

NEW BRUNSWICK.

Masters of vessels to deliver, on oath, previous to entry, lists of passengers who embarked.

Render accounts of the latter, and deliver the goods on requisition made.

Penalty on making a false list or account.

Recovery.

Compensation for deficient issues of provisions may be recovered by summary proceedings before two magistrates.

Security for payment of the compensation may be ordered.

No vessel which may have arrived with passengers to be allowed to proceed to sea until all penalties, &c., legally adjudged for violations of the Passengers' Act shall have been paid.

Suspending Clause.

VIII. And be it enacted, that whenever any ship or vessel shall arrive or come from Europe to any port or place within this Province, the master or person having charge of such ship or vessel, before such ship or vessel shall be admitted to entry, shall make oath before the treasurer of the Province, or the deputy treasurer at the port or place where such vessel may arrive, that no passengers embarked or sailed on board such ship or vessel on her said voyage to this Province, or otherwise shall deliver to the said treasurer of the Province, or deputy-treasurer, a schedule or list, in writing, signed by him the said master or person having charge as aforesaid, setting forth the name, profession or employment of every passenger respectively who may have embarked or sailed on board of such ship or vessel on her said voyage, and shall also at the same time deliver to the said treasurer of the Province, or deputy treasurer as aforesaid, a schedule or list, in writing, signed as aforesaid, of the names and ages, or supposed ages of each and every passenger on board such ship or vessel who may have died during the voyage, and an account, in writing, signed as aforesaid, of all property, goods, chattels or effects, if any, on board such ship or vessel belonging to the estate of such deceased passenger, and if required by the treasurer of the Province, or any deputy treasurer as aforesaid, shall deliver such property, goods, chattels and effects to the said treasurer or deputy treasurer immediately after entry, for safe keeping; and if any or either of such schedules or lists, or such account of property shall be false in any particular, then and in every such case the master or person having charge who shall make, sign or deliver the same as aforesaid, shall forfeit and pay the sum of 50*l.* to the use of Her Majesty, to be sued for and recovered by the said province treasurer or any deputy treasurer, by summary proceeding before two magistrates, in the same form and levied in the like manner as is mentioned in the next section of this Act for recovering compensation to passengers.

IX. And be it enacted, that any passenger arriving in this Province in any ship or vessel, who may not during the voyage have received the quantity of provisions to which they were entitled by law, shall recover compensation for the deficiency, in a sum not exceeding 5*l.* from the master or owner or person having charge of such ship or vessel, by summary proceeding before two magistrates, on the oath of one or more credible witness or witnesses, or other competent testimony, or by confession of the party charged, with costs, to be levied by warrant of distress against the goods and chattels of such party, or the tackle, apparel or furniture of the said ship or vessel, directed to some constable of the parish or place where the said ship or vessel may be, and the overplus, after deducting the costs of levy and sale, to be paid to the said master or person having charge of such ship or vessel, or owner as aforesaid.

X. And be it enacted, that such magistrates may grant an order that such master or person having charge of such vessel as aforesaid, shall give security for payment of such compensation, on affidavit showing sufficient cause for requiring such security.

XI. And be it enacted, that no ship or vessel which may have arrived at any port or place in this Province with passengers and emigrants from Europe as aforesaid, shall be cleared out or allowed to proceed to sea until all and every sum and sums of money, penalty or penalties which the master or person having charge of such ship or vessel shall have been legally adjudged to pay for any violation or violations of an Act of the Imperial Parliament, made and passed in the fifth and sixth years of the reign of Her present Majesty, c. 107, intituled, "An Act to regulate the Carriage of Passengers in Merchant Vessels," or of an Act in amendment thereof, made and passed in the 10th and 11th years of the reign of Her present Majesty, c. 103, intituled, "An Act to amend the Passengers' Act, and to make further provision for the Carriage of Passengers by Sea," shall first have been paid and satisfied.

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

(This Act was specially confirmed, ratified and finally enacted, by an Order of Her Majesty in Council, dated the 27th day of June 1848, and published and declared in the Province the 19th day of July 1848.)