

CAP. XXVII.

An Act further to amend the Act relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to extend the Provisions thereof.

Passed 9th March 1832.

Preamble.

WHEREAS sundry Defects have been discovered in the 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 relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to make more effectual Provision for preventing the same; And Whereas it is necessary to obviate the said Defects by further amending and extending the Provisions of the Act;*

10 and 11 G. 4.
C. 27, S. 8, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Council, and Assembly, That the Eighth Section of the said herein before in Part recited Act be and the same is hereby repealed.

Line further than which no Vessel is allowed to proceed until examined &c., altered.

II. And be it further enacted, That the Line in the Second and Fourth Sections of the said Act mentioned, running Westwardly from Broad or Main Street to Sand Point in Carleton, further or higher up than which no Vessel by the said Act is allowed to proceed or be navigated until the Provisions thereof shall be complied with, shall from and after the passing of this Act be altered to a Line running Westwardly from the Breakwater, so called, on the Eastern Side of the Harbour of Saint John, to Sand Point in Carleton, which shall and is hereby declared to be the Line further or higher up than which no Vessel situated as in the said Sections of the said Act is mentioned shall be allowed to proceed or be navigated, until the Provisions of the said Act respecting the said Line be fully complied with.

III. And be it further enacted, That the Master or Commander of every Ship or Vessel which shall arrive in the Harbour of Saint John from any Port or Place in the West Indies, South America, the United States of America, from Boston and the Southward of Boston, Bermuda, Africa, or the Mediterranean, or having Passengers on board from any Port or Place in any Part of the World (save and except in this Province, Canada, Nova Scotia, 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, shall hoist the said Vessel's Ensign, or such other Colour as may be on board, in the Starboard Main Rigging of the said Vessel, and shall not proceed with the said Vessel further or higher up into the said Harbour than a Line running Westwardly from the said Breakwater to Sand Point in Carleton aforesaid, and shall not suffer or permit any Passenger, Seaman or other Person to be landed, or himself land, from the said Ship or Vessel, until such Ship or Vessel shall have been visited, inspected and examined by the Physician or Physicians in the said Act mentioned, and his or their Permission in Writing first obtained for the said Vessel to proceed, and the said Persons to land as aforesaid; and the Master or Commander of any Vessel who shall not hoist the said Vessel's Ensign or other Colour as aforesaid in Manner aforesaid, or shall suffer or permit any Passenger, Seaman or other Person as aforesaid to be landed, or himself land as aforesaid, or whose Vessel shall proceed higher up than the Line herein before aforesaid and specified as aforesaid, until such Permission shall be obtained as aforesaid, shall for each and every Offence forfeit and pay the Sum of Twenty Pounds, to be prosecuted, sued for, recovered and applied

Signal to be hoisted in herein described Vessels, and such Vessels not to proceed further into the Harbour than Line before specified, and no Person to land therefrom, until inspected and Permission obtained.

Penalty.

as in and by the Ninth Section of the said in Part recited Act is provided.

Landing Persons within the City and County before Vessel be brought into the Harbour.

IV. And be it further enacted, That no Master or Commander of any Vessel arriving in the Bay of Fundy, and having on board any pestilential or contagious Distemper, or in any Particular circumstanced as in the Second Section of the said Act mentioned, shall land, or suffer or permit to be landed, any Person or Persons whomsoever; or himself land, from the said Vessel, on any Part or Place whatever within the City and County of Saint John, until he shall bring the said Vessel into the Harbour of Saint John, in order that he may comply with all the Requisitions of the said Act, under the Penalty of Two hundred Pounds for such Offence, to be sued for, recovered and applied as in and by the said Ninth Section of the said Act is provided; and if Disease of a contagious Nature should break out among any Persons landed contrary to the Provisions of this or the said in Part recited Act, or in any Case whatever among Persons or Passengers landed from any such Vessel, it shall and may be lawful for the Mayor or Recorder of the said City, together with Six other Magistrates of the City and County of Saint John to be summoned by the said Mayor or Recorder; to order and direct the Removal of the said Person or Persons so diseased to some proper Place, as far as conveniently may be, to prevent communicating the Infection to others.

Penalty.

Contagious Disease breaking out among Persons landed, Mayor, &c. may order their Removal.

Persons breaking the Provisions of 10 and 11 G. 4, C. 27. 1 W. 4, C. 35, or of this Act, may be held to Bail for the Penalties;

V. And be it further enacted, That on the Breach of any of the Provisions of this Act, or of the said Act to which this is an Amendment, or of a certain Act made and passed in the First Year of His present Majesty's Reign, intituled *An Act to amend an Act, intituled, An Act to repeal all the Acts now in force relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to make more effectual*

effectual Provisions for preventing the same, all and every Person and Persons guilty of a Breach of any One or more of the said Provisions, shall and may be held to Bail for the Penalty or Penalties accruing by reason of such Breach or Breaches thereof, at the Suit of the Person entitled to prosecute 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 in the said in Part recited Act mentioned, on proper Affidavits being laid before him satisfactorily 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 the said Person or Persons should be infected with any contagious Distemper as aforesaid, as the said Mayor or Recorder and Six Magistrates so aforesaid to be summoned shall think necessary to prevent the spreading of such contagious Distempers, to await his or their Trial.

And in Default of giving Bail may be committed to Prison, &c.

CAP. XXVIII.

An Act further to continue an Act, intituled *An Act more effectually to provide for the Support of a nightly Watch in the City of Saint John.*

Passed 9th. March 1832.

BE it enacted by the Lieutenant Governor, Council, and Assembly, That an Act passed in the Fifty sixth Year of the Reign of His Majesty King George the Third, intituled *An Act more effectually to provide for the Support of a nightly Watch in the City of Saint John*, be and the same is hereby continued and declared to be in

56 G. 3, C. 17,
continued.