

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 32

An Act to provide for and maintain an armed Cutter, for the protection of the Revenue of the Province. Passed the 23d March, 1822.

Whereas it has become expedient to provide and maintain an armed Cutter, for enforcing the Revenue Laws of this Province—

I. Be it therefore enacted by the Lieutenant-Governor, Council, and, Assembly, That there be, and hereby is, granted to the King's most Excellent Majesty, His Heirs and Successors, for the use of this Province, and the purposes hereinafter mentioned, a duty of one per cent, on the invoice value of all merchandise, wares, produce, and goods whatsoever, imported and brought into this Province, from any part of the United States of America.

II. And be it further enacted, That the said duty shall be paid or secured, collected and recovered, in and by the same manner and means, and under the same penalties and forfeitures as are provided in and by the Act, intituled "An Act for raising a Revenue in this Province," and the same powers are hereby given to the Treasurer and his Deputies, and Tide-Surveyors, for the collection thereof, and the same obligations imposed on the masters of vessels, and owner of goods,, as in and by the said Act are given and imposed.

III. And be it further enacted, That all vessels arriving from the United States of America with cargoes, shall land the same in the harbours of the respective Free Ports in this Province, and at no other place, under the penalty of two hundred pounds, to be recovered in the same manner as is prescribed in the third section of an Act made and passed in the fifty-eighth year of His late Majesty's Reign, intituled "An Act for raising a Revenue in this Province," and to be paid as follows:—one moiety to the informer, and the other moiety into the hands of the Treasurer of the Province, for the use thereof, and that it shall be the duty of the Tide-Surveyors for the City and County of St. John, and for the County of Charlotte respectively, to attend to the unlading of any vessel or vessels, so arriving from the United States of America, with cargoes as aforesaid, in the same manner and under the same regulations as is prescribed in the eighth Section of the same above recited Act.

IV. And be it further enacted, That it shall and may be lawful for the Lieutenant-Governor and Commander in Chief for the time being, to appoint four or more Commissioners, to whom the money arising from the said duty hereby imposed shall, when collected, be paid by the Treasurer, on the warrant of the Lieutenant-Governor or Commander in Chief, by and with the advice of His Majesty's Council.

V. And be it further enacted, That the said money so to be paid to the said Commissioners, shall be by them appropriated and applied solely to the providing and maintaining a Revenue Cutter, its

necessary armament and crew, to be employed in more effectually enforcing the Revenue Laws of this Province.

VI. And be it further enacted, That the said Commissioners shall have power to hire, purchase, or build, a proper vessel, for the purpose aforesaid, and to make all necessary contracts for the arming, furnishing, and provisioning the same, and to retain and pay such Master and other officers as may be appointed by the Lieutenant-Governor and Commander in Chief, and a sufficient crew for the said Cutter; and the said Commissioners shall render a yearly account of the expenditure of the money so to be paid to them as aforesaid, to the Lieutenant-Governor or Commander in Chief, and His Majesty's Council, and shall pay over the balance and surplus, if any, to the Treasurer of the Province.

VII. And be it further enacted, That in cast it should be unnecessary to pay all the money arising from the duty hereby imposed, to the said Commissioners for the expense of the said Cutter, or if any balance should be by them repaid to the Treasurer as aforesaid, such surplus and balance shall remain in the Treasury, until the same shall be disposed of by Act of the General Assembly.

VIII. And be it further enacted, That the Master of the said Cutter so to be appointed as aforesaid, shall have the same powers to enter and search for uncustomed goods, as belong to the Treasurer or Deputy Treasurers of this Province, and in like manner to detain or seize all dutiable articles imported or landed contrary to the provisions of this or any other Act; and the said Master shall have power to bring to, detain, and examine any vessel or boat which maybe found hovering around the coast, and bays, or rivers of this Province, or at anchor off or in the same, or otherwise suspected of violating the Revenue Laws of this Province, and to bring in or send such vessel or boat to some convenient place or harbour, in order that any uncustomed goods which he may have found and seized on board the same, may be unloaded and removed; and the said Master so to be appointed, shall before the exercise of his said office, enter into bonds to His Majesty, with good and sufficient Sureties, for the faithful discharge of the duties and services hereby enacted and required, and shall be subject to such orders and regulations as His Excellency the Lieutenant-Governor or Commander in Chief for the time being, shall from time to time be pleased to make and give.

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