



ANNO DECIMO-QUARTO

VICTORIÆ REGINÆ,

No. 16.



*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 main-
taining the Road leading from the Township of
Bothwell to the Main Road and for making repairing
and maintaining other Roads in the District of
Bothwell.*

WHEREAS an Act of Council or Ordinance of this Island was PREAMBLE.
passed in the thirteenth year of the Reign of Her present Majesty Queen
VICTORIA intituled *An Act for making repairing and maintaining the* 12 Vict. No. 5.
*Road leading from the Township of Bothwell to the Main Road and for
making repairing and maintaining other Roads in the District of
Bothwell* 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 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 by the said Tenth Section of the said recited Act it was also 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—AND WHEREAS it is expedient that so much of the said recited Act as provides that all unoccupied lands in the said District belonging to Her Majesty Her Heirs and Successors should be wholly exempt from any such assessment of rate as therein mentioned should be repealed and Her said Majesty having signified her assent thereunto that such lands should be in future assessed as herein directed and it is also expedient that so much of the said recited Act as defines the term District as therein used should be repealed and that a new definition should be substituted in the place and stead thereof—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 13 Vict. No. 5 may be exercised by any Justice.

Empowers the assessment of unoccupied crown lands.

II. AND BE IT ENACTED that so much of the said recited Act as enacts that all unoccupied lands in the District therein mentioned belonging to Her Majesty Her Heirs and Successors shall be wholly exempted from any such assessment of rate as therein mentioned shall be and the same is hereby repealed and henceforth it shall be lawful for the householders and landowners who shall be present at any meeting holden for the election of Trustees under the said recited Act at which any such rate of assessment shall be fixed as by the said recited Act is provided to assess the unoccupied lands in the said District

belonging to Her Majesty Her Heirs and Successors at an amount which shall not exceed one half of the rate which at such meeting shall by virtue of the powers and authority in the said recited Act contained be assessed upon occupied pasture lands belonging to Her Majesty Her Heirs and Successors and the several owners and occupiers of pasture lands in the said District anything in the said recited Act to the contrary in anywise notwithstanding.

III. AND BE IT ENACTED that it shall and may be lawful for the Colonial Treasurer of this Island for the time being and he is hereby empowered upon demand made by the said Trustees or by any person for that purpose by them duly authorised by writing under their hands for the amount of rate for the time being so as aforesaid assessed upon and payable in respect of unoccupied lands in the said District belonging to Her Majesty Her Heirs and Successors and upon proof to the satisfaction of the said Colonial Treasurer of the correctness of the said amount of assessed rate to pay the same to such Trustees or person so authorised as aforesaid from and out of the revenue derivable from the lands in this Colony belonging to Her Majesty Her Heirs and Successors.

Rate on unoccupied crown lands on proof of the correctness of the amount to be paid by the Colonial Treasurer.

IV. AND BE IT ENACTED that so much of the said recited Act as defines the term "District" as therein used shall be and the same is hereby repealed and henceforth the said term "District" shall mean and include the whole tract of land bounded as follows that is to say— bounded on the south by the northern boundaries of the Parishes of Stradbroke and Henry being an irregular line commencing at the River Clyde at the north-west angle of William Langdon's 2000 acre grant and running easterly to the Parish of Beaufort thence on the west and south west by an irregular line forming the eastern boundary of the said Parish of Beaufort and the north-eastern boundary of the Parish of Pelham to the River Jordan at a point which forms the north-eastern terminus of the south-east boundary of Philip Pitt's 500 acre lot thence proceeding northerly on the east by the River Jordan forming the eastern boundary of part of the Parish of Beaufort and of the Parishes of Apsley and Rutland to the place where the Jordan receives the waters of the Exe thence on the north east by a portion of the said Exe Rivulet up the stream as far as Table Mountain again on the east by a northerly line intersecting the Parishes of Exmouth and of Anstey to the south bank of Lake Crescent thence on the east and on the north by the eastern and northern boundaries of Lake Crescent and of Interlaken respectively again on the north and west by the southern bank and part of the western bank of Lake Sorell to the north-east angle of Lot 504 purchased by Anthony Fenn Kemp thence on the north by the northern boundary and on the west by part of the western boundary of the said lot to the south-east angle of Lot 33 rented from the crown by Benjamin Berthon thence on the north and east by the said Lot 33 westerly and then northerly to its north-west angle thence on the north east north-westerly by the north-east boundary of Lot 247 leased to William Gunn to Lake River thence in a variable westerly direction on the north by part of that river by the northern bank of Wood's or Laycock's Lake and by a portion of the Upper Lake River to the north-western angle of Lot 191 leased to Thomas Jillett thence on the west southerly by the western boundary of the said Lot 191 and by part of the eastern bank of the Lagoon of Islands to the northern extremity of the north-western boundary of a location to William Allardyce of 800 acres thence south-westerly on the north west by the last-mentioned boundary and by a

Repeals former definition of District of Bothwell and substitutes new one.

continuation of the same right line along the north west of Lot 89 leased to Edward Bisdee and thence in a westerly direction by the northern boundaries of the said Lot 89 of Lot 640 purchased from the crown by William Allardyce and of Lot 90 rented by William Race Allison to the River Shannon thence on the east the north and north east by the River Shannon northerly and westerly to its junction with the Great Lake thence on the north in a westerly direction by the south bank of the Great Lake to the north angle of Lot 156 rented by Philip Thomas Smith thence on the west by the western boundary of that lot southerly and again by its northern boundary westerly and still westerly by the northern boundary of Philip Thomas Smith's purchased Lot 636 to the River Ouse thence in a south-easterly and southerly direction on the south west and west by the River Ouse to the mouth of the Shaun Ravine thence in a general easterly direction by the Shaun Ravine on the south and by the remaining portion of the northern boundary of the Parish of Guilford to the mouth of a small stream running into the Clyde and forming at its junction the north-west angle of William Stanley Sharland's additional location of 500 acres thence on the west by the River Clyde in a southerly direction to the point of commencement.

This Act and
13 Vict. No. 5 to
be read together.

V. AND BE IT ENACTED that this Act and the said recited Act intituled *An Act for making repairing and maintaining the Road leading from the Township of Bothwell to the Main Road and for making repairing and maintaining other Roads in the District of Bothwell* except in so far as the same is repealed altered or modified by this Act shall be read and construed together as one and the same Act.

W. T. DENISON.

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

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