

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1832. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1832.

2 William IV – Chapter 19 Session 1

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, Bouctouche, and Cocagne in the County of Kent, Restigouche, Bathurst, Carraquet [Caraquet] and Shippegan [Shippagan] 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 no Vessel having on board the Small Pox, Yellow Fever, Putrid Biliious Fever, or other pestilential or 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 Vert 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, Bouctouche and Cocagne in the County of Kent, than such Place or Places as the Justices of the Peace in the Counties of Westmorland, Gloucester and Kent, at their General Sessions of the Peace or at any Special Session 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 Licence for that Purpose from Two of His Majesty's Justices of the Peace; and in case such Licence 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, then 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 or Vessels 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, 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 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 License 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 Distempers at the 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, 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 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 Signals so hoisted until a Licence 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 there-of, 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 person to go or to 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 Licence 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 after from holding a Branch.

IV. And he it further enacted, That the Profiting of 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.