

*The Provincial Statutes of Canada*, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 43

**An Act to repeal a certain Act therein mentioned, and to exempt the Members of Companies of Firemen, lawfully established, from serving as Jurors, and in the Militia, except in certain cases. 18th September, 1841.**

Whereas it is expedient to repeal an Act passed by the Parliament of the late Province of Upper Canada, in the seventh year of the Reign of His late Majesty King George the Fourth, and intituled *An Act to make further and more effectual provision for the prevention of accidents by fire, in the several Police Towns in this Province*, in order to extend the provisions of the same to the whole Province of Canada; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*; and it is hereby enacted by the authority of the same, that the aforesaid Act shall be, and is hereby repealed.

II. And be it enacted, that whenever any Company or Companies shall have been regularly enrolled in any City, Town, or Place in which the formation of Companies of Firemen is by Law authorised and regulated, it shall and may be lawful for the Corporate Authorities, or Board of Police, in such City or Town, or if there be no such Authorities or Board, for the Justices of the Peace, of the District in which such Town may be situate, in General Quarter Sessions assembled, or the majority of them, being satisfied of the efficiency of such persons and accepting their enrolment, to direct the Clerk of the Peace for the District, to grant to each member of such Company a certificate that he is enrolled on the same, which certificate shall exempt the individual named therein, during the period of his enrolment, and his continuance in actual duty as such Fireman, from Militia duty in time of peace, from serving as a Juryman or a Constable, and from all Parish and Town offices; any Law, custom or usage, to the contrary notwithstanding.

III. Provided always, and be it enacted, that it shall be lawful for the Corporate Authorities or Board of Police, in any City or Town, or if there be no such Authorities or Board, for the Justices of the Peace, for the District, or the majority of them, at any General or adjourned Sessions, upon complaint to them made of neglect of duty, by any individual of such Fire Company, to examine into the same; and for any such cause, and also, in case any individual of such Company shall be convicted of a breach of any of the Rules legally made for the regulation of the same, to strike off the name of any such individual from the List of such Company, and thenceforward, the certificate which may have been granted to such individual, as aforesaid, shall have no effect in exempting him from any duty or service, in the next preceding section of this Act mentioned: Provided always, nevertheless, that it shall be in the discretion of the Corporate Authorities or Boards of Police, or of the Justices of the Peace for the District, as aforesaid, respectively, to consent to the formation, as aforesaid, of any Fire Company, in any such City, Town or Place, as aforesaid, or to

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defer the same until circumstances may, in their opinion, render it expedient that such Company should be formed; and that they may also, in their discretion, from time to time, discontinue or renew any such Company or Companies.