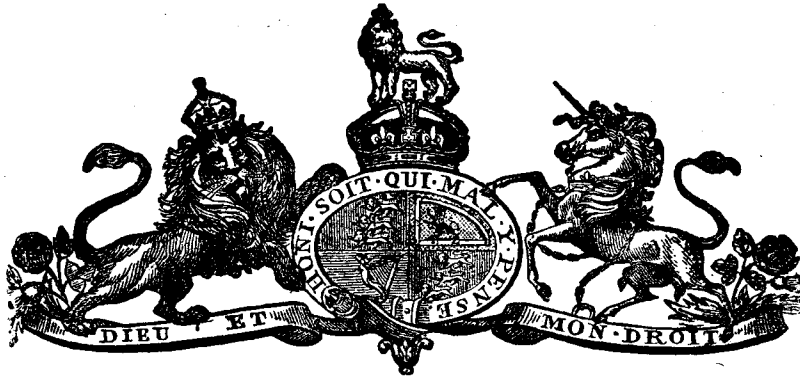


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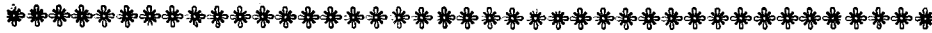


1905.

ANNO QUINTO

EDWARDI VII. REGIS,

No. 46.



AN ACT to further amend "The *Launceston* A.D. 1905.
Corporation Act, 1894."
[20 November, 1905.]

WHEREAS it is expedient to further amend "The *Launceston* PREAMBLE.
Corporation Act, 1894 :"

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 :—

1 This Act may be cited as "The *Launceston* Corporation Amend- Short title.
ment Act, 1905."

2 In this Act, if not inconsistent with the context--

Interpretation.

"Laid out" means surveyed, pegged off, or shown upon a
subdivision plan :

"The City" means the City of *Launceston* :

"The Corporation Act" means "The *Launceston* Corporation 58 Vict. No. 30.
Act, 1894."

4d.]

Launceston Corporation Amendment.

A.D. 1905

Providing when
new private street
may be laid out,
&c.

3 No new private street shall hereafter be laid out, opened, or used as a street in the City, nor shall any building allotment fronting thereon be sold, until—

- i. Either the street shall have been constructed in accordance with the requirements of "The Corporation Act," and all Amendments thereof, and completed to the satisfaction of the City Surveyor : or
- ii. The owner shall have paid or secured to the Corporation such sum of money as the Council shall deem sufficient to meet the cost of construction.

Certain private
streets may be
laid out, &c., with
consent of
Council.

4 Notwithstanding any law to the contrary, private streets beyond the first area in the City, namely, *Margaret, Canning, Welman,* and *Tamar* streets, and the Wharves, may, with the consent of the Council, be laid out and constructed of the width of Forty feet only, with footways Five feet in width. It shall not be lawful for any person to erect any building within a distance of less than Twenty-five feet from the centre of any such street.

City Surveyor to
approve curve,
&c., as to carriage-
road.

5 The surface of the carriage-road in every private street shall have such curve or fall as shall be approved by the City Surveyor.

Providing that
existing private
streets may be
constructed if
Council think fit.

6 The Council may, if they shall think fit, cause any existing private street in the City, or any portion thereof, to be constructed in such manner as the Council may from time to time determine. One moiety of the expense incurred in the construction of such street shall be borne by the Corporation, and the other moiety of such expense shall be payable to the Corporation by the owner or owners of the lands fronting or abutting on any such street, or any portion thereof, proportionately to the frontage of the land on such street, in Seven years, by Fourteen equal instalments with interest thereon at the rate of Five Pounds per centum per annum; and such instalments shall be paid as follows:—The First instalment within One month of the receipt by the owner of notice from the Council that it is their intention to make the street, the Second instalment on the First day of *January* or *July* (as the case may be) immediately following the receipt of the notice for the First instalment, and the remaining instalments on the First day of *January* and the First day of *July* in every succeeding year, until the whole of the instalments shall be paid.

Certificate of
City Surveyor
to be final as to
cost.

7 The certificate of the City Surveyor as to the cost of construction of any private street, and the amount of instalments to be paid by each owner, shall be final and conclusive; and thereafter such street shall be repaired by the Council out of any moneys at their disposal.

Penalty for
contravention of
Sections 3 and 4.

8 Every person who shall contravene any of the provisions of Sections Three and Four of this Act shall, upon conviction, forfeit and pay for every such offence a penalty not exceeding Ten Pounds, and a penalty not exceeding Five Pounds for every day during which such

Launceston Corporation Amendment.

offence shall be repeated or continued; and proceedings may be taken at any time, anything to the contrary notwithstanding in Section Eleven of *The Magistrates Summary Procedure Act.* A.D. 1905.

9 It shall be lawful for the Council, at their discretion, from time to time, to contribute out of the General Fund to the *Launceston Corporation Provident Fund* a sum not exceeding One Shilling per month for and on behalf of each and every member of the Fund, and all contributions heretofore made by the Council to that Fund are hereby authorised and confirmed. Council may contribute to Corporation Provident Fund.

10 Where the Council is a Local Authority or Cemetery Trustees, anything done as a Council relating to either shall be deemed to have been done as such Local Authority or Cemetery Trustees, as the case may be. Council acting as Local Authority, &c.

11 The Mayor and all corporate officers shall, during their respective continuance in office, be exempt from serving on any jury. Exemption from jury.

12 The Form (9) in the Schedule to this Act, is hereby substituted for the Form (9) in the Schedule to "The Corporation Act." Substitution of new Form (9).

13 It shall be lawful for the Council to grant annually to the Literary and Musical Competitions, and also to the Northern *Tasmanian* Tourist Association, a sum not exceeding Twenty-five Pounds each. Grant to Tourist Association and Literary Competitions.

14 Sections Two hundred and forty-one, Two hundred and forty-two, Two hundred and forty-three, and Two hundred and fifty-six of "The Corporation Act" are hereby repealed: Provided that such repeal shall not affect— Repeal of Sections 241, 242, 243, and 256 of Corporation Act.

- i. Any liability accruing, or to accrue, in respect of unpaid instalments on account of private streets heretofore constructed by the Council:
- ii. The institution of any legal proceeding or other remedy for enforcing or recovering any such instalments as aforesaid.

15 Notwithstanding anything contained in "The *Launceston Corporation Act, 1894*," neither the service nor connecting pipes nor any meters, lustres, lamps, gasfittings or other property of any description whatsoever belonging to the *Launceston Gas Company* shall be or be liable to be seized or attached in any way in respect of any money or debt recoverable from any person or corporation other than the *Launceston Gas Company* under "The *Launceston Corporation Act, 1894*." Appliances the property of the *Launceston Gas Company* exempt from seizure.

16 This Act and "The Corporation Act," and every Amendment thereof, shall be read and construed together as one Act. Acts to be read together.

Launceston Corporation Amendment.

A.D. 1905.

Form of Distress
Warrant.

SCHEDULE.

Form 9.

DISTRESS WARRANT FOR RATES.

Tasmania }
(to wit). }

To

and to all Constables in the State of Tasmania.

WHEREAS complaint has been made before me that of _____ Street in the City of Launceston, has not paid the sum of _____ payable by him by virtue of the General Rate for the City of Launceston, of the Rate for the said City called "The Special Rate," of the Rate for the said City called "The Water Rate," of the Rate for the said City called "The Lighting Rate," and of the Rate called "The Sanitary Rate," made by the Local Authority of the said City under "The Public Health Act, 1903," all made on or about the _____ day of _____ although the same has been duly demanded of him: And whereas the said _____ having appeared before me Mayor of the said City, in pursuance of my Summons for that purpose, has not shown sufficient cause why the said sum of _____ should not be paid: [*or* And whereas it has been proved to me upon oath that the said _____ has been summoned to appear before me to show cause why the said sum of _____ should not be paid, and the said _____ has neglected to appear to such Summons, and has not shown any sufficient cause why the said sum of _____ should not be paid:] These are therefore to command you forthwith to make Distress of the Goods and Chattels of the said _____ wheresoever the same may be found, and also all Goods and Chattels whatsoever found upon the property in respect of which such Rates are due and payable to whomsoever the same may belong; and unless at any time before the sale of the Goods and Chattels so by you distrained the said sum of _____ together with all costs, charges, and expenses attendant upon such Distress be paid to you, that you cause the said Goods and Chattels so by you distrained to be sold, and out of the money arising by such sale that you detain the said sum of _____ and also all costs, charges, and expenses attendant upon such Distress and Sale, rendering to the said _____ the overplus, if any, on demand; and the said sum of _____ you are hereby commanded to pay to me _____ the said Mayor: and if no sufficient distress can be made of such Goods and Chattels that then you certify the same to me, together with this Warrant.

Given under my hand this
day of _____*Mayor of the City of Launceston.*