

*Laws of His Majesty's Province of Newfoundland*, passed in the year 1833.

3 William IV – Chapter 3 (Session 1)

**An Act for the Establishment and Regulation of Fire Companies in the Town of Saint John's. (17th April, 1833.)**

Whereas, for the greater security of Houses and Property in the Town of St. John's against destructive Fires, it is deemed expedient to make provision for the establishment and regulation of Fire Companies in the said Town:

Be it therefore enacted, by the Governor, Council and Assembly, that for the purposes of this Act the said Town and Suburbs of St. John's shall be divided into four Wards, in form and manner following, that is to say—

First—the Western Ward of the said Town, which shall extend from the Western boundary thereof, as specified in the Public Chart of the said Town, to the Fire-break on the Eastern side of the Premises of Codner and Jennings, and to the nearest road from thence to the Barrens, inclusive, and comprehending all the intermediate Tenements and space of ground:

Second—The Western Middle Ward of the said Town, which shall extend from the Eastern side of the said Fire-break and Road to the Barrens, to the Western side of Church-hill Fire-break, and of the road from Church-hill to Fort Townshend, inclusive, and comprehending all the intermediate Tenements and space of ground:

Third—The Eastern Middle Ward of the said Town, which shall extend from the Eastern side of Church-hill, and the side road leading from Church-hill to Fort Townshend, and from thence to the Western side of the King's Beach and King's Road as far as the Barrens, inclusive, and comprehending all the intermediate Tenements and space of ground:

Fourth—The Eastern Ward of the said Town, which shall extend from the King's Beach and King's Road to the Eastern boundary of the said Town as specified in the abovementioned Chart.

II. And be it further enacted, that each of the aforesaid Wards shall have a Public Fire Company established therein, under the Rules and Regulations hereinafter provided, and that every male Housekeeper living within any and each of the said Wards (saving and excepting the Judges, Magistrates, Public Officers, Clergymen, Medical Practitioners, Persons above sixty years of age, and Persons with loss of limb or other serious inability,) shall be a member of the said Fire Company for the Ward in Which he shall customarily reside, and shall have his name enrolled accordingly, and shall be liable to attend at all times, and shall be subject to the Rules and Regulations hereinafter provided: Provided always, that every Person claiming exemption from personal service, and not being a Clergyman or Medical Practitioner, as aforesaid, and having a Son, or Clerk, or Man Servant, of or exceeding the age of Seventeen years, residing in his House, shall have such Son, or Clerk, or Man Servant, enrolled as his Substitute in the Fire Company for the Ward in which his house shall be

situated, and shall be liable for the attendance at all times of such Substitute, and subject and liable on his behalf to all the Rules and Regulations herein prescribed, or which shall or may be made under or by virtue of this Act.

III. And be it further enacted, that immediately after the passing of this Act, and on due notice being given by two or more Justices of the Peace of the time and place of meeting in each Ward, and which notice the said Justices shall, upon requisition to them in writing, delivered and signed by any Ten Persons being Housekeepers in any of the said Wards, cause to be published in the Royal Gazette, all Housekeepers and others liable to serve as Members of the Fire Companies established by this Act, shall meet at such time and place within their respective Wards, and so many as shall then attend shall choose from among themselves by Ballot in each Ward respectively, Four Wardens, One Captain, and Two Lieutenants, who shall be bound to serve in such offices until the next General Meeting and choice of Wardens and other Officers, which General Meeting and choice of Wardens and other Officers shall thereafter and in future take place on the first Wednesday in July in each year, and such Annual General Meeting shall be held in pursuance of Notice to be signed by at least One Warden of each of the said Wards, and which the said Wardens are hereby required to publish in the Royal Gazette, at least Five Days before the day before appointed for the said Annual Meeting; and all such elections and appointments of Wardens and Officers shall continue and be in force until the time or period of the next following General Meeting and Election of Officers.

IV. And be it further enacted, that the Wardens and Captains so chosen and appointed for the said Wards, shall, on the day next after the day on which they shall be so elected, all meet at some convenient place, and form themselves into a Committee and appoint a Chairman and Secretary, and such Committee of Fire Wardens and Officers, or the majority of them, shall and may and are hereby authorized to frame and adopt Rules and Regulations for the conduct and government of the said Fire Companies and to establish Fines for the non-attendance or neglect of duty of any Member or Members of the said Fire Companies and each of them ; and also to make Rules and Regulations for the inspection of the Chimnies of all Houses in the Town of St. John's, and for obliging the Owners and Occupiers of such Houses respectively to keep their Chimnies and Funnels or Pipes of Stoves in a safe condition and state of repair, and to establish Fines and Penalties to be imposed on all and every Person and Persons whomsoever, whose Chimney or Chimnies or Stove Pipe or Funnel shall be suffered to remain in a dangerous condition, or which by reason of their dilapidated state, or soot accumulating in them, shall at any time or times be on Fire;—all which Rules and Regulations, being first approved by the Governor or Commander-in- Chief, and published in the Royal Gazette, shall have the force of Law, and shall be as binding on all the Members of the said Fire Companies respectively, and on all Householders and others of the Town of St. John's as though the same were specially enacted herein; and all Fines and Penalties imposed under such Rules and Regulations shall and may be sued for and recovered by the Treasurer of each of the said Fire Companies respectively, in a summary way, before one or more Justice or Justices of the Peace; and the proceeds of all such Fines and Penalties shall be applied to the uses of the said Fire Companies.

V. And be it further enacted, that within each of the said Wards, there shall be a public Fire Engine, with all the necessary apparatus and appurtenances, and the same shall be kept in a House to be erected for that purpose in the most central and convenient situation in each Ward respectively, and a

Bell shall also be attached to each Engine House; and the said Engine Houses, Engines, Apparatus and Bells shall be under the especial charge and controul of the said Fire Wardens and Officers for the time being of the respective Fire Companies.

VI. And be it further enacted, that the said intended Engine Houses, Engines and Bells, and all Hawsers, Buckets, Ladders, Saws, Hatchets, Lanterns, and apparatus necessary to be provided for the said Fire Companies, shall be built, erected, and purchased in such manner as the said Fire Wardens and other Officers, or a majority of them, shall direct, and shall be so built, erected, purchased and maintained at the cost and expense of the Landlords and all Lessees and other Persons deriving or receiving any Profit Rent out of Houses and Buildings in and near to the Town of Saint John's, as specified and described in the public Chart thereof abovementioned, and the amount thereof shall be raised, levied and collected, by an Assessment or Assessments on the Rents of all Houses, Stores and Buildings, being within any of the boundaries aforesaid, (save and except all Public Buildings, Public School Houses, and Buildings of Charitable Institutions); all which Assessments shall be raised and levied on all Landlords and all such Lessees and other Persons aforesaid receiving or deriving any Profit Rents out of such aforesaid Houses and Buildings respectively: Provided always that no greater Assessment shall be raised, levied, or collected on the Rent of any House, Store or other Building, the materials of which shall consist of Stone, Brick, or other materials not of an inflammable nature, and provided the said Buildings be likewise covered with Tiles, Slates, Tin-plates or other materials not of an inflammable nature, than one half of the amount of the Assessment payable on the like Building built or constructed of Wood.

VII. And be it further enacted, that any two or more Justices of the Peace for the District of St. John's, in Sessions, on the application and recommendation in writing of a majority of the Fire Wardens and Captains of Fire Companies, who shall be duly chosen as aforesaid, shall and may, and are hereby authorized and required to make an order or orders under their hands and seals, to raise and levy on the Landlords, Lessees, and other Persons aforesaid, an Assessment and rate on the appraised value of the Rents of all Houses, Stores and Buildings within the boundaries and distance aforesaid of so much in the Pound thereon, or on the estimated value thereof (where a proprietor shall occupy his own premises) as the said Fire Wardens and other Officers shall recommend and require, and as shall in the aggregate, or total amount thereof, be sufficient to pay the cost and charges of and incident to the erection of the said Engine Houses, and the purchase of Fire Engines and of all other apparatus needful and proper for the said Fire Companies, which valuation shall be made and returned by and under the direction and authority of the said Wardens and Captains, or a majority of them; and also from time to time thereafter, on such application and recommendation aforesaid, to order such further Assessment or Assessments, in manner and form aforesaid, as shall be necessary to defray the expenses of keeping and maintaining the said Engine Houses, Fire Engines, Apparatus and Appurtenances in a proper and effective state of repair: Provided nevertheless that no such Rates or Assessments shall extend, or be deemed or construed to extend, to any Public Building, Church, Chapel, or Place of Public Worship, nor to any Public Free School, or the Building of any Charitable Institution whatsoever.

VIII. And be it further enacted, that if any Landlord or Landlords owning, possessing, or occupying any House, Store, or Building in the Town of St. John's, within the limits or distance aforesaid, or any Lessee or Lessees, or other Person or Persons aforesaid, receiving or deriving any Rent or Rents out of any

Houses or Buildings within the said limits, shall refuse or delay to pay the amount of any Rate or Assessment for which he or they may be liable under this Act, such Rate and Assessment shall and may be sued for and recovered in a summary way at the suit of the Treasurer or any Warden of either of the said Fire Companies, before one or more Justice or Justices of the Peace; and if Judgment be given against the Defendant or Defendants in such suit, the amount of such Judgment, together with all Costs, shall be levied on the Goods and Chattels of such Defendant or Defendants.

IX. And be it further enacted, that the Senior Warden in each Ward shall be the Treasurer of such Ward, and the Junior Lieutenant shall be the Secretary of such Ward, respectively, and the aforesaid Rates or Assessments shall be collected by such Persons and in such manner as the aforesaid Committee of Wardens and other Officers shall appoint; and the whole amount of such Rates and Assessments shall be paid to a general Treasurer of the Fire Companies, who shall be chosen from among the Wardens by Ballot at the Annual Meeting or General Meeting aforesaid.

X. And be it further enacted, that the said Treasurer shall pay no Accounts or Orders for any sums of money on account of the said Fire Companies, unless a majority of the Wardens of the Ward where the expense is incurred shall sign the same; and all such Accounts shall be examined and audited by three Auditors appointed for that purpose at the annual or general meeting of the said respective Wards; and after such accounts shall be so audited, they shall be submitted to the said General Meeting for approval.

XI. And be it further enacted, that all the aforesaid Fire Wardens shall be duly sworn faithfully to perform the duties of their Office, and shall, whilst on duty, have the same power and authority vested by Law in Conservators of the Peace; and six men of each Ward, to be nominated by the respective Wardens, shall also, being duly sworn have the power of Special Constables.