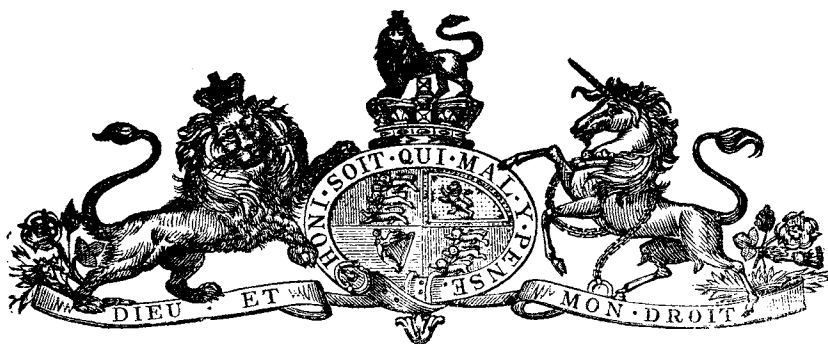


T A S M A N I A.



1889.

ANNO QUINQUAGESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 45.

*Repealed 54 Victoria*

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AN ACT to constitute the Town of *Devonport*, and to provide for the Election of a Town Board for the said Town. A.D. 1889.

[5 December, 1889.]

WHEREAS it is expedient to unite the Towns of *Formby* and *Torquay* into one Town under the name of *Devonport*, and to provide for the election of a Town Board for such Town, as hereinafter provided : PREAMBLE.

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 for all purposes as "The *Devonport* Town Board Act." Short title.

2 Subject to the provisions hereinafter contained, the Towns of *Formby* and *Torquay*, as the same are described in the Schedule hereto, shall, upon the election of a Town Board as hereinafter mentioned, be united into one Town, which Town shall thereafter be called and known by the name of *Devonport*. Town of *Devonport*.

3 That portion of the said Town of *Devonport* which is situate on the West bank of the River *Mersey* shall for the purposes of this Act be a Division of the Town. Division of Town.

*Devonport Town Board.*

- A.D. 1889. — be called *West Devonport*, and that portion of the said Town which is situate on the East bank of the River *Mersey* shall for the purposes of this Act be called *East Devonport*.
- Board to be elected. **4** The administration of the affairs of the said Town of *Devonport* shall be committed to a Board consisting of Eight Members elected as hereinafter provided, and styled "The Town Board of the Town of *Devonport*."
- How Board elected. **5** Four Members of the said Board shall be elected by the Electors of *West Devonport*, and Four Members of the said Board shall be elected by the Electors of *East Devonport*.
- When election to be held. **6** Upon the Seventh day of *January* in the year 1890, or on such later date as the Governor may fix by Proclamation published in the *Gazette* previous to the first-mentioned date, a meeting of the Electors of *West Devonport* shall be held, at such time and in such place as the Governor may by notice in the *Gazette* or by such Proclamation as aforesaid appoint, for the purpose of electing Four of such Electors as Members of the Town Board of the Town of *Devonport*; and on the same day there shall also be held, at such time and in such place as the Governor may appoint as aforesaid, a meeting of the Electors of *East Devonport*, for the purpose of electing Four of such Electors as Members of the Town Board of the Town of *Devonport*: Provided always, that before proceeding to the election of such Members of the said Town Board the Electors assembled at such meetings as aforesaid shall decide by ballot whether such election shall take place; and if a majority of the Electors assembled at either of the said meetings decide that no such election shall take place at such meeting, the operation of this Act shall cease and determine.
- Application of 48 Vict. No. 30. **7** All the provisions of "The Town Boards Act, 1884," and of every Act amending the same, shall apply to such meetings of Electors as aforesaid.
- How Members retire. **8** Two of the Members of the said Town Board elected by the Electors of *West Devonport*, and Two of the Members of the said Town Board elected by the Electors of *East Devonport*, shall retire from office in the month of *April* in the year 1891, and the remaining Members of the said Town Board shall retire from office in the month of *April* in the year 1892; and in each case it shall be determined by lot amongst the Members of the said Town Board which of them shall retire first.
- Period of office. **9** Every Member of the said Town Board shall, subject to the provisions of this Act, hold office for a period of Two years.
- Annual meeting of Electors. **10** Annual meetings of the Electors of *West Devonport* and *East Devonport* shall be held for the purpose of electing Members of the said Town Board, in accordance with the provisions of "The Town Boards Act, 1884," and of the Acts amending the same.
- Board to have powers, &c. conferred by 48 V. No. 30. **11** The said Town Board shall have and exercise all the powers and authorities conferred by "The Town Boards Act, 1884," and every Act amending the same, upon Boards elected thereunder.

*Devonport Town Board.*

**12** Immediately after the election of a Town Board for the said Town of *Devonport* under this Act, all the powers, rights, and privileges conferred by "The *Formby* Water Act, 1889," upon the Town Board of *Formby* shall be transferred to and become vested in the Town Board of the said Town of *Devonport*; and the word "Board" in the said Act shall thereafter mean the Town Board of the Town of *Devonport*.

A.D. 1889.  
Transfer of powers, &c. conferred by 53 Vict. No. 32.

**13** Immediately after the election of a Town Board for the said Town of *Devonport* as aforesaid the Town Board of the Town of *Formby* shall cease to exist, and all property, money, rights, and liabilities of the said Town Board of the Town of *Formby* shall be and they are hereby transferred to and vested in the Town Board of the said Town of *Devonport*.

Transfer of property and liabilities of Town Board of *Formby*.

Provided that the interest on any money borrowed by the said Town Board of the Town of *Formby* and expended before the date on which this Act comes into operation upon the improvement of the Town of *Formby*, shall be defrayed by a Special Rate chargeable only on the property situated within the limits of *West Devonport*.

**14** Immediately after the said Towns of *Formby* and *Torquay* are united as aforesaid, in all Acts of Parliament, and in all deeds or other instruments, and in all legal proceedings whatsoever where the said Towns are respectively mentioned, the same shall be deemed to be *West Devonport* and *East Devonport* respectively.

Reference to other Acts, &c.

## SCHEDULE.

## TOWN OF DEVONPORT.

Section 2.

*Town of Formby.*

Bounded on the south by 128 chains 21 links easterly crossing the Crown reservation and along Lots 5063, 5275, and 282 originally purchased from the Crown by James Sayer, James Monaghan Dooley, and Charles Stanhope Thomas respectively, commencing at the River Don and extending to the western side of York or Middle Road, on the south west by 52 chains 31 links south-easterly in three bearings along the western side of that road and across Lot 282 aforesaid to the north boundary of Lot 278 originally purchased from the Crown by Jocelyn Thomas, on the south by 33 chains 73 links easterly along the last-mentioned lot, and crossing the Crown reservation to the River Mersey, and thence by that river and by Port Frederick, Bass' Straits, and the River Don aforesaid to the point of commencement.

*Town of Torquay.*

Commencing at a point on Bass' Straits being the extremity of a line in continuation northerly of the west boundary of a grant to Robert Stewart, and bounded on the east by 119 chains 20 links southerly across a Crown reservation of 100 feet and along the aforesaid grant to Robert Stewart, on the south by 31 chains 60 links westerly also along that grant and across a similar reservation to Port Frederick, by Port Frederick northerly to Bass' Straits aforesaid, and by those Straits to the point of commencement.

