

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 Reigm 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.

CAP. XLIX.

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

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

*Not repealed by P. Laws*

*In further P. L. Vol. 2. Page 105. 17th Nov. 1852.*

' Courts have been regularly holden, and the other requirements of the said Act ' have been duly performed, and it is necessary to legalize the same, and also to ' revive and continue the said Act;'

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

1. Every act, matter and thing done or committed within the meaning and pursuant to the provisions of the Act of Assembly passed in the ninth year of Her present Majesty's Reign, intituled *An Act relating to Circuit Courts in this Province and to provide for the travelling expenses of the Judges holding such Courts*, and every act, matter and thing which may be necessary to complete what may have been begun within the provisions aforesaid, either before or since the expiration of the said Act, are hereby declared to be as valid, legal and effectual as if the said recited Act had been regularly continued.

Every thing done under Act 9 V. c. 57, and things necessary thereto before or since the expiration of the Act, confirmed.

2. The said recited Act is hereby revived and continued and shall be in force until the first day of May in the year of our Lord one thousand eight hundred and fifty five.

9 V. c. 57, revived and continued.

*Su R. Laws. Vol. 1. Page 485. CAP. L. Reprinted - Su R. L. Vol. 1. Page 149. S 32.*

An Act to continue an Act intituled *An Act to regulate the inspection of Dry and Pickled Fish for home consumption and for exportation.* 5 W. 4, c. 43.

Passed 7th April 1852.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate the inspection of Dry and Pickled Fish for home consumption and for exportation*, be and the same is hereby continued in full force for two years from the first day of May next.

5 W. 4, c. 43, continued.

CAP. LI.

*Repealed the following Session*

An Act to prevent the traffic in Intoxicating Liquors.

Passed 7th April 1852.

**W**HEREAS experience has proved that the use of Intoxicating Liquors ' as a beverage is the cause of a very large proportion of the ills that ' affect communities in producing crime, poverty, disease and demoralization : ' And whereas it is the duty of all Governments to legislate for the happiness, ' comfort and prosperity of the people;'

Preamble.

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

1. No person shall by himself, partner in business, his clerk, servant or agent, manufacture any alcoholic or intoxicating liquors within this Province, except for religious, medicinal, chemical or mechanical purposes, excepting beer, ale, porter and cider, and not in that case without a licence first had and obtained from the Court of Sessions of the County, or the Corporate Body invested with the local government of the City or district in which the same shall be manufactured, (which licence shall only be in force and effect for the term of twelve calendar months from the date thereof, and may be annulled at any intermediate time for any violation of any of the provisions of this Act); and every such person before obtaining such licence shall execute and deliver to the said Court a Bond, with two good and sufficient sureties, in the penal sum of two hundred pounds, in substance as follows:—

Manufacture of intoxicating liquors, except for certain purposes, prohibited, and in these cases also without a licence from the local authorities.

' Know all men by these presents, that we as principal and sureties are ' held and firmly bound unto Her Majesty the Queen in the penal sum of two ' hundred