

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1863.* Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1863.

26 Victoria – Chapter 4

**An Act relating to Buoys and Beacons. Passed 20th April, 1863.**

Section.

1. Enumerates Acts repealed.
2. Amount of duties to be paid.  
Exemption.
3. Deputy Treasurer to collect and pay over, and to whom.
4. Master of Vessel to pay duty within 24 hours after arrival. Penalty for neglect.

Section.

5. Commissioners, how appointed.
6. Duty of Commissioners.
7. Provincial Treasurer, what Accounts to keep.
8. Allowance to Commissioners. To render Accounts annually on oath.
9. Penalty for defacing or destroying Beacons, &c.

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

1. Chapter 19, Title iii, of the Revised Statutes, 'Of Buoys and Beacons;' an Act made and passed in the twentieth year of the Reign of Her present Majesty, intituled *An Act further to amend the Law relating to Buoys and Beacons in the respective Ports in the County of Gloucester*; an Act made and passed in the twenty first year of the same Reign, intituled *An Act to amend the first Section of Chapter 19, Title iii, of the Revised Statutes, 'Of Buoys and Beacons;'* and an Act made and passed in the twenty third year of the same Reign, intituled *An Act to amend Chapter 19, Title iii; of the Revised Statutes, 'Of Buoys and Beacons;'* are hereby repealed.

2. There shall be paid to the Queen, for defraying the expenses of building, rebuilding, and supporting Buoys and Beacons, two cents for every ton registered tonnage on all vessels, coasters excepted, for every time they shall enter the following places:—The Bay or Harbour of Richibucto, or Buctouche, in the County of Kent; the Bay or Harbour of Shediac, in the County of Westmorland, and the Bay or Harbour of Restigouche; four cents on entering the Bay or Harbour of Caraquet, Shippegan, and Tracadie, in the County of Gloucester; three cents on entering the Bay or Harbour of Bathurst, in the County of Gloucester, and the Bay or Harbour of Miramichi, in the County of Northumberland; and one cent on entering Passamaquoddy Bay, within Deer Island; but coasters entering the Bay of Passamaquoddy shall be exempt; and no coasting vessel under sixty tons register shall pay oftener than once every year, and between sixty and a hundred tons oftener than twice; and all vessels clearing from any Ports in British North America, or on a fishing voyage, shall be deemed coasters under this Act.

3. The Deputy Treasurer of the district where the vessel may arrive, or any person appointed by him, shall collect the duties hereby imposed, and pay the same as collected into the Provincial Treasury; he shall keep a separate account of such duties, and render the same annually, or as often as may be required, on oath, to the Provincial Treasurer.

4. Any master of a vessel liable to such duty, who shall not within twenty four hours after his arrival, call on such Deputy Treasurer and pay the same, shall forfeit the sum of twenty dollars, to be recovered in the name of such Deputy Treasurer before any Justice, and be paid into the Provincial Treasury for the purposes of this Act.
5. The Governor in Council may appoint any number of fit persons, being residents, not exceeding three to each Bay, Harbour, Port, or River, in the Counties where Beacons and Buoys are erected or required, to be Commissioners of Buoys and Beacons.
6. The Commissioners shall annually, as soon as practicable after the opening of the navigation, cause the necessary Beacons and Buoys to be erected or replaced in the most suitable situations for the protection of the navigation; no Beacon or Buoy to be removed for the winter season till the twentieth day of November in each year, or as soon after as the Commissioners shall require.
7. The Provincial Treasurer shall keep separate accounts of the moneys which may be received under this Act, for each Bay, Harbour, Port, or River, and the same shall be paid out as may be necessary, for the purposes of this Act, by Warrant of the Lieutenant Governor; but such moneys shall only be expended in the several Bays, Harbours, Ports or Rivers respectively, in which such moneys shall be collected.
8. The Commissioners shall be allowed ten per cent. for their services on all moneys expended by them, and they shall annually on the thirty first day of October, render to the Treasurer an account, on oath, of the moneys received and expended by them, with proper vouchers to accompany his public accounts, when transmitted.
9. Whoever shall take away, destroy, deface or remove any of the said Beacons or Buoys, shall forfeit a sum not exceeding sixty dollars nor less than twenty dollars, to be recovered and applied as aforesaid.