

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1820. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1820.

60 George III – Chapter 19

An Act for the further increase of the Revenue of the Province. Passed the 25th of March 1820.

Whereas it is expedient to increase the Revenue of this Province—

- I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, a duty of seven shillings and sixpence per ton shall be paid upon all Plaster of Paris, otherwise called Gypsum, that shall be brought or imported into the County of Charlotte in this Province.

- II. And be it further enacted, That the Lieutenant-Governor or Commander in Chief for the time being, is hereby authorized and empowered, by and with the advice of His Majesty's Council, by warrant under his hand and seal, to appoint some fit and discreet person as a Preventive Officer, with power and authority to enforce the payment of the duty herein before imposed upon all Plaster of Paris imported or brought into the County of Charlotte, and to prevent the evasion thereof, and for the purpose of carrying the provisions and regulations of this Act into full effect; which person when so appointed shall give bonds to His Majesty, in the sum of six thousand Pounds, with two sufficient Sureties in three thousand Pounds each, and shall be sworn to the faithful discharge of his duty, and shall keep a public office either at Indian Island, so called, or at Snug Cove, on the Island of Campo Bello [Campobello], in Passamaquoddy Bay; which Officer so appointed and named, is hereby authorized and required to visit in his own person, or cause to be visited by any person or persons by him employed in and by virtue of this Act, any ship or vessel having Plaster of Paris on board, and which shall arrive or come within the County of Charlotte aforesaid, or being in any port or place within this Province, and shall and may either by himself or other person or persons so by him employed as aforesaid, demand the register and other papers of such ship or vessel; which register and other papers as aforesaid, shall be deposited at the office of the Preventive Officer aforesaid, and there remain until the duty by this Act imposed shall be satisfied and paid.

- III. And be it further enacted, That the master, owner, or consignee, of every ship or vessel having any Plaster of Paris on board, which shall arrive or come within the County of Charlotte aforesaid, shall within twenty-four hours after her arrival, and before bulk is broken, make report and entry under oath, at the office of the Preventive Officer aforesaid, (who is hereby authorized and required to administer the same) of the vessel's name, the port or place at which such vessel shall have laden her cargo, and the number of tons of Plaster of Paris such cargo shall consist of; and such master, owner, or consignee, shall deposit and leave the register, and other papers of such ship or vessel as aforesaid, in the office of the Preventive Officer aforesaid; which register and papers as aforesaid, shall be and remain in the said office, until the duty by this Act imposed shall be paid.

IV. And be it further enacted, That if any master, owner, or consignee, or any other person or persons whatsoever, shall land or attempt to land, from any ship or vessel, on any of the shores of the coves, harbours, creeks, or places, within the County of Charlotte, or shall reshipe or attempt to reshipe, from on board any ship or vessel, any Plaster of Paris, on board any boat or other vessel, within the said County of Charlotte, before report and entry shall be made, as in the next preceding section of this Act is required, and a permit first had and obtained from the Preventive Officer aforesaid, to land or unlade such Plaster of Paris, which permit the said Preventive Officer is hereby authorized and required to give, and for which he shall take and receive two shillings and ninepence, and no more, such ship or vessel from which such Plaster is landed, or from which such Plaster is reshipped or put on board any other vessel or boat, shall be deemed by this Act to be forfeited, together with her boat or boats, tackle and apparel, and all Plaster of Paris found or board such vessel, shall be detained, and information shall and may be thereupon made by His Majesty's Attorney General, in the Supreme Court of this Province, and proceeding had to condemnation, and sale, according to the course of the said Court; and upon such condemnation and sale thereof, the proceeds, after deducting the costs and charges of prosecution, shall be paid into the Province Treasury, for the use of the Province. Provided always, that no vessel so seized and prosecuted, shall or may be bonded, but the same be proceeded against without delay, to condemnation.

V, And be it further enacted, That for the better enforcing of this Act, the Preventive Officer aforesaid may, and he is hereby authorized to employ one or more boat or boats, not exceeding three, and one or more men, not exceeding ten, to work and manage the said boat or boats; and the said boat or boats so employed, and every vessel that may be seized by virtue of this Act, shall while they are under the immediate care and direction of the Preventive Officer as aforesaid, wear and carry at the mast head, or on some conspicuous part of the rigging of such boat or boats or vessel, a red burgee flag, with the word "Preventive," in white letters, inscribed thereon.

VI. And be it further enacted, That if any master or commander of any ship or vessel having Plaster of Paris on board, in any port or place within this Province, shall refuse when thereunto demanded by virtue of this Act, to deliver the register and other papers to the Preventive Officer, or to such other person by him appointed by virtue of this Act, such ship or vessel of which such master or commander shall so refuse to deliver such register and other papers as aforesaid, shall be deemed and taken to be forfeited and prosecuted, and the proceeds to be applied in manner and form as is provided in and by the third section of this Act; and any master of any ship or vessel, or any other person or persons whomsoever, who shall insult or attempt to insult, abuse or resist any Officer appointed by this Act, while in the execution of any of the duties enjoined by this Act, and being convicted thereof, Upon any bill, plaint, or information, to be had or made before any Court of Justice having competent jurisdiction to try the same, shall forfeit and pay the sum of fifty pounds, with costs, for each and every offence; which fine when recovered, shall be paid over to the Treasurer of the Province, for the use of the same.

VII. And be it further enacted, That if any Plaster of Paris shall at any time be found on the shores in any cove, harbour, or place, within the County of Charlotte aforesaid, on which the duty by this Act imposed has not been paid, such Plaster of Paris so landed as aforesaid, shall and may be

seized by the Preventive Officer by this Act appointed, or by any Deputy Treasurer of the County of Charlotte aforesaid, and by him or them, or either of them, prosecuted as in manner contained in the third section of this Act, to final condemnation, and the proceeds of such Seizure, after deducting costs, shall be applied, the one moiety to the Officer seizing the same, and the remainder to the Treasurer of the Province, for the use of the same.

VIII. And be it further enacted, That every ship or vessel arriving or coming within the County of Charlotte, or being in any port or place within this Province, having Plaster of Paris on board, shall have their names painted on their stern, as required by Act of Parliament; and any ship or vessel not having her name painted on her stern as aforesaid, shall be deemed forfeited, and shall and may be seized by the Preventive Officer as aforesaid, and prosecuted to final condemnation, in manner and form as is directed and prescribed in and by the fourth section of this Act, and the proceeds to be applied as in the next preceding section of this Act is provided.

IX. And be it further enacted, That any person or persons refusing to produce their papers when required, or when so required shall produce any false or fraudulent clearance, certificate, paper or papers, voucher or vouchers, in order to evade any of the provisions of this Act, such offender or offenders shall forfeit and pay the sum of one hundred pounds, to be recovered and applied as in the sixth section of this Act.

X. And be it further enacted, That in case of the death, or removal from office for misconduct, of such person so to be appointed as aforesaid, to carry into effect the provisions of this Act, as Preventive Officer, the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice or His Majesty's Council, is hereby authorized and empowered to appoint some other fit and discreet person in the room of such person so dead or removed from office.

XI. And be it further enacted, That the person to be appointed as aforesaid, to carry the provisions of this Act into effect, as Preventive Officer aforesaid, shall account with the Treasury of the Province once in every three months, during his continuance in office, and shall pay over into the hands of the Treasurer of the Province, all the monies he may then have collected or received under and by virtue of the provisions of this Act.

XII. And be it further enacted, That the person so to be appointed as aforesaid, to carry into effect the provisions of this Act, as Preventive Officer as aforesaid, shall be allowed to retain for his services and trouble while in office, at and after the rate of ten per cent, on all the monies collected by him under and by virtue of this Act, and also for defraying all the expenses incurred in hiring boats and men, and other incidental charges.

XIII. And be it further enacted, That this Act shall continue and be in force for three years, and from thence to the end of the next Session of the General Assembly, and no longer.