



ANNO DECIMO-NONO

VICTORIÆ REGINÆ,

No. 18.



*By His Excellency SIR HENRY EDWARD FOX YOUNG, Knight,
Captain-General and Governor-in-Chief of the Island of Van
Diemen's Land and its Dependencies, with the Advice and
Consent of the Legislative Council.*

AN ACT to establish a Board of Immigration Commissioners; and to enable such Commissioners to raise Two hundred thousand Pounds by Debentures chargeable upon the General Revenue of Van Diemen's Land.

[22nd December 1855.]

WHEREAS it is expedient to provide for the appointment of a Board of Commissioners for the purposes of Immigration; and to authorise such Commissioners to raise the sum of Two hundred thousand Pounds by Debentures chargeable upon the General Revenue of the Colony for the purposes hereinafter mentioned: Be it therefore enacted by His Excellency the Governor of Van Diemen's Land, by and with the advice and consent of the Legislative Council, as follows:—

1 It shall be lawful for the Governor of the Colony of Van Diemen's Land from time to time to appoint, by a Commission under his hand and the seal of the Colony, five persons, of whom the Colonial Sec-
Appointment of Five Commissioners for Immigration purposes.

retary and Colonial Treasurer for the time being shall be two, to be Commissioners of Immigration for the Colony.

To be called
Board of Immi-
gration.

2 The said Commissioners shall form a Board to be called the Board of Immigration, of which the Colonial Secretary shall be the President; and such Board shall enjoy and exercise all the powers necessary to fulfil the functions vested in it by this Act.

Three to form
quorum.

3 The President of the said Board and any two of the Members thereof shall form a quorum for the performance of all the duties of the said Board, except the issuing of Debentures hereinafter provided for.

Board to appoint
Officers.

4 It shall be lawful for the said Board of Immigration to appoint from time to time a Secretary, and such Clerks, Officers, and Agents of the said Board as shall be necessary.

Salaries of Officers.

5 There shall be paid to such Secretary, Clerks, Officers, and Agents out of the monies to be raised by Debentures, as hereinafter provided, such salaries and allowances as the said Board shall determine.

Board to make
Rules as to Immi-
gration, &c.

6 The said Board of Immigration shall from time to time make, and publish in the *Hobart Town Gazette*, and such newspapers published in *Hobart Town* and *Launceston* as they may consider necessary, such rules and regulations for the management of Immigration,—the issuing of Bounty Tickets,—the payment of such Tickets,—and of all matters connected with Immigration as shall seem to such Board to be likely to facilitate the introduction into the Colony of useful Emigrants.

Penalty for con-
travening Rules.

7 Any person who shall wilfully act in contravention of any of such rules and regulations so to be made and published by the said Board of Immigration, to the contravention of which the said Board shall attach a penalty, shall be liable to such penalty as shall be limited by the said Board not exceeding Fifty Pounds sterling, to be recovered in a summary way before two or more Justices.

Board may raise
£200,000 by
Debentures.

8 It shall be lawful for the said Board of Immigration to issue from time to time Debentures for any sums not exceeding in the whole Two hundred thousand Pounds, at any prices and on any terms which may be determined upon by the said Board, and such Debentures shall bear such rates of interest not exceeding Six Pounds per centum per annum as shall be fixed by the said Board, and shall be paid off at par at the expiration of any period or periods not exceeding two years from the day such Debentures shall bear date; and also to authorise the issue of Scrip Receipts in anticipation of the preparation of such Debentures; and such Scrip Receipts shall be in such form as the said Board shall direct, and shall be exchanged at such times and under such regulations as the said Board shall prescribe in that respect for Debentures of the like amount and value, which Scrip Receipts shall pass by delivery to bearer until after thirty days' notice be given by the said Commissioners in the *Hobart Town Gazette* that such Debentures are ready to be delivered in exchange for such Scrip or Receipt: Provided that all such Debentures, and also all such Scrip Receipts, shall be signed by such Commissioners, and countersigned by the Governor.

Interest on such
Debentures.

9 The interest on all Debentures issued under the authority

of this Act shall be payable half-yearly, on such days as shall be appointed by the Immigration Commissioners; and all such interest, at whatever days payable, shall be charged upon and issued out of the General Revenue of the Colony, and the principal monies secured by such Debentures shall be a charge upon such General Revenue until repaid out of such monies as shall be provided by the Legislature of the Colony in that behalf.

10 The Debentures to be issued under the authority of this Act shall be prepared for such principal sums not less in any case than One hundred Pounds, and shall, together with receipts or certificates specifying the interest from time to time accruing thereon, be made out at the Office of the said Board of Immigration in such manner and form, and bearing such date, as shall be directed by the said Board of Immigration, but so that the same shall in all cases be signed by the said Board, and be countersigned by the Governor; and such Debentures, and the interest accruing thereon respectively, shall be transferable by the delivery of such Debentures, and of the receipts or certificates for such interest thereon; and it shall be lawful for the said Board to provide for the delivery to the persons and corporations entitled thereto of such Debentures as may be due to them under the authority of this Act; or it shall be lawful for the said Board, from time to time, to sell such Immigration Debentures to be issued under the authority of this Act, or any of them, and the several sums of money raised by the issue or sale of any such Debentures shall be paid to the credit of the said Board of Immigration at such Bank as the said Board shall determine upon.

Preparation of
Debentures.

11 It shall be lawful for the said Board of Immigration from time to time, subject to the provisions herein contained, to prescribe and regulate, by warrant under the hands of the Commissioners, the manner in which Debentures shall be issued, and how and by what Officer such Debentures shall be signed or otherwise authenticated, but so that the same shall in all cases be signed by the said Commissioners, and countersigned by the Governor; and to provide for the manner of payment of the interest accruing thereon, and for the issue if the said Board shall think fit of receipts or certificates for such interest annexed to such Debentures or otherwise; and also to provide for the issue of new Debentures in lieu of any such Debentures worn or defaced which may be delivered up to be cancelled, and for the issue of new Debentures in lieu of such Debentures as may be lost, at such times, upon such securities, and under such conditions and precautions as the said Board may think fit; and generally to make such regulations for the safety and convenience of the holders of such Debentures and the payment of interest upon the production or delivery of such receipts or certificates, or otherwise as may seem fit; and it shall be lawful for the said Board, by such regulations as aforesaid, to provide for the Registration of any such Debentures as may be delivered up by the holders thereof for that purpose, and for the delivery of certificates of such registration in lieu thereof, which shall be transferable by entries in a Register which may be provided for that purpose, in such manner and subject to such conditions and restrictions as the said Board may see fit; and every such warrant shall from time to time be published in the *Hobart Town Gazette*.

Issue of
Debentures.

12 And whereas a large sum has been expended from the Revenue for the year one thousand eight hundred and fifty-five in payment of

£100,000 to be
repaid to the
Colonial Treasury.

Bounty Tickets for the purposes of Immigration during the year one thousand eight hundred and fifty-five, and it is expedient to provide for the speedy repayment to the account of the General Revenue of the amount so expended: Be it therefore further enacted as follows:—The said Board of Immigration shall, out of the monies to be received under the Debentures to be issued under the authority of this Act, immediately pay into the Colonial Treasury to the account of the General Revenue of the Colony the sum of Forty thousand Pounds; and the said Board shall from time to time, on being thereto required by Warrant under the hand of the Governor, pay into the Colonial Treasury out of the monies to be raised by Debentures under the authority of this Act such further sums, not exceeding in the whole Sixty thousand Pounds, as may from time to time be required to repay to the General Revenue the remaining portion of the sum so expended for the purposes of Immigration from the Revenue of the year one thousand eight hundred and fifty-five.

Further applica-
tion of monies.

13 It shall be lawful for the said Board of Immigration from time to time, by warrant under the hands of the said Commissioners, to direct the issue and application of any monies paid into the Bank, so to be determined upon by them, for the purposes of Immigration, in accordance with the rules and regulations to be made and published by them as aforesaid.

Savings Banks'
Deposits may be
lent on Deben-
tures.

14 Notwithstanding anything to the contrary in any Savings' Banks Act, it shall be lawful for the Managers of the Savings' Banks of *Hobart Town* and *Launceston* respectively to advance or lend to the said Board of Immigration, upon the credit of the Debentures to be issued by the said Board in pursuance of this Act, any sum or sums of money not exceeding in the whole the half of the amount of deposits standing in the books of such Savings' Banks of *Hobart Town* and *Launceston* respectively.

Lost Debentures
may be replaced.

15 In case proof shall be made on the oath or oaths of one or more witness or witnesses before the Chief Justice or any Judge of the Supreme Court that any Debenture issued under this Act and not paid off shall, by casualty or mischance, have been burnt or otherwise destroyed, and if by such oath or oaths the amount of such Debenture shall be ascertained, and the said Chief Justice or Judge, or either of them, before whom such oath or oaths shall be made shall certify that he is satisfied with such proof, then and in every such case the said Board of Immigration is hereby authorised to cause another Debenture or other Debentures of equal amount to be issued in lieu of such Debenture or Debentures so burnt or destroyed: Provided, that the person or persons so receiving such new Debenture or Debentures do give security to the Governor, to the satisfaction of the said Board of Immigration, to deliver up to the said Board of Immigration to be cancelled the Debenture so certified to be burnt or destroyed if the same shall be thereafter found or produced, and to pay to the said Board of Immigration for the purposes of this Act all such monies as shall have been paid out of the Colonial Treasury as principal and interest on the new Debenture which may have been issued under this provision.

Punishment for
forging Deben-
tures.

16 If any person shall forge or alter, or shall offer, utter, dispose of, or put off knowing the same to be forged or altered, any De-

benture, or any receipt or certificate for interest accruing thereon, issued under this Act, such person shall be guilty of felony, and upon conviction thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for life or for any term not less than two years.

17 Every person who shall make or cause or procure to be made, or shall aid or assist in making, or shall knowingly have in his possession not being legally authorised by the said Board of Immigration and without lawful excuse (the proof whereof shall lie on the person accused), any instrument having therein any words, letters, figures, marks, lines, or devices peculiar to and appearing in the substance of any paper provided or to be provided or used for such Debentures, or any machinery for working any threads into the substance of any paper or any such thread, and intended to imitate such words, letters, figures, marks, lines, threads, or devices, or any plate peculiarly employed for printing Debentures, or any die peculiarly used for preparing any such plate or for sealing such Debentures, or any plate or die intended to imitate such plates or dies respectively; and also every person, not authorised by the said Board of Immigration so to do, who shall make or cause or procure to be made, or aid or assist in making, any paper in the substance of which shall appear any words, letters, figures, marks, lines, threads, or other devices peculiar to and appearing in the substance of any paper provided or to be provided or used for such Debentures, or any part of such words, letters, figures, marks, lines, threads, or other devices, and intended to imitate the same; and also every person, not authorised by the said Board of Immigration so to do, who shall knowingly have in his possession without lawful excuse (the proof whereof shall lie on the person accused) any paper whatever in the substance whereof shall appear any such words, letters, figures, marks, lines, threads, or devices as aforesaid, or any part of such words, letters, figures, marks, lines, threads, or devices, and intended to imitate the same; and also every person, not being authorised as aforesaid, who shall cause or assist in causing any such words, letters, figures, marks, lines, threads, or devices as aforesaid, or any part of such words, letters, figures, marks, lines, threads, or other devices, and intended to imitate the same, to appear in the substance of any paper whatever, or who shall take or assist in taking any impression of any such plate or die as aforesaid, shall be guilty of felony, and upon conviction thereof shall be liable, at the discretion of the Court, to be kept in penal servitude for ten years or for any term not less than two years.

Punishment for having instruments for making Debentures in possession without authority.

18 Every person not lawfully authorised and without lawful excuse (the proof whereof shall lie on the person accused) who shall purchase or receive, or take or have in his custody, any paper manufactured and provided by or under the directions of the said Board of Immigration for the purpose of being used as Debentures before such paper shall have been duly stamped, signed, and issued for public use, or any plate or die as aforesaid, shall for every such offence be guilty of a misdemeanor, and being convicted thereof shall, at the discretion of the Court before whom he shall be tried, be imprisoned for any period not more than three years nor less than six calendar months.

Punishment for having paper, &c. manufactured for Debentures in possession without authority.

19 All Rules and Regulations made and published under the authority of this Act shall, within one month after the same shall have been so made and published, be laid upon the Table of each House of the Parliament of *Van Diemen's Land* if Parliament shall be then sitting; and if

not, within one month after the commencement of the next sitting of the Parliament: Provided, that the said Rules and Regulations shall come into full force and effect at such times as the said Board shall appoint, either before or after the time within which the said Rules are hereby directed to be laid upon the Table of each House of Parliament.

MICHAEL FENTON, *Speaker.*

Passed the Legislative Council, this twenty-first day of December, one thousand eight hundred and fifty-five.

FR. HARTWELL HENSLOWE,
Clerk of the Council.

In the name and on the behalf of Her Majesty I assent to this Act.

H. E. F. YOUNG,
Governor.

*Government House, Hobart Town,
22nd December, 1855.*