

THE GLEANER

AND
NORTHUMBERLAND SCHEDIASMA.

VOLUME III.]

"Nec arancorum sane texus ideo melior, quia ex se fila gignunt nec noster vilior quia ex alienis libamus ut apes."

No. 30.

MIRAMICHI, TUESDAY MORNING, APRIL 3, 1832.

THE GLEANER.

NEW BRUNSWICK.

An Act to alter the name of the Shire Town in the County of Kent from Liverpool to Richibucto.

Passed 9th March 1832.

WHEREAS much inconvenience arises in consequence of the Shire Town of the County of Kent being called Liverpool: And whereas the name of the Shire Town would be more suitable if called after the river running through the said Shire Town;

Be it therefore enacted by the Lieutenant Governor, Council, and Assembly, that from and after the passing of this Act, the Town or Parish in the said County of Kent now called Liverpool, the same being the Shire town of the County, shall be called and known by the name of Richibucto; any Law to the contrary notwithstanding.

An Act to continue and amend the Acts relating to the support and relief of confined Debtors.

Passed 9th March, 1832.

I. Be it enacted by the Lieutenant Governor, Council, and Assembly, That an act made and passed in the tenth and eleventh years of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal all the Acts now in force for the support and relief of confined Debtors, and to make other and more effectual provision in lieu thereof*; and also an Act made and passed in the first year of his present Majesty's reign, intituled *An Act to amend the Laws in force relating to insolvent confined Debtors*, be and the same are hereby continued, (excepting so much of the same as is hereby repealed, altered or amended) and together with this Act declared to be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and thirty-four.

II. And be it further enacted, That the second section of the said hereinbefore recited Act be and the same is hereby repealed, and in lieu thereof, Be it enacted, that whenever any person may be confined within any Gaol or the limits thereof, within this Province, for any Debt, damages or costs, whether on mesne or final process, and such persons so confined shall be unable to provide or obtain his or her necessary support, it shall and may be lawful for such person, after fourteen days' confinement, to make application to any Judge of the Supreme Court or any two Justices of the Inferior Court of Common Pleas of the County where such person shall be confined, for a weekly support or maintenance; and such Judge or Justices after fourteen days' previous notice to the Plaintiff or person at whose suit such person may be confined, his or her Attorney, shall examine on oath such person so confined as to his or her ability to support himself or herself, and if on examination to be taken in writing on oath as aforesaid, to be filed in the office of the Clerk of the Court out of which such process may have issued, it shall appear to such Judge or Justices that such person is utterly unable to support him or herself, and has no property whatever real or personal, of what nature or kind soever, except necessary bedding wearing apparel, Kitchen utensils and necessary tools of his trade or occupation, not exceeding in value in the whole fifteen pounds, and that such confined person hath not, at any time since he or she was served with the first or mesne process in the suit in which he or she have been confined, or since he or she had notice of the said suit having been commenced, made over, assigned, transferred, or put out of his or her possession or power, either directly or indirectly, any property whatsoever, whether real or personal, for the purpose

of defrauding such plaintiff, or giving any undue preference to any other plaintiff or creditor, that then it shall be lawful for such Judge or Justices to make an order for the party at whose suit such person may be confined to pay a weekly sum to be applied for the support of such person; whose sum shall be paid weekly, and the first payment to be made at the time such Judge or Justices may in such order direct; and from the first day of November, until the last day of March shall be five shillings per week, and the remainder of the year four shillings per week; and after such order made, it shall be the duty of such party without any further notice, to pay such weekly support agreeably to such order, and in case of failure thereof it shall and may be lawful for any such Judge or Justices as aforesaid, on such failure being made known to him or them, to make an order under his or their hands, directed to the Sheriff or Jailor, to discharge the said person out of confinement by reason of such suit; Provided that nothing in this act shall prevent any Plaintiff from prosecuting his or her suit, if on mesne process, to final Judgment, or from taking out *Fieri Facias* against the Goods and Chattles, Lands and tenements of such Defendant, or from recovering in any other manner the amount of the judgment obtained in the suit, so always that the person of any debtor so discharged shall be freed from arrest in any proceeding or action upon such judgment; and provided also that in any case where two Justices of the Inferior Court of Common Pleas cannot attend, that then it shall and may be lawful for any Justice of the Peace of the County, being of the Quorum, to act in the stead of such Justice of the Inferior Court of Common Pleas who shall not attend upon such Examination.

An Act to empower the Deputy Treasurer at Miramichi to recover from the Commissioners of Buoys and Beacons for the County of Northumberland, the balance of monies now remaining in their hands

Passed 9th March, 1832.

Whereas in and by the fourth section of an Act made and passed in the tenth year of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal an Act, intituled, An Act for the better security of the navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester*, it is provided that the Commissioners to be appointed under the said Act shall have full power and authority to call upon the Deputy Treasurer of their respective Districts; and the persons to be by him appointed, for such sum and sums of money as they shall from time to time respectively have collected under and by virtue of the said Act: And whereas also in and by the seventh section of the said Act it is further provided, that the balance (if any) of the monies so received by them, in the hands of the said Commissioners of the Harbours respectively on the twentieth day of December, in each and every year, shall be applied by the said Commissioners, or the major part of them for the purpose of further improving the navigation of the said Bays and Harbours: And whereas it appears by the accounts of the Province Treasurer that a large sum is now unexpended in the hands of the said Commissioners for the County of Northumberland, which will not required for the purposes contemplated by the said Act;

I. Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, That it shall and may be lawful for the Commissioners of Buoys and Beacons for the County of Northumberland, and they are hereby authorized and required, forthwith to pay

over to the Deputy Treasurer at Miramichi the amount of balance at present remaining in their hands respectively, on account of monies received by them under the said Act; and the said Deputy Treasurer is hereby empowered to receive such balance, and to render a separate account of the same, together with any surplus that may arise hereafter; the said sum or sums to be disposed of as the Legislature may hereafter direct.

II. Be it further enacted, That in case the said Commissioners, or either of them, shall neglect or refuse to pay the same over into the hands of the Deputy Treasurer at Miramichi by the first day of June next it shall and may be lawful for the said Deputy Treasurer, and his hereby required, to sue for and recover the same, in his own name, in the Supreme Court of Judicature, or any other Court of Record; the same when recovered to be applied as is directed in and by the first section of this Act.

An Act to amend an Act passed in the first Year of the Reign of His present Majesty King William the 4th, intituled *An Act to make more effectual provision for preventing the importation and spreading of infectious distempers within the Towns and Settlements in the Counties of Charlotte and Northumberland*.

Passed 9th March, 1832.

Whereas the above recited Act has not been found to be sufficiently effectual to prevent the introduction of infectious distempers into the said Counties of Charlotte and Northumberland;

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that all the provisions, pains and penalties of the said recited Act shall be; and the same are hereby extended and applied to all vessels having passengers on board, which shall or may at any time, after the passing of this Act arrive at any Port or Place within the said Counties, whether such vessel or vessels shall or may have any sickness or infectious distempers on board or not, as fully to all intents and purposes as if this Act had been embodied with and made a part of the said recited Act, so far as the same are applicable.

II. And be it further enacted, that this Act shall continue and be in force as long as the said recited Act, of which this is an amendment, and no longer.

A REG'LAR YANKEE STORY!—In the year— the ship—, of—, was on the coast of Japan, after the sperm whales; she had been unusually successful, and was early full, when one day, two of her boats being out, the headmost one struck a large female whale, who, having at the time a young one in company, was unusually fierce; upon being wounded, before they could "stern all," she raised her tail, and with a tremendous blow, stove the boat in pieces, killing and wounding every one on board but one sailor, who, on finding himself in the element, seized upon an oar for his support, until he could be picked up by another boat. The whale had not done all the injury she intended, for upon looking around and spying Jack upon his frail support, she made towards him with open jaws, and—swallowed him, ear and all! For a few moments, Jack was utterly confounded, but having recovered, began to think how he should extricate himself from his unpleasant situation. The entrance to the abyss looked too well defended by a row of teeth, for him to make his exit that way, while the monster was in her native element, and not having Jonah's journal, that he might do as his predecessor had done before him, he well nigh gave up in despair—but "*nil desperandum*" is Jack's motto; he at last bethought himself of the only remedy which was in his power, and