

An Act to continue and amend the Acts relating to Statute Labour on roads.

for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of righways in the several Towns and under the penalty of twenty pounds for each and every offence.

Parishes in this Province, and make more effectual provision for the same; and IV. And be it enacted, That no Master or Commander of any vessel arriving purified, the said Physicians shall report the same to the Mayor or also an Act made and passed in the second year of the same reign, intituled An in the Bay of Fundy, and having on board any pestilential or contagious distem-

the same is hereby repealed; and in lieu thereof.

aforegoing description of persons, shall work four days.

first recited Act be and is hereby repealed; and in lieu thereof, such office be required to do any work on the highways; and where any Sur- shall be on board) to be hoisted in the larboard main rigging, before the said so landed, then and in such case the constables appointed as aforeveyor is required to superintend work more than six days, he shall be entitled vessel shall come abreast of Partridge Island, and shall continue the same so said, are hereby authorized and required to keep and detain such person or perveyor is required to superintend work more than six days, he shall be entitled vessel shall come abreast of Partridge Island, and shall continue the same so said, are hereby authorized and required to keep and detain such person or perveyor is required to superintend work more than six days, he shall be entitled vessel shall come abreast of Partridge Island, and shall continue the same so said, are hereby authorized and required to keep and detain such person or perveyor is required to superintend work more than six days, he shall be entitled vessel shall come abreast of Partridge Island, and shall come abreast of P to receive five shillings for every day beyond that time, out of any monies col- hoisted until leave be granted by the said Physician or Phisicians to remove the sons at the place or any one of the places appointed as aforesaid, for the said perif he paid the same in money

tenth section of said first recited Act.

CAP. XXI.

City of Saint John.

Passed 19th March 1633.

'been found inadequate;'

an Act made and passed in the tenth and eleventh years of the reign of His be a pilot, he shall forfeit and pay the sum of twenty pounds. late Majesty King George the Fourth, intituled 'An Act to repeal all the Acts VI. And be it enacted, That the Mayor, Aldermen and Commonalty of the

same are hereby repealed.

John, having on board the small pox, yellow fever, or other pestilential or contagious distemper, or coming from any port or place infected with any such he said Physicians, on such inspection and examination, shall coning passengers on board from any port or place in the world (save and except in this Province, Cauada, Nova Scotia, Prince Edward Island, Newfoundland, and the United States of America to the Northward of Boston), between the first day of May and the first day of November in any year, or on board of which said vessel any person during the voyage had been sick or hal died of any such distemper, shall come, proceed, or be navigated or conducted further from the eastern point of Patridge Island and extending till it reaches the share to the Northward of Black Point, or in case the Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, sha'l by their order or notice in writing grant permission, further or higher up than a line to run from the Breakwater to Sand Point in Carleton, until such vessel shall have been duly inspected and examined by the Physician or Physicians to be for that purpose appointed as hereinafter mentioned, nor until the said Physician or Physicians shall signify his or their consent and permission in writing that such vessel may proceed without danger to the inhabitants of the said City; and if on such inspection and examination as aforesaid, the said Physician or Physicians shall consider that danger is likely to result to the inhabitants of the said City, from permitting the said vessel to proceed further than the said outer line, or inner line if so ordered by the said Common Council, or if the said Physician or Physicians shall be directed by the said Common Counellso to do, he or they shall order the said vessel to be brought to anchor without the outer line alosesaid, or the said inner line, it so established for that purpose by the said Common Council, and remain there for such space of time, not exceeding three days, to be fixed by the said Common Council, unless the said Common Council of the said City shall ordain and direct that the said vessel shall perform quarantine, in which case the master or commander of such vessel shall either cause the same to temain in the place where she was first brought to anchor under the orders of the visiting Physician or Physicians as aforesaid, or shall forthwith cause the said vessel with all the persons, goods, and cargo on board thereof, to be removed to, and to anchor at such place and for such length of time (not exceeding forty days) as the said Common Council may think proper to direct and appoint, and the same vessel, with the persons, goods or cargo, or either of them. a committee, of the said Common Council, consisting of the Mayor or Recorder and not less than two of the Aldermen of the said City, may at any time discharge from the said quarantine; And during the time such vessel shall be detained by the said Physician or Physicians as aforesaid, or shall be performing such quarantine, the master or commander thereof shall not permit or suffer any intercourse between the persons on hoard the said vessel and the shores on either side of the said harbour, or within the County of Saint John, or between the said vessel and the other vessel or vessels in or near the said harbour, except under the direction of the said Physician or Physicians: and the master or commander of any such vessel who shall bring such vessel further up than either of the lines aforesaid without the permission in writing of the Physician or Physicians aforesaid, and if the inner line, without the permission of the said Common Council in addition thereto, and the master or commander of any such vessel, and all and every other person or persons belonging to and being on board such vessel, who shall disober 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 or vessels within or near to the said harbour, or shall presume to bring or put, or aid or assist in bringing or putting on shore or on board any other vessel or vessels as aforesaid, any person or any goods from any such vessel so detained by such Physicians being for that purpose first obtained, and the permission of the said Common Council, shall for each and every offence forfeit and pay the sum of two hundred pounds of current money of the Province of New Brunswick, or to be imprisoned for a time not exceeding twelve months, in case the same shall not be paid.

III. And be it enacted, That the master or commander of every vessel having on bourd the small pox, yellow fever, or other pestilential or contagious distemper, or coming from any port or place infected with such distempers, or at or near which any such distempers, at the time of her departure, were fection. known or supposed to prevail, or from any port or place in the West In dies, South America, the United States of America, from Boston and the southward of Boston, Bermuda, Africa, or the Mediterranean, or having passengers Mayor, Aldermen and Commonalty of the City of Saint John in Common Council

Canada, Nova Scotia, Prince Edward Island, Newloundland, and the United Judged expedience, may be landed therefrom and conveyed to Partridge States of America to the northward of Boston), between the first day of May ther passengers or otherwise, may be appointed for the Partridge States of America to the northward of Boston), between the first day of May Italy Island, or such other place or places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other place or places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other place or places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other place or places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other places as may be appointed for the reception of per and the first day of November in any year, or on board of which said vessel any Island, or such other places as may be appointed for the reception of per and the pe person had been sick, or had died of any such distemper, before coming abreast sons under such circumstances, in order to facilitate the recovery of those who are person had been sick, or had died of any such distemper, deliver coming aureast sons under street the spreading of disease among such persons so on board such of Partridge Island, at the entrance of the harbour of Saint John, shall cause the infected to prevent the spreading of disease among such persons so on board such of Partriage Island, at the entrance of the narrour of Saint John, shall cause the infected to prove and have the vessel cleansed and fumigated; and said vessel's Ensign (or such other Colour as shall be on board) to be hoisted in vessel, or any other such purpose, and have the vessel cleansed and fumigated; and the larboard main rigging, and shall continue the said signal so hoisted until the the persons so landed as aforesaid shall remain at such places so appointed said vessel shall have been inspected and examined by the said Physician or Phy- as aforesaid until they are restored to health and their clothes thoroughly cleansed. said vessel shall have been inspected and examined by the same, and if detain- if diseased, under the direction of the Physician or Physicians aforesaid, and his or sicians, and a licence he had from him or them to remove the same, and if detain- if diseased, under the direction of the Physician or Physicians aforesaid, and his or ed by the said Physician, or ordered into Quarantine, shall hoist such other sig- their certificate be obtained that they may safely proceed to the City without dan-E it enacted by the Lieutenant Governor, Council and Assembly. That nal as the said visiting Physician shall give to the master or commander for that ger to the inhabitants thereof, to be laid before the said Committee of the said an Act made and passed in the first year of the reign of His Majesty purpose, or any signal, which may be on board, and continue the same hoisted Common Council of the said City, and their order had for liberty to leave such King William the fourth, intituled An Act to repeal all the Acts now in force during the day time in such part of the vessel as may be directed, so long as de-

assu an Act made and passed in the said Common Council of the said City, who may het to amend the law relative to Statute Labour, so far as the same relates per, or in any particular circumstanced as in the second and third sections of this fore the said Common Council of the said City, who may to amend the line of the liberation of the said vessel to the Parish of Fredericton in the County of York, be and the same are here. Act specified, shall land, or suffer or permit to be landed, any person or perby severally continued, except as hereinafter repealed, and shall, together with sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from sons whomsoever, or himself land, from the said vessel, on any part or place from Quarantine aforesaid; and in case any person or persons shall depart from the said vessel and the said by severany continued to which they may have been conveyed from the said vessel, the amendments hereinafter made, he and remain in full force until the first day whatever, within the City and County of Saint John, until he shall bring the the place or places to which they may have been conveyed from the said vessel. of April which will be in the year of our Lord one thousand eight hundred and said vessel into the harbour of Saint John, in order that he may comply with without the order of the said committee of the said Common Council for that pur-

ver or other pestilential or contagious distemper on board, or having come from ed or to be otherwise so disposed of, so as to prevent the spread of the infection. III. Be it enacted, That the Highways, Roads, Streets, and Bridges, within any place infected with any such distempers, or at or near which any such distempers, or at or near which any such diseach County, shall be cleared, maintained and repaired by the Inhabitants there- tempers were known or supposed to prevail at the time of her departure, or from whilst the said vessel is performing Quarantine as aforesaid, shall be landed by the of ; and that all Male Inhabitants of the age of sixteen years and upwards shall any port or place in the West Indies, South America, the United States of A work either in person or by able and sufficient men in their stead in each and rica, from Boston and the southward of Boston, Bermuda, Africa, or the Me- ed, either at Partridge Island or any other place or places to which by the authorise every year, provided with such necessary implements as shall be directed by the diterrancan, or having passengers on board from any port or place in the world ty of this Act they may be conveyed, it shall and may be lawful for the said Mayor. respective Surveyors, the number of days (allowing eight hours to each day) (save and except in this Province, Canada, Nova Scotia, Prince Edward Island, Aldermen and Commonalty so convened, to appoint such and so many special hereinaster provided; (that is to say,) licensed parish School Masters, actually Newloundland, and the United States of America to the northward of Boston), constables, and so often as may be found expedient, to prevent intercourse with employed as such, Apprentices and persons under the age of twenty one years, between the first day of May and the first day of November in any year, or on the said persons so landed, and the said constables or any of them, at any time two days; Journeymen Mechanics, Hired Servants and common Labourers, board of which any person had been sick or had died of any such distempers du- when the said Mayor, Aldermer and Commonalty so convened shall think proper three days; all persons whose real and personal Estate may be estimated at one ring the voyage shall proceed or he navigated further or higher up into the to displace and discharge, and another or others, if need be, to put in their room; hundred pounds and not exceeding three hundred pounds, five days; exceed- harbour than a line running westerly from the western point of Partridge Island and the said constables are hereby much received and empowered to prevent all internumered pounds and not exceeding five hundred pounds, six days; ex- till it meets Negro Town point, and east from the eastern point of Partiidge course between the persons so landed and persons from the shores on either side ceeding five hundred pounds and not exceeding one thousand pounds, eight Island, and extending till it reaches the shore to the northward of Biack Point, of the harbour, or from any part of the City and County of Saint John, and those days; exceeding one thousand pounds and not exceeding two thousand pounds, for to the northward of a line running. westerly from the break water to Sand which may remain on board the vessel, and between the said persons so landed, and days; exceeding two thousand pounds and not exceeding three thousand point in Carleton, in case the said inner line shall be permitted by the said harbour, except under the direction and by the order of the pounds, twelve days; and all exceeding three thousand pounds, sixteen days; mon Council, and that the Master or Commander of any such vessel shall not said Common Council of the said City, and no persons other than the Physician or Physi twelve days; and all other Male Inhabitants who do not come within any of the to go or put on shore or on board any other vessel, any person or goods out of said Common Council authorized for that purpose, shall be permitted to have any the said vessel, until such vessel shall have been inspected and examined by the in ercourse with the persons so landed as aforesaid, under the penalty of twenty IV. And be it further enacted, That the twenty fourth section of the said Physician or Physicians, and his or their licence for that purpose obtained, under the penalty of two hundred pounds: and further, that the said Mas- said Physicians, or any person or persons so by the said Common V. Be it further enacted, That the said Commissioners shall not while in ter or Commander shall cause the said vessel's ensign (or such other colour as Council authorized for that purpose, shall have any intercourse with the persons lected by virtue of said Act, or it no such money, or an insufficient amount be same, under the penalty of twenty pounds: and further, that no master or sons as aforesaid to be kept, until permission be had from the said Common Councollected or on hand, such Surveyor shall be compensated by crediting the at commander of any vessel arriving in the bay of Fundy, and having on board cil for him, her, or them to depart; and if any such persons so having mount so due him for extra work towards his next year's Statute Labour, as any pestilential or contagious distemper, or in any particular circumstanced as unlawfully had intercourse with the said persons so landed as aforesaid, shall depart herein before in the said notice mentioned, shall land or suffer or permit to be from the place so appointed as aforesaid, before such permission as aforesaid shall VI. And whereas by the thirteenth section of said first recited Act it is pro- landed, any person or persons whomsoever, or himself land, from the said vessel, have been given for him, her, or them to depart, every person so offending shall vided, that the fines and forfeitures thereby/imposed shall be sued for, recover- on any part or place whatever within the City and County of Saint John, until ed and applied as is directed by the eleventh section thereof, instead of the tenth he shall bring the said vessel into the harbour of Saint John, in order that he Mayor of the said City, or Recorder, or any one of the Addermen thereof, or one en and appried as is directed; Be it therefore enacted, That the may comply with the several requisitions of this Act, under the penalty of two of the Justices of the Pence for the said City and County, to cause such person section, to which it should have referred; Be it therefore enacted, That the may comply with the several requisitions of this Act, under the penalty of two of the Justices of the Pence for the said City and County, to cause such person fines and forfeitures imposed by the said thirteenth section, and also all other [ bundred pounds for such offence :" And it shall be the duty of the said pilots on fines and forseitures mentioned in any other section of said Act, not specially ap- first hearding every vessel coming or intending to come into the harbour of they may have so departed, or to be otherwise, disposed of, so as to prevent the plied, shall be sued for, recovered and applied as is directed in and by the said Saint John, to read such notice to the master or commander of such vessel, or communicate to him the purport and effect of such notice, and any branch pilots 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 penalty of ten pounds be prevented for ever after from holding a branch : and if any An Act to prevent the importation and spreading of infectious distempers in the persons, whether pilot or others, shall come or beput on shore from any such vessel unless by the direction of the said Physician or Physicians, it shall and may be lawful for the Mayor or any one of the Aldermen of the said City, or HEREAS the several Acts relative to the importation and spreading of of the Justices of the Peace for the City and County of Saint John, to cause such direct the removal of the said person or persons so diseased, and any other person 'infectious distempers in the City of Saint John, have by experience person or persons to be apprehended and carried back to such vessel, or to such other place as may be appointed for the reception of persons under such circum-I. Be it enacted by the Lieutenant Governor, Council and Assembly, That stances, so as to prevent the spread of infection; and it any such person should

now in force relative to the importation and spreading of infectious distempers said City in Common Council convened, be, and they are hereby authorised and rein the City of Saint John, and to make more effectual provision for preventing quired at the usual line of appointing Charter Officers in every year, and oftener the same;" and also an Act made and passed in the first year of the reign of it need be, to nominate and appoint one or more Physicians, who His present Majesty, intituled "An Act to amend an Act, intituled 'An Act to shall have power and authority, and whose duty it shall be to go on board, visit, repeal all the Acts now in force relative to the importation and spreading of inspect, and examine all vessels arriving in the harbour of Saint John, and on Infectious distempers in the City of Saint John, and to make more effectual board of which such signal shall have been so hoisted in the larboard main rigprovisions for preventing the same;" and also an Act made and passed in the ging as aforesaid, or on board of any other vessel which may be suspected of second year of the reign of His present Majesty, intituled "An Act further to having on board the small pox, yellow fever, or other pestilential or contagions disamend the Act relative to the importation and spreading of infectious distempers temper, and to make full inquiry and examination into the state of the health of in the City of Saint John, and to extend the provisions thereof," be and the all persons on board any such vessels, or who have been on board during any part of the voyage, and whether the said vessel came from or near, or touched at any II. And be it enacted, That no vessel arriving in or near the harbour of Saint place infected with any of the distempers aforesaid, or at or near which at the time of her departure any such distempers were known or supposed to prevail: and if distempers, or at or near which any such distempers at the time of her sider that no danger is likely to result to the Inhabitants of the said City, from departure were known or supposed to prevail, or from any port or place in suffering such vessel to proceed into the harbour, and he or they have no order to the West Indies, South America, the United States of America, from Boston the contrary from the Common Council of the said City, he or they shall give a licence and the Southward of Boston, Bermuda, Africa. or the Mediterranean, or hav- in writing to the master or commander of such vessel for that purpose, and thereupon such vessel may proceed; but if the said Physician or Physicians should entertain any doubts as to such danger, then he or they shall immediately require the master or commander of such vessel to bring the said vessel to anchor without the outer line aforesaid, or the said inner line if appointed by the Common Council aforesaid; and the said Physician or Physicians shall thereupon forthwith make a report thereof in writing to the Mayor, or, in his absence, the Recorder of the said or higher up into the harbour of Saint John than a line running from the west City, with his or their opinion of advice relative thereto: and any master or compoint of Partridge Island westerly until it meets Negro Town Point, and east, mander of any such vessel who shall refuse to give, or who shall not give to such Physician or Physicians, a full, true and accurate statement and report of the state of health of all persons on board the said vessel, or who have been on board thereof during any part of the voyage, and of all and every the particulars aforesaid, shall forfeit and pay the sum of two hundred pounds: and the said Physician or Physicians who shall be guilty of any unnecessary delay in going on board, inspecting and examining any such vessel as aforesaid, or any other breach of his or their duty specified in this Act, shall be by them displaced from office, which may also be done by the said Common Council in their discretion, in any casewhere they shall conceive the public good requires it: and such Physician or Physicians who shall go on board, visit, inspect and examine any such vessels as aforesaid, shall for each and every such visit, inspection and examination, be entitled to demand and receive from the master, owner or consignee of such vessel so visited,

inspected and examined, according to the following scale, to wit: For Vessels under one hundred tons burthen the sum of seventeen shillings and

For ditto of one hundred tons and under two hundred tons twenty shillings. For ditto of two hundred tons and under three hundred tons twenty five shil-

For ditto of three hundred and more than three hundred tons thirty skillings. The said sums to be sued for and recovered in any Court competent to take ognizance of the same : Provided always, That in case it shall be found necessary for the said Physician or Physicians to make more than one visit on board any such vessel or vessels, he or they shall be entitled to receive one third only of the aforementioned rates for every additional visit so made according to the size of the ves-

VII. And he it enacted, That no person or persons whosoever, other than the Physician or Physicians appointed as aforesaid, shall go on board any vessel so arriving as aforesaid, which shall have such signal so hoisted in the larboard main rigging as aforesaid, or which having come to anchor shall continue to have such signal so hoisted as aforesaid, or which shall be lying at anchor before being licenced to come up the harbour, or before or after being ordered into quarantine as aforesaid, under the penalty of twenty pounds, for each and every offence : And if any person or persons other than the Physician or Physicians aforesaid shall go on board any such vessel, then and in such case the Master or Commander or any person in charge of such vessel, for the time being, is hereby authorized and required to keep and detain such person or persons on board the said vessel, until such licence as aforesaid be given for the said vessel to proceed, or until the expiration of such time as she shall be detained by the said Physician or Physicians, or be lying in quarantine, or an order from the said Common Council or a committee thereof as aforesaid, for that purpose to be obtained on report of the said Physician or Physisians; and if any person or persons so having unlawfully gone on board any such for the same," which directs that the five freeholders who are to set and appraise vessel as aforesaid, shall go on shore or depart from said vessel before such licence the value of any improved lands, through which any alteration of a great road as aforesaid, or before the expiration of the said time the said vessel shall be so de- may be required, shall be nominated and appointed by the nearest Justice of the tained by the said Physician, or the time appointed for the said vessel to perform 'Peace;' quarantine, or permission be given for him or them to depart as aforesaid, then and I. Be it declared and enacted by the Lieutenant Governor, Council and All in such case every such person or persons so offending as aforesaid, and the mas- sembly, That when any alteration in any of the great roads is required to be carantine as aforesaid, without the licence and permission of the said Physician or let or commander of any such vessel so permitting such persons to go ried through any improved lands, and the Supervisors cannot Physicians being for that purpose first aktained and the named and the permission of the said Physicians being for that purpose first aktained and the named on shore or to depart from the said vessel, and every other person aiding and as- agree with the owner, as to the amount of the value and Jamages to be paid sisting therein shall for each and parties and partie sisting therein, shall for each and every offence severally forfeit and pay the sum of therefor, the five disinterested freeholders to set and appraise such value and fifty pounds. And it shall and man be lamful for the Mayor or Daniel Ma fifty pounds: And it shall and may be lawful for the Mayor, or Deputy Mayor, or damages may be nominated and uppointed by any neighbouring disinterested any one of the Aldermen of the said City, or one of the Justices of the Peace for Justice of the Peace of the County in which such alteration lies, to whom appears of the Peace of the County in which such alteration lies, to whom appears of the Peace of the County in which such alteration lies, to whom appears of the Peace of the Peace of the County in which such alteration lies, to whom appears of the Peace of the Pe the said City and County, to cause such person or persons to be carried back to such plication may be made by the Supervisor for that purpose, and that in case the vessel or to such other place as may be appointed by the Mayor, Aldermen and alteration lies on the border of two adjacent Counties, so as to extend into both Commonalty of the City of Saigt John, in Common Council convened, for the re- or to render it doubtful as to which of the two Counties the said alteration may

be ordered to perform Quarantine as aforesaid, it shall and may be lawful for the before freeholders duly appointed by the nearest Justice.

on board from any port or place in the world (save and except in this Province, convened (if on the report of the Physicians aforesaid, it shall be on board from any port or place in the world (save and except in this Frovince, touries), to order and direct that the persons on board such vessel, whe. Canada, Nova Scotia, Prince Edward Island, Newfoundland, and the United judged expedient), to order and direct that the persons on board such vessel, whe. the several requisitions of this Act, under the penalty of two bundred pounds. pose had as aforesaid, it shall and may be lawful for the Mayor, Recorder or any V. And be it enacted, That the several branch pilots belonging to the City one of the Aldermen of the said City, or one of the Justices of the Peace for the vided for by the sixth section of the said first mentioned Act; Be it therefore of Saint John, shall be furnished with printed instructions containing a notice to City and County of Saint John, to cause such person or persons to be apprehend. further enacted, That the said sixth section of the said first recited Act be and the following effect, viz: "That no vessel having the small pox, yellow fe- cd and carried back to the place or places whence he or they may have so depart.

> forfeit and pay the sum of fifty pounds; and it shall and may be lawful for the or persons to be apprehended and carried back to the place whence he, she, or spread or danger of infection. X. And be it enacted, That if any disease of an infectious, contagious, or pesti-

> fential nature should break out among any persons landed or coming into any part of the City and County of Saint John, whether contrary to the provisions of this Act or otherwise, or on board of any vessel which shall be in the harbour or at any of the wharves of the said City, either with or without permission of the visiting Physician or Physicians, or other proper authority under this Act, it shall and may be lawful for the said committee of the said Common Council, to order and or persons by or among whom it may be feared the infection may spread, to some proper place as far as conveniently may be, to prevent communicating the infection to others, and also to remove the said vessel so having the said infection on

board to the quarantine ground.

XI And be it enacted, That the penalties and forfeitures hereinbefore mention. ed may be prosecuted, sued for, and recovered in the Supreme Court, or in the Inferior Court of Common Pleas for the said City and County of Saint John, by action of debt, bill, plaint, or information by any one who shall prosecute for the same, within forty five days after the commission of the offence, and when recovered shall be paid one moiety to the person so sning and prosecuting, and the other moiety to be paid into the Treasury of the Province for the use and support of the Government thereof; and if no person shall so sue and prosecute within forty five days, that then the said penalties and forfeitures shall be sued for and recovered by information of His Majesty's Attorney General in the said Supreme Court, and when recovered to be paid after deducting the costs and charges of prosecution into the said Treasury for the use aforesaid; and all and every person and persons guilty of a breach of any one or more of the provisions of this Act before specified, shall and may be arrested and held to bail according to the practice of the said Courts, for the penalty or penalties accruing by reason of such breach or breaches thereof, at the suit of the person hereinhefore entitled to sue for the same, by virtue of an order for that purpose to be obtained under the hand of any Judge of either of the said Courts, on proper Affidavits being laid before him, satisfactority establishing the breach of all or any of the provisions aforesaid, which order any one of the Judges of the said Courts is hereby authorized to grant; and in default of giving such bail, such person or persons so as aforesaid ordered to be held to bail shall be committed to prison, or to such other place within the said City and County, in case he or they should be infected with any such infectious, contagious, or pestilential distemper afteresaid, as the said Mayor, Aldermen and Commonalty of the said City shall order, to prevent the spreading of such distemper, to await his or her trial. .

CAP. XXII. An Act to continue the Act to provide for the expenses of the Judges holding the Circuit Courts and Courts of Over and Terminer in this Province, and of the Clerk in those Courts.

Passed 19th March 1833. E it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the seventh year of the reign of his late Majesty King George the Fourth, intituled "An Act to provide for the expenses of the Judges 'holding the Circuit Courts and Courts of Oyer and Terminer in this Province, and 'of the Clerk in those Courts," be and the same is hereby continued and declared to be in full force for two years.

CAP. XXIII. An Act to authorize the Justices of the Peace in the County of Northumberland to levy an assessment upon the inhabitants of the said County to discharge the debts due from the said County.

Passed 19th March 1833. HEREAS the Justices of the Peace of the County of Northumberland, have heretofore levied the whole sum which they were empowered to raise by as; 'sessment: And whereas the same has been insufficient to discharge the debts due

' from said County;' Be it therefore enacted by the Lieutenant Governor, Council, and Assembly, That the said Justices of the Peace for the said County of Northumberland, at any General Sessions of the Peace hereafter to be holden, be and they are hereby and thorised and empowered to make further rate and assessment of any sum not exceeding six hundred pounds, as they in their discretion may think necessary, for the purpose of discharging the debts due from the said Courty of Northumberland; the same to be assessed, collected and paid agreeably to any Acts in force for the assessing, collecting and levying of County rates.

CAP. XXIV.

An Act for the further amendment of the Acts relative to the Great Roads of Communication.

Passed 19th March 1833.

'tion of an Act passed in the third year of the reign of His late Majesty 'King George the Fourth, intituled "An Act to repeal all the Laws now in lorce 'relating to the establishment, regulation and improvement of the great roads of communication through the Province, and to make more effectual provision

ception of persons under such circumstances, so as to prevent the spread of the in- be situate in, the Justice of the Peace and the said freeholders may belong to either County, and the proceedings had by them shall be as walld and effectual as VIII. And he it enacted, That before and during the time any such vessel shall any proceedings which may now be had under and by virtue of said recited Act

Remainder in the second page.