

T A S M A N I A.



1884.

ANNO QUADRAGESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 26.



AN ACT to make provision for a uniform Scale of Voting in Rural Municipalities and Road Districts, and for other purposes. A.D. 1884.

[24 November, 1884.]

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 This Act may be cited as "The Rural Voting Act, 1884." Short title.

2 This Act shall commence and take effect from and immediately after the Thirty-first day of *December*, 1884. Commencement.

3 In this Act— Interpretation.

"Elector" means and includes—

- i. Every Municipal Elector of every Municipality under the provisions of *The Rural Municipalities Act*, 29 Vict. No. 8. 1865 :
- ii. Every Landholder within the meaning of "The Roads Act, 1884" :
- iii. Every person liable to be rated under the provisions of 33 Vict. No. 34. "The *River Clyde Act*" :
- iv. Every Landholder within the meaning of "The *Campbell Town Water Act*, 1878."

Rural Voting.

A.D. 1884.

“District” means the Rural Municipality or Road District, or other District, as the case may be, in which an Elector is entitled to vote in respect of any property situate therein respectively.

“Property” means Lands and Buildings :

“Assessment Roll” means the Valuation or Assessment Roll in force for the time being in which any property situate within the District is comprised :

“Owner” used with reference to any property shall mean the person for the time being in the actual receipt of, or entitled to receive, or who, if such property were let to a tenant, would be entitled to receive the rents and profits thereof, whether as beneficial owner, trustee, executor, administrator, mortgagee in possession, or otherwise, but shall not mean or include any mesne tenant.

Scale of voting.

4 Every Elector shall, subject to the provisions hereinafter contained, have a number of votes proportioned to the annual value, as ascertained by the Assessment Roll, of the property within the District owned or occupied by him, according to the following scale :—

<i>Annual Value of Property.</i>	<i>Number of Votes.</i>
Under £30	1
£30 and under £80	2
£80 and under £160	3
£160 and under £240	4
£240 and under £360	5
£360 and under £460	6
£460 and upwards	7

Mode of calculating votes.

5 Any Elector, being the Owner or Occupier, or Owner and Occupier of several properties within the District, shall be entitled to a number of votes, according to the scale aforesaid, in proportion to the aggregate annual value of such properties as ascertained as aforesaid ; but no Elector, being such Owner or Occupier, or Owner and Occupier, as aforesaid, shall have in the aggregate any greater number of votes than Seven by reason of such Ownership or Occupation.

Provides for joint ownership or occupation.

6—(1.) Where any property is jointly owned or occupied by more persons than one, the votes to which such persons are entitled in respect of such property shall be given in the manner provided by this Section.

(2.) If the number of votes assigned in respect of such property, according to the scale aforesaid, can be equally divided by the number of the joint Owners or Occupiers, each of such joint Owners or Occupiers is hereby empowered to give, and shall if he votes give, the number of votes which a division of the votes assigned in respect of the property by the number of such joint Owners or Occupiers shows him to be entitled to, and no more.

(3.) If the number of votes assigned in respect of such property is greater than the number of the joint Owners or Occupiers, but cannot be equally divided thereby, such a portion of the total number of votes as can be equally divided shall be so divided, and each of such joint Owners or Occupiers is hereby empowered to give, and shall if he votes give, the number of votes which a division of such portion of the total number as aforesaid shows him to be entitled to, and the vote

Rural Voting.

or votes which cannot be divided amongst the joint Owners or Occupiers shall be given by such One of them as is for that purpose deputed in writing by the other or others of such joint Owners or Occupiers. A.D. 1884.

(4.) If the number of votes assigned in respect of such property is less than the number of such joint Owners or Occupiers, then only such One of such joint Owners or Occupiers shall be entitled to vote in respect of the property so jointly owned or occupied as is for that purpose deputed in writing by the other or others of such joint Owners or occupiers.

(5.) Provided, that such joint Owners or Occupiers shall not in any case have amongst them in respect of such property a greater number of votes than Seven.

7 Where the annual value of any property in the joint ownership or occupation of more persons than one, as trustees, executors, or administrators, exceeds the sum of Four hundred and sixty Pounds, such trustees, executors, or administrators shall not amongst them have in respect of such property a greater number of votes than Seven, and it shall be lawful for such votes to be given by such one or more of themselves as they may by writing under their hands appoint to be the person or persons to vote for such property: Provided always, that no person being a trustee, executor, or administrator as aforesaid shall have, in the aggregate, any greater number of votes than Seven by reason of his acting in the capacity of trustee, executor, or administrator, and also being beneficially entitled to or interested in any other property in the District for which his vote is to be given. Votes by trustees, &c.

8 No person claiming to vote under this Act shall be entitled in any case whatever to a greater number of votes than Seven, notwithstanding he may have a plurality of qualifications in respect of properties within the District. No person to have more than Seven votes.

9 Every election of Trustees hereafter under and for the purposes of "The River *Clyde* Act" or "The *Campbell Town* Water Act, 1878," or any other Act which requires elections of Trustees to be conducted in the same manner as elections of Road Trustees are directed to be conducted, shall be conducted in accordance with the provisions of this Act, so far as the same can be applied to any such election; and, for the purposes of this Act, the word "Landholder" used in "The *Campbell Town* Water Act, 1878," shall extend to and include the owner or occupier of any property within the District without regard being had to the annual value thereof. Act to apply to elections of Trustees under 33 Vict. No. 34. 42 Vict. No. 20.

