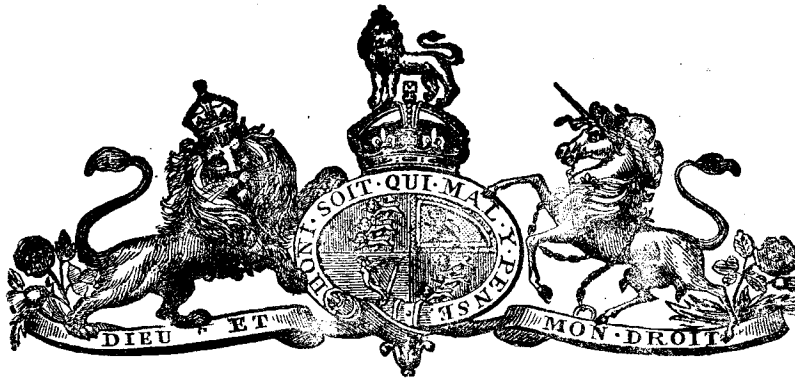


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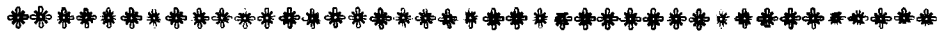
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ANALYSIS.

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|---|--|
| 1. Short title.                                     | 9. Rate recoverable as municipal rate. |
| 2. Corporation may construct, &c., trams.           | 10. Tramway account to be kept.        |
| 3. Amendment of 6 Ed. VII. No. 30.                  | 11. Sinking fund to be established.    |
| 4. Corporation may lease.                           | 12. Application of surplus.            |
| 5. Corporation empowered to borrow.                 | 13. Poll of citizens to be taken.      |
| 6. Corporation may reborrow.                        | 14. Notice of poll to be published.    |
| 7. Council may fix rate.                            | 15. Proceedings to be had as upon      |
| 8. Upon making rate, notice of same to<br>be given. | election of aldermen.                  |



AN ACT to further amend "The *Launceston* Tramway Act, 1906." [3 *December*, 1908.] A.D. 1908.

**B**E 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** This Act may be cited for all purposes as "The *Launceston* Tramway Act, No. 3," and shall be incorporated and shall be read as one with "The *Launceston* Tramway Act, 1906," and "The *Launceston* Tramway Act, No. 2," and "The *Launceston* Tramway Act, 1906," and "The *Launceston* Tramway Act, No. 2," are hereinafter respectively referred to as "the Act" and "the Second Act." Short title.  
6 Ed. VII. No. 30.  
7 Ed. VII. No. 3.

**2** Subject to the provisions of the Act it shall be lawful for the Corporation, and the Corporation is hereby empowered from time to time to Corporation may  
construct, &c.,  
trams.

4d.]

*Launceston Tramway Amendment.*

A.D. 1908.

time to construct, maintain, and work any electrical tramways which the Corporation may now authorise any company, person, or persons to construct, maintain, and work with the fullest powers and privileges with which the Corporation could authorise any company, person, or persons to construct, maintain, and work any tramway under the Act, and the Corporation shall thereupon be included in the expression "the promoters."

Amendment of  
6 Ed. VII. No.  
30.

**3** The words "if any" are hereby inserted after the words "their agreement" wherever the words "their agreement" occur in the Act, except in the Fourth Section of the Act.

Corporation may  
lease.

**4** The Corporation may from time to time lease to any company, or any person or persons, any tramway or tramways constructed by the Corporation, and the lands, buildings, works, materials, conveyances, and plant suitable to or used by the Corporation for the purpose of the same, or any part thereof, for any term not exceeding Thirty years, upon such terms and subject to such conditions and stipulations as the Council think fit; and thereupon—

- i. Such lease shall be an authority for such company, person, or persons to maintain and work such tramway or tramways during the continuance of such lease upon such terms and subject to such conditions and stipulations as the Council think fit, subject to the provisions of the Act and the Second Act:
- ii. Such company, person, or persons shall, during the continuance of such lease, be "the promoters" under the Act and the Second Act, and the Corporation shall during that time cease to be the promoters: and
- iii. Such lease during its continuance shall be the agreement by which the promoters are authorised to maintain or work such tramway as aforesaid, referred to as "their agreement" in the Act and the Second Act, and such company, person, or persons upon executing such lease shall have all the powers conferred on the promoters by the Act and the Second Act

Corporation  
empowered to  
borrow.

**5** It shall be lawful for the Corporation to borrow from time to time any sum or sums of money, upon the security of the municipal rates of the city of *Launceston*, not exceeding the sum of Seventy thousand Pounds, for the purpose of constructing any electrical tramways as aforesaid.

Corporation may  
reborrow.

**6** If after borrowing any sum or sums of money under the authority of this Act, the Corporation shall pay the same, or any part thereof, it shall be lawful for the Corporation from time to time to borrow again the sum or sums which the Corporation shall have paid.

Council may fix  
rate

**7** The Council may, once in every year, make and levy a tram rate to be paid by the respective owners or occupiers of all lands, houses,

*Launceston Tramway Amendment.*

buildings, or other premises within the city of *Launceston*, for the purpose of making good the amount (if any) by which the moneys received by the Corporation from such tramway or tramways, and from any rate or rates previously made, shall be insufficient to provide for the interest from time to time accruing due upon any moneys borrowed under the authority of this Act, the contributions to the sinking fund to be made as hereinafter mentioned, and the expenses (if any) of maintaining and working any tramway or tramways, which amount is hereinafter referred to as "the deficiency," and every such tram rate as aforesaid, shall be deemed to be a municipal rate, and shall be of the amount fixed by the Council in each year for which such rate is made for every pound of the assessed annual value of every piece of land, house, building, or other premises within the city according to the assessment roll in force for the time being. A.D. 1908.

**8** Upon the making of any tram rate under this Act, a notice signed by the Mayor, and not less than Five aldermen, specifying the amount in the pound of the rate, the period for which the same is made, and at what times the same is payable, shall be published in the *Gazette*; and upon any such notice being so published, the rate therein mentioned shall be payable and paid at the times specified in such notice by the persons liable to pay the same, according to the annual value of such property as ascertained and determined by the assessment roll then in force for the city; and it shall not be necessary in any such notice to set forth the names of the persons liable to the payment of the rate, or the sums which according to such rate such persons are liable to pay, or any other particulars than hereinbefore in that behalf mentioned. Upon making rate, notice of same to be given.

**9** If any person liable as herein provided to pay any amount of tram rate neglects to pay the same within due time after the same has been lawfully demanded, the amount of such tram rate due from such person may be recovered in the same manner as any municipal rate is recoverable. Rate recoverable as municipal rate.

**10** The Treasurer of the Corporation shall keep a separate and distinct account, to be called "The *Launceston Tramway Account*," of the proceeds of all rates and all moneys received and paid under the provisions of this Act; and all rates and moneys received by the Council or the Treasurer under the powers and provisions of this Act shall be carried to the credit of the said account and, subject to the provisions herein contained authorising the appropriation to other purposes, shall be appropriated and applied to the purposes of constructing, maintaining, and working tramways, in accordance with the provisions of this Act, including the purchase of any land for the purposes of and the payment of any compensation payable under the provisions of this Act. Tramway account to be kept.

**11** The Council shall, for the purpose of creating a sinking fund to be applied as hereinafter mentioned, annually set apart out of the Sinking fund to be established.

*Launceston Tramway Amendment.*

A.D. 1908.

moneys carried to the credit of "The *Launceston Tramway Account*" a sum not less than One Pound per centum per annum on the amount of all moneys raised and borrowed under the authority of this Act; and such sinking fund shall be from time to time applicable to the purchase or redemption of mortgages representing such moneys, and to no other purpose whatsoever.

Application of surplus.

**12** If, after providing for the deficiency mentioned in Section Seven of this Act, the proceeds of any tram rate levied under this Act in any year leave a surplus, such surplus shall be applied annually in reduction of the tram rate for the following year.

*Poll to be Taken.*

Poll of citizens to be taken.

**13** Notwithstanding anything hereinbefore contained, the Council shall not proceed to construct any tramway as aforesaid until the citizens of the city of *Launceston* have, by a majority of the votes at a poll to be taken for that purpose as hereinafter provided, consented to the Council carrying out such construction; and at the taking of such poll every citizen who desires to vote shall be entitled to as many votes as the number of votes to which such citizen appears by the assessment roll in force for the time being to be entitled to exercise at an election of aldermen for the city of *Launceston*.

Notice of poll to be published.

**14** Whenever the Council shall decide to take a poll of the citizens as aforesaid, the Council shall cause a notice of such poll to be inserted not less than Three times in the newspapers published daily in the city of *Launceston*, and Once in the *Tasmanian Government Gazette*; and such notice shall contain the following particulars:—

- i. The time and place of such poll;
- ii. The tramway or tramways proposed to be constructed;
- iii. The estimated cost of such tramway or tramways.

Proceedings to be had as upon election of aldermen.

**15** Subject as aforesaid, the manner of conducting a poll required by this Act shall be as nearly as may be the same as upon an election of aldermen as the case may require.