

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1852. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1852.

15 Victoria – Chapter 15

An Act for the better extinguishing of Fires which may happen in the Parish of Portland, in the County of Saint John. Passed 18th February 1852.

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

1. The Firewards of the Portland Fire district as now or hereafter to be defined, may appoint any number of Firemen, not exceeding sixty for each Engine, in the manner directed by the sixth section of the Act of Assembly passed in the thirteenth year of the Reign of Her present Majesty, intituled An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.
2. The said Firewards may appoint a company of Hook and Ladder men for the said Portland fire district, not exceeding twenty men, who shall be entitled to the same privileges as firemen, and may establish regulations for their guidance and control; and may also nominate suitable persons to form a Fire Police for the said Parish, and submit their names from time to time to the Justices of the Peace in Sessions for confirmation; and on a fire breaking out, the Fire Police shall immediately repair to the place where the fire may be, and protect all property which may be either removed or being removed, to preserve the same from destruction or damage; and for that purpose shall and may, within the Fire District, have full power to enter any house, or on any lands and premises connected therewith, and prevent all depredations thereon, and arrest or remove and convey to the common gaol, or any watch house, or police station, or other place of confinement, any person who may be found committing or attempting to commit any felony or any breach of the peace, or any idle or disorderly person, or any person who shall intermeddle with any such property, or shall refuse when required to assist either in carrying water or obeying any other command of such fire policeman, or other person having authority for the purpose of extinguishing the fire or preserving property; and any one or more of the said fire policemen, taking with him or them a Justice of the Peace for the City and County of Saint John, may enter any dwelling house, store, outhouse or erection of any kind, or any yard or other land and premises, and search for goods and chattels or articles of any description, stolen or suspected to have been stolen at or during the continuance of the said fire, or missing in consequence of such fire; and the said goods and chattels or articles to convey or cause to be conveyed to some safe place of deposit, or to leave the said goods with the said Justice or any other Justice, to be dealt with according to law; and the said fire policemen to remain in office during the pleasure of the Justices in Session.
3. Whenever it shall appear that any person has had in his possession any goods, chattels or articles of any description whatever, which may have been stolen, missing, lost or taken away at any fire within the Fire District, or after any fire, and before the same has been restored to the owner, for the space of forty eight hours after the said fire shall cease, without giving notice to the

owner thereof, or to a Justice of the Peace, or to a fire policeman, such possession, without notice, shall be deemed prima facie evidence that such person has been guilty of larceny, and on conviction thereof shall suffer punishment as in case of larceny.

4. Whenever it shall be determined at any fire by a Justice of the Peace for the City and County of Saint John, with any Fireward, to be necessary to pull down or otherwise demolish any building to stop the progress of any fire, the same may be done by their joint order; and all persons present, if required by the said Justice or Fireward, shall be aiding and assisting thereat.