



The Royal Gazette.

No. 643.]

FREDERICTON, N.B., WEDNESDAY, NOVEMBER 16, 1853.

[PAGE 6605.]

All Official Notifications appearing in this Paper, duly authenticated, are to be received as such by the persons whom they may concern

BY AUTHORITY.

ANNO DECIMO SEXTO VICTORIÆ REGINÆ.

CAP. LXVIII.

An Act to continue the Act suspending the operation of certain provisions of the Militia Laws.

Passed 14th April 1853.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourteenth year of the Reign of Her present Majesty, intituled *An Act to suspend the operation of certain provisions of the Militia Laws*, is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty six.

14 V. c. 39,
continued.

2. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

Suspension clause.

[This Act was specially confirmed, ratified, and finally enacted, by an Order of Her Majesty in Council, dated the 24th day of October, 1853.]

CAP. LXIX.

An Act relating to the Coast Fisheries, and for the prevention of Illicit Trade.

Passed 3rd May 1853.

Section.

1. Vessels hovering within three miles of the coast may be boarded.
2. Proceedings when Master refuses to depart.
3. Foreign vessels fishing or preparing to fish, and their cargoes, forfeited.
4. Vessels and goods may be seized. Penalty for obstructing officers.
5. Custody of vessels and goods seized.
6. Proceeds of condemned vessels and goods, how applied and distributed.
7. Penalties and forfeitures, how prosecuted.
8. Vessels and goods to be delivered on security.
9. Suits, how brought and prosecuted. Oral evidence as to seizing officer.
10. Burden of proof to rest with claimant.
11. Claim for property seized to be under oath.
12. Security to be given before claim entered.
13. Month's notice to officer before action.
14. Limitation of action against seizing officer.
15. If Judge certifies probable cause for seizure, no costs allowed.

Section.

16. Amends may be tendered within one month.
17. Limitation of actions for penalties.
18. Appeals, within what time to be prosecuted.
19. Coasting Vessels to have narrow plank or iron extending aft of stern post.
20. Forfeiture for destroying nets, if not so provided.
21. Vessel or Boat under fifteen tons to have distinguishing number on bows and mainsail.
22. Color of numbers in Bay of Fundy and Gulf of Saint Lawrence respectively.
23. Vessel or Boat without distinguishing number, to be seized and forfeited.
24. Penalty for false or fraudulent description of vessel or boat.
25. Penalty for false or fraudulent proceedings with reference to Vessels above fifteen tons burthen, or Foreign Vessels.
26. Lieutenant Governor may grant Commission of the Peace to Officer in command of Her Majesty's Vessel of War, while protecting the Fisheries.
27. Definition of terms.
28. Suspending clause.

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

1. Officers of the Provincial Treasury, and any other person duly appointed by the Lieutenant Governor in Council for that purpose, may go on board any vessel or boat within any Harbour in this Province, or hovering within three marine miles of any of the coasts or harbours thereof, and stay on board so long as she may remain within such place or distance.

Vessels hovering
on the coast.

2. If such vessel or boat be bound elsewhere, and shall continue within such Harbour or so hovering for twenty four hours after the master shall have been required to depart, any one of the officers or persons above mentioned may bring such vessel or boat into port, and search her cargo, and also examine the master upon oath; and if the master or person in command shall not truly answer the questions demanded of him in such examination, he shall forfeit one hundred pounds; and if there be any prohibited goods on board, then such vessel or boat, and the cargo thereof, shall be forfeited.

Proceedings on
refusal to depart.