

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1832. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1832.

2 William IV – Chapter 9 Session 1

An Act to provide for maintaining Light Houses within the Bay of Fundy. Passed 9th March 1832.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Tenth and Eleventh Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal all the Acts now in force relating to the Light House on Partridge Island, and to make Provision for the future Support thereof, and of other Light Houses at the Entrance of the Harbour of Saint John*; and also an Act made and passed in the same Year, intituled *An Act to provide for the Maintenance of the Light House established upon the Island of Campo Bello [Campobello], near Head Harbour, in the County of Charlotte*, be and the same are hereby repealed.

II. And be it further enacted, That there be and is hereby granted to His Majesty, His Heirs and Successors, for the Support of the several Light Houses now erected, or which may be hereafter erected, upon any of the Coasts of the Bay of Fundy, or upon any of the Islands or Rocks in or adjacent thereto, a Duty of Four Pence per Ton for each and every Ton which each and every Vessel (excepting Coasters, and fishing Vessels, new Vessels not registered, and Vessels proceeding to any of the Ports of the United States within the Bay of Passamaquody), shall admeasure agreeably to their Registers, which may arrive in any Port or Place within the Bay of Fundy from any Port or Place without the Limits hereinafter described for Coasters; and for Registered Coasters and fishing Vessels under Thirty five Tons a Duty of Twelve Shillings per Annum; from Thirty five to Fifty Tons Twenty five Shillings per Annum; from Fifty to Seventy five Tons Thirty Shillings per Annum; and for all such Vessels over Seventy five Tons Thirty five Shillings per Annum.

III. And be it further enacted, That all the Light Duties imposed in and by the Second Section of this Act, shall be paid by the Master, Owner or Consignee of each and every Vessel, at the Time of the Arrival of such Vessel at any Port or Place within the Bay of Fundy, to the Treasurer of the Province, or to any Deputy Treasurer at or near the Port or Place where such Vessel may arrive, who are hereby severally authorized and required to demand and receive the same; and upon the Neglect, or Refusal of any Master or Person having charge, or of any Owner, or Consignee of any such Vessel so arriving as aforesaid, to pay the Duties imposed by this Act, the same shall be recovered upon Application to any One of His Majesty's Justices of the Pease at or near the Place where such Neglect or Refusal shall take place, and levied by Warrant of Distress under the Hand and Seal of such Justice, and Sale of the Guns, Boats, Tackle, Apparel and Furniture of such Vessel, and the Overplus (if any) after deducting Costs of such Distress and Sale shall be paid to the Master or Person having charge of such Vessel.

IV. And be it further enacted, That all Vessels which are wholly employed in, the Bay of Fundy, on either Side thereof, as far Southerly as Cape Sable and including Grand Manan, whether belonging

to New Brunswick or Nova Scotia shall be deemed Coasters within the meaning of this Act; and all Vessels which are generally employed in fishing on any of the fishing Grounds upon the Coasts of the British Provinces or Newfoundland, and when not so employed shall be otherwise wholly employed within the said Bay of Fundy, and the Limits prescribed for Coasters, shall be deemed fishing Vessels within the meaning of this Act: Provided always, that all such Vessels making a Voyage to any Port or Place without the said Bay and Limits aforesaid shall, upon their Arrival at any Port or Harbour in the said Bay of Fundy, from or after such Voyage, be liable to the same Duties as Vessels which are not deemed Coasters or fishing Vessels, and upon the Payment of such Duty, agreeably to the Tonnage of such Vessel, the Master or Person having charge of such Vessel may on Payment of the annual Duty imposed upon Coasters and fishing Vessels receive a new coasting Receipt, which the Treasurer or Deputy Treasurer, as the Case may be, is hereby required to give; which Receipt shall, excuse such Vessel from the Payment of any further Light Duty until the First Day of January next following the Date thereof, unless the said Vessel shall again sail beyond the Limits prescribed for coasting and fishing Vessels, in which Case such Vessel shall upon her Arrival again from without such Limits be again liable to the Tonnage Light Duty, and may again, upon Payment of the annual Duty, resume her Character as a Coaster, and so on as often as such Cases may happen: Provided also, that no Vessel shall be deemed or taken to be a coasting or fishing Vessel until the Master or Person having charge shall have paid the annual Duty imposed by this Act and received a Receipt for the same.

V. And be it further enacted, That Receipts given by the Treasurer or any Deputy Treasurer for the annual Duty upon any Coaster or fishing Vessel, which Receipt the said Treasurer or Deputy Treasurer is Hereby required to give, shall exempt such Vessel from the Payment of any further Duty (except when such Vessel shall have sailed beyond the limits prescribed for Coasters and fishing Vessels) until the First day of January following, after which Date they shall be liable, upon their First Arrival at any Port or Place within the Bay of Fundy, to the Payment of the annual Duty imposed in and by the Second Section of this Act.

VI. And be it further enacted; That the Commissioners who are or may be appointed by the Lieutenant Governor or Commander in Chief for the Time being to maintain or erect Light Houses upon any of the Coasts or Islands within this Province, shall make public Contracts for furnishing all necessary Supplies for each Light Houses, and for erecting new Light Houses, and for all necessary Alterations and Repairs that may be repaired to any Light House or Keeper's House at least Six Weeks' Notice for public Competition, and shall in all Cases accept the lowest Tenders which are accompanied with the proper Securities for the due Performance of such Contracts; and the said Commissioners so appointed; or to be hereafter appointed, shall annually, before the Twenty fifth Day of December render to the Treasurer of the Province an Account, in Detail, duly attested, of all Contracts and Expenses by them incurred, to be by him transmitted to the Lieutenant Governor or Commander in Chief for the Time being, for the Information of the General Assembly.

VII. And be it further enacted, That all Monies which shall or may be received under and by virtue of this Act, or which have been received under any former Acts for the Purpose of erecting and supporting Light Houses, shall be applied to the Support of the several Light Houses in the Bay of

Fundy, and such other Light Houses as may be hereafter erected in the said Bay, and paid for such Purposes by Warrant of the Lieutenant Governor or Commander in Chief for the Time being; and any Surplus Light Money which may remain after providing for all the above Purposes, shall be kept separate from the ordinary Revenues of the Province, until disposed of by a special Act to be passed for that Purpose.

VIII. And be it further enacted, That in Case of the Death of any Keeper of a Light House under the Superintendence of any Commissioners for Light Houses, or in Case of any Neglect of Duty of any Keeper, and it becomes necessary to remove such Keeper, full Power and Authority is hereby given to such Commissioners to remove such Keeper for Neglect, and to fill up the Vacancy occasioned by such Removal, or by the Death of any Keeper, until the same can be reported to the Lieutenant Governor or Commander in Chief for the Time being; which Report such Commissioners are required to make forthwith.