

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, in the Thirty-Third Year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. being the First Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

33 George III – Chapter 16

An Act in amendment of, and in addition to, an Act, made in the Thirty-third year of the reign of His late Majesty, entitled, “An Act for regulating and maintaining a Light-House on Sambro Island,” and in addition to, and amendment of an Act, passed in the Twenty-eighth year of His present Majesty’s reign, entitled, “An Act for regulating and maintaining a Light House at the entrance of the Harbour of Shelburne.”

Whereas the several laws heretofore made for maintaining the light house erected on Sambro Island, and McNutt’s Island, have proved ineffectual for that purpose, and many ships and vessels which derive great benefits by the said light houses, are not by the said act compellable to pay any duty towards the support of them:

- I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that all registered vessels owned by any person or persons within this province, and not wholly employed in the fisheries thereof, which shall not within one year to be computed from the first day of April in the present year, and yearly and every year afterwards, come into the port of Halifax or Shelburne, and in one of the said ports pay the duties by the herein recited Acts imposed, shall pay in such port, harbor or place, to which such vessels shall respectively belong, the sum of four pence per ton yearly and every year.
- II. And be it further enacted, that every ship or vessel, his Majesty’s ships of war and such transports or other vessels employed in his Majesty’s service as shall by their charter party be exempted from paying port charges excepted, which shall from and after the publication hereof come into any port, harbor, creek, or river within this province not being to the north eastward of Cape Canso, and not owned by some person or persons belonging to this province, shall pay the same duty per ton as is payable by the above recited act, entitled, an act, for regulating the maintaining a light house at the entrance of the harbor of Shelburne, upon every merchant’s vessel coming into the said harbor of Shelburne.
- III. And be it further enacted, by the authority aforesaid, that from and after the publication hereof, it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, from time to time, and so often as he shall think proper, to appoint fit and proper persons collectors of the said duties in the several ports, harbours, creeks and rivers in this province, to the fourthward and westward of Cape Canso, and to describe the particular limits of such collector or collectors jurisdiction, in the commission or commissions

to be granted for that purpose, and it shall and may be lawful for the said Governor, Lieutenant Governor or Commander in Chief for the time being, if he shall think proper, to let to farm, to the highest and fairest bidder, the whole or any part of the said duties, and to take good security from such farmer or farmers for the faithful performance of his duty, and for the payment of the several sum or sums of money, at the times and in the manner in which such farmer or farmers shall have stipulated to pay the same. Provided always, that the said Governor, Lieutenant Governor, or Commander in Chief shall not at any time, let or farm the said duties or any part thereof, for a longer period than one year.

IV. And be it further enacted, that if the master or person having charge of any vessel or vessels, being subject and liable to pay any duty or duties by virtue of this act, shall after the publication hereof, after his arrival in any port or harbour of this province, to the southward and westward of Cape Canso as aforesaid, the same being of him duly demanded, refuse to pay such duties, or shall depart with such vessel or vessels from, or out of the port or harbour, wherein he shall first arrive with such vessel, before or until he or they shall have paid and discharged the duties imposed by this act on such vessel, such master or commander shall forfeit and pay over and above the said duty and duties, the sum of five pounds, to be recovered, together with such duty, by bill, plaint or information, in any of His Majesty's courts of record within this province, one half of such penalty to the collector or collectors, farmer or farmers of the said duties, who shall sue for the same, and the other half thereof to be paid into the treasury of the province, for the support of the government thereof.

V. Be it further enacted, by the authority aforesaid, that if the master or person having charge or command of any ship or vessel, shall neglect after demand made of payment thereof, or shall refuse to pay the duties herein imposed and laid on such ship or vessel, it shall and may be lawful for any collector or collectors, by virtue of this act to be appointed, to seize and take such ship or vessel into his custody, and to carry the same to the port nearest to the place where such seizure shall be made, and there to deliver up such vessel to the collector or any other principal officer of His Majesty's customs of such port, in whose custody such ship or vessel shall remain, until the aforesaid, until the aforesaid fine of five pounds, and the duties due and payable by virtue of this Act, together with all reasonable expenses shall be paid, or until good and sufficient security shall be given, by such master or person having charge or command of such ship or vessel, to abide by, and perform the judgment of the court, in which the suit or prosecution for such duties and penalty as by this act are inflicted and laid, shall be instituted and prosecuted.

VI. Be it further enacted, by the authority aforesaid, that all the monies arising from the duties by this and the herein recited acts, imposed and laid, shall be paid into the treasury of this province: to be applied to the repairing and lighting the said light houses, and in keeping and maintaining lights in the same; and it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the time being, to contract with any person or persons he shall think fit, for the repair of the said Light Houses, and keeping sufficient

lights in the same, and to defray and pay the expence of lighting and repairing the said light houses, out of the monies arising from the duties by this act imposed.

VII. Be it further enacted, by the authority aforesaid, that the ships and vessels owned by any firm or company of merchants, whereof one of the said firm or company shall be a resident freeholder within this province, shall pay the same duty only, as if such ship or vessel was wholly owned by any freeholder or freeholders resident in this province; any thing in the acts contained of which this is an amendment, to the contrary notwithstanding.

VIII. And be it further enacted, by the authority aforesaid, that this act and every matter and clause therein contained, shall be and continue, and the same is hereby continued in force until the first day of July, which will be in the year of our Lord one thousand seven hundred and ninety six.