

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1851. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1851.

14 Victoria – Chapter 16

An Act to consolidate and amend the Laws providing for the maintenance of Light Houses in the Bay of Fundy. Passed 30th April 1851.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for maintaining Light Houses within the Bay of Fundy*; also an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to repeal an Act, intituled An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy*, and to substitute other enactments in lieu thereof, be and the same are hereby repealed, save and except all acts and proceedings done and had under the authority thereof, and saving and reserving also the right of recovering any duties, penalties and forfeitures imposed, inflicted and incurred under the provisions of the said Acts hereby repealed.

II. And be it enacted, That there be and there are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the support of Light Houses already 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 three pence per ton which each and every vessel shall admeasure, agreeably to their Registers, which shall arrive at any port or place within the Bay of Fundy, excepting new vessels not registered, and also excepting vessels of one hundred tons and under, which shall pay as follows:—Every vessel of one hundred tons, and not less than seventy five tons, the sum of thirty five shillings per annum; every vessel of seventy five tons and under, and not less than fifty tons, shall pay the sum of thirty shillings per annum; every vessel of fifty tons and under, and not less than thirty five tons, shall pay the sum of twenty five shillings per annum; and all other vessels under thirty five tons shall pay the sum of twelve shillings per annum; provided always, that vessels arriving from any port or place without the Bay of Fundy, shall not be liable to pay the Duties herein imposed more than once, notwithstanding they may, in order to complete their voyages, have occasion to visit several ports or places within the said Bay; and provided also, that no ship or vessel shall be liable to pay the Light Duties herein imposed more than six times in any one year.

III. And be it enacted, That all the Light Duties imposed in and by the preceding section of this Act, shall be paid by the master, owner or consignee of each and every vessel, at the time of 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 of, or 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 Her Majesty's Justices of the Peace at or near the place where such neglect or refusal shall take place, and levied by Warrant and 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 the costs of such distress and sale, shall be paid to the master or person having charge of such vessel.

IV. And be it enacted, That receipts given by the Treasurer, or any Deputy Treasurer, for the annual Duty upon any 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 until the first day of January following, after which date such vessel shall be liable, upon its first arrival at any port or place within the Bay of Fundy, to the payment of the annual Duty imposed by the second section of this Act.

V. And be it enacted, That the Commissioners who may be appointed by the Lieutenant Governor or Administrator of the Government 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 such Light Houses, and for erecting new Light Houses, and for all necessary alterations and repairs that may be required to any Light House or Keeper's House, giving at least four 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 contract; and the said Commissioners to be hereafter appointed, shall have power to appoint, and also at their pleasure to remove, the Keepers of the several Light Houses under their charge respectively; and also to make, ordain, establish and enforce all necessary rules and regulations for the proper and orderly lighting and keeping such Light Houses; and shall annually, on or before the twentieth day of January, render to the Secretary of the Province an account in detail, duly attested, of all contracts and expenses by them incurred, to be by him laid before the Lieutenant Governor or Administrator of the Government for the time being, for the information of the General Assembly.

VI. And be it enacted, That all moneys 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 Administrator of the Government 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, unless disposed of by a special Act to be passed for this purpose.

VII. And be it enacted, That the Commissioners to be appointed under and by virtue of this Act, shall not exceed the number of five, and they shall have the superintendance of all Light Houses in and near the Bay of Fundy, including such as are supported at the joint charge of this Province and Nova Scotia, and all Harbour Lights.

VIII. And be it enacted, That the Commissioners of Light Houses to be appointed under and by virtue of this Act, shall not be entitled to receive any Commissions for their services, but that one

Superintendent shall be appointed by the Executive Government from said Commissioners, who shall receive for his services a sum not exceeding one hundred pounds.

IX. And be it enacted, That the Superintendent so appointed under this Act, shall perform all the duty under the direction of the Commissioners; and that the salary above provided for shall be in compensation for such duty and expenses of attending the Light House Stations, and other expenses attendant on the duties of his office, and office rent.