

Ballast, from on board their Ships and Vessels, to be thrown into the Rivers and Harbours within this Province; whereby many safe and very good Harbours are already spoiled, or rendered dangerous; which Practice, if not timely prevented, will be very hurtful to the Trade and Navigation of *Great-Britain*, and entirely destructive to the Trade and Navigation of this Province. And whereas the said pernicious Practices have been continued and carried on, because, by the Laws heretofore made, Masters of Ships and Vessels, or other Persons who have had the Charge and Command of Ships and Vessels, and who therefore might and ought to have prevented the said mischievous Custom, have not been subject to any Penalty for neglecting their Duty therein: Wherefore it is prayed that it may be Enacted;

C H A P.
XVI.

II. And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the Publication of this Act, any Ballast shall be taken, unladen, or cast out of any Ship, or other Vessel, on any Pretence whatsoever, within the Limits hereafter mentioned, but in the Day-Time, *That is to say*, Between the Rising and Setting of the Sun; or if any Ballast shall be unladen, or taken out of any Ship or Vessel in the Bay of *Chesapeak*, above *Cedar-Point*, below the Mouth of *Patuxent* River, in any River, Creek, or Harbour, within this Province, and cast into the Bay above *Cedar-Point* aforesaid, or into any River, Creek, or Harbour, below High-water Mark, that the Master, or other Person having the Charge or Command of such Ship or Vessel, shall forfeit and pay the Sum of Fifty Pounds Current Money; one Half thereof to the Lord Proprietary, for the Support of Government; the other Half to him or them who will sue for the same: To be recovered in any Court of Record within this Province, by Action of Debt, Bill, Complaint, or Information; wherein no Effoin, Protection, or Wager of Law, to be allowed.

Ballast not to be unladen, but between the Rising and Setting of the Sun, nor thrown into the Bay above *Cedar-Point*, nor into any River, Creek or Harbour below High Water Mark.

Penalty 50 l. Currency.

III. And be it Enacted, by the Authority aforesaid, That no Person whatsoever, shall presume to build any Wear or Hedge cross any River, Creek or Branch, below any Public Landing Place, so as to Prejudice or Dam up the Channel, or to Obstruct the Passage of Boats, on Pain of forfeiting Ten Pounds Current Money of *Maryland*: To be recovered in the proper County Court, by Action of Debt, Bill, Complaint or Information, wherein no Effoin, Protection, or Wager of Law, shall be allowed.

Wear or Hedges not to be built cross any River, &c. so as to prejudice the Channel, &c.

IV. And to the End, that all Masters, and other Persons having the Command or Charge of Ships or Vessels, may have due Notice of this Act, and not pretend Ignorance; Be it Enacted, by the Authority aforesaid, That every Naval-Officer within this Province, shall set up and keep fixed, in some public Place in his Office, a Copy of this Act; (for which Copy the said Naval-Officers shall be allowed Ten Shillings in the Public Levy) on Pain of forfeiting Ten Pounds Current Money of *Maryland*; to be recovered as aforesaid, to the Uses aforesaid.

Copies of this Act to be set up in the Offices of Naval Officers.

V. And be it further Enacted, That an Act, entitled, *An Act for the Preservation of the several Harbours within this Province*, made at an Assembly held at *Annapolis*, the Fifth Day of *December*, in the Year of our Lord One Thousand Seven Hundred and Four, shall be, and is, by virtue of this Act, repealed and abrogated.

Repeal of 1704, ch. 90.

VI. This Act to continue for Three Years, and until the End of the Session of Assembly which shall next happen after the End of the said Three Years.

Duration.

This Act was farther continued by 1740, ch. 8; and 1744, ch. 6; for 3 Years, &c. but by 1747, ch. 13, is made PERPETUAL.

Examined and Compared with the Original Act, REVERDY GHISELIN, THOMAS BACON.