

CAP. XLVIII.

An Act to amend the Law relating to the local government of Counties, Towns and Parishes in this Province.

Passed 7th April 1852.

WHEREAS by an Act passed in the thirteenth year of Her present Majesty's Reign intituled *An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province*, a power is given to the Firewards, or any two of them, at any time to enter into any house or other building within the town, and examine any stoves, pipes, ovens, hearths or chimneys therein; and if in their opinion danger may be apprehended, they may by writing prohibit the lighting of fire therein until such alterations as they may specify in writing are first made: And whereas no power is given to the Firewards to inflict any penalty for disobedience to their directions;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. From and after the passing of this Act whenever the Firewards, or any two of them, shall by writing forbid the lighting any fire in any stoves, pipes, ovens, hearths or chimneys, under the above recited Act, the party or parties neglecting to obey the same, or otherwise violate or disobey the orders or directions of such Firewards, or any of them legally given, shall forfeit and pay the sum of forty shillings for each and every offence.

2. In all cases where powers are given by law to the Firewards or any of them to order, direct or forbid anything to be done by any person or persons, and where no penalty is provided for by law, every person or persons disobeying such orders or directions, or otherwise infringing on the Act to consolidate and amend the Laws relating to the local government of Counties, Town and Parishes in this Province, shall forfeit and pay a sum not exceeding forty shillings.

3. All fines authorized and imposed by virtue of this Act shall be levied and collected in the same manner as other penalties prescribed by the said recited Act, and shall be paid to the Firewards of the town where the same are imposed, and applied by them for the purposes and in the same manner as other moneys received by them in their official capacity.

4. And whereas by Article sixth of the said recited Act it is provided that assessments to be raised for the erecting and repairing of engine houses, &c., shall be made in due proportion upon every person within the said town who shall inhabit, hold or occupy any house, shop, warehouse or other tenement: And whereas doubts have arisen as to the construction of said Article; It is hereby declared that such assessment shall only be levied upon the property, real or personal, actually belonging to any such person, and that no tenant shall be assessed for the value of any lands, tenements or property held or occupied by him as tenant, but the property of non-residents shall be assessed and the amount collected in the same way as taxes for Poor and County Rates.

Penalty for disobeying orders of Firewards in respect of fires in stores, &c.

Penalty for offences for which no specific penalty is appointed.

Recovery and application of fines imposed by this Act.

Proportions of assessments under Art. 6 of Sec. 6, of 13 V. c. 30.

Liability of property of non-residents.

*In R. Laws Vol. 1. Page 485, Preamble. 13 V. c. 30. Repealed. In further R. L. Vol. 1. Page 140.*

CAP. XLIX. *expired*

An Act to revive and continue an Act relating to the holding of Circuit Courts and for other purposes.

Passed 7th April 1852.

WHEREAS an Act relating to the holding of Circuit Courts, which expired on the first day of May in the year of our Lord one thousand eight hundred and fifty one, was omitted to be continued in the last Session of Assembly: And whereas notwithstanding the expiration of the said Act, the said Courts

*Not repealed by R. Laws In further R. L. Vol. 2. Page 105. 17th June 1852.*