned, with the Number required by Law, either of *Britiſh* Seamen, or of Subjects or Inhabitants of the ſaid *United Provinces*, who have come to and continue to reſide within this Kingdom, and have qualified themſelves in Manner before directed.

Perſons ſo qualified may purchaſe Eſtates not exceeding 100 Acres,

X. And be it further enacted, That any Perſon ſo qualified as aforeſaid ſhall be entitled to purchaſe or take by Deſcent, and hold any Eſtate in Lands, Tenements, or Hereditaments, (not exceeding One hundred Acres), in the ſame Manner as any natural-born Subject of this Kingdom may now do.

and may bring into the Kingdom Ships, &c. Duty-free.

XI. And be it further enacted, That it ſhall and may be lawful for any ſuch Perſon qualified in Manner before mentioned, to import and bring into this Kingdom all ſuch Ships, Tackle, and Furniture, and all Nets and other Articles employed in ſuch Fiſheries, and alſo all Houſehold Goods and Wearing Apparel, without Payment of any Duty whatſoever, provided it ſhall be made to appear, to the Satisfaction of the Commiſſioners of the Cuſtoms in *England* and *Scotland* reſpectively, that ſuch Articles reſpectively are not imported by Way of Merchandize.

Such Owners to take the following Oath.

XII. And be it further enacted, That the Oath before directed to be taken by the Owner or Owners, Proprietor or Proprietors, of any ſuch Ship or Veſſel, ſhall be in the Form and Manner following, as far as the ſame is applicable to each or either of them:

'I *A. B.* of (*Place of Reſidence and Occupation*) do make Oath that the Ship or Veſſel (*Name*) of (*Port or Place*) whereof (*Maſter's Name*) 'is at preſent Maſter, being (*Kind of Built, Burthen*, et cetera, *as deſcribed 'in the Certificate of the ſurveying Officer*) was (*when and where built, and 'when and where it came into this Kingdom*); and that I the ſaid *A. B.* 'and (*the other Owners Names, and Occupations, if any, and where 'they reſpectively reſide*, videlicet, *Town, Place, or Pariſh and County,*

'*or if Member of and resident in any Factory in Foreign Parts, or in any Foreign Town or City, being an Agent for or Partner in any House or Copartnership, actually carrying on Trade in* Great Britain *or* Ireland, *the Name of such Factory, Foreign Town, or City, and the Names of such House or Copartnership*) am (*or* are) sole Owner (*or* Owners) of the said Vessel, and that no other Person or Persons whatever, hath or have any Right, Title, Interest, Share, or Property, therein or thereto; and (*if a British Subject*) that I the said *A. B.* (*and the said other Owners, if any*) am (*or* are) truly and *bona fide* a Subject (*or* Subjects) of *Great Britain*, and that I the said *A. B.* have not (*nor have any of the other Owners, to the best of my Knowledge and Belief*) taken the Oath of Allegiance to any Foreign State whatever, (*except under the Terms of some Capitulation, describing the Particulars thereof*); or that, since my taking (*or his or their taking*) the Oath of Allegiance to (*naming the Foreign States respectively to which he or any of the said Owners shall have taken the same*), and prior to the passing of an Act, of the Twenty-sixth Year of the Reign of King *George* the Third, intituled, *An Act for the further Increase and Encouragement of Shipping and Navigation*, I have (*or he or they hath or have*) become a Subject (*or* Subjects) of *Great Britain*, (*either by His Majesty's Letters Patent, as a Denizen* (*or Denizens*) *or naturalized by Act of Parliament, as the Case may be, naming the Dates of the Letters of Denization, or the Act or Acts of Parliament for Naturalization respectively*); or (*as the Case may be*) I have (*or he or they hath or have*) become a Denizen (*or* Denizens, *or* naturalized Subject *or* Subjects, *as the Case may be*) of *Great Britain*, by His Majesty's Letters Patent, or by an Act of Parliament passed since the First Day of *January* One thousand seven hundred and eighty-six, (*naming the Times when such Letters of Denization have been granted respectively, or the Year or Years in which such Act or Acts of Naturalization have passed respectively*), or (*if not a* British *Subject*) that I *A. B.* and the other Owners, if any, being a Subject or Subjects, Inhabitant or Inhabitants, of the *United Provinces*, or having been an Inhabitant or Inhabitants thereof, and now resident in this Kingdom, (*describing the Particulars thereof as to Place and Date*), have (*or he or they hath or have*) taken the Oath of Fidelity and Allegiance to His Majesty the King of *Great Britain*, (*describing the Times when, the Place where, and before whom taken*), and that no Foreigner, not having complied with the Conditions above mentioned, directly or indirectly, hath any Share, or Part, or Interest, in the said Ship or Vessel.'

FINIS.