



ANNO VICESIMO QUINTO ET VICESIMO SEXTO

VICTORIÆ REGINÆ.

A.D. 1862.

No. 6.

An Act to provide for the appointment of a Superintendent of Fire Brigades, and for other purposes therein mentioned.

[Assented to, 21st October, 1862.]

WHEREAS great loss and destruction of property are occasioned Preamble.
within the City of Adelaide by means of fires: And whereas the existing arrangements for extinguishing such fires, and for maintaining order at the same, and for preventing the spread thereof, are imperfect and ineffective: And whereas certain companies established within the Province of South Australia for the insurance of property against loss or damage by fire, have proposed to provide for the organization of fire brigades, and to pay the salary of a Superintendent of Fire Brigades, to be appointed by the Governor: And whereas it is expedient to authorize the appointment of such Superintendent of Fire Brigades and to confer upon him the powers hereinafter mentioned: Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:—

1. It shall be lawful for the Governor, with the advice and consent of the Executive Council, to appoint as Superintendent of Fire Brigades, such fit and proper person as may be for that purpose nominated by the majority of the companies in the City of Adelaide insuring property against loss or damage by fire, or of the agents of such companies, and from to time to remove such Superintendent of Fire Brigades and to appoint another person nominated as aforesaid in his place: Provided that no such appointment shall be made Governor may appoint Superintendent of Fire Brigades.
Proviso.
unless

unless it shall be shown to the satisfaction of the Governor that sufficient provision has been made by the said companies, or some of them, for the payment by them of the salary of such Superintendent so long as he shall remain in office.

Police to maintain order at fires.

2. The Inspector of Police, or some other officer or non-commissioned officer in command of the police on duty, shall at any fires which may occur within the City of Adelaide, muster a sufficient number of men and proceed at once to such fire for the maintenance of order and for the preservation of life and property at or near to such fire.

Control and management of fire brigades.

3. The Superintendent of Fire Brigades shall have the command of all fire brigades and engines, and all the appurtenances thereof shall also be under his control and management; and he shall also be authorized at all times to call out such fire brigades to any fire which may occur within the City of Adelaide or vicinity, or for the purpose of exercise.

Superintendent may pull down, &c., buildings.

4. It shall be lawful for the Superintendent of Fire Brigades, in the event of any fire occurring within the limits aforesaid, to pull down and remove, or to cause to be pulled down or removed, any buildings near or adjacent to such fire, which it may in his judgment be requisite and necessary to pull down or remove in order to prevent such fire from communicating to other buildings in the neighborhood thereof: Provided that nothing herein contained shall deprive the owner or occupier of any buildings so pulled down or removed of his right to sue for any damage which he may be entitled to recover in consequence of the pulling down or removal of any buildings under the authority of such Superintendent.

Proviso.

Remuneration for attendance of fire brigades, how contributed and recovered.

5. In case any fire shall occur in any house, building, or premises within the limits aforesaid, and any fire brigade shall attend at such fire, the Superintendent of Fire Brigades shall be entitled to recover from the owner, occupier, and insurer of such house, building, or premises, and from the owner, occupier, and insurer of any neighboring house, building, or premises as may have been protected from risk of fire, by such brigade, or at which the services of the brigade were rendered, the expenses incurred by the brigade at such fire; each owner, occupier, and insurer, contributing towards such expenses, in proportion to the value of the respective properties so protected, or sought to be protected, and such expenses may be recovered by and in the name of the Superintendent aforesaid, in the Local Court of Adelaide.

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.