

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1836.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 20

**An Act to explain, amend and in addition to an Act, intituled *An Act to make more effectual regulations relating to Pilots within this Province.* Passed 8th March 1836.**

‘Whereas by the seventh section of an Act made and passed in the second year of the reign of His late Majesty King George the Fourth, intituled *An Act to make more effectual regulations relating to Pilots within this Province*, it is enacted that it shall and may be lawful for the Justices of the Inferior Courts of Common Pleas in term time, or for any two Justices of such Court in vacation, in such Counties respectively where such Pilots shall be appointed in manner hereinbefore directed, on complaint and proof made before them on the oath of one or more credible witness or witnesses, that any such Pilot has neglected or refused to comply with any of the regulations made or to be made as aforesaid for the government of Pilots within the same, to displace such Pilot so convicted of refusal, neglect or other improper conduct, and to declare him from that period not entitled to recover pilotage for any ship or vessel he may presume to pilot after such conviction And whereas doubts have arisen whether any authority is given by the said section to suspend or temporarily to remove or displace such Pilot or Pilots; for remedy whereof

I. Be it enacted and declared, by the Lieutenant Governor, Legislative Council and Assembly, That from and aft or the passing of this Act, it shall and may be lawful for the Justices of the Inferior Courts of Common Pleas in term time, or for any two Justices of the said Court in vacation, on complaint and proof made before them on the oath of one or more credible witness or witnesses, that any Pilot appointed for any port, harbour or place within their respective Counties, has neglected or refused to comply with any of the regulations made or to be made for the government of Pilots within the same, to suspend or temporarily remove or displace such Pilot so convicted of refusal, neglect or other improper conduct.

II. And be it enacted, That if any Pilot or Pilots of any port, harbour or place in this Province having been lawfully displaced, suspended or temporarily removed from his or their office as Pilot, shall, before being restored thereto, presume directly or indirectly to act as a Pilot for the said port, harbour or place, it shall and may be lawful for any two Justices of the Peace of the County where such offence shall be committed, upon complaint to them made on the oath of one or more credible witness or witnesses, to issue their summons or warrant to bring the said offender or offenders before them, and if it shall appear to such Justices upon investigation that such offence has been committed, it shall and may be lawful for the said Justices to order and adjudge that the offender or offenders shall pay a fine not exceeding ten pounds, to be levied on the goods and chattels of the said offender or offenders, and for want of goods and chattels whereon to levy, it shall and may be lawful for such Justices, by warrant under their hands, to commit the said offender or offenders to gaol, there to remain without bail or mainprize for a space of time not exceeding twenty days unless the said fine and costs shall be sooner paid, which fine when paid shall be appropriated to the use of the poor of the parish where such offence had been

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committed: Provided always, that nothing in this Act shall be construed to prevent any such Pilot so displaced, suspended or temporarily removed, from rendering assistance to ships or vessels in actual distress or danger.