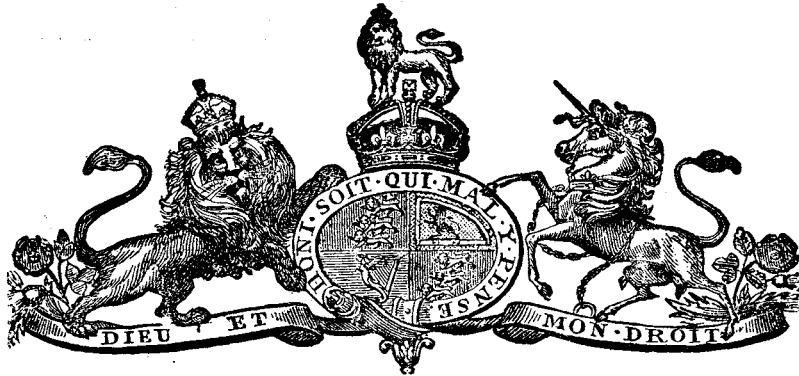


T A S M A N I A



1908.

ANNO OCTAVO

EDWARDI VII. REGIS,

No. 24.

ANALYSIS.

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>1. Short title.</li> <li>2. Amendment of Section 33 of 57 Vict. No. 11.</li> <li>3. Substitution for Schedule (5.) of 57 Vict. No. 11.</li> <li>4. Amendment of Section 37 of 57 Vict. No. 11.<br/>Mode of election of Aldermen.<br/>Citizen to sign declaration.<br/>Ballot-paper to be given to citizen.<br/>How papers to be marked.<br/>And how placed in ballot-box.<br/>No further entry by the same citizen, &amp;c.<br/>Penalty for contravention of provisions.<br/>Presiding officer to explain mode of voting.</li> <li>5. Amendment of Section 39 of 57 Vict. No. 11.</li> </ul> | <ul style="list-style-type: none"> <li>6. Addition to Section 270 of 57 Vict. No. 11.</li> <li>7. Amendment of Section 8 (5) of 3 Ed. VII. No. 32.</li> <li>8. Unforeseen expenditure.</li> <li>9. Provisions relating to new abattoirs.</li> <li>10. Amendments of Section 200 of 57 Vict. No. 11.</li> <li>11. Amendments of 1 Ed. VII. No. 56.</li> <li>12. Provisions relating to the slaughter of animals extended to the suburban area.</li> <li>13. Right to have animals slaughtered.</li> <li>14. Slaughter of animals for private consumption within the suburban area.</li> <li>15. Acts to be read together.</li> </ul> |
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AN ACT to further amend "The *Hobart Corporation Act, 1893.*" [3 *December, 1908.*]

A.D. 1908.

WHEREAS it is expedient to further amend "The *Hobart Corporation Act, 1893*" (hereinafter referred to as "the said Act"), in the manner hereinafter appearing :

PREAMBLE. 57 Vict. No. 11.

8d.]

*Hobart Corporation Amendment.*

A.D. 1908.

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.

**1** This Act may be cited as “The *Hobart Corporation Act*, 1908.”

Amendment of  
Section 33 of 57  
Vict. No. 11.

Cf. 6 Ed. VII.  
No. 31, s. 2.

7 Ed. VII. No. 6,  
s. 102.

**2** Section Thirty-three of the said Act is hereby repealed, and the following section is substituted therefor :—

“**33**—(1.) The Mayor, before and in time for every such election, shall provide a sufficient number of printed ballot-papers, each of which shall be signed or stamped on the back thereof by the Mayor, with his name in full or his initials, as he may think proper.

“(2.) Every ballot-paper shall contain the names of the duly nominated candidates, arranged alphabetically in the order of their surnames.

“(3.) If there are Two or more candidates of the same surname, their names shall be printed according to the alphabetical order of their Christian names, or if their Christian names are the same, then according to the alphabetical order of their residences, arranged and stated on the ballot-paper.

“(4.) Where similarity in the names of Two or more candidates is likely to cause confusion, the names may be arranged with such description or addition as will distinguish them from one another.

“(5.) Every ballot-paper shall be marked with the number of votes to which the citizen to whom it is issued is entitled.

“(6.) A square shall be printed opposite the name of each candidate.

“(7.) The ballot-papers may be in the form in the Schedule (5).

“(8.) No ballot-paper used at any such election shall contain any other matter or thing other than those hereinbefore mentioned.”

Substitution for  
Schedule (5.) of  
57 Vict. No. 11.

**3** The form in the Fifth Schedule to the said Act is hereby repealed, and the form in the First Schedule to this Act is substituted in lieu thereof.

Amendment of  
Section 37 of 57  
Vict. No. 11.

Cf. 6 Ed. VII.  
No. 31, s. 77.

Mode of election  
of aldermen.

Citizen to sign  
declaration.

Ballot-paper to be  
given to citizen.

How papers to be  
marked.

**4** Section Thirty-seven of the said Act is hereby repealed, and the following section is substituted therefor :—

“**37** Every such election shall be conducted in manner following :—

“(1.) Each citizen shall be entitled to enter unattended into the room appointed for the ballot at such election, and in which the ballot-box is kept, and shall there, in the presence of the Mayor or some presiding officer or poll clerk, sign the declaration aforesaid.

“(2.) The Mayor or some presiding officer shall then select a ballot-paper marked with the number of votes to which the citizen claiming to vote is entitled, and thereupon check or mark off upon a certified copy of the polling-list such citizen's name as having voted, and then deliver such ballot-paper to such citizen.

“(3.) The citizen shall immediately take such ballot-paper into an inner room or compartment provided for such purpose as aforesaid, and there without delay mark his ballot-paper by placing a cross, thus ×,

*Hobart Corporation Amendment.*

within or substantially within the square opposite the name or names of the person or persons for whom he intends to vote, but so that if there is only One Alderman to be elected he only marks against One name, and if there is more than One Alderman to be elected he marks against the names of no more persons than there are Aldermen to be elected, and shall make no other mark or writing thereon, otherwise every such ballot-paper shall be invalid.

“(4.) The citizen shall then fold up such ballot-paper so as to conceal the names from view, and in such manner that the name or initials of the Mayor shall appear on the outside of the ballot-paper, and shall immediately take the same into the room in which the ballot-box is kept, and after exhibiting such ballot-paper, so folded with the name or initials so visible as aforesaid, to the Mayor or some presiding officer or poll clerk, if required so to do, shall place the same in the ballot-box.

“(5.) The citizen shall then immediately leave the room, and shall not re-enter it during the same election. No Two persons shall enter into or remain in an inner room or compartment at the same time, nor shall any citizen take any such ballot-paper out of the room in which the ballot-box is placed elsewhere than into the said inner room or compartment, and then only for the purpose of marking against the name or names of the person or persons for whom he intends to vote.

“(6.) Any person wilfully contravening any of the provisions in this section contained shall be liable to a penalty not exceeding Fifty Pounds.

“(7.) The Mayor or some presiding officer may, and upon request shall, either personally or through a poll clerk, explain to the citizen as concisely as possible the method of voting.”

**5** Section Thirty-nine of the said Act is hereby repealed, and the following section is substituted therefor:—

“**39** In the case of any citizen who is blind, or cannot write, the declaration shall be read over to him, and his verbal assent thereto being obtained, the Mayor or some presiding officer or poll clerk shall write such citizen's name in the citizen's signing place, and attest the same under his hand, and such signature and attestation shall bind such citizen to such declaration and to all the consequences thereof if false; and the Mayor or some presiding officer shall also at the request of such citizen, openly in the ballot-room, and in the presence and sight of the poll clerk and scrutineers, or such of them as may be present, mark upon his ballot-paper in manner aforesaid the name or names of the person or persons for whom the citizen declares his intention of voting, and shall fold and deposit his ballot-paper for him.”

**6** Section Two hundred and seventy of the said Act is hereby amended by adding at the end thereof the following subsection:—

“xi. The opening, making, constructing, widening, improving, or extending, streets, roads, tramways, or approaches to any property owned or occupied by the Corporation, whether within or without the city of *Hobart*.”

A.D. 1908.

And how placed  
in ballot-box.No further entry  
by the same  
citizen, &c.Penalty for con-  
travention of pro-  
visions.Presiding officer  
to explain mode  
of voting.Amendment of  
Section 39 of 57  
Vict. No. 11.Provides for  
blind men and  
marksmen voting  
at elections of  
Aldermen.Addition to Sec-  
tion 270 of 57  
Vict. No. 11.

*Hobart Corporation Amendment.*

A.D. 1908.

Amendment of  
Section 8 (5) of  
3 Ed. VII. No.  
32.

**7** The words "Twenty thousand Pounds" in the second line of Subsection Five of Section Eight of "The *Hobart* Corporation Act, 1903," are hereby expunged, and the words "Twenty-eight thousand Pounds" are hereby inserted in lieu thereof, and the said section shall be hereafter construed as if the words "Twenty-eight thousand Pounds" had originally been inserted therein.

Unforeseen ex-  
penditure.  
2 Ed. VII.  
No. 2 and 7 Ed.  
VII. No. 24.

**8** It shall be lawful for the Council from time to time to appropriate out of the revenues of the Corporation such sum or sums of money as the Council may in its discretion deem desirable for the payment of any expenses incurred by the Council, and not authorised by any Act for the time being in force, provided that the moneys appropriated for the purpose in any one year shall not exceed the sum of One hundred Pounds, and shall be sanctioned by a resolution carried by a majority of the Council at some duly constituted meeting thereof.

This section shall be construed as if it had been enacted on the First day of *January*, One thousand nine hundred and seven.

Provisions  
relating to  
new abattoirs.  
Schedule (2.)

**9** The following provisions shall apply to the area of land described in the Second Schedule hereto, notwithstanding that such area is within the Municipality of *Glenorchy* :—

- I. The Municipal Council of the city of *Hobart* shall have the sole control, management, and ordering of such area :
- II. If any by-laws or regulations made by the Municipal Council of *Glenorchy* are inconsistent with any by-laws or regulations made by the Municipal Council of *Hobart*, the latter shall prevail so far as they are applicable to or affect such area :
- III. No rates, other than the road and lighting rates made and levied by the Municipal Council of *Glenorchy*, shall be payable by the Municipal Council of *Hobart* in respect of such area :
- IV. For the purposes of "The Public Health Act, 1903," such area shall be deemed to form portion of the district of the local authority for the city of *Hobart*.

3 Ed. VII.  
No. 37.

**10** The following amendments are made in the said Act :—

- I. Section Two hundred is amended by omitting the words "the area around the city within the distance of One mile from any part of the boundary of the city : Provided that any portion of such area which may hereafter be comprised within a rural municipality shall be exempted from the operation of this part of this Act," and inserting in lieu thereof the words "the area comprising—
  - (a) The Municipality of *New Town* ;
  - (b) The *Moonah* Ward of the Municipality of *Glenorchy* ;
  - (c) So much of the *Kensington* Ward of the Municipality of *Glenorchy* as is included within the north-

Amendments  
of Section 200 of  
57 Vict. No. 11.

*Hobart Corporation Amendment.*

western boundary of the *Moonah* Ward, the River *Derwent*, the south-eastern boundary of the *Bismarck* Ward, and the north-eastern boundaries of Thirty acres Two roods and Twenty-six perches granted to *W. Murray*, Forty-one acres granted to *George Hull*, and One hundred acres granted to *Thomas Wells*;

- (d) The *Sandy Bay* Ward of the Municipality of *Queenborough*;
- (e) The *Nelson* Ward of the Municipality of *Queenborough*;
- (f) So much of the *Ridgeway* Ward of the Municipality of *Queenborough* as is included within the *Sandy Bay* Rivulet, the south-western boundary of the *Sandy Bay* Ward, the north-western boundary of the *Nelson* Ward, and a prolongation of the south-western boundary of the *Nelson* Ward to the *Sandy Bay* Rivulet aforesaid—

all which said area is herein referred to as 'the said suburban area,' and for the purposes of this section the boundaries of the municipalities and wards hereinbefore mentioned shall be those defined in the proclamation dated the Twentieth day of *August*, One thousand nine hundred and seven, under the hand of His Excellency Sir *Gerald Strickland*, the present Governor of *Tasmania*:"

A.D. 1908.  
See *Gazette*  
27th August,  
1907.

- II. Section Two hundred and one is amended by omitting the words "area within a distance of One mile from any part of the boundary of the city," and inserting in lieu thereof the words "the said suburban area :"
- III. Section Two hundred and nine is amended by inserting after the word "animal" in the first line the words "within the limits of this Act :"
- IV. Section Two hundred and twenty-five is amended by inserting after the second paragraph thereof the following new paragraph :—  
"For regulating the slaughter of animals in any public slaughterhouse for the city, issuing licences to slaughter therein, fixing the fees payable for such licences and the duration thereof, and the conditions under and upon which the same shall be issued and held, and determining the privileges to be conferred thereby :"
- V. Section Two hundred and twenty-nine is amended by omitting the words "city of *Hobart*, or within One mile of the boundaries of such city," and inserting in lieu thereof the words "limits of this Act :"
- VI. Section Two hundred and thirty is amended by omitting the words "into the said city," and inserting in lieu thereof the words "within the limits of this Act :"

Sect. 201.

Sect. 209.

Sect. 225.

Sect. 229.

Sect. 230.

*Hobart Corporation Amendment.*

A.D. 1908.

Sect. 232.

Schedule (13.)

vii. Section Two hundred and thirty-two is amended by omitting the words "city of *Hobart*, or within One mile of the boundaries of such city," and inserting in lieu thereof the words "limits of this Act:"

viii. Schedule (13.) is repealed, and the following schedule is substituted in lieu thereof —

## "SCHEDULE (13.)

## FORM OF BUTCHER'S LICENCE.

## BUTCHER'S LICENCE.

Whereas under "The Hobart Corporation Act, 1893," A.B., of \_\_\_\_\_, Mayor of the City of Hobart, for a Licence to sell Meat within the limits of the said Act: And whereas I have received the fee payable in respect of the said Licence: I, the said Mayor, do hereby grant to the said A.B. licence to sell Meat within the limits aforesaid, pursuant to the said Act.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_, Mayor of the City of Hobart."

Amendments  
of 1 Ed. VII.  
No. 56.

**11** The following amendments are made in "The *Hobart Corporation Act, 1901*":—

i. Sections Six, Seven, and Eight, and the schedule are repealed:

ii. Section Nine is repealed, and the following section is substituted in lieu thereof:—

"9. It shall not be lawful for any person to sell or cause to be sold within the city of *Hobart*, or within the said suburban area, the carcass of any animal or any meat, unless he is the holder of a butcher's licence, to be issued as provided in 'The *Hobart Corporation Act, 1893.*' "

Provisions  
relating to the  
slaughter of  
animals extended  
to the suburban  
area.

**12** From and after the commencement of this Act:—

i. The provisions of Part IX. of "The Police Act, 1905," shall cease to apply to the said suburban area:

ii. The provisions relating to the slaughter of animals and the sale of meat contained in Part XV., Division (3), of the said Act, and in every amendment of the said Act, shall extend and apply to the said suburban area.

Right to have  
animals  
slaughtered.

**13** Subject to any by-laws for the time being in force, and to any conditions that may be imposed by the Municipal Council of the city of *Hobart*, any person resident within the said city, or within the said suburban area, shall be entitled to have any animal slaughtered at the public slaughterhouse for the city of *Hobart*.

Slaughter of  
animals for  
private consump-  
tion within the  
suburban area.

**14** Nothing contained in this Act or in the said Act, or in any amendment of the said Act, shall extend to or affect any person who, not having been prohibited by the Municipal Council of *Hobart*, slaughters, or causes to be slaughtered, within the said suburban area, any animal for consumption by himself, his family, servants, or workmen;

*Hobart Corporation Amendment.*

and for the purposes of this section the word " animal " shall have the meaning given to it by Section Two hundred and one of the said Act. A.D. 1908.

**15** This Act and the said Act, and every Act amending the said Act, shall, save as altered or amended by this Act, be read and construed together as one and the same Act ; and the said Act, and every Act amending the same, and this Act may be referred to and may be cited for all purposes as " The *Hobart Corporation Acts*, 1893 to 1908." Acts to be read together.

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**SCHEDULES.**

(1.)

**BALLOT-PAPER.**

ONE VOTE.

(Or whatever may be the number of Votes.)

	ALLAN, JOHN.
	BULL, JOHN.
	JONES, MORGAN.
	O'CONNELL, PATRICK.
	SMITH, HENRY.
	WILLIAMS, BENJAMIN, 15 Elizabeth-street.
	WILLIAMS, BENJAMIN, 22 Macquarie-street.

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*Hobart Corporation Amendment.*

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A.D. 1908.

Sect. 9.

(2.)

COUNTY OF BUCKINGHAM.

PARISH OF HOBART.

21A. 1R. 19P.

All that area of land bounded on the south-west by 12 chains 2 links north-westerly along Crown land commencing at a point distant 14 chains north-easterly from the north-east angle of the Moonah Recreation Reserve on the road from Moonah to Risdon on the north-west by 9 chains 19 links north-easterly also along Crown land to the River Derwent by that river south-easterly to the road from Moonah aforesaid and thence on the south-east and south-west by 29 chains 78 links south-westerly and north-westerly in several bearings along that road to the point of commencement.