

The Gleaner

AND

NORTHUMBERLAND SCHEDIASMA.

VOLUME III.]

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

No. 31.

MIRAMICHI, TUESDAY MORNING, APRIL 10, 1832.

THE GLEANER.

NEW-BRUNSWICK.

An Act to provide against the importation and spreading of Distempers in the Counties of Westmorland, Gloucester and Kent.

Passed 9th March, 1832.

"Whereas from the arrival of shipping from foreign ports to the different Harbours of Shediac, and at the head of the Bay of Fundy in the County of Westmorland; and also in the Harbours of Richibucto, Buctouche and Cocagne in the County of Kent; Restigouche, Bathurst, Carraquet and Shippegan in the County of Gloucester, it has become expedient to make regulations to prevent the importation of infectious distempers."

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That on vessel having on board the small Pox, Yellow fever, putrid Billious Fever; or other pestilential and contagious distemper, or coming from any place infected with such distempers, or at which any such distempers at any time of her departure were known or supposed to prevail, or on board of which vessel any person during the voyage had died, or been sick of any such distemper, or having on board passengers, shall come or proceed or be navigated further from the sea into the Bay of Fundy towards any port or place in the County of Westmorland, or further from the sea into the Harbours of Bay de Verte and Shediac in the County of Westmorland, or further from the sea into the Harbours of Restigouche, Bathurst, Carraquet, and Shippegan, in the County of Gloucester, or further from the sea into the Harbour and Rivers of Richibucto, Buctouche and Cocagne in the County of Kent, than such place or places as the Justices of the Peace in such Counties of Westmorland, Gloucester and Kent at their General Sessions of the Peace, or at any Special Sessions to be for that purpose convened, shall in such Counties respectively order and appoint, until such vessel shall have been duly inspected and examined by the Physician or Physicians, or health Officer, to be for that purpose as hereinafter mentioned appointed, and shall have received a license for that purpose from two of his Majesty's Justices of the Peace; and in case such License shall be denied and it shall be judged expedient by the Justices of the Peace of the said Counties respectively, or by any two of them that such vessel with her Cargo and all persons on board shall ride or perform quarantine, the Master or Commander of such vessel for the time being shall forthwith cause such vessel with all the persons, goods and cargo on board thereof, to be removed to and anchor at such place and for such length of time, not exceeding forty days, as the said Justices or any two of them in either county shall direct and appoint; and during the time such vessel shall be performing such quarantine, the Master or Commander thereof shall not permit any intercourse between the persons on board such vessel and the shore or shores, or any other vessel in the said harbour or harbours, except under the direction of the said physician or physicians; and the Master or Commander of any such vessel, and all and every such person or persons belonging to or being on board of such vessel, who shall disobey any such orders and directions as aforesaid, or shall neglect to execute and perform the same, or who shall come on shore or go on board of any other vessel within the said Harbour or Harbours, or shall presume to bring or put, or aid or assist in bringing and putting on shore or on board any other vessel as aforesaid, any person or any goods from any such vessel so having come to anchor or which shall be ordered to perform quarantine as

aforesaid, without the licence or permission of the said physician or physicians being for that purpose first obtained, shall for each and every offence severally forfeit and pay a sum not less than fifty pounds nor more than two hundred pounds current money of this Province

II. And be it further enacted, That the Master or Commander of every vessel having on board any pestilential or contagious distemper, or coming from any place infected with such distemper or distempers, or at which any such distemper or distempers, at the time of her departure was known or was supposed to prevail, or on board of which vessel any person during the voyage had died or been sick of any such distemper, shall immediately after her arrival at such place or places as shall be appointed as aforesaid by the Justices of the Peace of the said counties respectively in General or Special Sessions convened, hoist such Vessel's Ensign with the Union down, or if there be no Ensign on board then he shall hoist such other colours as shall be on board, in the starboard main rigging, and continue the said signal so hoisted, until a license be had to remove the same from the said Justices or any two of them for the said counties respectively, under the penalty of twenty pounds for each and every offence.

III. And be it further enacted, that the several Branch Pilots in the aforesaid counties of Westmorland, Gloucester, and Kent respectively shall be furnished with printed or written instructions containing such memorandum or abstract of the Provisions of this Act, and of the regulations to be made in pursuance thereof, as the said Justices of the Peace of the said counties respectively at any General or Special Sessions may direct, and such instructions shall in all cases contain a notice to the following effect, "That the master or commander of any such vessel shall not put on shore, or on board of any other vessel or suffer any other persons to go or put on shore or on board of any other vessel, any person or goods out of the said Vessel, until such Vessel shall have been so inspected by the Physician or Physicians, health officer or officers and his or their license for that purpose obtained, under the penalty of not less than fifty pounds nor more than two hundred pounds, and further that the said master or commander shall cause the said vessel's Ensign or such other colours as shall be on board to be hoisted in the starboard main rigging (if the Ensign with the Union down,) and shall continue the same so hoisted until leave be granted by two Justices of the Peace to remove the same, under the penalty of twenty pounds;" and it shall be the duty of the said Pilots respectively on first boarding any vessel coming into any of the said Harbours to read such notice to the master or commander of such vessel, or to communicate to him the purport and effect of such notice, and any Branch Pilot or person having charge of any vessel who shall neglect his duty in this respect shall for the first offence forfeit and pay the sum of ten pounds, and for the second offence, in addition to the further penalty of ten pounds, be prevented forever from holding a Branch.

IV. And be it further enacted, That the provisions of the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth sections of an Act made and passed in the first year of the reign of His present Majesty King William the Fourth, 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*, shall extend and be construed to extend to the counties of

Westmorland, Gloucester and Kent, and shall be taken and considered as part and parcel of this Act.

V. And be it further enacted, That this Act shall continue and remain in force until the first day of January one thousand eight hundred and thirty seven.

An Act to amend an Act passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled *An Act for the more easy and speedy recovery of small Debts.*

Passed 9th March, 1832.

"Whereas it is necessary for the purposes of Justice, that the expence attending suits at law should bear a reasonable proportion to the amount of injury sustained: And whereas also in order in some measure to accomplish this object, it is expedient in cases involving damages comparatively trifling, to establish a summary and cheap remedy:"

I. Be it enacted by the Lieutenant Governor, Council, and Assembly, That the eighteenth section of an Act made and passed in the fiftieth year of the reign of King George the Third, intituled *An Act for the more easy and speedy recovery of small Debts*, be and the same are hereby repealed.

II. And be it further enacted, That the jurisdiction of the Justices of the Peace in the said Act mentioned shall also be held and is hereby made to extend to all actions of trespass, trover, and other wrongs where the amount of the damages demanded for the injury or wrongs complained of shall not exceed forty shillings, except in cases where the title to lands shall come in question, and except also cases for libel or slander; and the judgment of any of the said Justices, or the verdict of the Jury in favor of the said plaintiff, for such sum as he or they may think proper, not exceeding the said forty shillings, shall be a full determination of the whole matter laid before him or them, and a bar to the recovery of any further damage for the same, or any part of the same matter, injury or wrongs, although the damage may be much greater than the said sum of forty shillings.

III. And be it further enacted, That the same proceedings shall be had in all cases arising under or by virtue of this Act, where the same are applicable, as are provided in and by the said above recited Act, as fully as if this Act were incorporated with and made a part of the said above recited Act.

IV. And be it further enacted, That so much of the seventeenth Section of the above in part recited Act as relates to the fees of Constables for serving subpoenas be repealed, and in lieu thereof a sum not exceeding one shilling be allowed for serving each and every subpoena, including mileage and all other fees.

An Act to amend an Act, intituled "An Act to repeal all the Laws now in force for regulating and repairing the Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same."

Passed 9th March, 1832.

I. Be it enacted by the Lieutenant Governor, Council, and Assembly, That whenever an alteration is made in any Highway or Road in the Province pursuant to the provisions of the said in part recited Act, and the part or parts of such road or highway between the points of such alteration are not settled by the erection of dwelling houses thereon, and where the alteration so made shall not cut off any proprietor from the road so altered, then and in such case it shall and may be lawful to and for the Commissioners of High