

8 The cemetery, upon being laid out as a public park, garden, or reserve in accordance with this Act, shall be available for residents of, or persons resorting to, the Town of Burnie as a place of quiet recreation only, and the Council shall not permit any competitive games or sports to be conducted therein.

Cemetery when laid out as parks to be used for quiet recreation only.
Ibid., s. 8.

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

Expenses.
Ibid., s. 9.

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 anything done in good faith by the Council or any officer, servant, or employee thereof in the execution of this Act.

Indemnity.
Ibid., s. 10.

THE SCHEDULE.

(Section 2.)

All that piece or parcel of land situate and being in the township of Burnie in the County of Wellington Tasmania containing one acre one rood twenty-nine perches and one-half perch or thereabouts and bounded as follows: Commencing at a point on the west side of Alexander-street fifty links south of the south-east corner of Allotment number one hundred and eighty-three by a line running along a reserved road west three chains and thirteen links thence by a line running along part of Emu Bay Forest Section number thirteen south one degree fifty-three minutes west six chains thirty-three links and three-fourths of a link thence by the Mooreville-road north forty-two degrees eleven minutes east four chains ninety-seven links and one-fourth of a link thence by Alexander-street aforesaid north two chains and sixty-five links to the point of commencement.

PENGUIN WATER.

No. 48 of 1950.

AN ACT to amend the *Penguin Water Act 1908*.
[16 November, 1950.]

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 *Penguin Water Act 1950*.

Short title and citation.

(2) The *Penguin Water Act 1908**, as subsequently amended, is in this Act referred to as the *Principal Act*.

* 8 Edw. VII. No. 13. Subsequently amended by 9 Edw. VII. No. 12 and 11 Geo. VI. No. 4.

Interpre-
tation.

2 Section two of the Principal Act is amended by adding after the word "above" at the end of the definition of "Water District" the words "together with such other areas within the Municipality of Penguin as the Council from time to time may declare under the provisions of section nine."

Power to
make water-
works.

3 Section three of the Principal Act is repealed and the following section substituted therefor:—

"3. It shall be lawful for the Council from time to time to enter upon land within the Municipality of Penguin and take, divert, and appropriate such a quantity of water from the streams known as *Ling's Creek* and *Penguin Creek* or either of them as shall be required for the purposes of this Act and to construct such necessary weirs, dams, reservoirs, and buildings on the beds and banks of the said streams or either of them and to lay pipes upon or under the soil from any weir, reservoir, dam, or building to the water district or any part thereof, and also to make use of any earth, stone, or timber, required for the construction of the water-works; but in all cases as little damage as possible shall be done to the lands, and as far as may be reasonably expected the ground shall be restored to its original character."

Power to
add areas
to the water
district.

4 Section nine of the Principal Act is amended by inserting after the word "time" secondly occurring the words "by special resolution".

Acts
punishable.

5 Section twenty-three of the Principal Act is amended—

(a) by inserting after the words "*Ling's Creek*" in paragraph VII. thereof the words "and the *Penguin Creek* or either of them";

(b) by deleting the word "its" in paragraph VII. thereof and substituting the word "their".

Power to
borrow a
further
£20,000.

6 Upon passing a special resolution for that purpose in pursuance of the provisions of the *Local Government Act 1906** it shall be lawful for the Council in addition to any moneys already borrowed under or for the purposes of the Principal Act, to borrow under the provisions of the *Local Bodies Loans Act 1881*† any sum or sums of money not exceeding in the whole the further sum of twenty thousand pounds for the purposes of the Principal Act, and the repayment of any moneys borrowed thereunder, and for defraying

* 6 Edw. VII. No. 31. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 15. Subsequently amended by 2 Geo. VI. Nos. 8 and 33, 4 Geo. VI. No. 46, 5 Geo. VI. Nos. 20 and 24, 6 Geo. VI. Nos. 26 and 62, 7 & 8 Geo. VI. No. 88, 8 Geo. VI. No. 17, 9 Geo. VI. No. 12, 11 Geo. VI. Nos. 5 and 61, and No. 22 of 1949.

† 45 Vict. No. 16. For this Act, as amended to 1936, see Reprint of Statutes, Vol. V., p. 211. Subsequently amended by No. 17 of 1948.

the expenses of and incidental to, the extension, carrying out, and completion of all or any of the works authorised by the Principal Act, and the preparation, passing, and carrying out of this Act.

7 Notwithstanding anything in the Principal Act contained it shall not be necessary to take any poll as provided by the Principal Act in respect of any moneys borrowed under this Act. Poll not required.

PENGUIN SEWERAGE.

No. 49 of 1950.

AN ACT to amend the *Penguin Sewerage Act*
1913. [16 November, 1950.]

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 *Penguin Sewerage Act* 1950. Short title and citation.

(2) The *Penguin Sewerage Act* 1913*, as subsequently amended, is in this Act referred to as the Principal Act.

2 Section two of the Principal Act is amended by inserting after the word "above" at the end of the definition of "The sewerage district" the words "and such other areas within the Municipality of Penguin as the Council from time to time by special resolution may declare to be within the sewerage district." Interpretation.

3 Section twelve of the Principal Act is amended by deleting therefrom the word "Two" and substituting therefor the word "Three". Power to levy rate.

* 4 Geo. V. No. 27, amended by 12 Geo. V. No. 53 and 18 Geo. V. No. 22.