

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1837. York: Robert Stanton, 1837.

7 William IV – Chapter 43

**An Act authorising the Magistrates of the Midland District to make Rules and Regulations for the prevention of accidental Fires, in the Town of Kingston, and for other purposes therein mentioned. Passed 4th March, 1837.**

Whereas by an Act passed in the thirty-second year of His late Majesty George the Third, entitled, "*An Act to prevent accidents by Fire in this Province*," the Magistrates of each and every District of this Province, in Quarter Sessions assembled, are authorised to make such orders and regulations for the prevention of accidental Fires within the same, as to them shall seem meet and necessary in any Town or Towns, or other place or places, in each District, where there may be forty Storehouses or Dwelling-houses, within the space of half a mile square: And whereas doubts have arisen as to the power of the Magistrates of the Midland District to make rules and regulations respecting the Sweeping of Chimnies in the Town of Kingston, and the imposition and collection of fines for the breach of such rules and regulations: And whereas it is necessary to authorise and empower the Magistrates of the said Midland District, at any Special or General Sessions, to make such prudential rules respecting the prevention of Fires in the Town of Kingston, and to impose and collect fines for any neglect thereof: Be it therefore enacted, by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "*An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province*," and by the authority of the same, That it shall and may be lawful for the Justices of the Peace of the Midland District, in General Quarter Sessions, or a majority of them, to make, ordain, constitute and publish, such prudential rules and regulations as they may deem expedient, relative to the Sweeping of Chimnies, and the building and construction thereof, and the prevention of accidental Fires, and all matters touching the premises; and to enforce all these said rules and regulations by fine, in the same manner as prescribed in certain cases by the fifth clause of an Act of this Province, entitled, "*An Act to make more ample provision for regulating the Police of the Town of Kingston*": Provided always, that such fines shall be paid to the Treasurer of the Midland District for the use of the said Town of Kingston, to be applied in such manner as the said Justices may direct.

II. And whereas it is necessary to provide for the more equal mode of levying the Rates and Assessments in the said Town, and to enable the Justices, in General or Special Sessions, to remit a portion or the whole of the said Rates and Assessments whenever they may think it necessary, and are satisfied that the persons applying for such remission are unable to pay such Rates and Assessments, or that the amount at which such person is Assessed is too great: Be it therefore further enacted by the authority aforesaid, that all Proprietors, Lessees and others, who shall let for rent, Premises within the Town of Kingston, for a space less than one year, shall themselves be

liable and responsible for all Rates and Assessments to which such Premises are liable by law, and such Assessment shall and may be recovered from the said Proprietors, Lessees and others, or from the Tenants or Occupiers of such Premises: Provided always, that the Magistrates in General Quarter Sessions shall have power, in all cases of appeal for over-charges, or errors in the Assessment, to apportion, modify, or annul the same, in such way as to them, or a majority of them, may seem just and equitable.