

seizure shall have been made, who are hereby required and directed to keep a book of Record, in which they shall fairly enter all causes tried before them under this Act, together with the evidence taken before them upon such trial.

IX. And be it further enacted, That in case of the arrest, seizure and prosecution of any Timber or Logs, Deals, Plank, Boards, Scantling, Shingles, Clapboards, Staves, Lathwood or any other description of Wood under this Act, if judgment of condemnation shall not pass, and the Court in which such prosecution shall be instituted shall certify that there was probable cause of seizure, such certificate shall be taken and received as a good and sufficient defence against any action to be prosecuted by any person or persons in any Court within this Province, against the Officer who made such seizure, and any Officer so prosecuted, shall in all cases be at liberty to plead the general issue, and give any special matter in evidence, the same as if such matter had been specially pleaded and set forth.

Certificate of Court of probable cause of seizure to be a bar to actions against the seizing Officer.

X. And be it further enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fifty.

Limitation.

CAP. LXXVIII.

An Act to amend an Act intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province." 56 G. 3, c. 7.

Passed 31st March 1840.

WHEREAS great inconvenience has arisen heretofore under the operation of the fifth Section of the Act to which this is an amendment; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth Section of an Act made and passed in the fifty sixth year of the Reign of His Majesty King George the Third, intituled "An Act to provide for the purchase of a place for the residence and accommodation of the Governor or Commander in Chief of this Province," be and the same is hereby repealed; and in lieu thereof,

56 G. 3, c. 7, s. 5, repealed.

II. Be it enacted, That His Excellency the Lieutenant Governor or Commander in Chief for the time being, be and he is hereby authorised and empowered to appoint three or more Commissioners in each and every year to have the care and management of Government House, and the premises therewith connected, and to have the superintendence and control of any reparations and improvements to be from time to time made, under and by the authority of the General Assembly of this Province.

Three or more Commissioners to be appointed to have the care and management of Government House, and to superintend repairs and improvements.

CAP. LXXIX.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the Parish of Portland for the year one thousand eight hundred and thirty nine.

Passed 31st March 1840.

WHEREAS by the fourth section of an Act made and passed in the first year of the Reign of Our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver

' deliver to the Collectors of Rates within their respective Towns and Parishes
 ' a list containing the names of all the parties rated within their several Districts,
 ' with the several amounts to be collected from every such person; and by the
 ' fifth section of an Act made and passed in the seventh year of the Reign of His
 ' late Majesty, intituled " An Act to provide for the collection of County and
 ' Parish Rates," it is provided that no Assessors shall be allowed a per centage
 ' unless the provisions of the said Act shall have been fully complied with: And
 ' whereas during the past year the labours to be performed by the Assessors of
 ' Taxes in the Parish of Portland, in consequence of the division of the said Pa-
 ' rish, were so great as to prevent a strict compliance with the requisites of the
 ' said Act, and the Assessors have thereby become deprived of any legal right to
 ' remuneration for the arduous duties performed by them; for remedy whereof;

Justices in Ses-
 sions authorized to
 compensate the
 assessors of taxes
 in Portland for the
 year 1839.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,
 That it shall and may be lawful to and for the Justices of the Peace in and for the
 City and County of Saint John, in General Sessions assembled, to make an order
 for the payment of due compensation to the Assessors of Taxes in the said Pa-
 rish of Portland for the past year out of the monies levied, raised and collected
 for that purpose, in the same manner as if the said Assessors had in every respect
 strictly complied with the provisions of the said Acts; Provided that no greater
 rate per cent. on the amount ordered to be assessed shall be allowed them than
 is provided for in the said Acts.

*Amended by 8th vic
 c. 209 acting to depy
 expenses of the
 department*

Amended by 15th vic. Exp. 5 of year act

An Act for the better extinguishing of Fires which may happen in the City of Saint John, and
 to continue a certain Act relating to the same matter therein mentioned.

Passed 31st March 1840.

Corporation au-
 thorized to estab-
 lish a Fire Depart-
 ment.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assem-
 bly, That it shall and may be lawful to and for the Mayor, Aldermen and
 Commonalty of the City of Saint John, in Common Council convened, by ordi-
 nance or otherwise, to establish a Fire Department in and for the said City, which
 said Fire Department shall consist of one Chief Engineer, and as many other En-
 gineers, Enginemen, Firemen, Hosemen, Axemen, and Hook and Ladder men
 as shall and may from time to time be elected, nominated and appointed by the
 said Mayor, Aldermen and Commonalty, in Common Council convened; which
 persons so to be elected, nominated and appointed as aforesaid, are hereby re-
 quired and enjoined always to be ready at a call by night as well as by day, to
 perform their several and respective duties, in the extinguishing of Fires that may
 happen or break out in the said City: Provided however, that the number of En-
 gineers so to be elected, nominated and appointed, shall not exceed ten for each
 and every Fire Engine, and belonging to the said City, and that the number of
 Firemen, Hosemen, Axemen, and Hook and Ladder men, shall not in the whole
 exceed four hundred men; and provided further, that not more than ten Engi-
 neers and fifty Firemen shall be attached to each Engine.

Members of the
 Department to be
 ready by day and
 by night to per-
 form their duties.

Number of Mem-
 bers limited.

Corporation may
 organize a Com-
 pany of hosemen,
 axemen and hook
 and ladder men.

II. And be it enacted, That the said Mayor, Aldermen and Commonalty, in
 Common Council convened, shall and may, if to them or the major part of them
 it shall seem meet, establish and organize one company of Hosemen, and also
 one company of Axemen, and also one company of Hook and Ladder men.

Members of the
 Department may
 be displaced and

III. And be it enacted, That the said Mayor, Aldermen and Commonalty, in
 Common Council convened, are hereby authorized and empowered to remove and