

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1841. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1841.

4 Victoria – Chapter 23

An Act relating to Buoys and Beacons in the Harbour of Shediac, in the County of Westmorland. Passed 19th March 1841.

'Whereas it is deemed necessary that a small duty be imposed upon all Vessels entering the Harbour of Shediac, in the County of Westmorland, for defraying such expences as may be incurred in erecting, repairing and replacing Buoys and Beacons in the said Harbour;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be and are hereby granted to Her Majesty, Her Heirs and Successors for defraying such expences as may be incurred in erecting, building, re-building, re-placing and supporting such Buoys and Beacons, on all Vessels entering the Bay or Harbour of Shediac, the sum of one penny per ton for each and every ton such Vessels admeasure per register: 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's Island, Nova Scotia and Newfoundland, and Vessels on a fishing voyage, shall be considered coasters under this Act.

II. And be it enacted, That the tonnage duties herein imposed shall be collected by the Deputy Treasurer of the District of Shediac, or such person as he may appoint for that purpose, and that the Commissioners of Buoys and Beacons for the Harbour of Shediac shall have full power and authority to call upon the said Deputy Treasurer or the person to be by him appointed as aforesaid, for all such sum or 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 person appointed by him shall respectively when called upon as aforesaid, render upon oath to the said Commissioners, deducting from the amount collected ten per centum, which it shall be lawful for the Deputy Treasurer to retain for the trouble of collecting and paying the same.

III. And be it enacted, That every Master of such Ship or Vessel who shall refuse or neglect to call upon the Deputy Treasurer of the District of Shediac, and pay to him or the person authorized by him to receive the same, the said tonnage duty as 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 and recovered before any one of Her Majesty's Justices of the Peace, and applied for the purpose of erecting, repairing and replacing such Beacons and Buoys.

IV. And be it enacted, That the Deputy Treasurer shall annually make return of an account of the duties respectively by him 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.

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V. And be it enacted, That Commissioners already appointed, or who may hereafter be appointed, 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's Office, and shall likewise render a copy of such account to the first General Sessions in the County of Westmorland in each and every year, and the balance (if any) of the monies so received by them in the hands of the Commissioners or the major part of them, for the purposes of further improving the navigation of the said Bay and Harbour.

VI. And be it 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 Her 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 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.

VII. And be it enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fifty.