

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1843.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1843.

6 Victoria – Chapter 21

**An Act to authorize the Justices of the Peace for the City and County of Saint John to assess a portion of the Inhabitants thereof for a loss sustained by William Kilpatrick in consequence of the Fire in Portland, in August, in the year one thousand eight hundred and forty one. Passed 11th April 1843.**

Whereas by the Petition of William Kilpatrick of the Parish of Portland, County of Saint John, Surveyor, verified by a number of Magistrates and others, residing in the said Parish and the City of Saint John, the said William Kilpatrick appears to have had his House and premises situate in the said Parish pulled down by the Public Authorities, in order to stop the further spread of the fire, which happened there in August, in the year one thousand eight hundred and forty one, and which was arrested at the House next his said premises, and all further devastation stayed; and it seems reasonable that such loss should be proportioned upon and among such of the neighbouring premises as may have been in danger thereby;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, if they shall be satisfied the circumstances of the case require it, to issue their Warrant of Assessment directed to the Assessors of Taxes for the said Parish, requiring them to assess such persons being owners of any houses, stores, warehouses, workshops, mills, foundries or other buildings, situated in the vicinity of such fire, as to the said Justices may seem just and meet, regard being had in making up such assessment to the relative value of the buildings so to be assessed, and the benefit derived to the owners thereof, from the pulling down of the House of the said William Kilpatrick for such sum of money for the reimbursing the said William Kilpatrick for the pulling down and destruction of his premises hereinbefore mentioned or such part thereof, together with the expenses of assessing and collecting, as they may deem expedient; such assessment to be made by such rateable proportion on the value of the said property as will produce the sum so ordered to be assessed ; and when assessed, the same to be levied, collected and paid over to the said William Kilpatrick, and the Assessors and Collectors respectively in like manner as any of the County Rates, under and by virtue of any Act or Acts of Assembly made or to be made in this Province: Provided always, that nothing in this Act contained shall give power to the said Justices to make an assessment for the purpose aforesaid, exceeding in amount the sum of sixty pounds.