

THE ELEVENTH SCHEDULE.

TOWN OF CAMPANIA.

0A. 0R. 7P.

Commencing at the intersection of Climie-street with Reeve-street and bounded on the north by 2 chains 59 links westerly along Climie-street aforesaid on the north-west by 17 links south-westerly along the Main Line Railway on the south by 2 chains 57 $\frac{5}{10}$ links easterly again along that railway to Reeve-street aforesaid and thence on the south-east by $17\frac{1}{2}$ links north-easterly along that street to the point of commencement.

THE TWELFTH SCHEDULE.

CITY OF HOBART.

3A. 0R. 22 $\frac{4}{10}$ P.

Commencing at the intersection of Hamilton-street and Knocklofty-terrace and bounded on the north-west by 486 feet $3\frac{1}{4}$ inches north-easterly along the firstmentioned street on the north-east by 435 feet 9 inches south-easterly along portion of the West Hobart Recreation Ground on the south-east by 361 feet $2\frac{1}{4}$ inches south-westerly in three bearings along 3a. 1r. 26 $\frac{6}{10}$ p. school site to Knocklofty-terrace aforesaid and thence on the south-west by 251 feet $5\frac{1}{2}$ inches north-westerly along Knocklofty-terrace aforesaid to the point of commencement.

**LAUNCESTON CORPORATION (SCOTCH
AND ROMAN CATHOLIC CEMETERIES
IMPROVEMENT).**

11 GEO. VI. No. 14.

AN ACT to provide for the Conversion into Public Parks or Gardens of the disused Scotch Cemetery situated in High Street in the City of Launceston and the disused Roman Catholic Cemetery situated in Connaught Crescent in the City of Launceston; and for matters incidental thereto.

[22 April, 1947.]

WHEREAS the land described in the First Schedule and Preamble.
known as the Scotch Cemetery, High-street, Launceston, was in the year 1835 or thereabouts, reserved for use as a burial ground under the control of the Scotch National or Presbyterian Church:

And whereas the land described in the second schedule comprises the unsold portion of a reserve known as the Roman Catholic Cemetery, Connaught-crescent, Launceston, which is vested in the trustees of the Roman Catholic Church in Tasmania as a burial ground under the control of the Roman Catholic Church:

And whereas both the said pieces of land have for some years been closed for use as burial grounds and it is deemed expedient that they should be converted into public parks or gardens for the use of the citizens of Launceston:

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:—

Short title and incorporation.

1—(1) This Act may be cited as the *Launceston Corporation (Scotch and Roman Catholic Cemeteries Improvement) Act 1947*.

(2) This Act shall be incorporated and read as one with the *Launceston Corporation Act 1941**.

Interpretation.

2 In this Act, unless the contrary intention appears, “the cemeteries” means the land described in the first schedule hereto and known as the Scotch Cemetery, High-street, and the land described in the second schedule hereto and known as the Roman Catholic Cemetery, Connaught-crescent.

Vesting of cemeteries in Corporation.

3 The cemeteries are hereby vested in the Corporation in fee simple free from all trusts and restrictions affecting the same, except as herein provided, but subject, as to that portion of the land described in the second schedule and coloured green on the plan set forth in the fourth schedule, to the right-of-way described in the second schedule.

Power to lay out cemeteries as public parks and gardens.

4—(1) Subject to this Act, the Council may lay out the cemeteries as public parks or gardens for use as places of quiet recreation by the citizens of the city.

(2) In the exercise of the powers conferred on it by this section the Council may—

- (a) construct streets, avenues, and walks in or through the cemeteries;
- (b) erect and construct in the cemeteries such ornamental and other buildings and structures, and provide therein such seats, shelters, and conveniences for the use of persons resorting thereto, as the Council thinks fit;
- (c) enclose, drain, turf, level, and light the whole or any part of the cemeteries;

* 4 & 5 Geo. VI. No. 91, as amended by 6 Geo. VI. Nos. 52 and 69, 7 Geo. VI. No. 14, 8 & 9 Geo. VI. No. 55, and 10 Geo. VI. No. 50.

- (d) plant in the cemeteries or in any portion thereof such trees, shrubs, and plants as the Council thinks fit;
- (e) upon and subject to the conditions prescribed in section four—
 - (i) demolish or remove any graves, monuments, vaults, and tombstones erected in any part of the cemeteries; and
 - (ii) exhume and remove from the cemeteries any human remains which are buried therein, and reinter those remains, either in the cemeteries or elsewhere, as provided by this Act;
- (f) build upon or under any part of the cemeteries such ornamental structures or vaults as the Council thinks fit for the reception of any human remains which are not removed from the cemeteries for reinterment elsewhere; and
- (g) generally, execute such works, employ such officers and servants, give such orders and directions, and do all such acts and things as may be necessary for the laying out of the cemeteries as public parks or gardens or for carrying out or giving effect to the provisions of this Act.

5—(1) Before proceeding with the demolition of any graves, monuments, vaults, or tombstones erected in the cemeteries with the exhumation and removal of any human remains buried therein, the Council shall—

Conditions on which Council may remove human remains.

- (a) cause to be prepared a statement setting out—
 - (i) the names and dates appearing on the graves, monuments, vaults, or tombstones proposed to be removed by the Council; and
 - (ii) such other particulars as may be necessary for the identification of those graves, monuments, vaults, or tombstones and of the human remains to which they relate, so far as such particulars can be ascertained from the records of the cemeteries or the inscriptions on the stones and monuments therein;
- (b) deposit the statement in the office of the Town Clerk and make it available for inspection by any person free of charge; and
- (c) publish, on such occasions and at such intervals as the Council may think desirable, in such newspapers as the Council may determine, a notice of the intention of the Council to demolish or remove the graves, monuments, vaults, or tombstones, or to exhume and remove the human remains.

(2) Any notice published in pursuance of paragraph (c) of subsection (1) shall specify the hours within which the statement prepared in accordance with paragraph (a) of that subsection may be inspected, and a copy of the notice shall be prominently displayed at or near the entrance to the Town Hall.

Land for reinterment to be made available by Council.

6 At any time within twelve months after the commencement of this Act, the Council, at the request of any direct descendant or near relative of any deceased person whose remains are buried in either of the cemeteries or whose name appears on any grave, monument, vault, or tombstone erected therein, and if such descendant or relative wishes to remove such remains at his own expense to the Carr Villa Cemetery, shall make available free of charge at the Carr Villa Cemetery such lands as may be necessary for the reinterment in that cemetery of those human remains, or for the re-erection in that cemetery of the grave, monument, vault, or tombstone.

Power to Council to exhume and reinter human remains.

7—(1) From and after the expiration of twelve months after the commencement of this Act—

- (a) all rights of any person in or to any human remains buried in either of the cemeteries or any grave, monument, vault, or tombstone erected therein, shall be vested in the Council; and
- (b) the Council may, at its own expense, demolish and remove any such grave, monument, vault, or tombstone, and reverently exhume and reinter (either in some other portion of one of the cemeteries or in some other public cemetery in or near the city) any such human remains.

(2) The Council shall cause to be recorded in a register to be kept for the purpose, full details of any exhumation and reinterment of any human remains in pursuance of subsection (1), and the register shall be maintained by the Council in perpetuity and shall be available at all reasonable times for inspection by any person free of charge.

Cemeteries when laid out as parks to be used for quiet recreation only.

8 Each of the cemeteries, upon being laid out as a public park or garden in accordance with this Act, shall be available for citizens as a place of quiet recreation only, and the Council shall not permit any competitive games or sports to be conducted therein.

Expenses.

9 All expenses incurred by the Council in the execution of this Act shall be defrayed out of the revenues of the corporation.

Indemnity.

10 No action, claim, or demand whatsoever shall lie or be brought or allowed by or in favour of any person whomsoever against the Council or any officer, servant, or agent

thereof for or on account of any damage or loss incurred or sustained, or alleged to have been incurred or sustained, by reason of the operation of this Act or of anything done in good faith by the Council or any officer, servant, or employee thereof in the execution of this Act.

THE FIRST SCHEDULE.

All that piece of land situated in the City of Launceston in Tasmania containing one acre three roods and thirty-seven perches and one-tenth of a perch and bounded as follows that is to say on the north-east by a line commencing at a point on High-street being the eastern corner of land owned by William Christensen and extending south-easterly along High-street in three bearings one hundred and seventy-nine feet four inches and one-half of an inch one hundred and thirty-nine feet four inches and one-quarter of an inch and one hundred and twenty-seven feet three inches thence on the south-east by a straight line of one hundred and eighty-one feet one inch extending south-westerly along land owned by the estate of Charles Nicholls thence on the south-west by a straight line of four hundred and sixty-six feet four inches extending north-westerly partly along land owned by the estate of the said Charles Nicholls partly along land owned by William Charles Annear partly along Galvin-street and partly along land owned by Alexander Anderson and thence on the north-west by a straight line of one hundred and eighty-feet ten inches extending north-easterly along the said land owned by the said William Christensen to the point of commencement as the same is shown in the plan set forth in the third schedule and therein surrounded by red boundary lines.

THE SECOND SCHEDULE.

All that piece of land situated in the City of Launceston in Tasmania containing three acres three roods five perches and one-tenth of a perch and bounded as follows that is to say on the north-east by a straight line of one hundred and eighty-seven feet eleven inches commencing at a point on Connaught-crescent being the western corner of land owned by Raymond James and Winifred Eleanor Marsh and extending south-easterly along that land thence on the north-west by a straight line of one hundred and seventy-seven feet two inches extending north-easterly along the lastmentioned land and along land owned by Thomas Orr to Glen Dhu-street thence again on the north-east by a straight line of twenty-feet extending south-easterly along that street thence on the south-east by a straight line of one hundred and seventy-seven feet eleven inches extending south-westerly partly along land owned by Thomas and Ada Neta Louisa Orr and partly along land owned by Louisa Ann Fish thence again on the north-east by a straight line of two hundred and sixty feet extending south-easterly partly along the lastmentioned land partly along land owned by Cyril Walter Berresford and partly along land owned by Vivian James Berresford thence on the south-east by a straight line of three hundred and thirty-five feet five inches and three-quarters of an inch extending south-westerly along land owned by Lewis Keith Robinson to a right-of-way thence on the south-west by a straight line of four hundred and eighty feet eleven inches and one-quarter of an inch extending north-westerly along the said right-of-way to Connaught-crescent aforesaid and thence on the north-west by a line extending north-easterly

in five bearings one hundred and ten feet three inches and one-half of an inch eighty-one feet and one-half of an inch forty-nine feet two inches fifty feet six inches and seventy feet four inches and one-quarter of an inch along Connaught-crescent aforesaid to the point of commencement as the same is shown in the plan set forth in the fourth schedule and therein surrounded by red boundary lines.

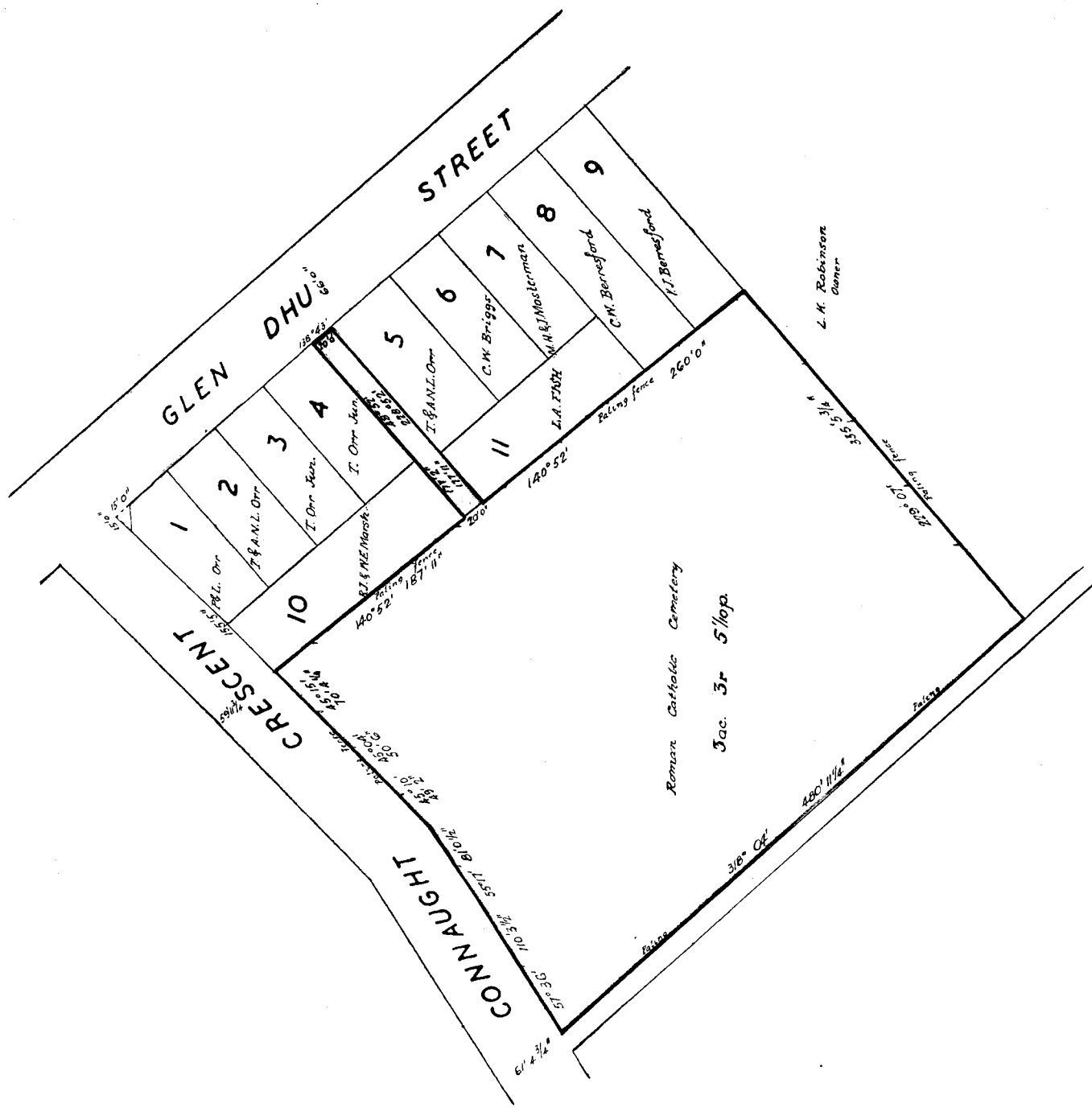
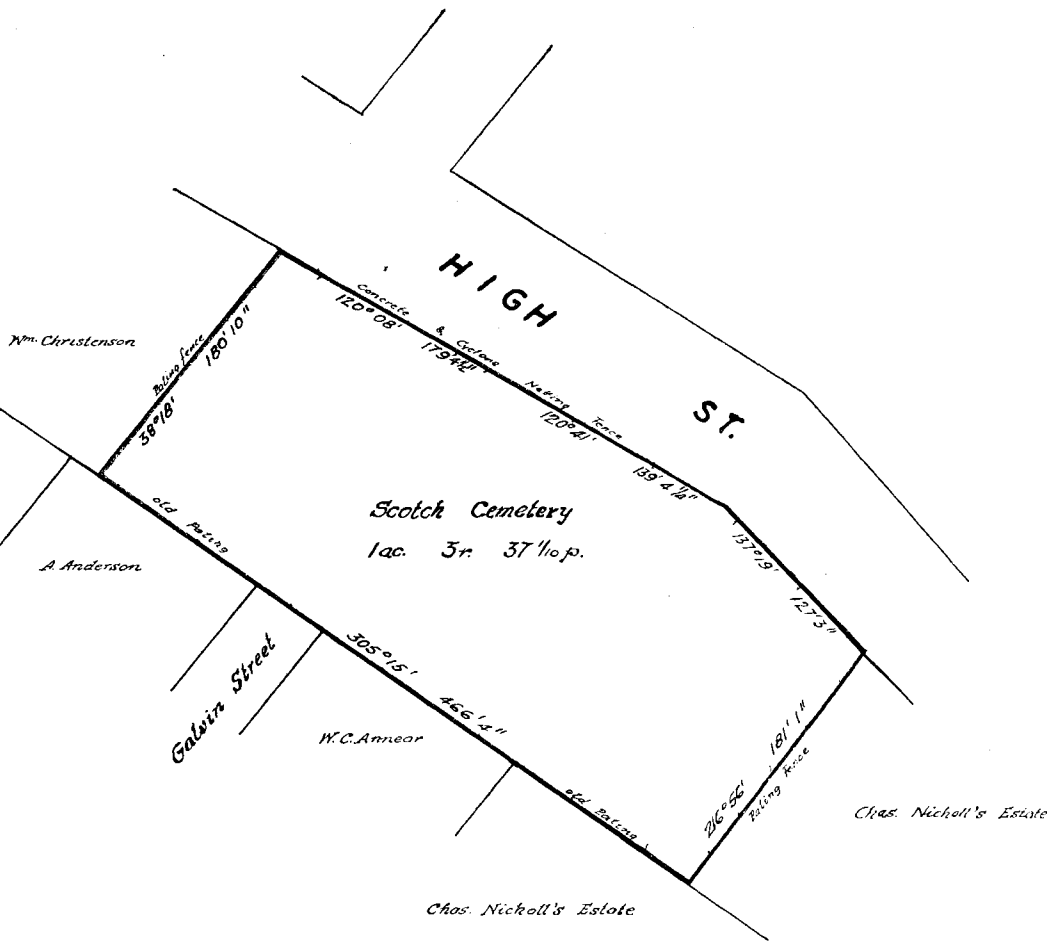
Subject to the full and free right and liberty to and for the said Louisa Ann Fish and to and for the registered proprietor or proprietors for the time being of the land shown as Lot 11 on the said plan and there surrounded by yellow boundary lines or any part thereof, and her, his, and their tenants, servants, agents, workmen, and visitors to go, pass, and repass at all times hereafter and for all purposes, and either with or without horses or other animals, carts, or other carriages, into and out of and from the said land, or any part thereof, through, over, and along the road or way shown on the said plan and there coloured green.

THE FOURTH SCHEDULE.

(The plan referred to in the description contained in the second schedule.)

THE THIRD SCHEDULE.

(The plan referred to in the description contained in the first schedule.)





PLACES OF PUBLIC ENTERTAINMENT.

11 GEO. VI. No. 15.

AN ACT to amend the *Places of Public Entertainment Act 1917*. [22 April, 1947.]

BE it 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—(1) This Act may be cited as the *Places of Public Entertainment Act 1947*. Short title and citation.

(2) The *Places of Public Entertainment Act 1917**, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section twenty-seven of the Principal Act is amended Regulations. by adding at the end thereof the following subsections:—

“(3) In addition to any other matters in respect of which regulations may be made under this Act, the Governor may make regulations—

- (a) providing for the registration of places of public entertainment in which exhibitions of cinematograph films are held, and of persons carrying on the business of exhibiting cinematograph films in any place of public entertainment (in this subsection referred to as ‘cinema theatres’ and ‘exhibitors’ respectively); prohibiting the exhibition of cinematograph films in any cinema theatre which is not registered under the regulations, or by any exhibitor who is not so registered; and providing that the registration of any cinema theatre or exhibitor (other than a cinema theatre in which exhibitions of cinematograph films were regularly or usually held at the date of the commencement of this section, or an exhibitor by whom such exhibitions were so held) shall be in the discretion of the registration authority;
- (b) providing for and regulating the transfer of the registration of a cinema theatre or exhibitor, and requiring that any transfer thereof shall be subject to the consent of the registration authority;

8 Geo. V. No. 49. For this Act, as amended to 1936, see Reprint of Statutes, Vol. I, p. 81. Subsequently amended by 7 & 8 Geo. VI. No. 79.