

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1830. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1830.

10 & 11 George IV – Chapter 16 (Session 1)

An Act to repeal an Act, intituled, “An Act for the better security of the Navigation of certain Harbours in the County of Northumberland;” and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester. Passed 8th March, 1830.

Whereas, the Laws now in force for the better security of the Navigation of certain Harbours in the County of Northumberland, have been found ineffectual.

And whereas, it is necessary, for the greater safety and conveniency of the Navigation of certain Bays and Harbours in the Counties of Northumberland, Kent, and Gloucester, that Buoys and Beacons, be erected in the said Bays and Harbours, and that provision be made for defraying such expences as may be incurred in erecting,, repairing, and replacing such Buoys and Beacons.

I. Be it therefore enacted, by the President, Council and Assembly, That an Act made and passed in the fiftieth year of the reign of His late Majesty King George the Third, intituled, “An Act for the better security of the navigation of certain Harbours in the County of Northumberland;” and also, an Act made and passed in the Third year of the reign of His present Majesty King George the Fourth, intituled, “An Act to make perpetual an Act, intituled, An Act for the better security of the navigation of certain Harbours in the County of Northumberland,” be, and the same are hereby repealed.

II. And be it further enacted, That it shall and may be lawful for such Commissioners as His Honor the President or Commander in Chief for the time being, shall appoint, or which may be appointed, or the major part of them, to erect, build, rebuild, replace, and support, in the said Bays and Harbours, such a number of Baoys and Beacons as they or the major part of them, shall think necessary, for the safety and conveniency of the navigation of the same.

III. And be it further enacted, That there be and are hereby granted to His Majesty, his Heirs and Successors, for defraying such expences as may be incurred, in erecting, building, rebuilding, replacing, and supporting such Buoys or Beacons; that is to say:—On all Vessels entering the Bay or Harbour of Miramichi, in the County of Northumberland, the sum of One half-penny per Ton, for each and every ton such vessels admeasure per Register, entering, the said Bay or Harbour of Miramichi: on all vessels entering the bay or harbour of Richibucto, in the County of Kent, the sum of One penny per ton, for each and every ton such vessel may admeasure per Register: on all vessels entering the harbours of Buctouche [Bouctouche] and Cocagne, in the County of Kent, the sum of One half-penny per Ton, for each and every ton swell vessel may admeasure per Register: on all vessels entering the Bays and Harbours of Ristigouche, Bathurst, Caraquet, and Shippegan [Shippagan], in the County of Gloucester, the sum of One penny per Ton, for each and every ton such vessel may admeasure, per Register, for each and every time such vessel or vessels may arrive at any of the said harbours.

Provided always, That no Coasting vessel, under the Register of Sixty Tons, shall pay more than once in each year; and no coasting vessel between sixty and one hundred Tons shall pay more than twice in each year; and that all vessels clearing from any Ports in this Province, Canada, Prince Edward Island, Nova-Scotia, and Newfoundland, and vessels on a fishing voyage, shall be considered coasters under this Act.

IV. And be it further enacted, That the Tonnage duties herein imposed, shall be collected by the Deputy Treasurer of the District of the Port where such vessel may arrive, or such person or persons as he may appoint for that purpose; and that the said Commissioners shall have full power and authority to call upon the Deputy Treasurer of their respective Districts, and the persons to be by him appointed as aforesaid, for such sum and sums of money as they shall from time to time respectively have collected, an account of which sum so to be collected by the said Deputy Treasurer, or the persons appointed by them, shall respectively when called upon as aforesaid, render, upon Oath, to the said Commissioners of the District, deducting from the amount collected, ten per cent., which it shall be lawful for the Deputy Treasurers to retain for their trouble in collecting and paying the same.

V. 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 of the District of the Port or place where such ship or vessel shall arrive, and pay to him, or the person authorized by him to receive the same, such Tonnage duties as are hereinbefore imposed, within twenty-four hours after his arrival, shall forfeit and pay for such neglect the sum of three pounds, to be sued for by the said Deputy Treasurer of the District, or the person authorized by him to receive the same, and recovered before any one of His Majesty's Justices of the Peace, and applied for the purpose of erecting, repairing and replacing such Beacons and Buoys.

VI. And be it further enacted, That the Deputy Treasurers shall annually make return of an account of the duties respectively by them received for the District, to the Treasurer of the Province, with proper vouchers of the payment of the money to the Commissioners, already, or who may hereafter be, appointed by virtue of this Act.

VII. And be it further enacted, That Commissioners already appointed, or who may be appointed in pursuance of this Act, shall, on the twentieth day of December, in each and every year, render an account, duly attested, of the monies from time to time received and expended by them in pursuance of this Act, to the Treasurer of the Province, to be by him transmitted, with his account; to the Secretary Office, and shall likewise render a copy of such account to the first Court of General Sessions in their Counties respectively, in each and every year; and the balance, (if any,) of the monies so received by them, in the hands of the Commissioners of the harbours respectively, to be applied by the said Commissioners, or the major part of them, for the purpose of further improving the navigation of the said Bays and Harbours.

VIII. And be it further enacted, That if any person or persons shall take away, destroy, deface, or remove any of the said Beacons or Buoys, such offender or offenders, shall, on due conviction

thereof, by the oath of one or more credible Witness or Witnesses, before any one of His Majesty's Justices of the Peace, forfeit and pay a sum not exceeding Fifteen pounds, to be recovered and applied as aforesaid; and on failure of the payment or want of goods and chattels whereon to levy; such offender or offenders shall be committed by such Justice or Justices, to the Common Gaol of the County, there to remain for a space of time not exceeding three months.

IX. And be it further enacted, That this Act shall continue and be in force for ten years.