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Anno Regni  
GULIELMI III.  
REGIS

*Anglia, Scotia, Francia & Hibernia,*  
Decimo & Undecimo.

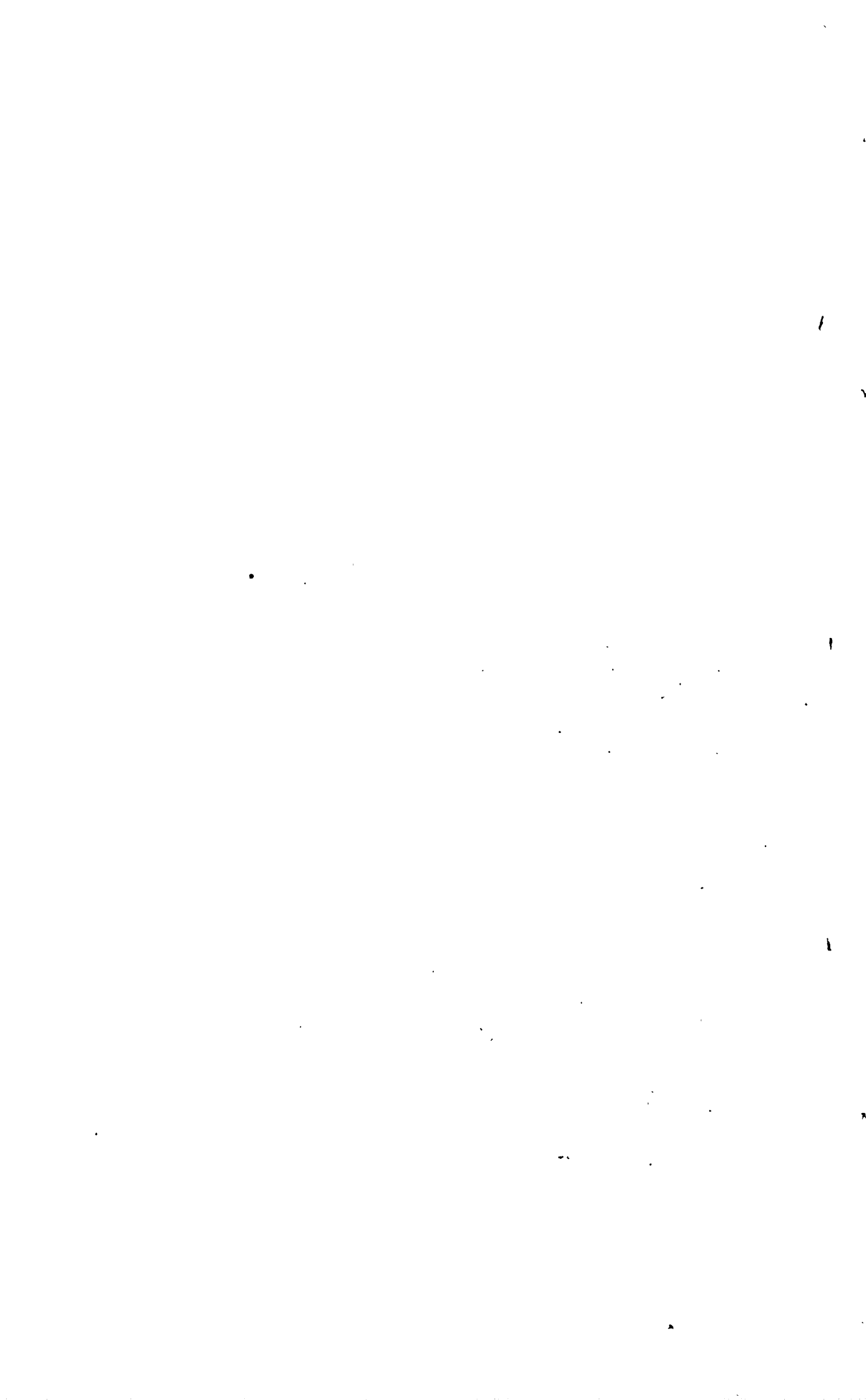
At the Parliament begun at *Westminster* the Four  
and twentieth Day of *August*, *Anno Dom.* 1698.  
In the Tenth Year of the Reign of our Sovereign  
Lord *WILLIAM* the Third, by the Grace  
of God, of *England, Scotland, France* and  
*Ireland*, King, Defender of the Faith, &c.

And from thence Continued by several Prorogations to the  
Sixth Day of *December*, 1698. being the First Session of this  
present Parliament.



L O N D O N,

Printed by *Charles Bill*, and the Executrix of *Thomas Newcomb*,  
deceas'd, Printers to the Kings most Excellent Majesty.  
M DC XCIX.





Anno Decimo & Undecimo

# Gulielmi III. Regis.

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An Act to Incourage the Trade to  
*Newfoundland.*



Whereas the Trade of and  
Fishing at Newfoundland  
is a Beneficial Trade to  
this Kingdom, not only  
in the Employing great  
Numbers of Seamen  
and Ships, and Export-  
ing and Consuming  
great Quantities of  
Provisions and Manufactures of this  
Realm, whereby many Tradesmen and  
Poor Artificers are kept at Work, but  
also in bringing into this Nation, by  
Returns of the Effects of the said Fishery  
from other Countreys, great Quantities  
of Wine, Oyl, Plate, Iron, Wool and  
sundry other Useful Commodities, to the  
Increase of His Majesties Revenue, and  
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the Encouragement of Trade and Navigation: Be it Enacted by the Kings 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 henceforth it shall and may be lawful for all his Majesties Subjects Residing within this his Realm of England, or the Dominions thereunto belonging, Trading or that shall Trade to Newfoundland, and the Seas, Rivers, Lakes, Creeks, Harbours in or about Newfoundland, or any of the Islands adjoyning or adjacent thereunto, to have, use and enjoy the free Trade and Traffick, and Art of Merchandize and Fishery, to and from Newfoundland; and Peaceably to have, use and enjoy, the Freedom of taking Bait and Fishing in any of the Rivers, Lakes, Creeks, Harbours or Rodes in or about Newfoundland, and the said Seas, or any of the Islands adjacent thereunto, and Liberty to go on Shore on any part of Newfoundland, or any of the said Islands, for the Curing, Salting, Drying and Husbanding of their Fish, and for making of Oyl, and to Cut down Wood and Trees there for Building and Making or Repairing of Stages, Ship-rooms, Trainsats, Hurdles, Ships Boats, and other Necessaries for themselves and their Servants, Seamen and Fishermen, and all other Things which may be Useful or Advantagious to their Fishing Trade,

Trade, as fully and freely as at any time heretofore hath been used or enjoyed there by any of the Subjects of his Majesties Royal Predecessors, without any Hindrance, Interruption, Denial or Disturbance of or from any Person or Persons whatsoever; And that no Alien or Stranger whatsoever (not Residing within the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed) shall at any time hereafter take any Wait, or use any sort of Trade or Fishing whatsoever in Newfoundland, or in any of the said Islands or Places above mentioned.

And for the Preserving the said Harbours from all Annoyances, Be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, One thousand seven hundred now next coming, no Ballast, Prest Stones, or any thing else hurtful to or annoying any of the Harbours there, shall be thrown out of any Ship or otherwise, by any Person or Persons whatsoever to the Prejudice of any of the said Harbours, but that all such Ballast and other Things shall be carried on Shore, and be laid Where they may do no Annoyance.

And be it further Enacted by the Authority aforesaid, That no Person or Persons whatsoever shall (at his Departure out of the said Countrey, or at any other time) Destroy, Deface or do any Detriment to any such Stage

oz Cook-Room, oz to the Flakes, Spikes, Nails oz any other Thing whatsoever thereto belonging, as he oz they shall fall into at his oz their coming into the said Countrey, but that he oz they shall ( during his oz their stay there ) content him and themselves with such Stage oz Stages only as are needful for him oz them, and shall also ( at his oz their Departure thence ) leave all such his oz their Stage oz Stages, without doing oz causing to be done any wilful Damage to any of them; And that for the Repairing of such Stage oz Stages as he oz they shall so take, during his oz their Abode there, the same shall be done with Timber fetcht out of the Woods there, and not by the Ruining, Breaking down, Demolishing, Prejudicing oz any wise Injuring the Stage oz Stages of any other Person oz Persons whatsoever.

And be it further Enacted by the Authority aforesaid, That ( according to the Ancient Custom there used ) every such Fishing Ship from England, Wales oz Berwick, oz such Fishermen as shall from and after the said Twenty fifth Day of March, first enter any Harbour oz Creek in Newfoundland, in behalf of his Ship, shall be Admiral of the said Harbour oz Creek during that Fishing Season, and for that time shall reserve to himself only so much Beech oz Flakes, oz both, as are needful for the Rumber of such Boats as he shall there use, with an Overplus only for the use of one Boat  
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more than he needs, as a Priviledge for his first coming thither; And that the Master of every such Second Fishing Ship as shall enter any such Harbour or Creek, shall be Vice-Admiral of such Harbour or Creek during that Fishing Season; And that the Master of every such Fishing Ship next coming, as shall enter any such Harbour or Creek, shall be Rear-Admiral of such Harbour or Creek during that Fishing Season; And that the Master of every Fishing Ship there, shall content himself with such Beech or Flakes as he shall have necessary use for, without keeping or detaining any more Beech or Flakes, to the prejudice of any such other Ship or Vessel as shall arrive there; And that such Person or Persons as are possessed of several places in several Harbours or Creeks there, shall make his or their Election of such Place as he or they shall choose to abide in; And shall also within Eight and forty hours after any After-comer or After-comers into such Place or Places, shall demand such his or their Resolution touching such his or their Election (if the Weather will so soon permit, or so soon after as the Weather will permit) give or send his or their Resolution to such After-comer, or After-comers, touching such his or their Election of such Place as he or they shall so Choose to abide in for the Fishing Season, to the end that such After-comer or After-comers



comers may likewise Choose his or their Place or Places of his or their abode there; And in Case any Difference shall arise touching the said Matters, the Admirals of the respective Harbours where such Differences shall arise, or any Two of them, shall proportion the Place to the several Ships, in the several Harbours they Fish in, according to the Number of Boats which each of the said Ships shall keep.

And Whereas several Inhabitants in Newfoundland, and other Persons, have, since the Year of our Lord, One thousand six hundred eighty five, Ingrossed and Detained in their own Hands, and for their own private Benefit, several Stages, Cook-Rooms, Beches and other Places in the said Harbours and Creeks (which before that time belonged to Fishing Ships) for taking of Bait, and Fishing and Curing their Fish, to the great prejudice of the Fishing Ships that arrive there in the Fishing Season, and sometimes to the overthrow of some of their Voyages, and to the great discouragement of the Traders there: Be it further Enacted by the Authority aforesaid, That all and every such Person and Persons, as since the said Year of our Lord, One thousand six hundred eighty five, have or hath Taken, Seized or Detained, any such Stage, Cook-Room, Bech or other Place, for taking Bait, or Fishing, or for the Drying, Curing

Curing or husbanding of Fish, shall on or before the said Twenty fifth day of March, Relinquish, Quit and Leave, to the publick use of the Fishing Ships Arriving there, all and every the said Stages, Cook-Rooms, Beeches and other Places, for taking Bait and Fishing, and for the Drying, Curing and husbanding of Fish.

And for the Preventing the Ingressing and Detaining of all such Stages, Cook-Rooms, Beeches, and other Places, by any Person or Persons for the time to come, Be it Enacted by the Authority aforesaid, That no Fisherman or Inhabitant in Newfoundland, or any other Person or Persons whatsoever, shall, at any time after the said Twenty fifth Day of March, Seize, Take up or Possess any of the Stages, Cook-Rooms, Beeches, or other Places which, at any time since the said year of our Lord, One thousand six hundred eighty five, did (or at any time hereafter shall belong to any Fishing Ship or Ships) for taking Bait or Fishing, or for Drying, Curing or husbanding of Fish, before the Arrival of the Fishing Ships out of England, Wales and Berwick, and until all such Ships shall be provided with Stages, Cook-Rooms, Beeches, and other Places, for taking Bait and Fishing, and for Drying, Curing and husbanding of Fish.

Prohibited always, That all such Persons as since the Twenty fifth Day of March, One thousand six hundred eighty five, have Built, Cut out or Made (or at any time hereafter shall Build, Cut out or Make) any Houses, Stages, Cook-Rooms, Train-Fats, or other Conveniencies for Fishing there, that did not belong to Fishing Ships since the said year, One thousand six hundred eighty five, shall and may peaceably and quietly Injoy the same to his or their own Use, without any Disturbance of or from any Person or Persons Whatsoever.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons Whatsoever, that shall go over with their Servants to Newfoundland, to keep Boats on a Fishing Voyage, commonly called By-Boat-Keepers, shall not Pretend to or Meddle with any House, Stage, Cook-Room, Train-Fat, or other Conveniency, that did belong to Fishing Ships, since the year One thousand six hundred eighty five, or shall be Cut out or Made by Ships, from and after the said Twenty fifth day of March, One thousand seven hundred.

And be it further Enacted by the Authority aforesaid, That every Master of a By-Boat, or By-Boats, shall Carry with him at least Two Fresh Men in six (viz.) one Man that hath made no more than one Voyage, and one Man who hath never been at Sea before; And that every

every Inhabitant shall be obliged to Employ Two such Fresh Men, as the By-Boat-keepers are obliged for every Boat kept by them; And further, That all Masters of Fishing Ships shall Carry with them in their Ships Company, at least one such Fresh Man that never was at Sea before, in every Five Men they Carry; And that the Master of each such By-Boat, and each such Fishing Ship, shall make Oath before the Collector, or other Principal Officer of the Customs of the Port or Ports from whence such Ship intends to Sail, That each Ship and By-Boats Company, have such Fresh Men therein as this Act Directs; And that the said Officer or Officers is and are hereby Impowred and Required to Administer the aforesaid Oath to the said Masters of Ships and By-Boats, and give a Certificate thereof under his Hand, without any Fee, Gratuity or Reward for so doing.

And be it further Enacted by the Authority aforesaid, That every Master or Owner of any Fishing Ship, going to Newfoundland (after the said Twenty fifth Day of March) shall have in his Ships Company every Fifth Man a Green-man (that is to say) not a Seaman, or having been ever at Sea before.

And be it further Enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall at any time after the said Twenty fifth Day of March, Ob-

literate, Expunge, Cut out, Deface, or any wise alter or Change the Mark or Marks of any Boat or Boats, Trainfat or Trainfats, belonging to any other Person or Persons, whereby to Defraud or Prejudice the right Owner or Owners thereof, nor convert to his or their own use any Boat or Boats, Trainfat or Trainfats, belonging to any other Person or Persons, without his or their Consent and Approbation, nor remove nor take away any such Boat or Trainfat, from the Place or Places where they shall be left by the Owner or Owners thereof, except in Case of necessity, and also upon giving Notice thereof to the Admiral of the Harbour or Place where such Boat or Trainfat shall be left by the Owner or Owners, to the end that the right Owners thereof may know what is become of them.

And be it Enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall at any time after the said Twenty fifth Day of March, kind any of the Trees there Standing or Growing upon any occasion whatsoever, nor shall by any Ways or means whatsoever, set on Fire any of the Woods of the said Countrey, or do or cause to be done, any Damage, Detriment or Destruction to the same, for any Use or Uses whatsoever, except only for necessary Fuell for the Ships and Inhabitants, and for the Building and necessary Repairs of Houses;

les, Ships, Boats and Trainfats, and of the Stages, Cook-rooms, Beeches and other Places, for taking Bait and Fishing, and for Drying, Curing and Husbanding Fish there; And also that no Person or Persons whatsoever, shall at any time after the said Twenty fifth Day of March, Cast Anchor, or do any other Matter or Thing, to the Annoyance or Hindring of the Haling of Sayns in the Accustomary Baiting Places, or Shoot his or their Sayn or Sayns within or upon the Sayn or Sayns of any other Person or Persons whatsoever; And also that no Person or Persons whatsoever, shall at any time after the said Twenty fifth Day of March, Steal, Purloin, or take out of the Net or Nets of any other Person or Persons whatsoever, lying a drift, or Drove for Bait by night, nor Steal, Purloin or take away any Bait out of any Fishing-Boat or Boats, or any Net or Nets belonging to any other Person or Persons.

And Whereas several Persons that have been Guilty of Thefts, Roberies, Murders and other Felonies, upon the Land in Newfoundland, and the Islands thereunto adjacent, have many times Escaped Unpunished, because the Tryal of such Offenders hath heretofore been Ordered and Adjudged in no other Court of Justice, but before the Lord High Constable, and Earl Marshal of England: For

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Reformation thereof, and for the more speedy and effectual Punishment of such Offences for the time to come, Be it Enacted by the Authority aforesaid, That all Robberies, Murders, and Felonies, and all other Capital Crimes whatsoever, which at any time or times after the said Twentieth fifth Day of March, shall be Done and Committed in or upon the Land, in Newfoundland, or in any of the Islands thereunto belonging, shall and may be Enquired of, Tryed, Heard, Determined and Adjudged in any Shire or County of this Kingdom of England, by virtue of the Kings Commission or Commissions of Oyer and Terminer, and Goal Delivery, or any of them, according to the Laws of this Land used for the Punishment of such Robberies, Murders, Felonies, and other Capital Crimes Done and Committed within this Realm.

And be it further Enacted by the Authority aforesaid, That the Admirals of and in every Port and Harbour in Newfoundland, for the time being, be and are hereby Authorized and Required, (in order to Preserve Peace and good Government amongst the Seamen and Fishermen, as well in their respective Harbours as on the Shore) to see the Rules and Orders in this present Act contained, concerning the Regulation of the Fishery there duly put in Execution; And that each of  
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the said Admirals do yearly keep a Journal of the number of all Ships, Boats, Stages and Trains, and of all the Seamen belonging to and Employed in each of their respective Harbours, and shall also (at their Return to England) deliver a true Copy thereof under their Hands, to his Majesties most Honourable Privy Council.

And be it further Enacted by the Authority aforesaid, That in case any Difference or Controverſie shall arise in Newfoundland, or the Islands thereunto adjoining, between the Masters of Fishing-Ships and the Inhabitants there, or any By-Boat-keeper, for or concerning the Right and Property of Fishing-Rooms, Stages, Flakes or any other Building or Conveniency for Fishing or Curing of Fish, in the several Harbours or Coves, the said Differences, Disputes and Controverſies, shall be Judged and Determined by the Fishing Admirals, in the several Harbours and Coves; And in Case any of the said Masters of Fishing Ships, By-boat-keepers or Inhabitants, shall think themselves Agrieved by such Judgment or Determination, and shall Appeal to the Commanders of any of his Majesties Ships of War, appointed as Convoys for Newfoundland, the said Commander is hereby Authorized and Impowred to Determine the same, pursuant to the Regulation in this Act.

And



And to the end, that the Inhabitants, Fishermen, Seamen, and all and every other Person and Persons residing or being at Newfoundland, or any the said Island, or other Places, may with all Devotion joyn in their solemn Prayers and Addresses to Almighty God, for the obtaining of his Blessing upon their Persons and Endeabours, Be it hereby Enacted, That all and every the Inhabitants of Newfoundland, or the said Islands or Places adjacent near thereto, shall strictly and decently observe every Lords day, commonly called Sunday; and that none of the said Inhabitants (Who keep any Tavern, Alehouse or other publick house for Entertainment) shall Entertain or Sell, Uend, Utter or Dispose of to any Fisherman, Seaman or other Person whatsoever, upon any Lords day or Sunday, any Wine, Beer, Ale, Cyder, Strong Waters, or Tobacco, or any other Liquor or Liquors whatsoever.

And whereas by an Act of Parliament made in the Eighth and Ninth Years of His Majesties Reign, Intituled, An Act for Granting to His Majesty, a further Subsidy of Tunnage and Poundage upon Merchandizes Imported, for the Term of Two Years and Three Quarters, and an Additional Land Tax for One Year, for Carrying on the War against *France*; And by another Act made in the Ninth and Tenth Years of His

His Majesty's Reign, Intituled, An Act for Granting to His Majesty, a further Subsidy of Tunnage and Poundage, towards the Raising a Yearly Sum of Seven hundred thousand Pounds, for the Service of His Majesty's Household, and other uses therein mentioned, during His Majesty's Life, An Additional Duty of Twelve Pence on every Twenty Shillings Value of all Goods and Merchandizes Imported (all manner of Fish English taken Excepted) is Granted to His Majesty, His Heirs and Successors: And whereas some Doubt hath arisen, whether Dyl, Blubber and Fins Taken and Imported by the Company of Merchants of London, Trading to Greenland, are not liable to the said Duty; Be it therefore Enacted by the Authority aforesaid, That all Whale-Fins, Dyl and Blubber, Taken and Imported by the Ships of the Company of Merchants of London, Trading to Greenland, were not, nor are intended to be Charged, or made liable to the Duty of Twelve Pence for every Twenty Shillings Value of Goods Imported, Charged in the aforesaid Acts, but that the Whale-Fins, Dyl and Blubber, Taken and Imported, as aforesaid, and also all Whale-Fins, Dyl and Blubber of English Fishing, Taken in the Seas of Newfoundland, or any of the Seas belonging to any of His Majesty's Plantations or Colonies, and Im-  
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422 Anno Regni X. & XI, &c.

ported into this Kingdom by any of His Majesties Subjects in English Shipping, were, and are hereby declared to be free of the said Duties, as all Fish of English taking; The aforesaid Acts, or any thing therein contained to the contrary in any wise notwithstanding.

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