

tonnage duty imposed by the preceding section of this Act; and in case any master or commander of any ship or vessel so entering as aforesaid shall neglect to make such report or to pay such duty within twenty four hours after the arrival of any such ship or vessel as aforesaid, he shall forfeit and pay the sum of five pounds, to be sued for and recovered with costs of suit by any Deputy Treasurer before one of His Majesty's Justices of the Peace for the County in which such port may be situated or where such master or commander may be found.

Penalty for neglect.

VI. And be it enacted, That separate accounts of the duties collected under and by virtue of this Act shall be kept by the several Deputy Treasurers, and the amounts of all such duties shall be paid into the Province Treasury to defray the said annual grant of two hundred and fifty pounds hereinbefore mentioned; and any surplus which shall remain after payment of the said annual grant shall from time to time be paid over to Commissioners of lights in the Gulph of Saint Lawrence, already appointed or to be appointed by His Excellency the Lieutenant Governor or other person administering the Government for the time being, to be by them applied towards the erection and maintenance of light houses and the general improvement of the navigation of the Gulph of Saint Lawrence, or of any of the ports and harbours thereof in this Province, in such manner as to them shall seem advisable.

Separate accounts of the duties collected to be kept, and amount paid into the Treasury. Application of the surplus after paying the annual grant.

VII. And be it enacted, That the Commissioners appointed or to be appointed in pursuance of the last preceding section of this Act shall, annually on the first day of January in each and every year, render true and full accounts upon oath with vouchers of the application of all such monies to the Lieutenant Governor or other person administering the Government of this Province for the time being; and such Commissioners or any of them shall and may be removed or displaced at the pleasure of the Lieutenant Governor or other persons administering the Government as aforesaid.

Commissioners of Lights in the Gulph to render accounts.

VIII. And be it enacted, That this Act shall not commence or go into operation until it shall be duly certified unto His Excellency the Lieutenant Governor or other person administering the Government of this Province for the time being, that the General Assemblies of the Provinces of Lower Canada, Nova Scotia and Prince Edward Island have respectively made and enacted laws or statutes confirming the award recited in the preamble of this Act, and providing for the fulfilling and carrying into effect the said award so far as the same relates to the said Provinces respectively, and until it shall also be duly certified to His Excellency the Lieutenant Governor or Commander in Chief for the time being that the light houses and establishments mentioned and contemplated in the said award have been erected and made and are in full operation; and whenever such certificates shall be received it shall and may be lawful for His Excellency the Lieutenant Governor or other person administering the government of this Province for the time being, and he is hereby required, by and with the advice of His Majesty's Executive Council, to issue his proclamation stating the same, and thereupon this Act shall commence and go into operation.

When Act to go into operation.

Repealed by 3rd Act. c.

~~CAP. XXXV.~~

~~An Act to establish a Boundary Line between the Counties of Westmorland and Saint John, and King's and Queen's Counties.~~

~~Passed 1st March 1837.~~

6 WHEREAS by an Act made and passed in the twenty seventh year of the reign of His Majesty King George the Third, intituled "An Act in addition

Preamble. 27 G. 3, C. 7.

Amended by 15th Act Cap 51

‘ addition to an Act for the better ascertaining and confirming the boundaries of the
 ‘ several Counties within this Province and for the subdividing them into Towns
 ‘ and Parishes,” it is enacted that a line due south from the north end of the Por-
 ‘ tage between Peticodiac and Salmon Brook to the northern boundary of the
 ‘ County of Saint John, and from the said north end of the said Portage due north
 ‘ to the southern boundary of the County of Northumberland, be the dividing
 ‘ line between the Counties of Westmorland and King’s and Queen’s Counties,
 ‘ any law or ordinance to the contrary notwithstanding: And whereas doubts
 ‘ exist as to the north end of the said Portage, and it is expedient to define the
 ‘ division line more clearly between the Counties of Westmorland and Saint John,
 ‘ and King’s and Queen’s Counties; for remedy whereof,’

Line herein de-
 scribed to be the
 boundary be-
 tween the Coun-
 ties of Westmor-
 land and Saint
 John, King’s
 and Queen’s
 Counties.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assem-
 bly, That a line commencing at a birch tree on the north shore of the Bay of
 Fundy, thirty chains to the eastward of Goose River so called, thence following
 the line run from the said birch tree by Deputy Surveyor Stiles in the autumn
 of the year one thousand eight hundred and thirty six, a course north by the
 magnet of that year, and a prolongation of such line northwardly until it inter-
 sects the southern boundary line of the County of Kent or Northumberland, as
 the case may be, be the dividing line between the Counties of Westmorland and
 Saint John and King’s and Queen’s Counties, any law or ordinance to the con-
 trary notwithstanding.

Land to be
 eastward of the
 line, and former-
 ly in St. John,
 to be part of
 Westmorland.

II. And be it enacted, That all the lands which may lie to the eastward of
 the said line, and which before the passing of this Act formed a part of the
 said County of Saint John shall be included in and form a part of the Parish
 of Hopewell, in the County of Westmorland, to all intents and purposes what-
 soever.

CAP. XXXVI.

An Act relating to the Herring Fisheries in the County of Charlotte.

Passed 1st March 1837.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and
 Assembly, That an Act made and passed in the eighth year of the
 reign of His late Majesty King George the Fourth, intituled “An Act to
 regulate the Herring Fishery in the Parishes of Grand Manan, West Isles,
 Campo Bello, Pennfield and Saint George, in the County of Charlotte, and to
 provide for the inspection of smoked herrings in the said Parishes,” be and the
 same is hereby continued, and shall remain in full force during the continuance
 of this Act.

2 G. 4, C. 11,
 continued.

Meshes of nets
 or seines to be
 one inch and
 three quarters.

II. And be it enacted, That the meshes of all nets or seines used for taking
 of herrings in any of the waters within the said County of Charlotte, shall be at
 least of the size of one inch and three quarters, and any person or persons who
 shall use a seine or seines, net or nets for the purpose aforesaid, with meshes of
 a smaller size than one inch and three quarters, shall be subjected to the like
 penalties and forfeitures to be imposed, recovered and applied in the same man-
 ner as is provided in and by the first and fourth sections of the hereinbefore
 recited Act; provided that nothing in this Act contained shall extend or be
 construed to extend to any dip net used for the taking of herrings by torch
 light.

Penalty.

Limitation.

III. And be it enacted, That this Act and the above recited Act shall
 continue

*Contd [unclear] 1837 by Act C. 11
 Contd [unclear] 1852
 4-10 C. 69*