

CAP. XVII.

An ACT to give Power to the Firewards of the Town of Halifax, to prevent dangerous quantities of Gunpowder being kept within the said Town, and the Harbour thereof.

WHEREAS by an Act, made and passed in the twenty-eighth year of his present Majesty's reign, entitled, An Act in further addition to an Act, passed in the second year of his Majesty's reign, entitled, An Act for appointing Firewards, and punishing Thefts, and Disorders at the time of Fire, it is enacted, that not more than twenty-five pounds of Gun-Powder, shall be kept at any one time, in any one house, shop, or building, in the town of Halifax, and the Justices of the Peace, for the said town of Halifax, not being authorised by Law to grant their Warrants to search for dangerous quantities of Gun-Powder, in houses, shops or buildings, whereby persons are enabled to evade the provisions of the said Act; and whereas private armed ships, and other ships and vessels, frequently anchor in the harbour of Halifax, and lie alongside the wharves, having dangerous quantities of Gun-Powder on board, to the apparent danger of the lives and fortunes of his Majesty's subjects, for remedy whereof:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication of this Act, it shall be lawful for any Justice of the Peace residing within the town of Halifax, upon complaint made on oath by any Fireward or other person, that he or they have reasonable cause to suspect that dangerous quantities of Gun-Powder are kept within the said town of Halifax, in any houses, storehouses, warehouses, shops, cellars, yards, wharves, or other places, whatsoever, or any ships, boats, or other vessels, in the harbour of Halifax, and within the said town of Halifax, to issue his Warrant or Warrants to search for the same, in the day time, and for that purpose, admittance being first demanded by such Fireward or Firewards, and refused by the proprietor or occupant or occupants of such building, store or vessel, it shall and may be lawful for any one of the said Justices, upon information on oath made before him, to grant a Warrant to break open any such houses, storehouses, warehouses, shops, cellars, yards, wharves, or other places aforesaid, or any ships, boats, or other vessels, if there shall be occasion, and that upon any or every search or searches, a greater quantity of Gun-Powder than the Law allows, shall be found by him or them, or either of them, it shall and may be lawful for any such Fireward or Firewards for the said town of Halifax, to seize the same, as forfeit to the use of the Poor of the Town of Halifax, and to sell, dispose of and apply the same as is directed, in and by the said Act.

Information.

Search for dangerous quantities of Gun-Powder in Houses, &c.

Discovery of dangerous quantities of Gun-Powder, &c.

II. And be it further enacted, by the authority aforesaid, That not more than twenty-five pounds of Gun-Powder shall be kept at any one time, in any one ship, boat or other vessel in the harbour of Halifax, longer than twelve hours after such ship, boat or other vessel, shall have come alongside of any vessel or wharf, within the Harbour of Halifax. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, in any wise to affect any ship, boat or other vessel, belonging to his Majesty, his Heirs, or Successors, wherein Gun-Powder, or other Stores shall be kept for the use of the Public.

Powder in vessels.

Provide.

And whereas the penalties, and forfeitures imposed by the said Act passed in the twenty-eighth year of his Majesty's Reign, have been found insufficient to prevent persons keeping dangerous quantities of Gun-Powder:

III. Be it further enacted, by the authority aforesaid, That if any person or persons shall hereafter have or keep any larger or greater quantity of Gun-Powder than twenty-five pounds at any time in any house, storehouse, warehouse, shop, cellar, yard, wharf, or other place, within the said town of Halifax, or in any ship, boat, or other vessel in the harbour of Halifax, con-

Penalty for keeping greater quantities of Gun-Powder in

Houses, &c.
than allowed by
Law.

Proviso

Application of
Penalties.

trary to the provisions of this Act, all and every such person or persons shall forfeit and pay for every pound thereof, the sum of five shillings to be recovered by any action, plaint, bill, or information, at the suit of any Fireward or Firewards for the said town of Halifax, in his Majesty's Supreme Court for this Province, together with full costs of suit to be taxed by the Justices of the said Court. *Provided always*, that such action, plaint, bill, or information, shall be commenced, sued and prosecuted, within twelve months next after such forfeiture or penalty shall be incurred.

IV. *And be it further enacted, by the authority aforesaid*, That all fines, penalties and forfeitures, incurred by this Act, shall be applied in the same manner, as is directed in and by the said Act, made and passed in the twenty-eighth year of his present Majesty's Reign.

CAP. XVIII.

An ACT to enable the Proprietors to repair the Meeting-House at Truro, and to inclose the Burying-Place belonging to the same, and also to assess Monies for defraying the expences thereof.

Meeting of Proprietors.

Notice of Meeting.

Appointment of Trustees to make repairs.

Refusal of Proprietor to pay his proportion of repairs.
Power of Trustees.

BE it enacted, by the Lieutenant Governor, Council and Assembly, That whenever the Proprietors of the Meeting House at Truro, shall find it expedient to repair the same, or to make or repair any wall, fence, or inclosure, around the Burying Place thereto appertaining, it shall and may be lawful for such Proprietors to meet and consult about the making of such repairs or inclosure, and the votes or determination of the major part in number and interest of such Proprietor, at such meeting, shall bind the whole.

Provided always, That every Proprietor or Person, acting in his or her behalf, shall have at least four days previous notice of the time, place and purpose, of such Meeting, and that all votes or resolutions agreed on by the majority at such meetings, shall be entered into the Meeting House Books, or into a book to be provided and kept for that purpose, which book shall be open for the inspection of every Proprietor.

II. *And be it further enacted*, That it shall be lawful for the said Proprietors or such major part of them, to appoint three or more fit and proper persons to act as Trustees for directing and completing such repairs or inclosures, as shall be determined and agreed on at any meeting to be held as aforesaid; and such Trustees may enter into any agreements or contracts for making such repairs or inclosures, and, whenever the expences thereof shall be ascertained, shall apportion the same by a just and equal assessment on all the Proprietors of the said Meeting-House, according to their several shares and interests therein; and such assessment shall be made in writing, and be submitted to the inspection of any of the Proprietors who may require to view and examine the same.

III. *And be it further enacted*, That if any Proprietor shall refuse or neglect, for the space of ten days after due notice to him or her of such assessment, to pay his or her share thereof to the said Trustees, it shall and may be lawful for the said Trustees to advertise such delinquent's share or shares in the said Meeting House, to be Let, and to Lease the same for such term of time as shall be sufficient to raise the amount of his or her assessment, and if no person shall appear within the space of one month after such advertisement, to hire the said share or shares, it shall be lawful for the said Trustees to sell the same to the highest bidder; and to make and execute a good and sufficient deed thereof, and also to deliver the possession of such share or shares