

PROVINCE OF TARANAKI.

FURZE ORDINANCE, 1859.

IN THE TWENTY-THIRD YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

SESSION VIII., No. 3.

AN ORDINANCE TO IMPOSE A PENALTY ON THE GROWTH OF  
FURZE WITHIN THE TOWN OF NEW PLYMOUTH.

ANALYSIS.

Title.	5. Limits of Town within which
Preamble.	Ordinance in force. May be
1. Penalty on Furze.	enlarged.
2. New offence if Furze continued	6. Proceedings under Ordinance to
after conviction.	be instituted by Armed Police.
3. Superintendent empowered to	7. Operation of Ordinance.
authorise removal of Furze.	8. Short Title.
4. Liability of adjoining occupiers.	Schedule.

*An Ordinance to impose a Penalty on the Growth of Furze within the Town of New Plymouth.* Title.

WHEREAS the use of Furze as a fence and the growth thereof generally within the Town of New Plymouth is attended with danger to the said Town BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

1. Every occupier of land within the limits hereinafter described who shall plant or cause or suffer to be planted or to grow thereon or along the boundary thereof any fence or bush of Furze shall forfeit and pay for every such offence the sum of One Pound. Penalty on Furze

2. If any person after the expiration of seven days from his conviction for such offence shall suffer the said fence or bush to continue growing on the tenement in respect of which such his prior conviction took place he shall be deemed to have committed a new offence. New offence if Furze continued after conviction.

Superintendent empowered to authorise removal of Furze.

3. It shall be lawful for any person with the authority and on behalf of the Superintendent to enter on any land within the said limits on which Furze may be growing and to destroy or remove the same and the expense of such destruction or removal shall be summarily recoverable in the Court of the Resident Magistrate.

Liability of adjoining occupiers

4. Where any fence affected by this Ordinance divides two holdings the occupiers of both holdings shall be liable in respect thereof and the expense of removing such fence shall be shared between the occupiers of such adjoining holdings in equal proportions.

Limits of Town within which Ordinance in force. May be enlarged.

5. The limits within which this Ordinance shall have force are described in the Schedule hereto Provided that it shall be lawful for the Superintendent with the consent of the Provincial Council to extend or otherwise alter such limits from time to time as he may think fit.

Proceedings under Ordinance to be instituted by Armed Police.

6. No information under any of the provisions of this Ordinance shall be laid by any other persons than members of the Armed Police Force.

Operation of Ordinance.

7. This Ordinance shall come into force on the 1st October 1860.

Short Title.

8. The Short Title of this Ordinance shall be the "Furze Ordinance 1859."

E. L. HUMPHRIES,  
Speaker.

Passed the Provincial Council the fifth day of October, one thousand eight hundred and fifty-nine.

RICHARD CHILMAN,  
Clerk to Provincial Council.

Assented to on behalf of the Governor the seventh day of October, one thousand eight hundred and fifty-nine.

G. CUTFIELD,  
Superintendent.

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#### SCHEDULE.

##### LIMITS REFERRED TO.

Schedule.

A line commencing at the sea beach at the end of Queen street thence along the sea beach to the Kawau Pa Reserve thence along the western southern and eastern boundaries thereof to the sea beach thence along the sea beach to Gover street thence along Gover street to Leach street thence along Leach street and Vivian street to Robe street thence along Robe street the Market place and Queen street to the sea beach including the hedges on both sides of the before named streets.