

## CAP. XIV.

An Act to repeal all the Acts now in force, relating to the Light House upon Partridge Island, and to make provision for the future support thereof, and of other Light-Houses, at the entrance of the Harbour of Saint John.

*Passed 8th March, 1830,*

I. **B**E it enacted by the President, Council, and Assembly, That so much of the Act made and passed in the Twenty-eighth year of the Reign of His late Majesty King George the Third, intituled, "An Act to provide for the support of a Light-House to be built upon Partridge Island," as is now in force: Also an Act made and passed in the Thirty-third year of the same Reign, intituled, "An Act to explain and amend an Act, intituled, An Act to provide for the support of a Light-House, to be built upon Partridge Island:" And an Act made and passed in the fourth year of His present Majesty's reign, intituled, "An Act to alter and amend an Act, intituled, An Act to provide for the support of a Light-House to be built upon Partridge Island," be, and the same are hereby severally repealed.

28, Geo. 3, c. 4. so far as in force.

33, Geo. 3, c. 4, &

4, Geo. 4, c. 26. repealed.

II. *And be it further enacted,* That from and after the passing of this Act, there be, and is hereby granted to His Majesty, his Heirs and Successors, for the support of the Light House upon Partridge Island, and such other Light-Houses as are now built, or may hereafter be built, at or near the entrance of the Harbour of Saint John, a duty of Three pence for each and every Ton which each and every registered Vessel (except Coasters and Fishing Vessels) shall measure, agreeably to their Registers, which may arrive in the said harbour: and upon the registered coasters and fishing vessels, under thirty-five tons, a duty of Ten shilling per annum; from thirty-five tons to fifty tons, Twenty Shillings

Duty of 3d. per ton imposed on all vessels arriving in Saint John harbour except coasters and fishing vessels.

Scale of duties to be paid by coasters and fishing vessels.

Duties to be paid to the Treasurer or his deputy upon the arrival of the vessel,

Upon neglect or refusal to pay, duty to be levied by warrant of distress upon the Boats, Tackle, &c.

What vessels shall be deemed coasters and fishing vessels.

Coasters and fishing vessels making a

shilling per annum; from fifty tons to seventy-five tons, Twenty five shillings per annum; and over seventy-five tons, Thirty shillings per annum: which duties shall be paid at the time of the arrival of such vessels in the said harbour, to the Treasurer of the Province, or to his Deputy, who are hereby authorized and required to demand and receive the same. And upon the neglect or refusal of the Master or person having charge of any vessel, so arriving as aforesaid, to pay the duties imposed by this Act, the same shall be recovered upon application to any one of His Majesty's Justices of the Peace, for the City and County of Saint John, and levied by Warrant of distress, and sale of the Guns, Boats, Tackle, Apparel, and Furniture of such Vessel, under the Hand and Seal of such Justice, directed to any Sheriff, Marshal, or Constable of the City or County of Saint John, and the overplus, if any, of such distress and sale, after deducting the costs, shall be paid to the Master or Person having charge of such vessel.

III. *And be it further enacted*, That all vessels which are wholly employed in the Bay of Fundy, on either side thereof as far Southerly as Cape Sable, and including Grand Manan, whether belonging to New-Brunswick or Nova-Scotia, shall be deemed to be Coasters within the meaning of this Act: And all vessels which are generally employed in fishing on any of the fishing grounds upon the Coasts of the British Provinces or Newfoundland, and when not so employed, shall be otherwise wholly employed within the said Bay of Fundy, and the limits above prescribed for Coasters, shall be deemed to be Fishing Vessels within the meaning of this Act.

*Provided always*, That all such vessels making a voyage to any Port or Place without the said

said Bay, and limits aforesaid, shall, upon their arrival in the Harbour of Saint John, from or after such voyage, be liable to the same duties as vessels which are not deemed to be coasters or fishing vessels.

voyage without the Bay of Fundy and limits prescribed to pay the same duty as other vessels.

IV. *And be it further enacted*, That Receipts given by the Treasurer, or his Deputy, for the annual duty upon any Coaster or Fishing Vessel, shall exempt such vessels from the payment of any further duty, (except when they shall have sailed beyond the limits prescribed for coasters or fishing vessels,) until the first day of January following, after which date, they shall be liable, upon their first arrival in the harbour of Saint John, to the payment of the annual duty imposed in and by the second section of this Act.

Annual duty upon coasters and fishing vessels to be paid upon their first arrival in each year.

V. *And be it further enacted*, That the Commissioners who may be appointed by the Lieutenant Governor or Commander in Chief for the time being, to maintain the Light House on Partridge Island, and other Light Houses in or near the entrance of the harbour of Saint John, shall make public contracts for furnishing all necessary supplies for such Light Houses, and for all necessary repairs, alterations, or erections that may be required, giving at least six weeks notice for public competition: and shall in all cases accept the lowest Tenders which are accompanied with proper Securities for the due performance of such contracts. And the said Commissioners so to be appointed as aforesaid, shall annually, before the twenty-fifth day of December, render to the Treasurer of the Province, an account in detail, duly attested, of all Contracts, and expences by them incurred; to be, by him transmitted to the Lieutenant-Governor or Commander-in-Chief for the time being, for the information of the General Assembly.

Commissioners of Light-houses to make public contracts for all supplies, repairs, &c. required, giving at least six weeks notice for competition.

Lowest tenders with proper security to be accepted.

An account of all contracts and expences to be rendered annually and transmitted through the Treasurer for the information of the General Assembly.

Monies collected to be applied towards the support of the Light-houses, and paid by warrant of the Governor or Commander in Chief.

VI. *And be it further enacted*, That all monies which shall or may be received, under and by virtue of this Act, together with the monies which have been received under and by virtue of the Acts which by the first section of this Act are repealed, and which now remain in the Treasury, unappropriated, shall agreeably to the provisions of the said Acts, be applied towards the support of the Light-House upon Partridge Island, and other Light-Houses in or near the entrance of the harbour of Saint John, and paid for that purpose, by Warrant of the Lieutenant-Governor or Commander-in-Chief for the time being, and any surplus of such monies after maintaining the said Light-Houses, shall be kept separate from the ordinary revenues of the Province, and disposed of by a special Act to be passed for that purpose.

Surplus to be kept separate and to be disposed of by a special Act.

Commissioners may make temporary appointments of keepers of Light-houses when vacancies occur from death or misbehaviour.

VII, *And be it further enacted*, That in case of the death of any keeper or keepers of the Light-Houses under the superintendance of the said Commissioners, or in case of neglect of duty by any keeper or keepers, when a removal from his or their offices may be found necessary by the said Commissioners, full power and authority are hereby given to the said Commissioners to fill up any vacancy that may occur from any of the causes aforesaid, by the temporary appointment of other fit Person or Persons, in his or their stead, reporting the same to the Lieutenant-Governor or Commander in chief for the time being.