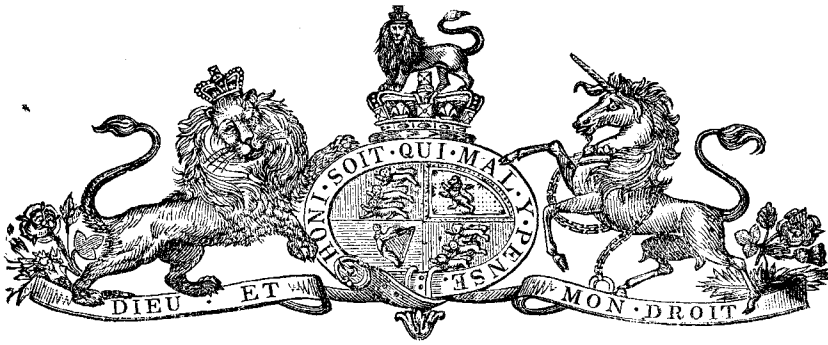


T A S M A N I A



1890.

ANNO QUINQUAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 46.

AN ACT to incorporate the *Launceston* A.D. 1890.
Mechanics' Institute and Public Library,
to vest certain Lands, and for other
purposes. [28 November, 1890.]

WHEREAS a certain Literary Society or Institute was established in *Launceston* in the year One thousand eight hundred and forty-two, under the name or style of "The *Launceston* Mechanics' Institute and School of Arts," the objects of the said Society or Institute being the diffusion of Scientific, Literary, and other useful knowledge: PREAMBLE.

And whereas by a Grant dated the Fourteenth day of *December* in the Thirty-second year of the Reign of Her present Majesty *Queen Victoria*, certain Land in *Launceston* was granted to *Charles Price*, *James Robertson*, *John Atkinson*, *John Crookes*, *Warren Auber Brooke*, *Richard Green*, and *James Hood Smith*, to hold the same for the purposes of a Mechanics' Institute:

And whereas *John Thompson*, the said *James Hood Smith*, and *George Thomas Collins* are seised of a piece of land situate in *Launceston*, and comprised and described in Certificate of Title, registered volume XI., folio Sixty-three, in trust for the said Mechanics' Institute:

And whereas it is expedient to alter the name of the said Society or Institute, and to incorporate the Members thereof, and to vest the real and personal property held in trust for or belonging to the said Society or Institute in the Corporation to be created by this Act; and also to

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confer on such Corporation certain corporate powers (including the power to open the Library and Reading Room belonging to the said Society or Institute to the general public on such terms as may be imposed by the said Corporation), and otherwise to regulate the affairs of the said Corporation :

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 *Launceston Mechanics' Institute and Public Library Incorporation Act.*”

Incorporation of Members.

2 All persons who have already become Members of “The *Launceston Mechanics' Institute,*” or may hereafter become Members of the Corporation to be created by this Act, shall be and they are hereby constituted a Body Corporate by the name of “The *Launceston Mechanics' Institute and Public Library*” (hereinafter termed “the Institute”), and by that name shall have perpetual succession, and may sue and be sued in all Courts, and shall have a common seal ; and in all legal proceedings service of notice thereof upon the Secretary of the Institute for the time being shall be taken as good and sufficient service on the Corporation hereby created.

Transfer of property.

3 All real and personal property, of what nature or kind soever, vested in or held by any person or persons, whether as Trustees or otherwise in trust for the said Society or Institute, shall, on the passing of this Act, be and the same is hereby transferred to and vested in the said Body Corporate.

Power to acquire and dispose of property.

4 The said Body Corporate are hereby empowered to take, hold, and enjoy to them and their successors for ever all the said real and personal property hereby transferred to and vested in them (freed from any trusts created by the deed of grant or other muniment of title relating to such property, except in so far as the same are not inconsistent with this Act), and may take, purchase, and hold any other real or personal property whatsoever necessary or proper for the purposes of the Institute, and may sell, grant, convey, demise, or otherwise dispose of, absolutely or by way of mortgage, any such real or personal property hereby vested in or hereinafter to be acquired by such Body Corporate : Provided always, that no sale, mortgage, demise, or other disposition whatsoever of any such real or personal property shall, except as hereinafter provided for, be lawful, unless the same shall have been previously sanctioned by Resolution of a General or Special Meeting of the Members of the Institute : Provided also, that in the case of the sale of the real estate first mentioned in the Preamble the sanction of the Governor in Council shall be obtained in addition thereto.

Management of Institute by Board of Management.

5 The management and control of the Institute shall be entrusted to a Board of Management (hereinafter termed “the Board”) to be elected as hereinafter provided ; and such Board shall consist of a President, Four Vice-Presidents, a Treasurer, and Twenty other Members ; and until the first Board shall be elected under this Act the powers herein conferred upon the Board shall, save and except the special powers conferred by Section Seven, be exercisable by the

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Members of the Committee of "The *Launceston Mechanics' Institute*" A.D. 1890.
for the year One thousand eight hundred and ninety.

6 The Board shall have power to make, repeal, amend, or alter By-laws for the general regulation of the affairs of the Institute and the good conduct thereof; and shall also have power to fine, suspend, or expel any Member thereof, subject to such Member's right of appeal to a General Meeting; to receive, expend, and manage the funds of the Institute; to let any room or part of the Institute for any period not exceeding Six months; to regulate the admission of persons not being Members thereof; to engage and dismiss the paid officers; to dispose of, by public auction, private contract, or otherwise, any of the old or damaged or worn-out books, papers, apparatus, or other effects belonging to the Institute; to initiate and conduct all legal proceedings, and to transact generally all the business of the Institute.

General powers of
the Board.

7 The Board are hereby empowered to hand over to the *Launceston* Municipal Council the Organ in the large Hall of the Institute, certain oil paintings belonging to the Institute, and the furniture, fittings, articles, and effects in the Museum attached to the Institute, and also to open to the general public, subject to any terms and conditions which may be imposed by any By-Laws, the Library and Reading Room belonging to the Institute.

Special powers of
the Board.

8 The Board shall have the custody and use of the Common Seal of the said Body Corporate, and the form thereof and all other matters relating thereto shall, from time to time, be determined by the Board, and the majority of the Members thereof present at any meeting shall have power to use or direct the use of such Seal for all purposes whatsoever requiring to be evidenced by the Corporate Seal of the said Body Corporate: Provided always, that it will not be necessary to require such Seal to be affixed as evidence of the appointment of an Attorney or Solicitor by the said Body Corporate in or for the prosecution of any action, suit, or other proceeding.

Custody of Seal.

9 The Rules and By-laws of "The *Launceston Mechanics' Institute*" in force at the time of the passing of this Act are hereby confirmed, and shall, except so far as inconsistent with, or repealed, altered, or amended in pursuance of the provisions of this Act, be and continue binding on the Members of the Institute; and a printed copy of such Rules and By-laws or of any Rules and By-laws made under the authority of this Act, sealed with the Seal of the said Body Corporate, and purporting to be certified by the Secretary of the Institute for the time being as correct, shall be received in all Courts as conclusive evidence of such Rules and By-laws, and of the same having been duly made under the authority of this Act.

Rules and
By-laws.

10 There shall be Two Auditors of the Institute to be elected at each Annual Meeting of the Members of the Institute.

Auditors.

11 All Members of the Institute of at least Six months' standing shall be eligible as Members of the Board and as Auditors.

Qualification of
Members of
Board and of
Auditors.

12 The election of the Board and Auditors shall be by ballot, and shall be conducted in the following manner:—

Nomination and
election of Board.

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An alphabetical Roll of all the Members eligible for election (distinguishing those in office) shall be prepared by the Secretary and placed in the Reading Room or Vestibule of the Institute at least 14 days prior to the Annual Meeting. Any Member may nominate any other Member whose name is entered on such Roll as a candidate for election on obtaining his written consent to be so nominated by giving notice thereof in writing to the Secretary at least Seven days prior to the Annual Meeting, and only those Members of the Institute whose names appear on such Roll shall be entitled to vote at any such election.

The Secretary shall prepare a List setting forth the names of candidates and their proposers, together with the office for which they are nominated, and such List, when complete, shall be exposed in the Reading Room or Vestibule of the Institute, and the names of the candidates shall also be advertised on the day of the ballot in at least one newspaper published in *Launceston*. The ballot shall take place on the day of the Annual Meeting of the Members of the Institute, under the direction of the Board, and shall commence at 8 P.M. and close at 9 P.M., and all balloting papers shall be placed by the respective Members voting folded up in the balloting-box, in the presence of the Chairman. At such Annual Meeting Three Scrutineers, not being candidates for election, shall be chosen from the Members present, and they shall cast up the number of votes and report in writing to the Chairman of such Meeting, who shall, in the event of any equality of votes, draw lots prepared by the Scrutineers. The result of the election shall be announced by the Chairman at such Annual Meeting, or at any adjournment thereof, and such announcement shall be final and conclusive.

Insufficient nominations.

13 In the event of there not being sufficient nominations in accordance with the preceding Section, the Board shall, prior to the Annual Meeting, supply the omissions, and if there be only sufficient candidates for any office no ballot shall be held with respect to such office.

Vacancies, how supplied.

14 In the event of any vacancy occurring during the year in the offices of President, Vice-President, and Treasurer, the same may be filled up by the Board from amongst their number until the next Annual Meeting. Other vacancies in the Board or in the office of Auditor shall be filled up by the Board for a like period from other Members of the Institute.

Monthly Meetings.

15 The Board shall meet at least once in every month for the transaction of business. Seven Members shall form a quorum, and the Chairman shall be entitled to a casting vote only.

Special Meetings.

16 It shall be competent for the President, Two Vice-Presidents, or for any Five Members of the Board, to call a Special Meeting of the Board by a written requisition to the Secretary, provided Twenty-four hours' previous notice of such Meeting be given by the Secretary to every Member of the Board.

Seats on Board, how forfeited.

17 If any Member of the Board shall resign or absent himself from the Meetings thereof for Three consecutive months without sufficient

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reason in the opinion of the Board, his seat shall be declared vacant at the next Meeting of the Board. A.D. 1890.

18 A General Meeting of the Members of the Institute, of which Annual Meeting.
Seven days' notice shall be given by advertisement in at least one of the newspapers published in *Launceston*, shall be held in the last week of the month of *February* in each year, for the transaction of the general business of the Institute, and at such Meeting the Report of the preceding year shall be presented for adoption.

19 A Special General Meeting of the Members of the Institute Special General Meetings.
may at any time be called by a Resolution of the Board, or by Twenty-five Members, on a requisition in writing signed by the Chairman of the Meeting of the Board at which such Resolution was passed, or by the said Twenty-five Members; and notice of such Meeting, stating its objects, shall be advertised in at least one newspaper published in *Launceston* at least Ten days prior to the day of meeting.

20 The Rules of the Institute shall be repealed, altered, added to, Alteration of Rules. Motions at General Meeting.
or amended only at a General Meeting. No motion for winding up the Institute, or for repealing, altering, adding to, or amending any of its Rules, or for any other purpose, except motions of course, shall be made unless Seven days' previous notice thereof in writing be given to the Secretary, and a copy of such notice be at the same time posted by the Secretary in the Reading Room or Vestibule of the Institute.

21 At every General Meeting the President or, in his absence, one Chairman.
of the Vice-Presidents, shall preside, and in the absence of the President and all the Vice-Presidents a Chairman shall be elected from amongst the Members of the Board present.

22 At every General Meeting the voting (unless otherwise provided Voting.
by the By-laws) shall be by show of hands in the first instance; but it shall be competent for the Chairman or any Six Members to demand a division, and, if any doubt still remains, the Chairman shall appoint Tellers, whose certificate shall be final and conclusive.

