

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, in the Fifty-second year of the Reign of our Sovereign Lord George the Third, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the First Session of the Tenth General Assembly, convened in the said Province. From Henry H. Cogswell, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: from the Sixth Session of the Eighth General Assembly, to the Fifty-Sixth year of his Majesty's Reign. John Howe and Son, 1816.*

52 George III – Chapter 13 (Session 1)

**An Act in addition to an Act, made in the second year of His present Majesty's Reign, entitled, "An Act for appointing Firewards, ascertaining their Duty, and for punishing Thefts and Disorders at the time of Fire."**

Whereas the provision made by law for providing the implements necessary to be used to put a stop to, or extinguish, fire in the town of Halifax, has been found insufficient; for remedy whereof:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that at the next session of the peace, to be held for the county of Halifax, and at any other sessions of the peace for the same county, so often as the same shall be found necessary, the firewards for the said town of Halifax shall report in writing, to the said sessions, the number of hooks, chains, ropes, ladders, axes and saws, which they may think necessary to be provided for the service of the said town, and also the amount of the expenses of repairing and keeping the same in good and sufficient order; and it shall and may be lawful for the justices, in their said sessions, from time to time, to order such, or so many, of the said implements to be provided, as the said justices may deem expedient, and may from time to time order the cost and charge of providing the same, as well as the expense of repairing and keeping the same safe and fit for service, to be assessed and levied in the same manner, and with the same power and authority, that money is now assessed and levied on the inhabitants of the said town of Halifax, for the support of the poor.

II. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the said justices, in their said sessions, from time to time, and so often as the same may be necessary, to choose and appoint such number of prudent and discreet men, not exceeding twenty, as may be found necessary, who shall be denominated fire-men, and shall have the charge of the said hooks, chains, ropes, ladders, axes and saws, and shall be obliged to keep them in good order, and fit for service on all occasions; and the persons so appointed shall be exempted from all statute labour upon the highways.

III. And be it further enacted, by the authority aforesaid, that at the time of any alarm, or breaking out, of fire in the said town of Halifax, or the suburbs thereof, the said fire-men shall, without delay, repair to the place where the said before mentioned implements are

kept and deposited, and shall bring the same to the place or places where the fire shall have been discovered, and shall there diligently use and work with the same under the direction of the firewards in such way as shall be deemed most likely to extinguish such fire.

IV. And be it further enacted, by the authority aforesaid, that one of the said fire-men, to be named by the justices in their sessions, shall have the power and authority of a fireward, to order and command any necessary assistance in taking the said implements to or from the place where any fire may happen, and any person or persons refusing to obey such orders, shall be subject to the same fine or fines imposed by the said act, whereof this is an amendment, on any person or persons refusing or neglecting to obey the orders of said firewards.

V. And be it further enacted, by the authority aforesaid, that if any person or persons shall have in his, her or their possession, any of the said hooks, chains, ropes, ladders, axes or saws, which belong to the said fire-men, and shall neglect to return them for twenty-four hours after such fire, or shall be found using the same except at the time of fire, or the alarm of fire, he, she, or they, shall be subject to the same penalty as is provided for a similar offence in and by an act, passed in the twenty-second year of His present Majesty's reign, in amendment of the said act, the said penalty to be recovered and applied as is directed by the said act: and all and every constable or constables, who shall hereafter neglect to attend at the time of fire, pursuant to the provisions contained in the said last mentioned act, or who at the time of such fire, or alarm of fire, shall refuse or neglect to obey the orders of any fireward, such constable or constables, on conviction thereof, before any one of His Majesty's justices of the peace, shall forfeit and pay a fine not less than five shillings, nor more than twenty shillings; and every such constable for the town and suburbs of Halifax, if called on by the justices in special sessions, after any fire, or alarm of fire, shall prove, by certificate from one or more of said firewards, that he or they duly attended, and did his or their duty, at such fire, or shall otherwise shew some good and sufficient cause to the satisfaction of said justices, which prevented him or them from attending at such fire, or alarm; and every one of said constables, who shall, when called upon as aforesaid, neglect or refuse to produce such certificate, or other good excuse as aforesaid, shall be liable for each and every such neglect to the same fine of five shillings or twenty shillings herein last mentioned; and the clerk of the peace for the said county shall from time to time notify the said constables of their duty in this respect, by reading to them this clause.

And whereas some doubt has arisen, whether the firewards of said town who have been sworn into office, ought by law to be again sworn, if re-chosen to serve in said office:

VI. Be it further enacted, by the authority aforesaid, that it shall be lawful for the firewards of said town to continue to serve in said office after having once taken the oaths appointed by law, so long as they may be annually re-chosen to the said office, without being obliged to taken again the said oaths at the time of such re-appointment; and that they shall be bound by their first oath to the performance of the duties of their office, as fully and

effectually as if an oath had been administered to them upon each renewal of the appointment.

VII. And be it further enacted, that two sufficient fire bells shall be procured, and paid for in the manner directed in the first clause of this act, which bells shall be placed and fixed in such convenient and proper parts of the said town as shall by the said justices be appointment.

VIII. And be it also enacted, that it shall and may be lawful for the justices aforesaid, in their sessions, to make regulations for preventing boys and other persons from unnecessarily ringing the said bells, or either of them, and from destroying or injuring them, or either of them, or injuring the ropes thereof, and to enforce the said regulations by imposing a fine not exceeding the sum of twenty shillings for each offence.

IX. And be it further enacted, that the parent or parents of any child, or children, under age, who shall be found transgressing any of the said regulations so to be made as aforesaid, and the master or masters, mistress or mistresses of any apprentice or apprentices, who shall be found transgressing any of the regulations so as aforesaid to be made, shall be subject and liable to the fine or penalty so to be imposed by the justices as aforesaid, to be levied off their goods and chattles respectively.

X. And be it further enacted, that all persons to whom licenses shall be granted, shall enter into bonds for carrying on the sweeping of chimnies during the time for which their licence shall be granted; and in case of neglect or refusal of the persons licensed, or those employed by them, to comply with such regulations as shall from time to time be made by the firewards, and approved of at a court of general or special sessions of the peace, that the person so neglecting or refusing shall forfeit and pay for each and every offence, a fine not less than five shillings, nor more than twenty shillings, to be recovered before any one of his Majesty's justices of the peace, on the oath of one credible witness, and if the person or persons convicted of such neglect or refusal, shall not have sufficient goods and chattles, whereon distress may be made to the value of the penalty recovered for such offence, or shall not pay such penalties within ten days after such conviction, then and in such case, such justices may, by warrant, commit such offender to the county jail or house of correction, there to remain for a term not exceeding ten days.