

C A P. V.

An ACT to prevent bringing INFECTIOUS DISTEMPERS into the City of SAINT JOHN. PASSED the 12th MARCH, 1796.

I. **B**E IT ENACTED, *by the Lieutenant Governor, Council and Assembly*, That no Vessel having on board the Yellow Fever, Putrid Bilious Fever or other pestilential or contagious Distemper, or coming from any place infected with any of the before mentioned Distempers, shall, after notice of this Act given by any person or persons appointed for that purpose by the Mayor, Aldermen and Commonalty, of the City of *Saint John*, come into, or anchor farther from the Sea in the Harbour of *Saint John* than opposite the point commonly called *Pagan's point*, until the said Vessel shall have been properly examined and shall have received License for that purpose from the Mayor, Recorder and Aldermen of the said City, or any *two* of them: And in case such License shall be denied, and it shall be judged expedient that the said Vessel, and the Persons and Goods on board should ride quarantine, then the said Vessel with all the Persons and Goods on board, shall anchor in such place and for such length of time, not exceeding *Forty days*, as the said Mayor, Recorder and Aldermen, or the major part of them, shall direct and appoint. And all Masters or Commanders of Vessels, and others, who shall disobey such direction and appointment, or shall, without License first had and obtained from the aforesaid Mayor, Recorder and Aldermen, or any *two* of them, put on shore or unlade, or assist in putting on shore or unlading any Persons or Goods from any such Vessel as aforesaid, before the time mentioned in such direction or appointment is expired, shall forfeit and pay the sum of *Two Hundred Pounds* current money of this Province, for each offence.

II. *And be it further enacted*, That the Master of any and every Vessel having on board the Yellow Fever, Putrid Bilious Fever, or other pestilential or contagious Distemper, or coming from any place infected with any of the before mentioned Distempers, shall, after notice of this act given as aforesaid, hoist such Vessel's Ensign Union down or if there be no Ensign, then he shall hoist such other Colours as may be on board half mast, and continue the said Signal until License be

Vessel's coming from places infected with contagious distempers, not to come further in than opposite to *PAGAN'S* point without license from the Mayor, Recorder and Aldermen.

To anchor in such place as the Mayor, &c. shall direct, for a time not exceeding *Forty days*.

To hoist an Ensign Union down, or other colours half-mast, to be continued till license be had to remove the same

had to remove the same from the said Mayor, Recorder and Aldermen or any *two* of them, under the penalty of *Ten Pounds* for each and every offence.

Two hundred pounds penalty for concealment of any contagious distemper by the Master or Commander.

III. *And be it further enacted*, That in case the Master or Commander of any vessel coming from such infected place or having on board any Person or Persons infected with the Yellow Fever, Putrid Bilious Fever, or other contagious or pestilential Distemper, or having lost any Person or Persons on the passage by such Fevers, or other contagious or pestilential Distemper, shall conceal or deny the same, and not make a true discovery thereof, such Master or Commander shall forfeit and pay the sum of *Two Hundred Pounds*, current money of this Province, for each offence.

Common Council to appoint Physicians to visit & Vessels suspected.

IV. *And be it further enacted*, That the Common Council of the said City shall nominate and appoint one or more Physicians to visit and inspect all Vessels suspected of having on board the said Yellow Fever, Putrid Bilious Fever, or other contagious Distemper, whose business it shall be (when thereunto required by the Mayor, Recorder and Aldermen, of the said City or any *two* of them) to repair on board such suspected Vessel and examine and inquire into the health of the persons on board, and also of such other circumstances respecting the death of any person or persons who may have died on board the said Vessel on her passage and the prevalence of any of the before mentioned Distempers at any place where the said Vessel may have touched; or from whence such Vessel may have come, as such Physician or Physicians may think proper; and the said Physician or Physicians shall make a Report in writing, to the Persons requiring them to repair on board as aforesaid, of the result of such Inquiry and Examination and his or there opinion thereon, for which such Physician or Physicians shall be entitled to receive from the Chamberlain of the City of *Saint John*, by order from the Persons requiring them, to go on board, as aforesaid, such sum as the *Common Council* shall think sufficient and appoint, for every such Inquiry or Examination.

Penalties recovered to be one half to the prosecutor, & the other half to the use of the Corporation.

V. *And be it further enacted*, That the Fines and Penalties in this act mentioned shall be recoverable by action of debt in any of His MAJESTY'S Courts of Record in this Province by any Person who shall sue for and prosecute the same to effect and shall be divided one half to the person so suing and prosecuting and the other half to the use of the Mayor, Aldermen and Commonalty of the said City.

C A P.