

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1812. Saint John, NB: Jacob Mott, Printer to the King's Most Excellent Majesty, 1812.

52 George III – Chapter 12

An Act more effectually to prevent the encumbering or filling up of Harbours, and to authorise the appointment of Harbour Masters. Passed the 7th of March, 1812.

Whereas the Laws now in force “to prevent the encumbering or filling up of Harbours,” are found ineffectual: And whereas it is necessary for the security of vessels, that Harbour Masters should be appointed in this Province.

I. Be it therefore enacted by the President, Council, and Assembly, That an Act made and passed in the thirty-third year of His Majesty's reign, intituled “An Act to prevent the encumbering or filling up of Harbours,” and also an Act, made and passed in the fiftieth year of His Majesty's reign, intituled “An Act in addition to an Act, to prevent the encumbering or filling up of Harbours,” be, and the same are hereby repealed.

II. And be it further enacted, That no master or commander of any ship or vessel, shall unload or throw overboard, any ballast or rubbish, into any Road, Port, or Harbour, in this Province, or land the same in any other part of such Road, Port, or Harbour, than shall be appointed by the Harbour Master, or Port Wardens of the respective Ports, under the penalty of twenty five pounds, for each and every offence.

III. And be it further enacted, That when ballast is discharged in any of the Harbours of this Province, into boats or lighters, there shall be a sufficient piece of canvas or tarpauling, reaching from the ballast port, or gunwale of such ship or vessel, to the boat or lighter, to prevent any part of such ballast or rubbish falling into such Harbour, under the penalty of ten pounds, for each and every offence, which penalties shall be recovered on the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace, for the County where such offence shall be committed; all which penalties when recovered, shall be paid; into the hands of the Commissioners appointed to erect beacons, land marks, buoys, and other necessary, purposes in their respective Counties, who shall account to the Justices in their Sessions for the expenditure: Provided always that nothing in this Act shall extend or be construed to extend to the City of Saint John.

IV. And be it further enacted, That it shall and may be lawful for the Justices of the Inferior Court of Common Pleas, in the respective Counties, to appoint Harbour Masters for such Harbours as may be found to require the same, which Harbour Masters shall have full power and authority to direct and regulate the proper ballast births, and also the anchoring and mooring of each and every vessel coming into such Harbours, and the master or commander of any ship or vessel, who shall refuse or neglect to obey or conform to the directions of such Harbour Master, shall forfeit and pay the sum of five pounds, for each refusal or neglect, to be recovered and applied as aforesaid; and it shall and may be lawful for such Harbour Master to ask, demand and receive

from the master, commander or consignee of every ship or vessel, (coasters excepted) which shall come into and anchor in such Harbour, the sum of five shillings, for all vessels above fifty tons, and not exceeding one hundred tons, and ten shillings for all vessels above one hundred tons, as Harbour Masters fees, which Harbour Masters shall furnish copies of the Regulations made for their respective Harbours to the Pilots appointed for such Harbours, one copy of which Regulations, such Pilots are hereby required to give to the master or commander of every vessel they may take charge of for his information; and it shall be the duty of such Harbour Masters to prosecute all breaches of this Act.

V. And be it further enacted, That this Act shall be in force for two years, and to the end of the then next Session of the General Assembly, and no longer.