

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 8

An Act for the better extinguishing of Fires that may happen within the City of Saint John, and to repeal all the Acts now in force relating to the same. Passed the 7th of March, 1826.

Whereas it is an object of the greatest importance to the City of Saint John to have skilled Firemen, to take charge of, direct, and work, the Fire-Engines, within the said City; and whereas such Persons are not to be procured without some further exemptions from public duties than are at present extended to them by the several Acts now in force, for the better extinguishing of Fires that may happen within the City of Saint John.

I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the better extinguishing of Fires that may happen within the City of Saint John;" and also an Act made and passed in the twenty-eighth year of the same Reign, intituled "An Act in addition to an Act, intituled an Act for the better extinguishing of Fires that may happen within the City of Saint John," and also an Act made and passed in the fifty second year of the same Reign, intituled, "An Act in further addition to an Act intituled an Act for the better extinguishing of Fires that may happen within the City of Saint John," and also an Act made and passed in the fifty-sixth year of the same Reign intituled "An Act to increase the number of Firemen in the City of Saint John," be and the same are hereby repealed, and this Act shall come and be in force from and after the first day of May next.

II. And be it further enacted, That it shall and may be lawful to and for the Mayor, Aldermen and Commonalty, of the City of Saint John, or the major part of them, in Common Council convened, and they are hereby required to elect, nominate and appoint a sufficient number of strong, able, discreet, honest, and sober men, willing to accept, not exceeding eighty in number, being Freemen or Freeholders of the said City, to have the care, management, working and using of the Fire Engines, belonging to the City of Saint John, and the other tools and instruments for extinguishing of Fires that may happen within the said City; which Persons so to be elected, nominated, and appointed as aforesaid, shall be called the Firemen of the City of Saint John, and who are hereby required and enjoined always to be ready at a call, by night, as well as by day, to manage, work and use the same fire Engines, and others that may hereafter belong to the same City, and the other tools and Instruments for extinguishing of Fires that may happen or break out in the City aforesaid.

III. And in order to compel and oblige the Firemen, so to be elected, nominated or appointed as aforesaid, to be diligent, industrious and vigilant in the execution and discharge of their office and duty; Be it further enacted, That the Mayor, Aldermen and Commonalty of the said City, for the time being, in Common Council Assembled, or the major part of them, are hereby authorized and empowered to remove and displace all or any of the Firemen so as aforesaid to be elected,

nominated, or appointed, when and as often as they shall think fit, and others in the room or places of such as they shall remove or displace, to elect, nominate, or appoint, and put in, and so from time to time as they the Mayor, Aldermen and Commonalty aforesaid, for the time being, in manner aforesaid shall see convenient.

IV. And be it further enacted, That the Persons so to be elected, nominated or appointed Firemen as aforesaid, and each and every of them from time to time, during the continuance of being in the office of Firemen, and no longer, shall and are hereby declared to be freed, exempted and privileged from the several offices of Constable, and Surveyor of the Highways, and from being compellable to serve in the Militia, except in case of invasion or other imminent danger, and from serving upon any Jury in the Court of Quarter Sessions, or in the Inferior Court of Common Pleas, or in the Courts of *Nisi Prius* and *Oyer and Terminer* to be holden in and for the City and County of Saint John; or in the City Court of the said City of Saint John; and also shall be exempt and free from all Statute Labour on the Highways and Streets within the said City; and the names of such Persons elected, nominated or appointed Fireman by virtue hereof, from time to time, shall be registered and entered with the Clerk of the Peace for the said City and if at any time after this Act shall come into operation, and the electing or appointing Firemen, by virtue hereof; any such Person or Persons, elected or appointed Firemen as aforesaid, shall be chosen, elected or appointed into any of the said offices, or to serve in the Militia (except as before excepted) or upon any of the said Juries, or to perform Statute Labour, or be disquieted or disturbed by reason thereof, that then such Person or Persons, producing a testimonial or certificate under the hand of the Mayor, Recorder, or any One Alderman of the said City for the time being, of such his election, nomination or appointment, to the Person or Person by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned or required to serve, execute or hold any of the said offices or duties, shall be absolutely discharged from the same and such election, nomination, return and appointment, shall be utterly void and of none effect, unless such Person or Persons shall voluntarily consent and agree to hold such office, or serve in such Militia, or to perform either of the other duties, from which he is hereby exempted, any order, custom, law or practice to the contrary hereof in any wise notwithstanding.

V. And be it further enacted, That it shall and may be lawful to and for the Mayor, Aldermen and Commonalty of the said City for the time being, or the major part of them, met as aforesaid, to make, establish and ordain, such rules, orders, ordinances and regulations in respect of the Government, conduct, duty and behaviour of the Persons from time to time to be by them elected, nominated or appointed Firemen, by virtue of this Act, in the working, managing and frequent exercising trying and using the same Fire Engines, tools and other Instruments, and to impose and establish such reasonable fines, penalties and forfeitures upon them or any of them for default or neglect of the duties, business and services, thereby to be enjoined or required from them, as the Mayor, Aldermen and Commonalty of the same City for the time being, or the major part of them, met as aforesaid, shall from, time to time think meet and convenient.

VI. And be it further enacted, That upon the breaking out of any Fire, within the City of St. John aforesaid, all Sheriffs, Under or Deputy Sheriffs, High Constables, Petty Constables and Marshalls, upon notice thereof, shall immediately repair to the place where the said Fire shall happen, with

their rods, staves and other badges of their authority, and be aiding, and assisting as well in extinguishing the said Fires, and causing the People to work, as also in preventing goods from being stolen, and shall seize and apprehend all ill disposed Persons that they find stealing or pilfering from the Inhabitants, as also that the said officers, shall, give their utmost assistance to help the Inhabitants to remove and secure their said Goods.

VII. And be it further enacted, That this Act shall continue and be in force until the first day of May, which will be in the year of our Lord one thousand eight hundred and thirty and no longer.