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1789
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ANNO REGNI
GEORGI III.
REGIS

Magnæ Britannia, Franciæ, & Hiberniæ,

VICESIMO NONO.

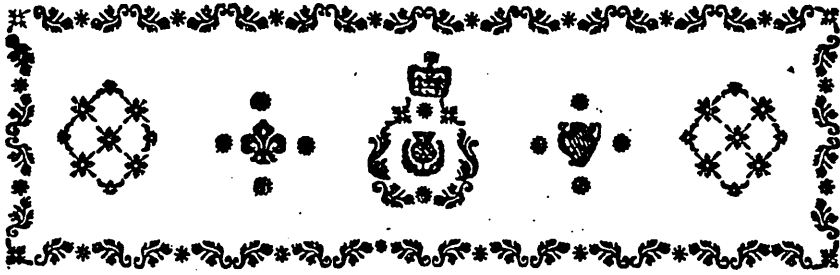
At the Parliament begun and holden at *Westminster*, the Eighteenth Day of *May Anno Domini 1784*, in the Twenty-fourth Year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c.

And from thence continued, by several Prorogations and Adjournments, to the Third Day of *February 1789*; being the Sixth Session of the Sixteenth Parliament of *Great Britain*.



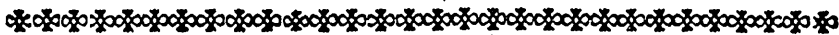
L O N D O N :

Printed by **CHARLES EYRE** and **ANDREW STRAHAN**,
Printers to the King's most Excellent Majesty. 1789.



ANNO VICESIMO NONO

Georgii III. Regis.



C A P. LIII.

An Act for further encouraging and regulating the *Newfoundland, Greenland,* and Southern Whale Fisheries.



Preamble.
H E R E A S, as well by immemorial Usage as by the Provisions of former Laws, the Right and Privilege of drying Fish on the Island of Newfoundland do not belong to any of His Majesty's Subjects arriving there, except from Great Britain, or One of His Majesty's Dominions in Europe; for preventing Frauds, and thereby better securing to His Majesty's said Subjects of Great Britain, and of the other British Dominions in Europe, the full Advantages of the Fishery carried on from thence, and of drying Fish on the Shores of the Island of Newfoundland, be it declared and 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

No Fish, unless caught by Subjects of Great Britain, or of the British Dominions in Europe, to be landed or dried at Newfoundland, the Right as ceded to the French excepted.

assembled, and by the Authority of the same, That no Fish, taken or caught by any of His Majesty's Subjects, or other Persons, arriving at Newfoundland or its Dependencies, or on the Banks of the said Island, except from Great Britain, or One of the British Dominions in Europe, shall be permitted to be landed or dyed on the said Island of Newfoundland, always excepting the Rights granted by Treaty to the Subjects of His most Christian Majesty on that Part of the Island of Newfoundland beginning at Cape Saint John, passing to the North and descending by the western Coast of the said Island to the Place called Cape Raye.

II. And whereas it is thought expedient that the Owners of Ships employed in the Greenland Fishery should be allowed to receive the Bounty granted by an Act, passed in the Twenty-sixth Year of His present Majesty's Reign, intituled, An Act for the further Support and Encouragement of the Fisheries carried on in the *Greenland Seas* and *Davis's Streights*, although such Ships depart from those Seas before the Tenth Day of August then following, and although they be not laden with the Quantity of Whale Fins, and of Oil or Blubber in Proportion thereto, required by the said Act, in case it shall appear by the Log Books of such Ships that they have not departed from those Seas till the End of Sixteen Weeks from the Day they respectively sailed from the Ports where they were surveyed and cleared out; be it therefore further enacted, That any Owner or Owners of any Ship or Vessel shall be allowed and intituled to receive the Bounty granted by the said Act, for any Ship which shall have proceeded, or shall proceed upon the said Whale Fishery from any Port of Great Britain, or the Islands of Guernsey, Jersey, or Man, after the First Day of January One thousand seven hundred and ninety, and shall have sailed, or shall sail from the Port where he was surveyed and cleared out, directly on her intended Voyage on or before the Tenth Day of April in each and every Year, although he shall depart from the *Greenland Seas* or *Davis's Streights*, or the adjacent Seas, before the Tenth Day of August then following, and although he shall

26 Geo. III,
Cap. 41, re-
cited.

After Jan. 1, 1790, Ships to be entitled to the Bounties granted by the recited Act, that shall sail by April 10, yearly, tho' they leave the *Greenland Seas* or *Davis's Streights* before Aug. 10 following, and shall not be laden agreeable to the Regulations of the recited Act, upon the Conditions herein specified.

shall not be laden, if of the Burthen of Three hundred Tons, with Thirty Tons of Oil, or Blubber in Proportion thereto, the Blubber to be rated with respect to the Oil as Three to Two, and One Ton and a Half of Whale Fins; or if she be of greater or lesser Burthen, with a Quantity of Oil or Blubber and Whale Fins in like Proportion to the Tonnage of such Ship, being the Produce of One or more Whale or Whales, caught by the Crew thereof, or with the Assistance of the Crew of some other licensed Ship, in case it shall appear by the Log Book of such Ship that she has continued with her Crew in the said Seas, diligently endeavouring to catch Whales or other Creatures living in those Seas, and did not depart from thence till the Expiration of Sixteen Weeks from the Time of her sailing from the Port where she shall have been surveyed and cleared out; provided such Ship shall not have touched at any other Port during her Voyage, and shall have complied with all the other Regulations, Conditions, and Restrictions, imposed by the said Act.

III. And whereas by an Act passed in the Twenty-eighth Year of His present Majesty's Reign, intituled, An Act for amending an Act, made in the Twenty-sixth Year of His present Majesty's Reign, for the Encouragement of the Southern Whale Fishery, and for making further Provisions for that Purpose, the Three Ships or Vessels, which are intituled to the Premiums therein granted on their doubling Cape Horn, or passing through the Streights of Magellan, are required not to return in less Time than Eighteen Months, and it is thought sufficient that such Ships or Vessels should be obliged to continue out no longer than Sixteen Months; be it therefore further enacted by the Authority aforesaid, That the Owner or Owners of such of the said Three Ships or Vessels which shall sail after the passing this Act, shall be intituled to the said additional Premiums, granted by the said Act of the Twenty-eighth Year of His present Majesty's Reign, under the Conditions, Regulations, and Restrictions, in the said Act mentioned, in case such Ships or Vessels shall not return in less Time than

28 Geo. III, Cap. 20, recited, and after passing this Act, the Three Ships entituled to the Bounties thereby granted on doubling Cape Horn, or passing through the Streights of Magellan, to be entituled thereto, if they shall not return in less than 16 Months, and by Dec. 10, in the Second Year after clearing out.

Sixteen Months, from the Time of her clearing out, and on or before the First Day of December, in the Second Year after that in which such Ship or Vessel shall have fitted and cleared out.

Owners of Vessels complying with the other Conditions of the recited Acts, to be entitled to the Premiums, tho' they do not clear out specially for the Latitudes therein specified.

IV. And whereas Doubts have arisen whether the Owner of any Ship or Vessel shall be intitled to the Premiums granted by the said last mentioned Acts, passed in the Twenty-sixth and Twenty-eighth Years of His present Majesty's Reign, unless such Ship or Vessel shall have cleared out specially for the respective Latitudes therein specified; be it further declared and enacted by the Authority aforesaid, That the Owner or Owners of any Ship or Vessel shall not be obliged to clear out specially for the respective Latitudes specified in the said Acts, but shall be intitled to the Premiums thereby granted, on complying with all the other Conditions, Regulations, and Restrictions, imposed by the said Acts.

26 Geo. III,
Cap. 41.

V. And whereas by an Act made and passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, An Act for the further Support and Encouragement of the Fisheries carried on in the *Greenland Seas* and *Davis's Streights*, it is among other Things enacted, That every Ship shall have on board Apprentices indentured for the Space of Three Years at the least, who shall not exceed the Age of Eighteen Years, nor be under fourteen Years of Age, at the Time they shall be so indentured, in the Proportion of one Apprentice at the least for every Thirty-five Tons Burthen, and one fresh or green Man for every Fifty Tons Burthen, which Apprentices and fresh or green Men shall be accounted in the Number of Men required to be on board such Ship as aforesaid: And whereas by another Act made and passed in the Twenty-sixth Year of His present Majesty's Reign, intituled, An Act for the Encouragement of the Southern Whale Fishery, it is among other Things enacted, That no Premium granted by that Act shall be paid or allowed to any Person or Persons whatever, for or on Account of any Ship or Vessel employed in the aforesaid Fishery, unless such Ship or Vessel shall have on board an

26 Geo. III,
Cap. 50.

Apprentice indentured for the Space of Three Years at the least, for every Fifty Tons Burthen of such Ship or Vessel by Admeasurement, every such Apprentice not exceeding the Age of Eighteen Years, nor being under Fourteen Years, at the Time he shall be so indentured: And whereas by another Act, made and passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, An Act for amending an Act, made in the Twenty-sixth Year of His present Majesty's Reign, *for the Encouragement of the Southern Whale Fishery*, and for making further Provisions for that Purpose, it is, amongst other Things, enacted, That the several additional Premiums granted by that Act shall be paid in such and the like Manner, and under such and the like Conditions, Rules, Regulations, and Restrictions, as are directed and prescribed in and by the said Act, made and passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled, An Act for the Encouragement of the Southern Whale Fishery: And whereas it is expedient that Provision should be made to oblige the Masters of Ships or Vessels, or the Persons to whom Apprentices shall be bound in pursuance of the Acts herein-before respectively recited, to keep such Apprentices in their Service for the Time they shall be indentured: Be it therefore further enacted by the Authority aforesaid, That, from and after the first Day of January One thousand seven hundred and ninety, if the Master of any Ship or Vessel, or any other Person or Persons whatever, to whom any Apprentice or Apprentices shall be indentured pursuant to the said herein-before recited Acts, shall permit or suffer any such Apprentice or Apprentices to quit, leave, or depart, his or their Service on any Pretence whatever, except as herein-after is provided, before the Expiration of the Term for which he or they shall be bound, every such Master or other Person shall forfeit and pay, for each and every Offence, the Sum of Fifty Pounds; to be recovered by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record, in which no Wager of Law, no Essoin, nor any more than One Impar lance, shall be allowed.

and 28
Geo. III, Cap.
20, recited.

After Jan. 1,
1790, any
Master per-
mitting an
Apprentice,
indentured
pursuant to
the recited
Acts, to quit
his Service
before the
Expiration of
his Term, to
forfeit 50 l. ;

unless such
Apprentice
be discharged
before a Ma-
gistrate, or
turned over to
another Mas-
ter, in the said
Fisheries.

VI. Provided nevertheless, That nothing herein con-
tained shall extend, or be construed to extend, to inflict the
aforesaid Penalty in any Case where any Apprentice
or Apprentices shall be legally discharged before a Ma-
gistrate or Justice of the Peace, or shall be turned over
from one Person to another Person, concerned in either
of the aforesaid Fisheries, to serve the Remainder of
his Time in such Fisheries, pursuant to the Directions
of the said Acts herein-before recited.

No Premium
to be paid un-
der the recit-
ed Acts, un-
less the Names
of the Ships
on board
which Ap-
prentices are
bound to
serve, be in-
serted in the
Indentures.

VII. Provided also, and it is hereby declared, That
no Bounty or Premium shall be paid or allowed by vir-
tue of the said recited Acts, or either of them, in any
Case, unless there shall be inserted in the Indenture or
Indentures of each and every Apprentice or Apprentices,
who shall be indentured by virtue of the said recited
Acts, or either of them, or who shall be turned over from
one Person to another, pursuant to this Act, the Name
or Names of the Ship or Vessel, or Ships or Vessels,
on board of which such Apprentice or Apprentices is or
are bound to serve.

This Act not
to extend to
Ships cleared
out, and
which shall
have sailed,
before the
Commence-
ment thereof.

VIII. Provided also, That nothing in this Act shall
extend, or be construed to extend, to take away any
Bounty or Premium which may become due by virtue of
the said recited Acts, or either of them, in any Case
where the Ship or Vessel shall have bona fide cleared out
on the fishery, and proceeded from Great Britain, before
the Commencement of this Act.

F I N I S .