

to His Majesty, and a detailed account to be laid before the Legislature.

gesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall direct; and that a detailed account of the expenditure of all such monies, shall be laid before the several branches of the Provincial Legislature within the first fifteen days of the next Session thereof.

Commissioners to submit to the Three Branches of the Legislature a detailed Report of their proceedings.

VIII. And be it further enacted by the authority aforesaid, that the said Commissioners shall annually submit to the three branches of the Legislature within fifteen days after the opening of each Session thereof, a detailed account of their proceedings under the authority of this Act.

C A P. XXXVII.

AN Act to suspend for a limited time certain Ordinances therein mentioned as far as the same relate to the City of Quebec, and to establish a Society therein for preventing Accidents by Fire.

[25th February, 1832.]

Preamble.

WHEREAS experience has shewn that the following Ordinances, that is to say, an Ordinance passed in the seventeenth year of the Reign of His late Majesty, George the Third, intituled, "Ordinance for preventing accidents by Fire," and an Ordinance passed in the thirtieth year of the Reign of His late Majesty aforesaid, intituled, "An Act or Ordinance to amend an Act or Ordinance for preventing accidents by Fire," passed in the seventeenth year of His Majesty's Reign, are insufficient; and whereas it is necessary to suspend the same, and to provide more ample and efficacious means for preventing conflagrations in the City of Quebec, and in case of conflagration for arresting more promptly the progress thereof; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, *An Act for making more effectual provision for the Government of the Province of Quebec, in North America;*" and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that the said Ordinance passed in the seventeenth year of the Reign of His late Majesty George the Third, intituled "An Ordinance for preventing accidents by Fire," and also the said Act or Ordinance passed in the thirtieth year of the Reign aforesaid, intituled, "An Act or Ordinance

Parts of the Ordinances of the 17th and 30th Geo. III.

" nance

for preventing
accidents by
by fire sus-
peaded.

“ nance to amend an Act or Ordinance for preventing accidents by Fire, passed in
“ the seventeenth year of His Majesty’s Reign,” shall be, and the same are hereby
respectively suspended, during this Act, as far as they concern the city and suburbs
of Quebec.

Association to
be formed in
Quebec under
the name of
Fire Society,
to be compos-
ed of thirteen
members.

II. And be it further enacted by the authority aforesaid, that from and after the
passing of this Act, there shall be established in the City of Quebec an association
to be named the Fire Society, which shall be composed of thirteen inhabitants,
proprietors of real property in the said City, to be nominated and appointed, as
follows: that is to say, the Grand Jury of the General Quarter Sessions of the
Peace to be holden at Quebec in the month of July, shall make out a list of twenty
six proprietors as aforesaid, to be by them presented to the Justices of the Peace
in the said Sessions, who therefrom shall select thirteen, whom they shall nomi-
nate and appoint to compose the Association or Fire Society to be established at
Quebec, and annually thereafter, the said Grand Jury at such July Sessions, shall
so make out and present to the Justices of the Peace, a list containing double the
number of those who are to retire from office, from which list the said Justices of
the Peace shall select, nominate and appoint the number of such proprietors
required by this Act, to replace those members of the Society who so retire; and
the Clerk of the Peace shall, within three days thereafter cause to be given to each
of the persons appointed, in person or at their respective domiciles, notice of their
appointment; and every person so appointed shall, within three days after such
notice, intimate at the office of the Clerk of the Peace their acceptance or rejection
of such appointment, under a penalty in case of neglect so to do of ten pounds
currency, and each and every person so appointed, who not being exempted by
this Act, shall refuse to perform the duties of his office shall incur a penalty of ten
pounds currency, and in case of refusal, absence during three months, inability or
death of any of the persons so appointed, happening after such general appoint-
ment, or in case of inability or other sufficient excuse on the part of any of the
persons so appointed at such general appointment (of which inability or excuse the
other persons constituting the association shall be competent judges) there shall
be chosen by a majority of the votes of the persons composing the said association
another or others in his or their stead, which appointment shall be preceded by a
notice from the Secretary by order of the President of the said association to each
member thereof, specifying the motive for convoking the said association and the
day, hour and place whereat the choice shall take place; and within three days
thereafter the said Secretary shall give a written notice of his being chosen, to each
person so chosen, either in person or at his domicile; and each person so chosen
shall within three days after such notice intimate at the domicile of the Secretary
his acceptance or rejection of his appointment under a penalty of ten pounds cur-
rency, and any person so appointed who shall refuse to perform his duty as a
member of the said association shall incur a penalty of five pounds currency, unless
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he shall be deemed excusable by the other members of the association: Provided always that no person shall be eligible as a member of the said association unless he be a proprietor of real property of at least the annual value of twenty-five pounds currency, and provided further that all the members of the said Society shall be exempt from all militia duty, (except in cases of invasion,) and from serving as Jurors or as Peace Officers.

Term during which the members appointed shall continue in office.

Six of them to retire at the expiration of the first year.

How replaced

Six or seven members to retire from year to year.

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III. And be it further enacted by the authority aforesaid, that of thirteen persons to be appointed as aforesaid at the first general appointment, seven shall continue in office during two years and the six others during one year only; that is to say, that at the day, hour and place where the second general appointment shall be held, all the members of the said Fire Society shall draw lots in the presence of three Justices of the Peace, to determine which six members shall retire from office at the expiration of the first year, who shall be immediately replaced by the Grand Jury at the General Quarter Sessions of the Peace in the manner and form herein before directed: and which appointment shall be attended with the like pains and penalties with respect to the persons chosen thereat as are mentioned in the second section of this Act, and from year to year the six or the seven persons eldest in office shall alternately retire therefrom and be replaced by the Grand Jury and Justices of the Peace at the General Quarter Sessions of the Peace, in the manner and form prescribed by this Act, so that no person may serve more than two years successively: Provided always that Clergymen, Members of the Legislative Council and of the Executive Council, Members of the House of Assembly; the Judges of His Majesty's Courts of King's Bench, the Sheriff, the Prothonotaries of the Courts of King's Bench and the Clerks of the Peace shall be exempt from being appointed, or from serving as members of the said Fire Society.

The members of the association to choose a president, secretary and treasurer.

Such secretary and treasurer not to be a member of the association.

Penalty against the person refusing to serve as president. In case of death &c. of such president, how replaced.

IV. And be it further enacted by the authority aforesaid, that within eight days after such first general appointment the members of the said association shall assemble at the hour and place which shall have been fixed on the day of the aforesaid general appointment by the said Justices of the Peace, and shall then and there choose, by a majority of votes of the members present, a President, and a person to perform the combined functions of Secretary and Treasurer, (which Secretary Treasurer shall not under any pretext whatever, be a member of the said association) and the President so chosen shall serve in that capacity, under a penalty of five pounds currency in case of refusal; and in case of refusal, death, inability, or prolonged absence, he shall be replaced without delay by a majority of votes of the association, and all the members being notified to assemble for that purpose, by notice from the Secretary Treasurer, served in person on each of the members or left at the domicile of each member of the association, mentioning the object of the meeting, and in case of temporary absence of the President, a temporary one shall be chosen in his

Secretary and
treasurer may
be replaced
from time to
time.

his stead, by a majority of the votes of members present, to preside at the meeting of the day, and the Secretary Treasurer may also from time to time be removed, and another appointed in his stead by a majority of the votes of the members convoked by the President for that purpose, by notice from him, served on each member in person or left at the domicile of each of them, at least two days before the day fixed for such Election.

The associa-
tion to make
rules and re-
gulations, &c.

V. And be it further enacted by the authority aforesaid, that from and after the choice of a President and Secretary Treasurer for the Society, the members shall without delay apply themselves to frame Bye-laws, Rules and Regulations for the welfare of the Society, to establish suitable orders therein, and to determine the duty of each officer and man under their orders; they shall also make such Bye-laws, Rules and Regulations as they shall deem necessary for their own conduct and that of the officers and men under their direction, when present at Fires: Provided always, that such Bye-laws, Rules and Regulations be not contrary to the Laws of this Province, nor to any provisions of this Act, and that they do not impose any fine exceeding the sum of twenty shillings currency on persons contravening such Bye-laws, Rules and Regulations; Provided also, that the said Society may change and amend such of the said Bye-laws, Rules and Regulations as circumstances may require, or repeal them and substitute new ones in their stead, but such Regulations, amendments or repeal shall not be made or passed but by a majority of votes of all the members of the Society duly summoned for that purpose by a written notice from the President, served in person on each member or left at his domicile at least two days before the meeting: nor shall the said Regulations, amendments or repeal be valid until they have been submitted to the examination of the Court of King's Bench or of any two Judges thereof in vacation, and such Court or Judges after having heard all the objections to the same, shall annul any part thereof which they consider contrary to this Act, and shall confirm such parts thereof as they shall deem conformable to the true sense of the same: and when they shall have been so confirmed, two copies thereof shall gratuitously and without fee or reward be made and signed by the Prothonotaries, one of which shall remain of record in their office with the confirmation, and the other shall be delivered to the Secretary Treasurer of the said Fire Society; but the said regulations or amendments shall not be obligatory, on any one whatever, until they, with the said confirmation certified by the Prothonotaries, shall have been published in the English and French languages, in two or more of the public newspapers of the said City of Quebec during two successive weeks: Provided always, that such Bye-laws, Rules or Regulations shall not be so submitted for confirmation until after due notice shall have been given during two successive weeks in one or more of the public newspapers published in the said City of Quebec, of the time at which they are to be submitted for confirmation.

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And may
change and
amend such
rules and re-
gulations &c.

Such rules and
amendments
thereto to be
approved by
the Court of
King's Bench.

And published
in the news-
papers.

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The society to fix the salary of the secretary and treasurer.

Such secretary and treasurer to give security for due performance of his duties. President authorized to sue such secretary in case of malversation.

VI. And be it further enacted by the authority aforesaid, that the Fire Society convoked as aforesaid, shall fix the annual allowance to be made to the Secretary Treasurer for his trouble, care and responsibility, and the said Secretary Treasurer before entering upon his office shall give to the Society two good and sufficient sureties who shall be jointly and severally (*solidairement*) responsible for the due performance of his duties, which sureties shall be accepted by the President in the name of the Society, for such a sum as shall be fixed by the Society, and in case of malversation on the part of the said Secretary Treasurer, the President shall institute against him and his sureties the necessary prosecution, for the sum which he shall have wasted or in which he shall be indebted to the said Society.

The Fire Society to divide the city into wards,

A number of Enginemen allotted to each ward under the orders of a captain.

Their duty.

Enginemen & captain exempt from certain duties.

VII. And be it further enacted by the authority aforesaid, that the said Fire Society shall from time to time, divide the City into as many Wards as it shall judge necessary, and shall assign to each Ward where shall be Fire Engines, a number of Volunteers not exceeding fifty for each Engine, who shall be called Enginemen, and be under the immediate orders of a Captain to be chosen and assigned them by the said Society, and their duty shall be to exercise the Engines, bring them to work at, and convey them from Fires: they shall also be subject to all other By-laws, Rules and Regulations to be made by the Fire Society with respect to them, according to the intention of this Act, and from the day whereon they shall have inscribed their names on the list of Volunteer Enginemen, their services may be required during one year, and in all cases of neglect of duty, they shall incur a fine of not less than five shillings nor more than ten shillings currency for each offence, and in case of death, absence or incapacity, they shall be replaced by the said Society, and each Captain and the men under his command shall be exempt from serving as Jurors, Constables or Peace Officers and in the Militia, except in case of invasion, and from performing or paying for statute labour.

The society to form a company of men to be present and assist at every fire, their duties to be regulated by the society, no salary to be allowed them. Penalty in case of refusal on their part to serve. Term during which they shall serve.

Proviso.

VIII. And be it further enacted by the authority aforesaid, that the said Society shall also form a Company of sixty Volunteers, to be commanded by a Captain and two Lieutenants, who shall be present and assist at every fire, and whose duties shall be specified in the By-laws, Rules and Regulations which shall be made by the Society, and who shall have no salary nor recompence, but shall be exempt from statute labor, and from serving as Jurors and in the Militia, except in case of invasion, and from and after the day when any individual shall have consented to have his name inccribed on the list of such Volunteers, he shall be liable to a fine of not less than five shillings nor more than ten shillings currency, for each refusal or neglect of duty; and shall serve in the said Company during one year from the day of his appointment, and in case of death, absence or inability, he shall be replaced by the said Society: Provided always that the Captains and Lieutenants of the several Companies of Volunteers or Enginemen respectively, shall not be appointed by the said Society but at any time after the passing of this Act it shall

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be lawful for the members of any such Company to assemble and elect the Captain and Lieutenants under whose orders they are to act in conformity to this Act, and if such choice be approved of by the said Society the officers so appointed shall be the officers who shall command such Company, and if such election be not so approved the said members may again meet and elect others, and so on from time to time until the requisite number of officers shall be elected and approved as aforesaid.

Society may appoint twelve peace officers to be present at fires.

Such peace officers to be exempt from serving as Jurors &c.—they shall take an oath.

Penalty in case of refusal or neglect of duty.

IX. And be it further enacted by the authority aforesaid, that the said Society shall have the power of choosing, appointing and employing twelve peace officers to be present at fires, and shall specify to them their duties, and direct them in the manner which shall be prescribed by the Regulations that may be made in this respect pursuant to this Act, and such peace officers shall by way of recompense, be exempt from serving as Jurors in the Courts of Justice and from statute labor; and shall before acting as special peace officers respectively make oath before one of the Justices of the Peace that they will to the best of their power faithfully perform their duty, and each and every individual so sworn, shall be liable to a fine of five shillings currency for every refusal or neglect of duty, and shall be bound to serve during one year from the day of his appointment, and in case of his absence, death or inability, the Society shall replace him.

At all meetings of the society, the majority shall decide. Proviso.

X. And be it further enacted by the authority aforesaid, that in all meetings of the said Society, a majority of the members present, shall decide the subjects proposed to the best of their judgement according to the intention of this Act: Provided always that nothing shall be submitted to any such meeting, unless there be present at least seven members, which number shall in all cases form a quorum.

Society may assist by its funds persons wounded or hurt at a fire, &c.

and may bestow rewards.

XI. And be it further enacted by the authority aforesaid, that the said Fire Society shall in all cases have the power of assisting, from and out of its funds, any person in its employ who shall have received any wound or contracted any disease at any fire, and in the case where any person in its employ shall perish at any such fire, to appropriate towards the maintainance of his family, such sum, or annual sum from and out of its funds as shall appear just and reasonable, as well as to bestow such rewards in money, medals or otherwise, as it shall judge proper and suitable, upon each and every individual who at any Fire shall have performed any meritorious action.

In cases of fire the members of the society alone may command persons in their employ.

XII. And be it further enacted by the authority aforesaid, that in all cases of fire, the members of the Society alone shall superintend and command the persons in its employ.

Two justices of the peace, two members of the society and five inhabitants may in cases of fire cause buildings to be demolished.

XIII. And be it further enacted by the authority aforesaid, that in all cases of fire, two Justices of the Peace with the concurrence of five inhabitants being proprietors of real property in the said City and openly named by the said Justices of the Peace, shall have the power of causing to be demolished or taken down, and may cause to be demolished or taken down, all buildings and fences which they shall deem necessary to be demolished for arresting the progress of any fire, and that they shall not in consequence thereof be molested nor liable to any damages.

Society may make by laws and rules &c. for preventing thefts and depredations at fires, such rules to be approved by the court, and may appoint peace officers to enforce such by-laws, &c. Persons causing disorder, &c. at any fire liable to imprisonment or the payment of a fine. Such penalty to be sued for by the secretary before any two justices of the peace. Persons refusing to pay such penalty liable to imprisonment.

XIV. And be it further enacted by the authority aforesaid, that the said Society shall also have the power of making such By-laws, Rules and Regulations, as it shall consider most proper for preventing the thefts and depredations generally committed at fires; subject, nevertheless, to the examination of the said Courts as aforesaid, and the same shall be executory after approval and publication as directed by this Act; and it shall have the power of appointing and employing special peace officers to put those regulations into execution, and each and every person present at any fire, who shall cause disorder or refuse to lend assistance when required, or who shall not retire when ordered, or who shall abuse, maltreat, or offer violence to any member of the Society, or to any person in their employ, shall be liable to imprisonment during a space of time not exceeding twenty-four hours, upon an order to that effect by any two members of the Society (of whom one shall have been witness of the offence) or to pay a fine not exceeding twenty shillings currency, which shall be sued for by the Secretary Treasurer, in the name of the Society before any one or more Justices of the Peace of the said City, who shall hear and determine the complaint in a summary manner, and the person if convicted, shall pay the said fine without delay, or in default of payment thereof and of the costs, which shall not exceed seven shillings and six pence currency, shall be confined in the common gaol for a time not exceeding three days.

Society may make rules & regulations with regard to horses and their buildings

Provi-o.

XV. And in order to prevent more effectually accidents by Fire in the said City, be it further enacted by the authority aforesaid, that the Fire Society, as soon as it shall have been regularly organized, shall have the power to make, and shall make such Rules and Regulations as it shall judge necessary, and to which all occupants of houses and proprietors of lots of ground in the said City shall be subject, which regulations shall extend to the exterior and interior of the houses and other buildings so occupied, and to the whole of the lots of ground on which such buildings shall stand: Provided always, that such regulations shall not be contrary to existing laws, nor be in force until they shall have been passed, examined and published, as already directed by this Act: Provided also, that the fines to be imposed by any such rule or regulation, shall not in any case exceed five pounds currency, for each offence.

A member of the society may not serve for seven years after his exit from office.

XVI. And be it further enacted by the authority aforesaid, that no inhabitant who shall have served as a member of the Fire Society, shall again be liable to serve as such at any time during the seven years immediately following his retirement from office.

Secretary Treasurer exempt from certain duties.

XVII. And be it further enacted by the authority aforesaid, that the Secretary Treasurer of the said Society shall be exempt from Militia duty, (except in case of invasion) and from serving as a Juror or Peace Officer.

Establishment of a fund.

Monies arising from the sweeping of chimnies to form part of the said fund, how collected.

XIII. And whereas it is necessary to establish a fund out of which the said Fire Society may defray its annual expenses, be it further enacted by the authority aforesaid, that all the money arising from the sweeping of chimnies in the said City, shall form part of the fund aforesaid, and shall be delivered and paid over to the Secretary Treasurer of the said Fire Society, who is hereby authorized and required to collect and receive the same, and which when collected and received shall be employed as directed by this Act.

Proprietors to pay an annual sum in lieu of keeping fire buckets.

XIX. And for the greater augmentation of the said fund, be it further enacted by the authority aforesaid, that after the passing of this Act, each and every proprietor of any house in the said City, shall pay annually, two shillings currency for every story in such house, and each and every proprietor of any house only one story high, one shilling currency, in lieu of keeping in his house buckets of oil-cloth or leather, to be used at fires, as by law already provided; in consideration of which annual payment, he shall be exempt from keeping such fire buckets in his said house: Provided always that every flat except the attic in any house in the City of Quebec, shall as far as regards the provisions of this Act be considered as one story, and that all stores having chimnies and entirely separate from any dwelling house, shall be rated as houses.

Persons may be employed by the society to collect the monies.

XX. And be it further enacted by the authority aforesaid, that to collect the said monies, the Fire Society may also employ one or several persons to whom a reasonable allowance shall be made, which Collector or Collectors shall render a faithful account of the monies by him or them received to the Secretary Treasurer of the said Society; and the said Collector or Collectors, before entering on his or their duty, shall respectively furnish two sufficient sureties to the satisfaction of the President, in the amount which he shall consider reasonable, as a security for the payment of the monies which he or they shall receive, and for his or their good conduct.

Monies arising from the sweeping of chimnies payable on demand.

XXI. And be it further enacted by the authority aforesaid, that the monies arising from the sweeping of chimnies shall be payable on demand, and be regularly collected each and every month, and the money to be paid as provided by this Act,
by

Other monies payable in the month of July in each year.

Accounts of the society to be rendered quarterly, and settled at a general meeting of the members. Such settlement to be published in the newspapers.

Chimneys to be swept every month.

a certain sum to be paid therefor by proprietors.

Penalty for exposing the sweeping of any chimney.

Prosecutions for monies to be instituted by the secretary and treasurer before Justice of the Peace in their special or weekly sessions.

Such suit to be determined in a summary manner.

Fines and costs how levied.

Proviso.

by the proprietors of houses for each and every house that any such proprietor may possess, instead of being bound to keep fire buckets as aforesaid, shall be payable in the course of the month of July in each and every year, to the Secretary Treasurer, or to the Collector or Collectors to be appointed as aforesaid.

XXII. And be it further enacted by the authority aforesaid, that the accounts of the Society shall be made up and rendered quarterly, and be settled at a meeting convened by the President for that purpose, which settlement shall be signed by the President and countersigned by the Secretary Treasurer, and shall be published in the English and French languages, in at least two of the newspapers of the said City, specifying the receipts and disbursements at the end of every year.

XXIII. And be it further enacted by the authority aforesaid, that the said Fire Society shall cause to be swept and scraped, as effectually as possible, once every month, all chimnies actually used in the said City, by capable and experienced sweepers, and that the proprietor of each dwelling house or store shall pay to the Society as follows, that is to say, for each chimney of each house or store three pence currency, for every story through which such chimney shall pass reckoning the attic as a story, if there shall be an open fire place therein communicating with such chimney; and every proprietor or occupier of a house, or part of a house or store, who shall oppose the sweeping of any chimney actually in use, shall incur for each refusal a fine of five shillings currency, and if such chimney or chimnies, after such refusal, shall take fire, he or she shall thereby incur a further fine of forty shillings currency.

XXIV. And be it further enacted by the authority aforesaid, that all prosecutions for the recovery of monies arising and due from the sweeping of chimnies, and for the sums which each proprietor shall be bound to pay instead of keeping in repair fire buckets in his house or store, as well as all other prosecutions pursuant to this Act, shall be instituted by the Secretary Treasurer in the same of the said Society, before one or more Justices of the Peace in special or weekly Session and the said Secretary Treasurer may appear in and defend all actions against the said Society, according to his instructions therefrom which Justices shall hear and determine such suits in a summary manner, on the oath of one or more credible witness or witnesses other than the prosecutor, and the fine as well as the costs of suit shall be levied by warrant of distress, seizure and sale of the moveables of the defendant: Provided always, that the sale of the moveables seized shall not take place sooner than the second Monday after the Sunday when public notice of the time of sale shall have been given at the door of the Parish Church, immediately after divine service in the forenoon: and provided also, that the amount of such costs of suits shall in no case exceed the following charges, that is to say, for the sum-

mons

mons two shillings and six pence currency ; for the service of such summons one shilling and three pence currency ; for the judgment one shilling and three pence currency ; and for the warrant of distress one shilling and three pence currency ; and to the Bailiff three shillings currency for executing such warrant of distress.

All fines to form part of the funds of the Society.

XXV. And be it further enacted by the authority aforesaid, that all the penalties and fines imposed by this Act, shall go to and form part of the funds of the said Society, and shall be paid by the Clerk of the Peace to the Treasurer of the said Society, within eight days after the receipt thereof.

Society shall purchase fire buckets &c.

XXVI. And be it further enacted by the authority aforesaid, that the Fire Society shall without delay purchase at the least one hundred and fifty leathern fire buckets and such fire hooks, axes, cordage and other things as may be necessary or useful at fires, and may increase the number thereof whenever it shall find it expedient.

Paupers' chimnies to be swept gratis.

XXVII. And be it further enacted by the authority aforesaid, that the said Fire Society shall not exact any allowance nor remuneration whatever, for causing to be swept the chimnies of any pauper occupying any house or part of a house in the said City, and the said Society shall cause to be swept gratis the chimney or chimnies of each and every pauper, once a month as directed with respect to those who shall be able to pay the allowance mentioned in this Act: Provided always, that each and every pauper who shall claim the benefit of this Act, shall not be exempt from paying the said allowance until he or she shall have presented to the Secretary Treasurer of the Society, a certificate of his or her poverty signed by a Priest or Minister, or Justice of the Peace residing in the said City, and every Collector who, after such certificate shall have been recognised and approved by the Society shall exact and receive the said allowance or any part thereof, shall incur a penalty of five shillings currency for each offence.

Provide.

Manner in which gables of houses are to be built Penalties against proprietors and builders for not conforming.

XXVIII. And be it further enacted by the authority aforesaid, that in all houses which shall in future be built with gables in the said City, the gable ends shall be elevated three feet above the level of the roofs, and project sufficiently at the eaves to protect the latter from the fire of the adjoining houses, in default whereof, the proprietor shall incur a penalty of ten pounds currency, and the builders that of five pounds currency.

No wooden house to be built in Quebec, under a penalty, and no fire to be made in wooden buildings.

XIX. And be it further enacted by the authority aforesaid, that after the passing of this Act, no person shall build any wooden dwelling house in the Upper and Lower Town of Quebec, under a penalty of twenty pounds currency upon the proprietor and of ten pounds currency upon the contractor or workman, and of the demolition of such dwelling house or houses ; nor shall kindle fire in any wooden out-house, building or shed, under a penalty of two pounds currency for each offence.

Buildings for
Manufactories
and distilleries
&c. to be erec-
ted apart from
other buildings
the same to be
covered with
metal, tiles or
slate.

No manufac-
tory of gun
powder to be
established in
Quebec, un-
der a penalty
&c.

No person al-
lowed to keep
in his house
more than
twenty five
pounds of gun-
powder.

Penalty.

XXX. And be it further enacted by the authority aforesaid, that no person shall hereafter be allowed to erect any building wherein to make or distil liquors, make pot or pearl ashes, oils or beer, or put into operation any steam engine or foundry in the said town, unless the building wherein the same may be established be insulated and distant from every other house or building at least fifty feet, and be covered with metal, tiles or slate, under the penalty of twenty-five pounds currency, and of the immediate demolition of such buildings; nor shall it be lawful for any person to establish in the said Town or City any manufactory of gun-powder under the penalty of five hundred pounds currency, and of immediate demolition of the building or place wherein such manufactory of gun-powder may be established in contravention of this Act; nor shall it be permitted to any person or persons to have or keep in any house, out-house, or building of any kind within the said City, other than a public magazine without the limits of the Town, as hereinafter described; more than twenty-five pounds weight of gun-powder at one and the same time, nor shall that or a less quantity be so had or kept, unless the same be contained in a covered copper, lead or pewter cannister, or in a covered wooden keg or vessel, and such cannister, keg or vessel shall be secured in a leathern bag, under the penalty and forfeiture of five pounds currency, for every default therein.

Chimnies to be
constructed in
a certain man-
ner.

XXXI. And be it further enacted by the authority aforesaid, that every chimney which shall hereafter be built in the said City shall be built with brick or with stone lined throughout on the inside with brick and shall be smoothly plastered over the whole inside or vent thereof, with mortar containing a proper admixture of cow dung, under a penalty of ten pounds currency upon every proprietor and of five pounds currency upon the master mason or other mason employed in constructing any chimney which shall not be so plastered.

Actions to be
instituted un-
der this act,
when to be
commenced.

XXXII. And be it further enacted by the authority aforesaid, that all prosecutions to be instituted by reason of offences against this Act, shall be brought within three months next after the commission of the offence, and not afterwards.

Indemnity
granted to the
present over-
seer of chim-
nies.

XXXIII. And whereas by the Ordinances above recited, and by this Act suspended as far as the same relate to the Town and Suburbs of Quebec, the Overseer to prevent accidents by fire was entitled to the monies arising from the sweeping of chimnies and received moreover the annual salary of sixty pounds sterling from the Government of this Province as an allowance for sweeping the chimnies of the poor gratis; and whereas it is equitable that the said Overseer who during this Act is to be deprived of the monies aforesaid, inasmuch as the Ordinances above-mentioned are hereby suspended, should be indemnified for the privation of his office and of the emoluments and income thereof: be it therefore further enacted by the authority aforesaid, that the said Overseer shall be entitled in lieu of all other

other remuneration, to a sum of two hundred pounds currency per annum, during the continuance of this Act, which sum shall be paid him quarterly out of the funds of the said Society and on the order of the President thereof by the Secretary Treasurer of the same, and before any sum whatsoever shall be expended out of the said funds for any cause or on any account whatsoever, excepting only such expenses as may be necessarily incurred in and about the collection of the rates and dues of which the said funds are composed and the actual expense of sweeping and scraping such chimnies as by this Act the said Society are bound to cause to be scraped and swept, unless such Inspector be in the mean time appointed to some other place of profit in this Province exceeding the sum allowed by this Act.

Duties of the
Overseer of
chimnies to be
vested in the
members of the
society.

XXXIV. And be it further enacted by the authority aforesaid, that the duty assigned to the said Overseer or Inspector of chimnies by the fourth section of a Statute passed in the fifty-ninth year of the Reign of His Majesty King George the Third, Chapter eight, intituled, "An Act to repeal in part an Ordinance passed in the seventeenth year of the Reign of His Majesty, intituled, "An Ordinance to prevent accidents by fire, and for other purposes therein mentioned," shall after the passing of this Act, be vested in and be performed by the several members of the said Fire Society; and each of them shall, in the ward which shall be assigned him, at a meeting of the said Society, perform the duties imposed on the Overseer or Inspector of chimnies by the said section of the aforesaid Act, and in case of negligence they shall severally be liable to the like penalties as are in and by the said section imposed: Provided always, that in every case where it may be necessary to prosecute for offences against the said Act, the prosecution shall be instituted by the said Secretary Treasurer in the name of the said Society.

Proviso.

When the City
of Quebec is
incorporated,
powers vested
in the Fire
Society to be
in the Corpora-
tion of the
City.

XXXV. And be it further enacted by the authority aforesaid, that when the said City of Quebec shall be incorporated the powers vested by this Act in the said Fire Society shall be and they are hereby vested in the Corporation of the said City of Quebec.

Public Act.

XXXVI. And be it further enacted by the authority aforesaid, that this Act shall be deemed a public Act, and shall be judicially taken notice of as such by all Judges, Justices of the Peace, and other persons whatever, without being specially pleaded.

Continuance of
this act.

XXXVII. And be it further enacted by the authority aforesaid, that this Act shall continue and remain in force until the first day of May one thousand eight hundred and thirty-four, and no longer.

XXXIX.

Application of
the monies to
be accounted
for to His
Majesty.

XXXVIII. And be it further enacted by the authority aforesaid, that the due application and employment of all monies to be levied by virtue of this Act, shall be accounted for to His Majesty, His Heirs and Successors through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall direct.

C A P. XXXVIII.

AN Act for the relief of the Commissioners for taking the Census of the Province,

[25th February, 1832.]

MOST GRACIOUS SOVEREIGN.

Preamble.

WHEREAS it is expedient to appropriate a certain sum of money for the purpose of reimbursing the sums expended by the several Commissioners appointed under the authority of a certain Act passed in the first year of His Majesty's Reign, "intituled, " An Act for ascertaining the population of the several " Counties in this Province and for obtaining certain statistical information therein " mentioned," in procuring certain printed forms required in the performance of the duties assigned to them by the said Act: May it therefore please your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, " An " Act to repeal certain parts of an Act passed in the fourteenth year of His " Majesty's Reign, intituled, " *An Act for making more effectual provision for the " Government of the Province of Quebec, in North America,*" and to make further " provision for the Government of the said Province." and it is hereby enacted by the authority of the same, that it shall be lawful for the Governor, Lieutenant Governor or person administering the Government, by warrant under his hand, and out of any unappropriated monies in the hands of the Receiver General, to pay to each of the several Commissioners appointed under the authority of the Act aforesaid, such sum as shall be necessary to reimburse the sum expended by such Commissioners respectively, in procuring the printed forms required for the purpose of enabling them to perform the duties assigned to them by the said Act, and a sum not exceeding three pounds five shillings currency to the Commissioners appointed in each County under the said Act, to reimburse a like sum by them paid for their Commission: Provided always, that no sum shall be paid under the authority of this Act to any Commissioner or Commissioners until

Certain sums
of money
granted for the
purpose of re-
imbursing the
sums expended
by the several
Commissioners
for taking the
Census of the
Province.

Proviso.