

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1826. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1826.

7 George IV – Chapter 11

An Act to extend the Power of the Firewards in the Parish of Fredericton, and to make further regulations for the better extinguishing of Fires that may happen in the said Parish. Passed the 7th March, 1826.

Whereas serious inconveniences and disorders have arisen at Fires in the Town of Fredericton, from the want of a prompt obedience to the Firewards, and from a great deficiency in the supply of Buckets, for remedy whereof,

I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the passing of this Act, upon every alarm of Fire in the said Town or in its vicinity either in the night or day time, it shall be the duty of every Constable resident within the said Town or in its immediate vicinity, knowing of such alarm, immediately to repair (with a Staff to be provided by the Firewards for that purpose as herein after directed) to the place where the Fire may be, and there to report himself to someone or more of the Firewards there present, or if not Fireward be present on his arrival, then to the first Fireward that shall thereafter arrive at the Fire, and to place himself under the immediate orders and directions of such Firewards, and to use his utmost exertions to aid and assist the said Firewards, and to obey and carry into effect all orders and directions that may be given to him by the said Firewards or any of them at the time of such Fire.

II. And be it further enacted, That for every refusal or neglect by any Constable, resident in the said Town or in its immediate vicinity, to perform and fulfill any of the duties by this Act imposed upon him, such Constable shall forfeit and pay the sum of forty shillings, together with the costs of recovering the same, to be recovered and applied in like manner as the penalties and forfeitures mentioned in an Act made and passed in the fifth year of His Majesty's Reign, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires, so far as relates to the Town of Fredericton and to make Regulations more suitable to the said Town," are by the fifth section of the same Act directed to be recovered and applied, and for the want of sufficient distress, such offender shall suffer eight days imprisonment, unless the penalty and costs shall be sooner paid.

III. And be it further enacted, That the Firewards are hereby authorized and required to provide a sufficient number of such proper and necessary Staves for the Constables, herein-before mentioned, as the said Firewards or the major part of them may deem most fit and convenient, for the said Constables to carry with them at all times of their attendance at Fires as herein-before is directed, which Staves shall be kept at such convenient place or places as the said Firewards or the major part of them may direct to be in readiness at all times when required.

IV. And be it further enacted, That at, and during the raging or continuance of any Fire that may hereafter happen, either in the said Town or in its immediate vicinity, if any person or persons shall

refuse or wilfully omit to obey the orders of any Fireward there present for his falling into line or for his doing any other Act that such Fireward may think necessary, towards aiding and assisting in extinguishing such Fire or in preserving of any property endangered by such Fire, or who shall be guilty of any disorderly conduct in defiance of the orders of any Firewards there present, or shall in any way wilfully obstruct or endeavour to obstruct the carrying into effect any orders or regulations that may be then given or made by the Firewards present, or any of them, for the better extinguishing of such Fire. The Firewards present at any such Fire or any of them shall have full power, if he or they see fit, and he and they are hereby authorized to order any Constable present forthwith to take such offender or offenders into custody, and to convey such offender, or offenders, if such Firewards or any of them see fit, to the common Gaol of the County of York, and the Gaoler of such Gaol, is hereby required to keep such offender or offenders so committed, in close confinement until delivered in manner herein after mentioned, and the Fireward or Firewards who may have committed any such offender, shall immediately after such Fire shall be extinguished, and at the latest within twenty-four hours, cause such offender or offenders to be brought up by the Gaoler or other person appointed for that purpose, before any one of His Majesty's Justices of the Peace, (not being a Fireward) resident in the said Town, to answer for such offence, and to be proceeded against, for any forfeiture or penalty thereby incurred either by this or any other Act then in force, according to Law; and all persons present at any such offence, are required to aid and assist any Constable or Fireward in carrying in to effect the directions and provisions of this Act as such Firewards or any of them may direct, and any Constable or other person refusing or neglecting to obey any orders or directions of the Firewards or any of them, for carrying into effect this provisions of this Section of this Act, shall for every such offence, be subject and liable to the like forfeiture or penalty, as is imposed by the second Section of this Act, for the offences therein mentioned, to be recovered and applied as in the said second Section, is directed.

V. And be it further enacted, That as soon after the passing of this Act, as the same can be procured, every Householder in the said Town, or in its immediate vicinity, shall provide himself with two good Leather Buckets of sufficient size to hold two and a half gallons of water, with the name of the proprietor thereof, painted on the side of each of the said Buckets, to be kept always ready, in some convenient place in his House, and shall also provide himself with two good and sufficient Ladders, one to reach from the ground to the roof of his House, and the other to lay on the Roof and held at the top by two substantial Iron hooks, fastened to the end of such Ladder which shall extend down the roof, until it meets the Ladder standing on the ground; which said Ladders, every such Householder shall keep stationary at his House, in such convenient situation as will at all times afford a ready access to the top of his House when necessary, and that on every alarm of fire in the said Town, or in its immediate vicinity, every Householder in the said Town or in its immediate vicinity, knowing of such alarm, and not being a Fireward, shall forthwith carry his Buckets so provided as above directed, or cause the same to be carried to the place where the Fire may be, to be there used as occasion may require, and every person wilfully refusing or neglecting to perform any of the duties by this section of this Act imposed, shall for every such offence forfeit and pay the sum of forty shillings, to be recovered and applied in like manner as the forfeitures mentioned in the second Section of this Act, are herein before directed to be recovered and applied.

VI. And be it further enacted, That after every Fire that shall hereafter happen in the said Town, or in its immediate vicinity, it shall be the duty of the Captains and Firemen, of the Engine now belonging to the said Town there present, to Collect all the Buckets that may be found at the place where the Fire may be, and to take such as are not there claimed by the owners thereof to the Engine house, with the Buckets belonging to such Engine, and to keep them there in safe custody until the same shall be applied for by the owners thereof, when the same shall be delivered to such owners respectively.

VII. And be it further enacted, That the Justices of the Peace for the County of York in their General Sessions, or the major part of them, are hereby authorized and empowered to raise by assessment such sum as the Firewards may, by an estimate inside out by them in writing and produced to the said Justices of the Peace, or the major part of them, in their General Sessions, shew to be necessary for the purchasing or providing another Engine for the said Town, such assessment to be made in due proportion upon all and every the person or persons, who do or shall inhabit, hold, occupy, possess, and enjoy any House, Shop, Ware-House or other Tenement, or Property liable to be consumed by Fire, within the said Town, or in its immediate vicinity.

VIII. And be it further enacted, That such sum or sums shall be assessed, levied, collected, and paid in like manner, as the assessments mentioned and provided for in the herein-before in part recited Act, are by the twelfth Section of the same Act directed to be assessed, levied, collected, and paid, for the purpose above mentioned.

IX. And be it further enacted, That this Act shall continue and be in force for and during the continuance of the said herein-before in part recited Act and no longer.