

( MAY 21. )

[ 1858 ]

( No. 180. )

2 W. 4, c. 9.

the Reign of His late Majesty King William the Fourth, intituled *An Act for maintaining Light Houses within the Bay of Fundy*, when under thirty five Tons, twelve shillings per annum, from thirty five to fifty Tons, twenty five shillings per annum, from fifty to seventy five Tons, thirty shillings per annum; and for all such Vessels over seventy five Tons, thirty five 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.

Duties to be collected and applied as in Act 2 W. 4, c. 9.

III. And be it enacted, That the several Rates and Duties imposed by this Act shall be levied, collected, paid, received, recovered and applied as directed in and by the provisions of the 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 in the Bay of Fundy*.

#### CAP. LXXXVII.

An Act to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof.

Passed 14th April 1845.

Preamble.

7 & 8 V, c. —.

**W**HEREAS by an Act of Parliament made and passed in the seventh and eighth years of the Reign of Her Majesty Queen Victoria, intituled *An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen*, it is in and by the sixty first section thereof, among other things, enacted, that the said Act shall not extend or apply to any Ship registered in or belonging to any British Colony having a Legislature, or to the Crew of any such Ship while such Ship shall be within the precincts of such Colony; by reason whereof, the provisions of the said Act, so far as the same relate to Ships or Vessels registered in or belonging to this Province of New Brunswick, or to the Crew of any such Ship while such Ship shall be within this Province, do not extend to the same;

3 V. c. 62, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to make more effectual provision for the regulation of Seamen in this Province*, be and the same is hereby repealed.

No Capias for a debt contracted without the allowance of the Master of the Vessel, while within the precincts of the Province, to have effect against a Seaman belonging to a Provincial Vessel, until after the voyage.

II. And be it enacted, That immediately after the passing of this Act, if any person or persons in this Province shall trust or give credit to any Mariner or Seaman belonging to any Ship or Vessel registered in or belonging to this Province, while such Ship shall be within the precincts of this Province, without the knowledge or allowance of the Master or Commander thereof, no Capias or other process of arrest of the person of such Mariner or Seaman, for any debt so contracted, shall be issued against or secured upon the person of such Mariner or Seaman, until he shall have performed the voyage which he may be then entered upon, and be discharged of the same; and every such process so issued shall be deemed and adjudged utterly void in Law; and any one Justice of the Court from which such process shall issue, or Justice of the Peace, in case the debt demanded may not exceed five pounds, to whom it shall be made to appear that any Mariner or Seaman is committed or detained, upon process granted for any such debt, contracted while he was engaged and actually entered and on pay on any voyage, shall forthwith order his release.

Seamen refusing to do duty, &c. may be committed to gaol by Warrant of a Justice of the Peace.

III. And be it enacted, That if any Mariner or Seaman having shipped himself on board of any such Ship or Vessel so within this Province, or which hath been launched, or is actually preparing for Sea, to proceed on any voyage, and upon pay, shall neglect his attendance or refuse to do his duty on board, or shall absent himself without leave from his said service, upon complaint thereof made on oath or affirmation (in the case of persons allowed by Law to affirm), by the Owner, Consignee, or Master, or other Officer of said Ship or Vessel, to any Justice of the Peace within the said County, such Justice is hereby empowered to cause such Mariner or Seaman to be forthwith brought before him by Warrant, and upon conviction of his neglecting his attendance, or refusing to do his duty on board, or absenting himself without leave as aforesaid, to commit such Mariner or Seaman to prison, that he may be secured and forthcoming to proceed on the voyage he has so agreed for, and to be delivered by order of the Justice who committed him, or some other Justice in the same County; and all necessary