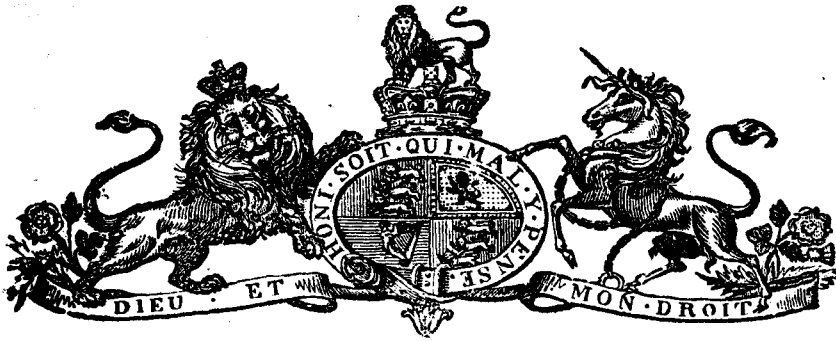


TASMANIA.



1870.

ANNO TRICESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 14.



AN ACT to further amend *The Rural Municipalities Act, 1865.* [18 October, 1870.]

WHEREAS it is expedient and necessary to amend *The Rural Municipalities Act, 1865*: 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:—

PREAMBLE.
29 Vict. No. 8.

1 Section Fifty of *The Rural Municipalities Act, 1865*, and so much thereof as refers to any election to supply a vacancy in the office of Auditor as therein provided, and so much thereof as casts upon any Auditor elected under the said Act any power, duty, or authority, and so much thereof as empowers any person elected as Auditor to do, or disqualifies any such person from doing any act, matter, or thing, and Sections Seventeen and One hundred and sixty-seven of the said Act are hereby repealed, except as to all things duly done thereunder. Repeal

2 Wherever the expression "the Auditors" occurs in the said Act the same shall be deemed to mean the Auditor appointed under this Act. Construction of "the Auditors."

3 On and after the first day of *January, 1871*, the Books of Account referred to in Section One hundred and sixty-five of the said Act shall be of such form and description as the Governor in Council shall direct. And every member of any Municipal Council which fails to comply with such direction shall be liable to the penalties imposed by the One hundred and ninety-first Section of the said Act for neglect of duty. Description of books of account.

Rural Municipalities Amendment.

Appointment of Auditor of Municipal Accounts.

4 It shall be lawful for the Governor in Council to appoint a fit and proper person to be Auditor of Municipal Accounts, and to remove such person and appoint another in his stead, as he sees fit; and such Auditor shall have and exercise the powers and duties conferred and imposed upon him by this Act, and such further and other powers as are in the said Act conferred upon "the Auditors" therein named; and the salary and allowances of such Auditor shall be paid out of the General Revenue.

Auditor to inspect Accounts.

5 The Auditor of Municipal Accounts shall, as soon as conveniently may be after each annual balancing of the Accounts of each Municipality and at such other times as he sees fit, attend at the Council Clerk's office and proceed to audit the Accounts of each Municipality for the preceding year, or since the last audit, as the case may be; and the Municipal Council of each Municipality shall, by the Treasurer, produce and lay before such Auditor the Books and Accounts of such Municipality together with the statement and account mentioned in the said Act, accompanied with proper vouchers in support of the same, and all books, papers, and writings in the custody or power of the Municipal Council relating thereto; and any person interested in the said Accounts as a Creditor or Elector of the Municipality may be present at any annual audit of the said Accounts, by himself or his Agent, and may make any objection to any part of such Accounts; and such Auditor shall either make a special report upon such Accounts, or if the said Accounts are found correct he shall simply confirm and sign the same in token of his allowance thereof.

Penalty for obstructing Auditor.

6 If any person wilfully obstructs, hinders, or interrupts, or causes, or procures to be obstructed, hindered, or interrupted, the Auditor of Municipal Accounts appointed under this Act in the exercise of any power or authority vested in him, every such person shall for any such offence forfeit and pay a penalty not exceeding Twenty Pounds.

Qualification of Electors.

7 Every male of the age of Twenty-one years, whose name is on the Assessment Roll as Proprietor of property within the Municipality of the annual value of not less than Five Pounds, or as Occupier of property within the Municipality of the annual value of not less than Ten Pounds, shall be a Municipal Elector of such Municipality: Provided, that no person being an Alien shall be a Municipal Elector unless he has received Letters of Denization or a Certificate of Naturalization.

Votes by Trustees, &c.

8 The proviso to Section Two of the Act of Parliament of *Tasmania* of the 33rd *Victoria*, No. 26, is hereby repealed; and where the annual value of any property in the joint ownership or occupation of more persons than one, as Trustees or Executors, exceeds the sum of Three hundred and sixty Pounds, such Trustees or Executors shall not amongst them have in respect of such property a greater number of votes than Ten, and it shall be lawful for such votes to be given by such one or more of themselves as they may by writing under their hands appoint to be the person or persons to vote for such property: Provided always, that no person being a Trustee or Executor as aforesaid shall have, in the aggregate, any greater number of votes than Ten, by reason of his acting in the capacity of Trustee or Executor, and also being beneficially entitled to any other property in the Municipality for which his vote is to be given.

Rural Municipalities Amendment.

9 Notwithstanding anything contained in the One hundred and twenty-fourth Section of the said Act, it shall not be lawful for the Warden to issue any Warrant of Distress as therein mentioned, unless and until complaint has been made before him that the person liable to pay any rate has not paid the same, and such person has been summoned to show cause why the amount payable should not be paid.

Warrant of distress not to issue until person summoned.

10 Notwithstanding anything contained in the said Act, no Summons or Warrant shall be issued for the recovery of any Rate or instalment of Rate at any period after the expiration of Twelve months from the time when such Rate or instalment of Rate is made payable by such Notice as in the said Act is mentioned.

Rates not recoverable later than Twelve months after they become due.

11 This Act, and *The Rural Municipalities Act*, 1865, and the Act of the Parliament of *Tasmania* of the 33rd *Victoria* No. 26, except in so far as the same or either of the said Acts may be altered or amended by this Act or the said Acts, shall be read and construed together as one and the same Act.

Acts to be read together.

12 This Act may be cited as "The Rural Municipalities Amendment Act."

Short title.

