

Application.

Supreme Court of Judicature for this Province, by any person who shall sue and prosecute for the same, together with costs of suit; and on recovery, one moiety thereof to be applied to the person who may sue and prosecute, and the other moiety to be paid into the Treasury of the Province, for the use of the Government thereof.

Commissioners to board Vessels, &c. to be appointed for certain Ports or Districts.

Their duty.

VII. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, to appoint three Commissioners resident at the City of Saint John, for the Harbour and River Saint John and the Bay of Fundy, and the Harbours and Inland Waters of the County of Charlotte; and also three Commissioners residing at Miramichi, in the County of Northumberland, for the Rivers, Harbours, Inland Waters and Coasts of this Province, within the Gulph of Saint Lawrence; which Commissioners so to be appointed, or any one of them, shall be empowered as they are hereby required and directed respectively, to go on board as often as need be any such Steam Vessel; and in the event of any such Steam Vessel departing or navigating without being equipped with boats, or furnished with fire buckets and lanterns as aforesaid, as is prescribed and directed in and by this Act, it shall be the duty of such Commissioners respectively, or some or one of them, to report the same to the Lieutenant Governor or Administrator of the Government for the time being, in order that the party or parties so offending may be proceeded against in the manner prescribed in and by the said sixth section of this Act.

Commissioners empowered to make regulations for the management of Steam Vessels to prevent collisions.

VIII. And be it enacted, That the Commissioners at the respective places before mentioned, or any two of them, shall have full power and authority, and are hereby required to make such Rules and Regulations for the better management of Steam Vessels in navigating the Inland Waters and Harbours of this Province, and on the Coast within the district thereof, for which they may be appointed, by directing the shewing of a light or lights during the night, the shore to be kept nearest to when ascending and descending the River Saint John and other Rivers, and how Sailing Vessels shall be passed in order to prevent collision and accidents; and every Master, Commander or Owner violating such Rules and Regulations, shall be subject not only to the penalties of the sixth section of this Act, but also be liable for any damage sustained in consequence of such violation.

In actions for damages sustained, the fact of exploding, &c. to be *prima facie* evidence of carelessness.

IX. And be it enacted, That in all cases where any damage or injury shall be sustained by any person or persons being a passenger or passengers on board any Vessel propelled by Steam, by the exploding, collapsing, blowing up, or giving way of any part of the machinery of such Vessel, the fact of such exploding, collapsing, blowing up, or giving way shall in all actions to be prosecuted against the Master or owner of such Vessel by the person or persons so sustaining injury, be taken to be *prima facie* evidence of carelessness and negligence in such Master or owner.

Limitation.

X. 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 forty seven.

CAP. XLIII.

An Act further to facilitate the means of supplying the City of Saint John with Water.

Passed 13th April 1844.

Preamble.

‘ WHEREAS the incorporation of the Saint John Water Company has proved highly beneficial to the public, and the copious supply of Water gratuitously afforded by the said Company for the extinguishment of the several calamitous fires which have so frequently occurred in the said City, has been the means, under Providence, of preserving the said City from almost total destruction; and it is just and reasonable that property thereby deriving benefit from the said Company, should in future be made liable to contribute towards the charges and expenses of establishing, upholding and preserving the same;’

Corporation to call in outstanding Stock.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Saint John Water Company, and they are hereby required within six calendar months after the passing of this Act, by Public Notice in any two or more of the Newspapers published in the said City, to require all Stockholders in the said Company who may not have paid in the whole amount of their capital stock, or the representative or representatives of such Stockholders, to pay in all the residue of the same