

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the fifth day of December 1785, in the Twenty Sixth Year of his said Majesty's Reign, and there continued by several Prorogations unto the Twenty Fifth Day of October, 1787, in the Twenty Eighth Year of his Majesty's Reign, being the Third Session of the Sixth General Assembly convened in the said Province.

28 George III – Chapter 8

An Act in further Addition to an Act passed in the Second Year of His Majesty's Reign, intituled, "An Act for appointing Firewards and punishing Thefts and Disorders at the Time of Fire."

Whereas the town of Halifax is often in great danger of being burned by reason of the inhabitants neglecting to sweep and keep clean their chimnies, for remedy whereof;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, that from and after the publication hereof it shall and may be lawful for the firewards in the said town to nominate and licence fit and proper persons to be sweeper of chimnies, and no person or persons shall presume to follow such occupation or employment unless he shall be appointed and licensed for that purpose by the firewards on pain of being sent to the house of correction and there punished as a vagabond.

II. And be it further enacted, that it shall and may be lawful for the firewards in said town to make orders and regulations respecting the sweeping of chimnies in each ward, and to direct the same to be done once a month at farthest, and oftener if they shall think proper. And in case any fire or fires shall happen in any house or chimney within said town, so as to alarm or endanger said town or the houses and buildings in the neighbourhood of such fire, and the occupants or occupant of the house or building where such fire or fires shall happen cannot make it appear that the chimney or chimnies of such house or building has been swept according to the rules and directions of the firewards by some licensed sweeper, he, she or they shall forfeit and pay a fine of forty shillings to be recovered on the complaint of any one of the firewards in said town before any justice of the peace for the county of Halifax, to be levied by warrant of distress on the offenders goods and chattels, and for want thereof on his body, and to be paid into the hands of such fireward to be by him applied to the repair of the fire engines or water buckets, or such other necessary uses as the safety of the town from fire may require, and any fireward refusing or neglecting to give information or to make complaint in such case, shall forfeit and pay five pounds to the use of the poor of said town, to be recovered before the justices in sessions for the county of Halifax, on the complaint of any inhabitant of said town, being a freeholder or housekeeper.

III. And be it further enacted, that it shall and may be lawful for any three of the firewards on view of any chimney, stove, pipe or smoke funnel in said town which they may deem to be dangerous and insufficiently built, or secured to prevent the risk of fire, to order the same to be removed, altered or repaired as they may direct, within twenty four hours or such

reasonable time, whether longer or shorter as they may think proper to allow. And if the occupant or occupants of such house or building in which such chimney, stove, pipe or funnel shall be placed, shall neglect to remove, repair or secure the same as directed, it shall and may be lawful for such firewards to apply to any one of his Majesty's justices of the peace within said town, and to three or more freeholders there to view and examine the same. And in case such justice and every three of such freeholders shall agree in opinion with said firewards, that such chimney, stove, pipe or funnel is likely to endanger the said town or any building in it. And the owner or occupant of the house or building where the same is or shall be placed shall not then give to such firewards good and sufficient security to alter, repair or remove the same as they shall direct, it shall and may be lawful for such justice to order the same to be immediately removed or prostrated as a common nuisance, and to issue a warrant of distress to seize and sell at public outcry so much of the goods and chattels of such owner or occupant as shall be sufficient to defray the expence of the removal or prostration of such nuisance.

IV. And be it further enacted, that the justices of the county of Halifax shall and may from time to time make rates or assessments on the Inhabitants of the said town of Halifax for purchasing and keeping in good order and repair one or more fire engines for the use of said town, to be kept in such part or parts of said town under the direction of the firewards as shall by them be deemed most convenient, the said rate or assessment to be levied and collected in the manner the poor rates in said town are now levied and collected, and under the like pains and penalties.

V. And be it further enacted, that not more than twenty five pounds of powder shall be kept at any one time in any one house, shop or building in said town of Halifax, which powder shall be kept in a tin canister with a close cover. And it shall and may be lawful for any three of the firewards to seize as forfeit for the use of the poor of said town, and to sell at public outcry any greater quantity of powder found by them or either of them, contrary to this act. And also order and direct any person or persons inhabitants of said town to remove from his or their house, shop or building any hay, shavings or combustible materials, which they the said firewards shall find so kept, placed or stored, as in their opinion to endanger the safety of such house, shop or building, or any other building in said town. And if any occupant or owner of such house, shop or building his or their agent or factor shall refuse or neglect for twenty four hours after notice given to remove such hay, shavings or combustible materials, the said firewards are hereby empowered to seize and apply the same to the use of the poor of said town, as in case of a seizure of powder.