

His office,
books and
seal.

6. The port warden shall, at his own expense, keep an office during the season of navigation, and shall have a seal of office, and the necessary books, in which all his acts as port warden shall be recorded, which books shall be open for inspection on payment of a fee of twenty-five cents. 37 V., c. 32, s. 3.

DUTIES AND POWERS OF PORT WARDEN.

Port warden
on request
to examine
and note the
condition of
cargo, &c.,
on any
vessel.

7. The port warden shall, at the request of any person interested, proceed in person on board of any vessel for the purpose of examining the condition and stowage of her cargo; and if there are any goods damaged on board of such vessel, he shall inquire, examine and ascertain the cause of such damage, and make a memorandum thereof, and enter the same in full on the books of his office. 37 V., c. 32, s. 4.

Survey if
bulk has
been broken
before
arrival in
port.

What shall
be *prima
facie* evi-
dence of
improper
stowage.

8. The master of any vessel which has broken bulk for the purpose of lightening such vessel or other necessary purpose, previous to her arrival in any harbor for which there is then a port warden, shall, immediately on the discovery of any damaged cargo, proceed to have a survey held on the same in the manner herein prescribed, before the same is moved out of the place in which it was originally stowed; and if, after the arrival in port of any vessel from beyond the seas, or from a passage over any of the great lakes contiguous to the Province of Ontario, which has not had occasion to lighten, break bulk, or otherwise discharge any portion of her cargo before coming into the harbor, the hatches of such vessel have been first opened by any person not a port warden, and the cargo or any part thereof comes from on board such ship in a damaged condition, such facts shall be *prima facie* evidence that such damage occurred in consequence of improper stowage or negligence on the part of the persons in charge of the vessel and such default shall, until the contrary is shown, be chargeable to the owner, master or other persons interested as part owner or master of the said vessel. 37 V., c. 32, s. 5.

Port warden
on request
to ascertain
cause of
damage to
any goods.

9. The port warden shall, when required, proceed to any ship, steamer or other vessel, warehouse, dwelling or wharf, and examine any merchandise, vessel, material, produce or other property, said to have been damaged on board of any vessel, and inquire, examine and ascertain the cause of such damage, make a memorandum thereof, and of such property, and record, in the books of his office, a full and correct statement thereof. 37 V., c. 32, s. 6.

To be sur-
veyor of
wrecks or
damaged
vessels.

10. The port warden shall, when required, be surveyor on any vessel which has suffered wreck or damage, or which is deemed unfit to proceed on her voyage; he shall examine the hulls, spars, rigging and all appurtenances thereof, shall specify