

Laws of Her Majesty's Province of Newfoundland, passed in the year 1857.

20 Victoria – Chapter 3

An Act to provide for the Support and Maintenance of Cape Race Light-House. (Passed 17th March, 1857.)

Whereas, under and by virtue of an Act passed by the Imperial Parliament of Great Britain and Ireland, in the Nineteenth and Twentieth Years of Her Majesty's Reign, entitled "An Act to Facilitate the Erection and Maintenance of Colonial Light-Houses, and otherwise to Amend the Merchant Shipping Act, 1854," it is provided, that in any case in which any Light House, Buoy, or Beacon, has been or is hereafter erected, or placed on or near the Coasts of any British Possession, by or with the consent of the Legislative Authority of such Possession, Her Majesty may, by Order in Council, fix such Dues, in respect thereof, to be paid by the Owner or Master of every Ship which passes the same, or derives benefit therefrom, as Her Majesty may deem reasonable: And whereas it is further provided by the said Act, that no such Dues shall be levied in any Colony unless, and until, the Legislative Authority in such Colony has, either by Address to the Crown, or by an Act or Ordinance duly passed, signified its opinion that the same ought to be levied in such Colony: And whereas it is also provided by the said Act, that the Said Duties shall, in each British Possession abroad, be collected by such Persons as the Governor of such Possession abroad may appoint for the purpose, and shall be collected by the same means, in the same manner, and subject to the same conditions, so far as circumstances permit, by, in, and subject to which the Light Dues levied under the Merchant Shipping Act, 1854, are paid and collected, or by such other means, in such other manner, and subject to such other conditions, as the Legislative Authority in such Possession may direct: And whereas it is also provided by the like Authority, that all such Dues levied under the said Act shall be paid over to Her Majesty's Paymaster, at such times and in such manner as the Board of Trade may direct, and shall, after deducting any expenses incurred in collecting the same, be applied, paid and dealt with, by him, for the purpose of paying the Expenses incurred in erecting and maintaining such Light House, Buoy or Beacon, and for no other purpose whatsoever:

And whereas by and with the consent of the Legislative Authority of this Colony, which is hereby signified, a Light House has; recently been erected, and is now lighted, on Cape Race And whereas Her Majesty, in the exercise of the Powers vested in Her by the said Act, by and with the advice of Her Majesty's Privy Council, has directed, that upon and after the lighting-of the said Light upon Cape Race, as aforesaid, there shall be paid for every such Ship as hereinafter mentioned (except Ships belonging to Her Majesty, Her Heirs and Successors) the Toll of One-Sixteenth of a Penny, Sterling; per Ton, of the burthen of every such Ship for every such Voyage as hereinafter mentioned; that is to say:—

For all Ships, whether Sailing Ships or Steam Ships, navigating from any Port or Ports in the British Colonies in North America, to any Port or Ports in the United Kingdom:

For all Ships, whether Sailing Ships or Steam Ships, navigating from any Port or Ports in the United Kingdom to any Port or Ports in the British Colonies in North America:

For all Ships, whether Sailing Ships of Steam Ships, bound from any Port or Ports in the British Colonies in North America upon any Transatlantic voyage:

For all Ships, whether Sailing Ships or Steam Ships, arriving at any Port or Ports in the British Colonies in North America after any Transatlantic voyage:

For all Ships, whether Sailing Ships or Steam Ships, arriving, at any Port or Ports in the United Kingdom from New York, or any Port in the United States North of New York:

And for all Steam Ships leaving any Port of Ports in the United Kingdom for New York, or any Ports in the United States North of New York, passing the said Light House, when the Light is exhibited therein, and consequently deriving benefit therefrom.

And whereas it is necessary that provision should be made for the imposition and collection of the said Dues on and from all such of said Ships or Vessels as shall from time to time enter or clear at and sail from any of the respective Ports of this Colony:

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:—

I. That from and out of the amount of Light Dues, to which the Ships or Vessels' hereinafter referred to are liable, by the Laws of this Colony, to pay upon entering or clearing at any Port therein, there be appropriated and paid to Her Majesty, Her Heirs and Successors, in this; Colony, for the support and maintenance of the said Light House on Cape Race, in this Island, and for the other purposes referred to in the said recited Act, and according to the provisions of the Laws now in force in this Colony for the erection and maintenance of Light Houses, a Toll or Duty of One-Sixteenth of a Penny Stirling, per Ton, Upon the tonnage burthen of every such Ship as is hereinafter mentioned, on and for every voyage of such Ship navigating between the following places, that is to say:—

Upon the Tonnage Burthen of all Ships or Vessels navigating on any voyage from any Port in this Colony to any Port in the United Kingdom of Great Britain and Ireland:

Upon the Tonnage Burthen of all Ships or Vessels bound from any Port in this Colony upon any Transatlantic voyage:

Upon the Tonnage Burthen of all Ships or Vessels arriving at any Port in this Colony immediately after any Transatlantic voyage.

II. The Receiver General of this Colony shall, Quarterly, render an account to the Office of the Committee of Privy Council for Trade, of the said Duties or Tolls that shall be taken and received in this Colony; and also an account of the particulars of the Vessels which have paid such Duties or Tolls, giving the names of such Vessels and the Ports to which they belong, their Tonnage, rate of Toll, and the amount paid by each Ship or Vessel.

III. All Dues or Tolls to be levied and appropriated as aforesaid, under this Act, shall be paid over by the Receiver General to Her Majesty's Paymaster General, at such times and in such manner as the Board of Trade in the United Kingdom may direct, and shall be applied, paid and dealt with by him, for the purposes aforesaid, and in such manner, as such Board may direct.

IV. Nothing in this Act shall in any way apply to any of the Ships of Her Majesty, Her Heirs and Successors.

V. The Board of Works of this Island, established under and by virtue of an Act of the Legislature of this Colony, in the Eighteenth and Nineteenth Years of the Reign of Her Majesty, entitled "An Act for the Establishment of a Board of Works," shall have the control and management of the said Light House on Cape Race, subject to the provisions of the said Act.

VI. As soon as Her Majesty shall issue an Order in Council for the purpose, or otherwise authorise the extension of the provisions of "The Merchant Shipping Act Amendment Act, 1855," for the support of the Light House erected at Cape Pine, on the Western Coast of this Island, it shall be lawful for the Receiver General to pay over to the Paymaster General aforesaid, a further sum equal to One-Sixteenth of a Penny, Sterling, per Ton, out of the Light Dues payable under the Laws of this Colony in respect of all Vessels arriving at or departing from any of the Ports or Places mentioned in the First Section of this Act, or such other Vessels, or such other Ports or Places, as shall be stated in any such Order or Authority as aforesaid; which sum shall be applied, in manner aforesaid, towards the support of the said Light House at Cape Pine, subject to all the Regulations aforesaid.