

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1822.* Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1822.

3 George IV – Chapter 14

**An Act for the better securing of the Navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews, against any demands for monies collected for tonnage duties since the former Acts for this purpose expired. Passed the 21st March 1822.**

"Whereas an Act passed in the forty-first year of His late Majesty's Reign, intituled "An Act for the better securing the Navigation of Passamaquoddy Bay, within Deer Island," also an Act passed in the fiftieth year of the same Reign, intituled "An Act to revive, continue, and amend an Act, for the better securing the Navigation of Passamaquoddy Bay, within Deer Island," have expired: And whereas great advantages accrued to the Navigation of the said Bay from the operation of the above recited Acts—

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for such Commissioners as His Excellency the Lieutenant-Governor shall appoint, or the major part of them, to ask, demand, sue for, and receive, from the Deputy Province Treasurer at St. Andrews, for the County of Charlotte, his heirs or executors, or any other person or persons, all such sum or sums of money as he or they may have received, or may have become indebted for, by virtue of the said Acts, and also to examine, adjust, settle, and pay off, all demands arising in consequence of the services performed in and by virtue of the said Acts.

II. And be it further enacted, That it shall and may be lawful for the Commissioners aforesaid, or the major part of them, to build, rebuild, replace, and support, such Beacons or Buoys on the different reefs of rocks, sand reefs and bars, in the inner Bay of Passamaquoddy, and also to build and keep in repair a slip or slips in St. Andrews Harbour, to widen and deepen the channel of the Bar of said Harbour, and generally to improve said Harbour as they may deem necessary and expedient.

III. And be it further enacted, That from and after the passing of this Act, there be, and are hereby granted to His Majesty, His Heirs and Successors, for the purposes aforementioned, the following duties of tonnage on all inward bound vessels entering Passamaquoddy, within Deer Island, of the following description, and at the following rate, namely, on all vessels (coasting craft excepted) one penny per ton for every ton they respectively admeasure agreeable to register, for each time they arrive in Passamaquoddy Bay, within Deer Island aforesaid.

IV. And be it further enacted, That every Master of such ship or vessel who shall refuse or neglect to call upon the Deputy Province Treasurer at Saint Andrews, and pay to him such a tonnage within forty-eight hours after his arrival, shall forfeit and pay a sum not exceeding five pounds, to be sued for and recovered before any two of His Majesty's Justices of the Peace, and applied for the purposes aforesaid.

V. And be it farther enacted, That the Commissioners to be appointed as aforesaid, or the major part of them, shall have power and authority to call upon the Deputy Province Treasurer at Saint Andrews, for such sum or sums of money as he shall from time to time have collected under and by virtue of this Act, excepting the amount of five per cent, which it shall be lawful for such Deputy Treasurer to retain, in full for his trouble in collecting the same.

VI. And be it further enacted, That the said Commissioners shall at the first Court of General Sessions of the Peace in the said County of Charlotte, yearly render an account to the Justices of the said Sessions, of the monies from time to time received and expended by them under this Act.

VII. And be it further enacted, That if any person or persons shall take away, cut down, destroy, or deface, either of the said Beacons, Buoys, or Slips, such offender or offenders shall, on due conviction thereof, by the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace, forfeit and pay a sum not exceeding twenty pounds, to be applied as aforesaid, and on failure of payment thereof, or want of goods and chattels whereon to levy, such offender or offenders shall be committed, by such Justices, to the County Gaol, for a space not exceeding three months.

VIII. And whereas the Deputy Province Treasurer at Saint Andrews, has collected the tonnage duty on vessels arriving in the inner Bay of Passamaquoddy since the expiration of the Acts authorising the same—

Be it enacted, that all payments of tonnage duty made to the said Deputy Province Treasurer, according to the provisions of the same Acts, shall be deemed and taken, and are hereby declared to be equally valid and effectual to all intents and purposes, as if the said Acts had been in force; and that all and every such sums of money collected by him since the said Acts have expired, shall be applied to the purposes of said Acts, and shall be paid and accounted for to the said Commissioners, as directed in the first section of this Act; and the said Deputy Province Treasurer is hereby acquitted and discharged of and from any demand of any person or persons whomsoever, other than the said Commissioners as aforesaid, to be made against him, for or on account of the payment of any such monies, and is hereby indemnified against the same and any suit, prosecution, or action, to be brought against him by reason thereof.

IX. And be it further enacted, this Act shall continue and be in force for the term of five years, thence to the end of the next Session of the General Assembly.