

CAP. LIII.

An Act to prevent the destruction of Oysters in the Harbours of the Counties of Westmorland and Kent.

Passed 25th March 1840.

Oysters not to be exported under penalty of 40s.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall not be lawful for any person or persons to take any Oysters in any of the Bays or Harbours in the Counties of Westmorland and Kent, for the purpose of being put on board of any Vessel for exportation out of the Province, under the penalty of forty shillings for each and every offence.

Shells, rubbish, &c. raked up, to be returned into the water.

II. And be it further enacted, That all and every person or persons taking Oysters with Rakes, or otherwise, shall immediately convey and return all shells, stones, or rubbish they may rake up into the water; and if any person or persons shall not convey and return into the water such shells, stones or rubbish within the space of two hours, every person so neglecting shall for every offence incur the penalty of twenty shillings.

Penalty.

Recovery and application of penalties.

III. And be it further enacted, That the aforesaid penalties, and every of them, shall and may be sued for in an action or actions of debt, in a summary way before any one of Her Majesty's Justices of the Peace in the said Counties respectively where the offence shall be committed, and when recovered, one half of such penalty shall be to the use of the person suing and prosecuting for the same, and the other half to the use of the Poor of the Parish where the offence may be committed, and paid over accordingly.

Limitation.

IV. And be it further enacted, That this Act shall continue and be in force for two years.

CAP. LIV.

An Act in addition to the Act providing for the greater safety of Passengers on board Steam Boats.

Passed 25th March 1840.

No steam vessel to ply by sea with passengers without fire buckets and life preservers on board.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act no British Boat or Vessel propelled by Steam shall be permitted by the Captain or Owner to depart from any Port or place within this Province, to any other Port or place either within or without the Province by sea with Passengers on board, without having on board in some convenient place not less than twenty four fire Buckets, and also the following number of Life Preservers, that is to say, for a Vessel not exceeding one hundred tons burden, fifty; for a Vessel exceeding one hundred and not exceeding two hundred tons, seventy five; and for a Vessel exceeding two hundred tons, one hundred.

Penalty.

II. And be it enacted, That if any such Master or Owner shall permit any such Vessel to depart from any Port or place within this Province as aforesaid, without having on board such number of fire Buckets and Life Preservers in good serviceable condition, he shall forfeit the sum of fifty pounds for each and every time such Vessel may so depart without being so provided, to be recovered, levied and applied as is prescribed in and by the third Section of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board of Steam Boats."

Recovery and application.

Inspectors to go on board and report offenders to

III. And be it enacted, That any one of the Commissioners to be appointed by the Act of which this is an amendment, are hereby required and directed, respectively

respectively to go on board, as often as need be, any such Steam Vessel, and in the event of any such Steam Vessel departing or navigating without being equipped as is prescribed by the first Section of this Act, it shall be the duty of such Commissioners, respectively to report the same to the Lieutenant Governor or Commander in Chief for the time being, in order that the party or parties so offending may be proceeded against in the manner prescribed by the said third Section of the Act to which this is an amendment.

the Lieutenant Governor.

IV. And be it enacted, That this Act shall continue and be in force during the continuance of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board of Steam Boats."

Limitation.

8 W. 4, c. 7.

CAP. LV.

An Act to continue an Act for the better regulation of the Office of Sheriff in this Province.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the better regulation of the Office of Sheriff in this Province," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 1, continued.

CAP. LVI.

An Act in addition to the Acts now in force relating to Commissioners of Sewers.

Passed 25th March 1840.

WHEREAS the Acts now in force relating to Commissioners of Sewers 'have been found deficient where the work contemplated extends to two or more Parishes;

Preamble.

Special Commissioners to be appointed on application of proprietors where lands to be reclaimed, &c. lie in two or more Parishes.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That upon application of any proprietors of any marsh, low lands, meadow, or other unreclaimed lands, which may lie in two or more Parishes, and in the reclaiming, draining or enclosing of which two or more Parishes may be interested, the Governor or Commander in Chief, with the advice of Her Majesty's Executive Council, may and is hereby authorized, by Commission, to appoint such able and discreet persons as to him shall seem meet, to be Special Commissioners for the purpose of superintending any such work in which two or more Parishes may be so interested; and such Commissioners, when so appointed, shall possess all the powers, and be subject to the same duties, and be liable to similar penalties in case of neglect thereof, and shall receive the same compensation for their services, as Commissioners of Sewers possess, enjoy, and are made subject to, by an Act made and passed in the Session of the General Assembly holden in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof," and also by an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act, intituled 'An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof.'"

Powers, duties, penalties for neglect, and compensation, to be the same as other Commissioners of Sewers.

X1 X1 3-4

4w 4.e

II.