

C A P. II.

An ACT to PREVENT the ENCUMBERING or FILLING UP of HARBOURS.

Preamble.

WHEREAS great injury may be done to the different Harbours in this province, by throwing ballast and rubbish into the same.

I. BE IT ENACTED, *by the Lieutenant Governor, Council and Assembly*, That no Master or Commander of any ship or vessel, shall presume to unload or throw overboard, any ballast or rubbish into any road, port or harbour within this province, or to land the same in any other part of such road, port or harbour than shall be appointed by the Port Wardens of the respective ports, under the penalty of *ten pounds*; to be recovered of the said Master or Commander on the oath of one or more credible witnesses or witnesses, before any *two* of His MAJESTY'S Justices of the Peace for the county where such offence shall be committed; which penalty shall be paid to such Port Wardens, to be by them expended in erecting and fixing of beacons, landmarks or buoys and other necessary purposes for the benefit of the harbours in their respective counties, who shall be accountable to the Justices in their Sessions for such expenditure.

No Master of a vessel to unload or throw overboard ballast or rubbish into any Harbour, or land the same in any other place than such as the Port Wardens shall appoint, under the penalty of *10l.* to be recovered on oath before *two* Justices of the Peace, and paid to Port Wardens—to be applied in fixing buoys &c. and

accounted for to the Sessions.

Every vessel in ballasting or unballasting to have a piece of canvas &c. to prevent the ballast or rubbish falling into the harbour under penalty of *40 shillings*.

Not to extend to the city of *St. John*.

II. *And be it further enacted*, That in ballasting or unballasting any ship or vessel in any other place than shall be so appointed, there shall be a sufficient piece of canvas or tarpauling reaching from the ballast-port or gunwale of such ship or vessel to the lighter or boat to prevent any part of the ballast or rubbish falling into such road, port or harbour, under the penalty of *fifty shillings*, to be recovered, appropriated and accounted for as aforesaid; PROVIDED, that nothing in this act shall extend or be construed to extend to the *City of Saint John*.