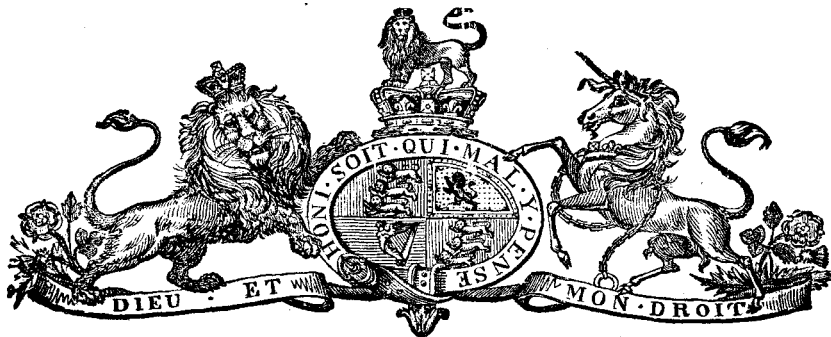


T A S M A N I A.

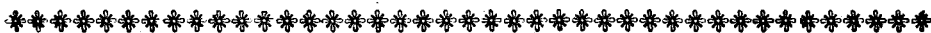


1863.

ANNO VICESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 37.



AN ACT further to amend *The Launceston Corporation Act* in certain Particulars.

[18 September, 1863.]

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1 The 11th Section of *The Launceston Corporation Act* is hereby repealed, and in lieu thereof the following Enactment shall be substituted; that is to say,—On the second *Friday* in *December*, 1863, and on the like day in every succeeding year, Three Aldermen shall go out of Office by rotation, and, on the preceding day, an Election shall be held to supply their places; and the persons elected shall assume Office on their predecessors going out of Office.

Repeals Sect. 11 of 22 Vict. No. 12.

Three Aldermen to go out of Office every year.

2 The following proviso is hereby added to the 14th Section of the said Act; (that is to say,)—Provided always, that nothing in this Section contained shall prevent the owner of any property, the assessed annual value of which does not exceed Twenty Pounds, from voting at any such Election, although the Rates payable by him in respect of such property (unless the same property shall be in his own occupation) may not have been paid.

Addendum to 14th Section.

Amends Bur-  
gesses' Declara-  
tion.

**3** The concluding words, "is in arrear," of the Burgesses' Declaration annexed to the said Act are hereby repealed, and the following words substituted in lieu thereof; (that is to say,)—"in respect of property now or heretofore occupied by me, is in arrear."

Repeals portion  
of Section 29.

**4** Every person wilfully making such Declaration falsely shall be and be deemed guilty of perjury, and be liable to be dealt with accordingly; and every person shall be deemed to have made such Declaration wilfully upon proof that such Declaration was untrue in fact, unless he shall establish the contrary.

Repeals 31st  
Section.

**5** The 31st Section of *The Launceston Corporation Act* is hereby repealed.

Ballot-box to be  
opened imme-  
diately on the  
close of the Poll.

**6** The words "the Mayor shall, at Ten o'clock of the forenoon of the day following the Election," in the 32nd Section of the last-mentioned Act, are hereby repealed, and the words following; (that is to say,)—"the Mayor shall, immediately on the close of the Poll," are hereby substituted in lieu thereof.

Repeals 34th Sec-  
tion.  
Election of Mayor.

**7** The 34th Section of the last-mentioned Act is hereby repealed, and the following Enactment is substituted in lieu thereof; (that is to say,)—The present Mayor, or the Mayor for the time being, shall go out of Office as Mayor on the *Saturday* following the second *Friday* in *December*, 1863, on the election of his successor; and, on that day, the Aldermen shall assemble at noon, if the result of the election of Aldermen on the preceding day has been declared, and if not upon the result of such Election being declared, at the Town Clerk's Office, (the doors of the same being closed against all other persons except the Town Clerk,) and then and there elect One of their own body to be Mayor of the Town, who shall enter on Office on election; and the Mayor so elected shall go out of Office as Mayor on the *Saturday* following the second *Friday* in *December*, 1864; on which day, and on the like day in every succeeding year, the Aldermen shall, at the time and in the manner aforesaid, assemble and elect One of their own body to be Mayor, who shall enter on Office on election, and shall retire at the end of his year of Office on the election of his successor.

Aldermen may  
resign at a certain  
period of the year  
without being  
liable to a fine.

**8** No Alderman who may resign Office at any time not more than Thirty Days nor less than Twenty Days before the Annual Election Day in *December*, and who has held Office for at least One Year immediately preceding the date of his resignation, shall be liable to any fine in consequence of such resignation, anything in the 52nd Section of the last-mentioned Act to the contrary notwithstanding.

Vacancies by  
resignation not to  
be extraordinary  
vacancies.

**9** The vacancy occasioned by any such resignation as last aforesaid shall not be, or be considered, an extraordinary vacancy; and the place or places of the resigning Alderman or Aldermen shall be filled up by an Election of another person or persons at the then subsequent Annual Election of Aldermen.

Rotation in which  
Aldermen to  
retire.

**10** In case One or more Aldermen shall in any One year resign Office as aforesaid, the Three persons having respectively the highest number of votes at the then ensuing Election shall be declared elected, and be placed at the top of the List of Aldermen in like manner as if there had been no such resignation; and the person having the next highest number of votes shall be declared elected, and take the place of the

resigning Alderman, if there be but One resigning Alderman; but if there be more than One such, then such person shall be declared elected, and take the place of the Alderman who would, had he not resigned, have continued longest in Office; and the person having the next highest number of votes shall be declared elected, and take the place of the Alderman who would, had he not resigned, have continued next longest in Office; and so on throughout until the required number of Aldermen is complete.

**11** If no greater number of persons are nominated for election than the number of retiring and resigning Aldermen then to be elected, the Mayor shall, upon the day of Election, without any Poll, publish a Notice under his hand declaring the persons so nominated to be elected as Aldermen; and it shall be determined by lot, at any time before the Election of Mayor, in what rotation, as between themselves, such Aldermen shall retire; and the Aldermen shall retire according to the rotation so determined.

In case of election without Roll, rotation to be determined by lot.

**12** The words "insertion, addition, alteration, or amendment," in the 91st Section of *The Launceston Corporation Act*, shall only apply and be restricted to the matters and things mentioned and set forth in the 90th Section of the same Act, and not to those mentioned and set forth in the 89th Section.

Restricts meaning of certain words

**13** The Mayor, or other Presiding Officer, at any Election of Aldermen or Auditors, shall, in the case of a Burgess who cannot write, and if requested by such Burgess so to do, openly in the Ballot-room, strike through upon the Ballot Paper the names of all persons nominated for Election except such as the Burgess declares his intention of voting for.

Provides for marksmen voting at Elections.

**14** This Act, *The Launceston Corporation Act*, the Act 24 *Victoria*, No. 22, and the Act 25 *Victoria*, No. 12, except in so far as the same are altered or affected by this Act, shall be read and construed together as one and the same Act.

Acts to be read together.

**15** In referring to this Act it shall be sufficient to use the expression *The Launceston Corporation Amendment Act*, No. 3.

Short Title.

## SCHEDULE.

### BURGESS'S DECLARATION.

Sect. 4.

I, *A.B.*, do hereby solemnly declare that I was, on the \_\_\_\_\_ day of *November* last, the occupier of a certain house in \_\_\_\_\_ street, within the Town of *Launceston*, belonging to \_\_\_\_\_, and valued in the Assessment Roll at the annual sum of \_\_\_\_\_; and that I have not already voted at this Election; and I further solemnly declare, that no part of any Municipal Rate due and payable by me, or in respect of the said house so occupied by me as aforesaid, is in arrear.

*A.B.*

