

~~CHAPTER IX.~~

An ACT establishing the RATES to be taken for WHARFAGE and CRANAGE of SHIPS and other VESSELS within the limits of this province.

Preamble.

**W**HEREAS the erecting of wharfs and cranes is found to be greatly serviceable and to conduce very much to the ease, benefit and convenience of trade and navigation and the increase of the same, and for as much as the proprietors of such wharfs and cranes, have and will be at a considerable expense in building, and keeping the same in repair.

Owners and proprietors of wharfs &c. may demand and receive wharfage.

II. *Be it enacted by the Governor, Council and Assembly*, That it shall and may be lawful to and for the owners and proprietors of wharfs and cranes now built or hereafter to be erected within the limits of this province, to ask, demand, take and receive to and for their several and respective uses, from all ships and vessels that shall use the same from and after the publication of this act the following rates, that is to say, for every vessel not exceeding fifty tons, whilst careening, loading, unloading or lying fast to any wharf after the rate of one shilling for each and every day they may so use the same, and for every vessel of fifty tons and not exceeding one hundred, so using as aforesaid after the rate of one shilling and six pence for each and every day they may so use the same, and for every vessel of one hundred tons and upwards, not exceeding two hundred tons so using as aforesaid, after the rate of two shillings and six pence for each and every day they may so use the same. And for every vessel of two hundred tons or upwards, so using as aforesaid, at and after the rate of three shillings for each and every day they may so use the same.

Masters, &c. of ships, &c. made fast to wharfs and capable of removal, on refusal to remove, shall forfeit 10s.

III. *And be it further enacted*, That every ship or other vessel which at any time shall only lie fast to any or either of the said wharfs, and shall be in a condition capable of being removed, shall be obliged to move off from thence in order to make room for, and suffer any other ship or vessel to load, unload, or careen thereat, and on refusal or failure so to do, after due notice and request thereof to the master or commander, or to any one of the owners of such ship or other vessel, he or they shall forfeit and pay to the owner or owners of such wharf, the sum of two pounds to be recovered upon complaint made, and due proof upon the oath of one or more credible witness or witnesses, before any one justice of the peace in the county, to be levied by warrant of distress and sale of the offender's goods, rendering the overplus, if any be after deducting the cost of prosecution, to the offender.