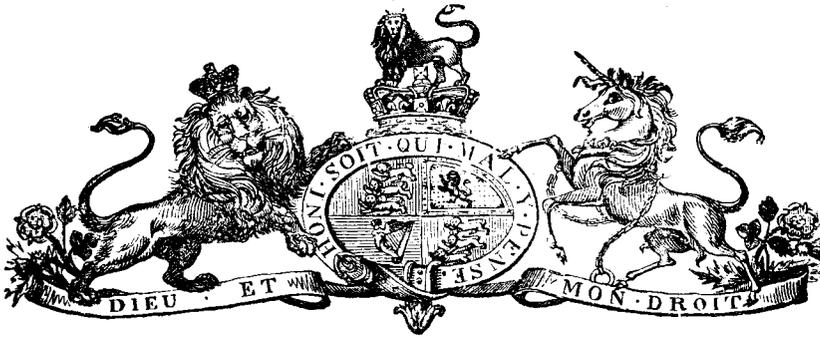


T A S M A N I A

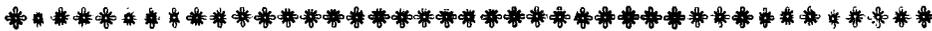


1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 11.



AN ACT to vest the Temperance Hall, A.D. 1903.  
*Launceston*, in the Trustees of the *Tasmania*  
District Independent Order of Rechabites.  
[28 November, 1903.]

**W**HEREAS a certain allotment of land, situate in *York-street*, **PREAMBLE.**  
*Launceston*, on which is erected a hall and premises, known as "The  
Temperance Hall," was, by an Indenture bearing date the Eleventh  
day of *April*, One thousand eight hundred and forty-nine, vested in  
certain Trustees, all of whom are now deceased, upon certain trusts  
in favour of a society known as "The Tasmanian Teetotal Society,"  
and for the purpose of using the said hall as a place for advocating,  
lecturing upon, and otherwise supporting the cause and principles of  
total abstinence in accordance with the pledge of "The Tasmanian  
Teetotal Society," on the said Indenture endorsed :

And whereas "The Tasmanian Teetotal Society" has not been an  
active organisation for promoting the cause of Temperance for a period  
of over Twenty years :

And whereas the *Tasmania District Independent Order of Rechabites*  
is a Society duly incorporated under "The Friendly Societies  
Act," for the purpose of maintaining and advocating the cause and

4d.]

*Launceston Temperance Hall Vesting.*

A.D. 1903

principles of total abstinence from all intoxicating liquors, and having objects similar to those of "The Tasmanian Teetotal Society":

And whereas by an Indenture of Lease, dated the twenty-first day of *March*, One thousand eight hundred and ninety four, and made between *James Brickhill, Matthews Tyson, Arthur Charles Beaumont, John Todd Farmilo, David Storrer, and John Shepherd*, as Trustees of "The Tasmanian Teetotal Society" (in the said Indenture described as "lessors") of the first part, and Twenty-two persons, including the said Trustees, and comprising all the then surviving members of the said Society of the second part, and *Matthews Tyson, David Storrer, and James Steer*, as the Trustees of the Tasmania District, Independent Order of Rechabites (in the said Indenture described as "Lessees"), of the third part the Lessors as Trustees, and with the sanction of all the then existing members of the Tasmanian Teetotal Society, leased unto the Trustees of the Tasmania District, Independent Order of Rechabites, the said allotment of land in *York-street, Launceston*, on which was erected the Temperance Hall, for a term of Ninety-nine years from the first day of *March*, one thousand eight hundred and ninety-four, at a yearly rent of one shilling, subject to certain conditions in the said lease, provided amongst which was a provision that the Lessees should and would during the said term one night per week reserve and permit the building erected on the said demised premises to be used and occupied for Temperance advocacy in accordance with the pledge of the Tasmanian Teetotal Society on the said lease endorsed, and would not permit proceedings to be carried on therein which would infringe upon or be contrary to the spirit, tenor, and effect of the said pledge, or the rules and regulations of the Tasmanian Teetotal Society, with a proviso for re-entry on breach of any of the conditions or provisions in the said lease contained:

And whereas there are now living only Eighteen persons who are members of the Tasmanian Teetotal Society, and there is not any probability of the Tasmanian Teetotal Society being revived, and four of the five surviving Trustees are Rechabites:

And whereas it is under the circumstances aforesaid advisable that the fee simple in the said allotment of land in *York-street, Launceston*, should be vested in the Trustees, for the time being, of the Tasmania District, Independent Order of Rechabites, upon certain conditions and restrictions:

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Land, with building thereon known as "The Temperance Hall," vested in the Rechabite Trustees.

1 That a certain allotment of land situate in *York-street, Launceston*, on which are erected a Hall and premises known as "The Temperance Hall" (a full description of the said allotment is set forth in Schedule (1.) hereto) shall be, and the same are hereby vested in fee simple in the Trustees for the time being of the Tasmania District Independent Order of Rechabites to be held by them upon the conditions and subject to the restrictions set forth in the following sections,

*Launceston Temperance Hall Vesting.*

**2** The building erected upon the said allotment and known as "The Temperance Hall," shall be used and occupied for the purposes of advocating, lecturing upon, and otherwise supporting and maintaining the cause and principles of total abstinence from all intoxicating liquors or drinks except as medicine or in religious ordinance, and shall in particular be permitted by the Trustees for the time being to be used one night in each week for the purpose of Temperance Advocacy in accordance with the pledge of the Tasmanian Teetotal Society as set forth in the Schedule (2.) hereto, or in the event of the Tasmanian Teetotal Society being again re-organised, shall be permitted to be used by the said Society one night in each week free of charge.

A.D. 1903.

—  
Purposes for which the building shall be used.

**3** Upon no occasion shall any professional dancing, theatrical performance, or performances be held or carried on in the said building, nor shall any intoxicating drinks be used or permitted to be used in the same building, nor shall any proceedings whatsoever be carried on therein which would infringe upon, or be contrary to the spirit, tenor, or effect, of the pledge of the Tasmanian Teetotal Society, or the rules and regulations of the Tasmania District Independent Order of Rechabites

Purposes for which the building shall not be used.

**4** In the event of a breach of the conditions or restrictions of Sections Two and Three of this Act, it shall be lawful for the Attorney-General at the relation or otherwise of not less than three members of The Tasmanian Teetotal Society, or of not less than five members of The Tasmania District Independent Order of Rechabites, or of his own motion to issue a summons before one of the Judges of the Supreme Court calling upon the Trustees for the time being of the said Tasmania District Independent Order of Rechabites to show cause why an order should not be made divesting the said allotment of land out of the said Trustees and vesting the said piece of land in the Attorney-General to be held by him upon trust for the furtherance of the cause of Temperance in Northern Tasmania. And it shall be lawful for a Judge of the said Supreme Court by his order to settle any scheme of Temperance upon the trusts of which the said piece of land shall be held, and to direct the Trustees for the time being of the Tasmania District Independent Order of Rechabites, or the Attorney-General to convey the said allotment of land to other Trustees to be held by them upon the trusts of the scheme settled by the Judge as aforesaid, and to make such order as to costs as he shall think fit.

Proceedings and powers in event of a breach of Sections 2 and 3.

**5** Any order made by a Judge of the Supreme Court of *Tasmania* as in the manner provided in Section Four of this Act, may be reviewed on appeal to the Supreme Court of *Tasmania*, provided the person aggrieved by such order shall give to the other party to such appeal, notice of appeal within Fourteen days after the date on which such order was made, and shall give such security as the Registrar of the Supreme Court shall approve to the extent of Twenty-five Pounds for the costs of such appeal, and shall prosecute such appeal by motion to

Appeal against Judge's order under Section 4.

*Launceston Temperance Hall Vesting.*

A.D. 1903.

the Supreme Court in the First Term after the notice of appeal shall have been given : Provided always that it shall not in any case be necessary for the Attorney-General to give security for the costs of any appeal.

Power for the Trustees to sell or exchange the land with sanction of District Council or District Board.

**6** Notwithstanding anything contained in this Act, it shall be lawful for the Trustees, with the sanction of the District Council or the District Board of Management of the said Order to sell, free from the conditions and restrictions imposed by this Act, the said allotment of land, and to devote the proceeds arising from such sale in and towards the purchase of another allotment of land in the City of *Launceston*, and in and towards the erection thereon, if necessary, of a Hall for the purposes of this Act, and in and towards no other purpose whatsoever, or to exchange the said allotment of land for any other allotment of land within the said City to be held for the same purposes.

Land purchased or taken in exchange to be held subject to this Act.

**7** Any allotment of land purchased or taken in exchange as in the Sixth Section of this Act provided shall be held subject to the same conditions and restrictions as are set forth in the Second and Third Sections of this Act, and shall be subject to forfeiture and reversioning as provided in the Fourth Section of this Act.

**SCHEDULES.****(1.)**

All that allotment of land situate in *Launceston* bounded on the north-west by a line of ninety links along *York-street* commencing at the west angle of land granted to *Alexander Waddle* on the north-east by ninety-eight links along the last-mentioned grant on the south-west by a line of one hundred and three links and a half of a link along land granted to *Henry Jennings* and on the south-east by a line of about ninety links connecting the extremities of the said north-eastern and south-western boundaries.

**(2.)**

I do voluntarily promise to abstain from ale, porter, cider, wine, ardent spirits, and all intoxicating drinks ; and will not give nor offer them to others, except as medicine or in a religious ordinance.