ANNO VICESIMO SEPTIMO ET VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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No. XVII.

An Act to alter and amend "The Fireman's Protection Act, 1861." [7th July, 1864.

WHEREAS it is expedient to alter and amend "The Fireman's Protection Act, 1861": Be it therefore enacted by the Governor on Her Majesty's Behalf by and with the Advice and Consent of the Legislative Council and House of Assembly of Vancouver Island and its Dependencies, as follows:

I. That from and after the Passing of this Act the whole of the Apparatus whether Engine, Hose, Hooks, Ladders, or, other Articles used with or belonging to or in any Way appertaining to the Fire Department of the City of Victoria, organized under and by virtue of any Act of the Legislature of the Colony of Vancouver Island shall be deemed for the Purposes of this Act to be the Property of the Victoria Fire Department subject to the Order and Control of the Mayor and Corporation of the City of Victoria.

After passing of this Act whole of the Apparatus &c to belong to Fire Department subject to order and control of the Mayor and Corporation.

II. That from and after the Passing of this Act the active Members of any Fire Company regularly attached to the Fire Department of the City of Victoria as herein after defined shall be exempt from all Jury duty other than that of Coroner's Inquests: Provided however that nothing contained in this Section shall be taken or deemed to apply to other Fire Companies than those now existing and commonly known as "The Union Hook and Ladder Company No 1" "The Deluge Engine Company No. 1," and "The Tiger Engine Company No. 2," and such Exemptions from Jury Duty shall not extend to more than Sixty Five Active Members in each Company as aforesaid.

Active members of Fire Companies to be exempt from duties as Jurymen other than those of Coroners Inquests.

Proviso

III. That it shall be the Duty of each Person claiming Exemption from Jury Duty under this Act to produce to the Sheriff or Officer serving a Jury Summons a Certificate

Persons claiming exemption under this Act to

produce a certificate of active membership to proper Office.

Certificate of his active Membership in the Fire Department and Company to which he is attached, signed by the Chief Engineer and the Secretary of the Fire Department.

Foreman of every Company to deliver written List to Sheriff or other Officer of all active Members entitled to benefit of Act.

IV. That it shall be the duty of the Foreman of every Company on the Third Monday of January, April, July and October in each and every Year to deliver a written List to the Sheriff or Person discharging the Duties of Sheriff for the Time being of all active Members entitled to the Benefit of this Act and in default thereof he shall be liable to a Fine not exceeding One Hundred Dollars to be recovered in a summary Manner before any Magistrate or Justice of the Peace in and for the City of Victoria.

Persons giving or using false Certificate &c, on connection liable to Fine

In default liable to imprisonment with or without hard labour.

V. Any Person giving or using a false Certificate, or Certificate which has expired, or making a fraudulent Return under this Act shall upon conviction thereof before any Justice of the Peace be liable to a Fine not exceeding One Hundred Dollars to be recovered in a summary Way before any Magistrate or Justice of the Peace in and for the City of Victoria or in default be imprisoned with or without hard labour for a Period not exceeding One Month.

Firemen not to be excluded from Juries.

VI. Provided always that no Person liable by Law to serve as a Juror shall be excluded from serving as such Juror by Reason of being a Fireman entitled to exemption under this Act.

Short Title.

VII. This Act may be cited for all purposes as "The Fireman's Act, 1864."

Passed the Legislative Assembly 4th December, 1863.

R. W. HORNE,
CLERK OF THE LEGISLATIVE ASSEMBLY.

Passed the Legislative Council 9th June, 1864.

E. J. NESBITT,
CLERK OF THE LEGISLATIVE COUNCIL.

Received my Assent this 7th day of July, 1864.

A. E. KENNEDY,
GOVERNOR.

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