



ANNO DECIMO-QUARTO

VICTORIÆ REGINÆ,

No. 15.



*By His Excellency SIR WILLIAM THOMAS DENISON, Knight,
Lieutenant-Governor of the Island of Van Diemen's Land
and its Dependencies, with the Advice of the Legislative
Council.*

*AN ACT to amend the Act of Council of this Island
intituled An Act for making repairing and maintaining
certain Roads in the District of Hamilton.*

WHEREAS an Act of Council or Ordinance of this Island was passed in the present year of the Reign of Her Majesty Queen VICTORIA intituled *An Act for making repairing and maintaining certain Roads in the District of Hamilton* by the Tenth Section whereof it was enacted that if any such occupier or owner of lands messuages tenements or dwelling-houses as therein mentioned should neglect refuse or fail to pay to any such Collector as therein mentioned such amount of assessed rate as therein also mentioned for the space of Seven Days next after the same should have been lawfully demanded by such Collector in manner by the said recited Act directed it should be lawful for any such Collector and he was thereby empowered to apply to the nearest Justice of the Peace not being a Trustee for such District under and by virtue of the said recited Act to issue a warrant which warrant such Justice was

PREAMBLE.
14 Vict. No. 3.

thereby authorised and empowered to issue to some fit and proper person to be therein named thereby authorising and requiring such person to levy and raise such amount of assessed rate which such occupier or owner should so have neglected refused or failed to pay as aforesaid by distress and sale of the goods and chattels of such occupier or owner as aforesaid and it was also thereby further enacted that no such warrant should be issued by any such Justice without proof on oath by such Collector of such demand as aforesaid and such neglect refusal or failure in payment as aforesaid and that any person deeming himself aggrieved by the amount of the costs charges and expenses of such distress with which he should be charged as therein mentioned might forthwith apply to the Justice issuing such warrant as aforesaid and such Justice was thereby authorised and empowered to make such order in the matter as to him should seem just and that any person who should disobey or fail to comply with such order should be liable and subject to a penalty not exceeding Five Pounds—AND WHEREAS it is expedient that such powers and authorities so conferred should not be restricted to the nearest Justice of the Peace but should be conferred upon and be exercisable by any Justice of the Peace not being a Trustee for such District—BE IT THEREFORE ENACTED by His Excellency SIR WILLIAM THOMAS DENISON Knight Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of the Legislative Council of the said Island that from and after the time when this Act shall come into operation all powers and authorities matters and things which under and by virtue of the said Tenth Section of the said recited Act may be exercised and done by such nearest Justice of the Peace as therein mentioned shall and may be exercised and done by any Justice of the Peace for this Island and its Dependencies not being a Trustee under the said recited Act in as full and ample a manner to all intents and purposes as if the words "any Justice of the Peace" were in the said Tenth Section of the said recited Act substituted in the place and stead of the words "nearest Justice of the Peace" anything in the said recited Act to the contrary in anywise notwithstanding.

Powers conferred upon nearest Justice under 14 Vict. No. 3 may be exercised by any Justice.

This Act and 14 Vict. No. 3 to be read together.

II. AND BE IT ENACTED that this Act and the said recited Act intituled *An Act for making repairing and maintaining certain Roads in the District of Hamilton* shall except in so far as the same is altered affected or modified by this Act be read and construed together as one and the same Act.

W. T. DENISON.

Passed the Legislative Council the fifth day of May, one thousand eight hundred and fifty-one,

FR. HARTWELL HENSLOWE, *Clerk of the Council.*