

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1855.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1855.

18 Victoria – Chapter 41

**An Act to continue and amend an Act to regulate Dockage, Wharfage, and Cranage in the City of Saint John and in the Parish of Portland. Passed 12th April 1855.**

Section.	Section.
1. Sec. 6 of 5th V. c. 39, repealed.	4. Liability of owner or master of vessels outwards.
2. Top wharfage demandable at rates in Schedule.	5. Owner or lease of wharf to have a lien
3. Liability of owner or matter of vessels inwards.	6. Authority to sell
	7. Repeal of inconsistent.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the sixth Section of an Act to regulate Dockage, Wharfage, and Cranage in the City of Saint John and in the Parish of Portland, made and passed in the fifth year of Her present Majesty's Reign, be and the same is hereby repealed.
2. The owner or owners of any wharf or wharves, properly planked or timbered on the surface, or the lessee or lessees of any such wharf or wharves in the City or Parish aforesaid, or his or their agents, may ask, demand, sue for, and recover as wharfage or top wharfage (so called) for all articles landed on or shipped from their respective wharves, at and after the rates and charges set forth in the Schedule A to this Act.
3. The master, owner, or person in charge of any vessel having on board any articles subject to top wharfage, shall be liable to pay the same to the owner or lessee of the wharf to which the said vessel may be fastened for discharge, unless the said master, owner, or person in charge of such vessel, shall deliver to the owner, lessee, or person in charge of the wharf, a correct list of all goods on board the said vessel, the weight and measurement thereof, and the names of the consignees of all articles on board such vessel, subject to wharfage as aforesaid.
4. The master, owner, or person in charge of any vessel lying at any such wharf, and receiving goods on board subject to top wharfage as aforesaid, shall be liable to the owner or lessee of such wharf for the top wharfage inclined for the goods so received on board, and in case the same be not paid, the vessel receiving the said goods on board shall be liable to attachment therefor.
5. The owner, lessee, or proprietor of any such wharf, may remove all goods landed or kept thereon, at any time after the expiration of twenty four hours from such landing or keeping, and convey the same to some store or warehouse, or if lumber, to some wharf, or if ballast, to any place; and the said owner, lessee, or proprietor so removing the same as aforesaid, shall have a lien upon the said goods and lumber, for all expenses of cartage, storage, wharfage, labour, and

charges incident thereto, the ballast to be removed at the expense of the owner, master, or person in charge of the vessel placing it on any such wharf.

6. Should the said goods or lumber so removed lie not claimed, and all the expenses of removal and keeping be not paid within three months from the day of such removal, the same may so sold at public auction, after one week's notice in two or more of the public Newspapers of the City of Saint John, the surplus (if any) after payment of all expenses as aforesaid, to be paid to the owner or consignee of such goods or lumber.

7. All Acts and parts of Acts inconsistent herewith, are hereby repealed.

#### Schedule A.

Anchors and Chains of all kinds, per ton, one shilling and three pence.

Barrels of Flour, Bread, and Meal, and all other barrels under 224 lbs. weight, each, one half-penny.

Half-barrels, Firkins, and Kegs of all kinds, each, one farthing.

Barrels of Salt Provisions and Pickled Fish, each, one penny.

Ballast, per ton, six pence.

Bricks, per thousand, one shilling.

Bales and Boxes of Merchandise, each, four pence.

Boxes of Soap or Candles weighing 112 lbs. or less, each, one farthing.

Boxes of Soap or Candles weighing over 112 lbs. each, one half-penny.

Boxes of Smoked Herrings, each, one farthing.

Copper and Composition bars, bolts, sheets, spikes, and nails, per ton. one shilling.

Coals, except Anthracite, per chaldron, four pence.

“ Anthracite, per chaldron, three pence.

Carriages and Coaches, each, six pence.

Chalk, per ton. six pence.

Cattle, viz: Bulls, Oxen, and Cows, each, six pence.

“ Heifers, Calves, Sheep, and Lambs, each, one penny.

Coffee, Cocoa, Nuts and Filberts, in bags, per bag, one half-penny.

Salt in bags, each, one half-penny.

Dry Fish, per quintal, one half-penny.

Glass in boxes of 100 feet, each, one half-penny.

“ smaller packages, each, one farthing.

Hogsheads of Liquors and Liquids, each, four pence.

Hay, screwed, per ton, one shilling.

“ unscrewed, per ton, one shilling and six pence.

Hides, green, each, one half-penny.

“ dry, each, one farthing.

“ in bales, per bale, six pence.

Hemp, Cordage, and Oakum, per ton, one shilling.

Hollow Ware and Castings, per ton, one shilling and three pence.

Hampers, each, one penny.

Horses, Mares, and Geldings, each, six pence.

Hogsheads of Lime and Dry Fish, each, three pence.

Iron in bars, bolts, sheets, plates, nails, spikes, and pigs, per ton, one shilling.

Lumber, per thousand feet superficial, six pence.

Lead in bar, sheet, shot, pigs, and pipes, per ton, one shilling.

Molasses, per hogshead, four pence.

“ per puncheon, four pence.

“ per tierce, three pence.

Puncheons of all kinds not herein otherwise provided for, each, four pence.

Pipes of Liquids and Liquors, each, six pence.

Quarter casks of all kinds, each, two pence.

Raisins, in boxes, per box, one half-penny.

“ in smaller packages, each, one farthing.

Sugar hogsheads, each, six pence.

Salt in bulk, Grain and Roots of all kinds, per hundred bushels, one shilling and six pence.

Slate, per ton, six pence.

Stone, per ton, six pence.

Spelter, per ton, one shilling.

Tea, in boxes, each, one penny.

Tea, in smaller packages, each, one half-penny.

Timber of all kinds, undressed, per ton, six pence.

Tierces of Sugar, or of other articles not herein enumerated, each, four pence.

Wagons, Buggies, Gigs, and other vehicles, each, three pence.

Zinc in sheets, bar, block, nails, and spikes, per ton, one shilling.

All empty packages to pay half the rates of full packages; and on all goods, wares, and merchandise not hereinbefore enumerated and rated, to pay at the rate of one shilling per ton weight or measurement, at the option of the collector, proprietor, or lessee of the wharf or wharves where the same is placed.