



AUCKLAND PROVINCIAL GOVERNMENT GAZETTE.

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City Council Chamber,
Auckland, July 31st. 1854.

THE following Bye-Law, enacted by the Auckland City Council, and assented to by His Honour the Superintendent, is now published in accordance with the provision contained in the 39th Section of the "Auckland City Council Act," and will come into operation at the expiration of one month after this date.

WALTER LEE,
Chairman City Council.

FIRE.

*A BY LAW to make certain provision in respect of
Fires in the City of Auckland.*

WHEREAS by an Act of the Superintendent and Provincial Council of the Province of Auckland No. 10 of Session 1, it is enacted that the City Council shall have power to make Bye Laws for the good order, health, and convenience of the City of Auckland and for the imposition and collection of rates upon real and personal property. And whereas for the protection of the inhabitants of the said City and their property from fire, it is expedient to embody, train, and equip a certain number of men for the purpose of securing efficient service whenever a fire shall take place; and it is expedient also to make provisions for the keeping of efficient fire engines, and to make other provisions in respect of fires;

And whereas certain expenses will be thereby incurred, and it is equitable for the purpose of defraying the same to levy a rate on the occupiers or owners of all houses and buildings which may be benefited by such provisions;

Be it therefore ordained and declared by the Auckland City Council in Council assembled as follows:—

1. There shall be raised, levied, collected, and paid, in respect of every house and building within the City of Auckland (excepting such as are used for the purposes of the General or Provincial Governments or Buildings erected for Public Worship,) a yearly rate, the amount of which shall in any year be fixed by the City

Council, but which shall not exceed the sums set forth in the Schedule hereunto annexed.

2. It shall be lawful for any person authorized by the City Council in that behalf to enter any house or building at any convenient time for the purpose of examining the same with a view to determine the amount at which such house or building shall be rated, and any person resisting obstructing or preventing any person so authorised from so entering for such purpose shall forfeit and pay any sum not exceeding £10.

3. Such rate shall be payable on the first day of October in every year, and shall be paid to any Collector appointed by the City Council to receive the same on demand personally made or within five days after a demand in writing shall have been left on the premises in respect of which such rate shall be due.

4. The occupier of every house and building who shall be in the occupation thereof on the first day of October shall be liable to pay such rate, and in the event of there being no occupier the owner thereof shall be liable for the same.

5. If such owner or occupier respectively shall not pay the said rate on such demand as aforesaid, the same shall be recoverable on the information by some person authorised by the City Council in that behalf by summary proceedings against the person liable for payment of the same, and shall be leviable by distress and sale.

6. All money collected and received under this Bye Law shall be paid over by the Collectors thereof to the City Treasurer, who shall keep a separate account of the same, and no money so collected or received shall be paid or applied to or for any purposes whatever other than such as have for their object the protection of the inhabitants of the City of Auckland and their property from fire.

7. If any person shall feel aggrieved by any rate so to be made as aforesaid and shall make a complaint thereof in writing stating the grounds of such complaint the same shall be enquired into by the said Council at a time to be fixed for that purpose whereof due notice shall be given to the party complaining and such rate may, if requisite, be altered, amended, and adjusted accordingly by the said Council.

8. For the purpose of securing the attendance of an efficient body of men whenever a fire may take place there shall be embodied a "City Fire Brigade."

9. Such Fire Brigade shall be formed from such able bodied men who shall enrol themselves as volunteers by causing their names to be entered in a book to be kept for that purpose by the Clerk of the City Council, and such Brigade shall be properly and efficiently equipped at the expense of the funds to be collected and received by virtue of this Bye Law.

10. The persons whose names shall be so enrolled shall from time to time as they shall think fit make rules and regulations for the command, training, exercise, discipline and service of such Fire Brigade.

11. Every occupier of any house, shop, store, or other place of business situate in Princes-street, Fort-street, Shortland-street, Chancery-street, High-street, O'Connell-street, Queen-street, West Queen-street, and Albert-street, shall keep in some convenient place, easily accessible in the event of a fire taking place, not less than two serviceable water buckets capable of containing not less than two gallons each.

12. Every person who shall, within one month after this Bye Law shall come into operation neglect or refuse to comply in every particular with the regulations contained in clause No. 11, shall forfeit and pay any sum not exceeding twenty-shillings,—for every day's neglect or refusal, and it shall be lawful for the Inspector of Nuisances at any reasonable time, not oftener than once in every month to inspect the said buckets, and the occupier of any such premises as aforesaid, refusing or neglecting to show the Inspector of Nuisances, on his demand, such buckets so required to be kept by him as aforesaid, shall forfeit and pay for every such offence, any sum not exceeding £5.

13. In the event of a fire taking place, it shall be lawful with a view to prevent the same from spreading for the Commissioner or Inspector of Police, or, in the absence of both of the aforesaid officers, for the Chairman of the City Council, or in the absence of all the aforesaid persons for the Captain of the "City Fire Brigade" and if no one of the aforesaid officers be present then for a member of the City Council to authorize or direct any house, or building, or other property to be pulled down or removed, and the owner of any such house, or building, or other property which shall be pulled down or removed in pursuance of any such authority or direction, shall receive compensation from the public funds of the Council and Burgesses of the City of Auckland, for any loss or damage that may be thereby sustained, and which would not have been sustained, but for such pulling down or removal as aforesaid.

14. The amount of any compensation to be given as aforesaid, shall be fixed by two arbitrators, and an umpire to be appointed in the usual way, and in the event of any person refusing or neglecting to concur in any such

arbitration, or to appoint an arbitrator the amount of compensation shall be fixed by a single arbitrator to be appointed by the City Council.

15. The Commissioner or Inspector of Police, or the chairman of the City Council, or any member thereof giving any such authority or direction as aforesaid, and any person who shall pull down, or remove, or assist in pulling down, or removing any house, or building, or other property in pursuance of any such authority or direction, shall respectively be entitled to be indemnified by the Council and Burgesses of the City of Auckland, from any damages, costs, and expenses to be paid or sustained in consequence thereof.

16. All sums of money to be paid by way of compensation or indemnity, in pursuance of the foregoing regulations, shall be paid out of money to be raised by rate—to be levied under this Bye Law; and it shall be lawful for the City Council at any time, to levy any one or more special rate or rates in addition to such annual rate as aforesaid, in order to pay the whole, or part of any amount payable in respect of any such compensation or indemnity as aforesaid.

17. For the government of persons present at fires, (not being members of the "Fire Brigade") and with a view to render their services efficient, it shall be lawful for the Commissioner or Inspector of Police, or, in their absence for the chairman of the City Council and if neither such Commissioner, nor Inspector, nor Chairman be present, for — one of the members of the said Council, who shall be appointed by the said Council in that behalf, and whose appointment shall have been notified by advertisement in all the newspapers published in Auckland, to issue orders and directions to all persons present at any fire (except such as may be acting under military command), having for their object the preservation of order or the arresting or extinguishing of the flames, and every person who shall wilfully act contrary to any such order or direction shall forfeit and pay for every such offence, any sum not exceeding £5.

SCHEDULE ABOVE REFERRED TO.

Every house or building covering an area of less than 400 square feet, 2s. 6d.

Every house or building covering an area of 400 to 600 square feet, 5s.

Every house or building covering an area of 600 to 800 square feet, 10s.

Every house or building covering an area of 800 square feet, and upwards, 20s.

Passed by the Auckland City Council this twenty first day of August, One Thousand Eight Hundred and Fifty-four.

WALTER LEE,
Chairman City Council.

J. MITCHELL,
Clerk City Council.

I hereby signify my assent to the Bye-Law.

R. H. WYNARD,
Secretary.

Amount of the Notes in circulation at the Office of the Colonial Bank of Issue, at Wellington, on the 22nd day of July, 1854.

Amount of Notes in circulation on the 22nd day of July, 1854, being the close of the preceding four weeks, viz. :—

£5 and upwards £13,780
Under £5 19,494

Total £33,374

Total amount of Coin held by the same office on the same day, viz. :—

Gold £12,763
Silver 511

Total £13,274

I, Henry St. Hill, being the Acting Manager of the said Bank, do hereby certify that the above is a true account of the notes in circulation and of the coins held by the said office, as required under Ordinance, No. 16, Sess. 8,

P. P. HENRY ST. HILL,
Acting Manager.
HENRY ST. HILL.

Colonial Bank of Issue,
Wellington, 22nd July, 1854.

The sum of twenty thousand pounds (£20,000) sterling has been invested under the Warrant of His Excellency the Governor, in the Public Funds in England, through the Commissariat Department, by arrangements made through the Lords Commissioners of Her Majesty's Treasury.

THOMAS OUTHWAITE, ESQUIRE, RECEIVER OF INTESTATE ESTATES for the Northern Division of the Colony of New Zealand, in account with the Estate of JOHN PAULI ERLANDSON.

1854.	£ s. d.	1854.	£ s. d.
January 12. By cash from Connell and Bidings, sale of effects.....	4 5 9	Feb. 27. Paid Supreme Court Letters of Administration	1 10 6
		July 21. Paid Messrs. Bain and Burt.....	2 2 6
		„ advertising notice to creditors	0 4 0
		„ „ balance sheet.....	0 5 0
		„ administrator's commission....	0 4 3
	£4 5 9		£4 5 9

I, THOMAS OUTHWAITE, do swear that, to the best of my knowledge and belief, the above is a just and true account of the receipts and disbursements on account of the estate of John Pauli Erlandson, deceased.

THOMAS OUTHWAITE.

Sworn at Auckland, this twenty-eighth day of July, 1854, }
before me,

WM. MARTIN, C. J.

I do hereby certify that I have examined and allowed this account of the Official Administrator of the late John Pauli Erlandson, deceased. Dated the twenty-eighth day of July, 1854.

WM. MARTIN, C. J.

THOMAS OUTHWAITE, Esquire, RECEIVER OF INTESTATE ESTATES for the Northern Division of the Colony of New Zealand, in account with the Estate of HUGH McLIVER, deceased intestate.

1853.	£ s. d.	1853.	£ s. d.
March 17. By cash from Mr. G. Mair, principal and interest	177 0 0	Feb. 7. Paid Supreme Court letters of administration	3 0 0
		1854. „ advertising notice to creditors	0 4 6
		„ „ balance sheet.....	0 5 0
		„ administrator's commission ..	8 17 0
	£177 0 0	Balance	164 13 6
			£177 0 0

I, THOMAS OUTHWAITE, do swear that, to the best of my knowledge and belief, the above is a just and true account of the receipts and disbursements on account of the Estate of the late Hugh McLiver, deceased.

THOMAS OUTHWAITE.

Sworn at Auckland, this twenty-eighth day of July, 1854, }
before me,

WM. MARTIN, C. J.

I do hereby certify that I have examined and allowed this account of the Official Administrator of the late Hugh McLiver, deceased. Dated the twenty-eighth day of July, 1854.

W. MARTIN, C. J.

