

had occasion to lighten, break bulk, or otherwise discharge any portion of her cargo before coming into the Harbor, the hatches of such vessel shall be first opened by any person not a Port Warden, and the cargo or any part thereof shall come from on board such ship in a damaged condition, these 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 be shewn, be chargeable to the owner, master or other person interested as part owner or master of said vessel.

3. 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 complete statement thereof.

4. The Port Warden shall, when required, be surveyor on any vessel which may have suffered wreck or damage, or which shall be deemed unfit to proceed on her voyage: he shall examine the hull, spars, rigging and all appurtenances thereof, shall specify what damage has occurred, record in the books of the office a full and particular account of all surveys held on such vessel: he shall call to his assistance, if necessary, in such survey, one or more carpenters, sail-makers, riggers, shipwrights, or other persons skilled in their profession, who shall each be entitled to a fee not exceeding two dollars for the first survey, and one dollar for each subsequent one on which their services may be required, to aid him in the examination and survey, but no such surveyor must be interested in the case; the Port Warden shall also, if required, be sur-