

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786. Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 52

An Act for Regulating Pilots

Whereas the appointment of wardens and branch pilots, for the different ports in this province, will tend to the safety of the navigation, and proper regulation thereof; as many accidents have happened and much damage been sustained through the ignorance or neglect of pilots from other ports, and not living in this province.

II. Be it therefore enacted, by the Governor, Council and Assembly, That the justices of the common-pleas in each of the counties, where the same shall be found necessary, shall appoint three or more wardens of the port, which wardens shall examine and recommend such branch pilots, and as many of them as may be found necessary. Which pilots so recommended are to be approved and appointed by the said magistrates for the port or ports respectively in each county within this province, and that the pilots so appointed, and confirmed as aforesaid, shall be entitled to demand and receive from the master of each ship or vessel that shall come into any port in this province, for which port said pilot shall have a branch, his established fees of pilotage, which shall be fixed by the said magistrates and wardens of such port, according to the draft of water such ship or vessel may draw, that is to say, if said pilot shall be found by the said wardens to have done his duty by offering his service of piloting such ship or vessel in proper place and time. And if the master of such ship or vessel do not employ such pilot, yet if he can prove that he offered his service at a proper time and place, he shall be entitled to receive from the master of such ship or vessel his full rate of pilotage, unless said ship or vessel belong to said post.

III. Provided always, That this act shall not be construed to extend to vessels commonly called coasters, going from one port in this province to another, or from one port to another in the Bay of Fundy, unless the master of such vessel respectively shall choose to employ such pilot Provided also, That this act shall not be construed to extend to vessels which do not draw six feet of water.

IV. And be it further enacted, That the said magistrates and wardens, are hereby authorized and empowered to make such regulations, and establish such rates of pilotage, as well as to subject the said pilots in the several counties respectively, to such penalties, and forfeitures for offences, as they shall judge expedient, during the continuance of this act, all which fees, penalties and forfeitures, shall be prosecuted for, and recovered before such court, as may be competent to take cognizance of the same.

V. Provided always, That nothing in this act shall extend or be construed to extend to abridge, diminish or interfere with the powers given to the common council of the city of Saint John, in and by the charter of the said city.

VI. And be it further enacted, That the pilots which shall be appointed by the said common council shall .be entitled to the same fees, perquisites and privileges, that any pilots appointed by virtue of this act are entitled to.