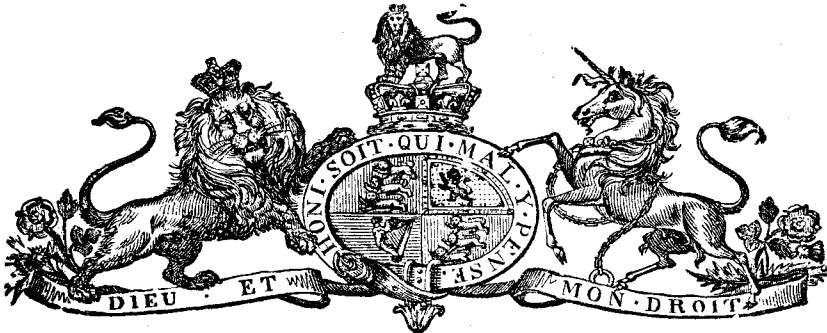


T A S M A N I A.



1864.

ANNO VICESIMO-OCTAVO

VICTORIÆ REGINÆ,

No. 5.

AN ACT to amend *The Sorell Causeway Act*.
[21 September, 1864.]

WHEREAS it was provided by *The Sorell Causeway Act* that certain powers and authorities should be conferred upon a Board of Trustees to be nominated and appointed for the purposes of the said Act : And whereas the persons nominated and appointed under the said Act to be the Trustees of the *Sorell Causeway* have not fully carried out and completed the construction and erection of the said Causeway, whereby so much of the said Causeway as is carried out and completed is in danger and liable to be seriously impaired and injured by such neglect of duty by the said Trustees : And whereas it is desirable and necessary that the construction and erection of the said Causeway should be forthwith completed and finished : 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 :—

PREAMBLE.
24 Vict. No. 27.

1 Sections Two, Three, Four, Five, Six, Seven, Eight, Nine, Ten, Eleven, and Twelve of *The Sorell Causeway Act* are hereby repealed : Provided that such repeal shall not affect anything duly done before this Act commences and takes effect.

Repeal of Sects.
2, 3, 4, 5, 6, 7, 8,
9, 10, 11, 12 of
24 Vict. No. 27.

2 The Governor in Council may appoint such and so many persons as he sees fit to be Trustees of the *Sorell Causeway*, and such persons or any of them at any time to remove and to appoint another or other

Governor in
Council may
appoint Trustees;

who shall have powers, &c. of Trustees under 24 Vict. No. 27.

person or persons in lieu of the person or persons so removed as he sees fit, and all such appointments and removals shall be made by notice in the *Gazette*; and the Trustees so appointed shall have all the powers, rights, duties, and liabilities of the Trustees of the *Sorell Causeway* nominated and appointed under the said Act, who, upon the publication in the *Gazette* of the first appointment of Trustees under this Act, shall cease to be Trustees of the *Sorell Causeway*, and thereupon all books, papers, writings, moneys, documents, valuable securities, lands, tenements, hereditaments, goods, and chattels in the possession, custody, or power of the present Trustees, or any previous Trustee or Trustees nominated and appointed under the said Act, shall become the property of, and shall by such last-named Trustees be transferred and delivered to, the Trustees appointed under this Act; and all moneys and valuable securities standing in any public Bank or Banks to the account of the "Trustees of the *Sorell Causeway*" under the said Act shall, at the time hereinbefore named, be by such Bank or Banks placed to the account and at the disposal of the Trustees appointed under this Act.

Penalty on Trustees refusing to deliver books, &c.

3 If the Trustees of the *Sorell Causeway* under the said Act refuse or neglect to transfer and deliver to the Trustees appointed under this Act all such books, papers, writings, moneys, documents, valuable securities, lands, tenements, hereditaments, goods, and chattels as aforesaid, upon being thereunto required in writing by such last-named Trustees, they shall forfeit and pay, for every day during which they refuse or neglect so to do, a penalty not exceeding Five Pounds, to be recovered in a summary way before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

19 Vict. No. 8.

Trustees to recover amounts of securities.

4 The Trustees appointed under this Act shall, upon the publication in the *Gazette* of their appointment as aforesaid, take all necessary proceedings to recover the amounts of all valuable securities in their possession which shall be due and unsatisfied, and all amounts so recovered shall be applied in aid of the purposes of the said Act.

Trustees may appoint officers and servants.

5 It shall be lawful for the Trustees appointed under this Act to appoint, from time to time as they see fit, such officers and servants as may be necessary for carrying out the purposes of the said Act and this Act: Provided, however, that no appointment shall be made as aforesaid without the approval of the Governor in Council.

Power to raise £4000 by Debentures secured on Land Fund for completion of Causeway.

6 It shall be lawful for the Governor in Council to cause to be raised by the issue and sale of Debentures secured on the Land Fund, in like manner, as nearly as may be, as is prescribed in the Act of the Parliament of *Tasmania* of the 20th *Victoria*, No. 9, for the issue and sale of the Debentures therein mentioned, such sum or sums of money, not exceeding in the whole £4000, as may be required for the construction and completion of the said Causeway; such Debentures to bear Interest at a rate not exceeding £6 *per centum per annum*, and to be redeemable as follows; that is to say,—

As to the amount of £2000 in the year 1880,
As to the amount of £2000 in the year 1890.

Provisions of 20 Vict. No. 9, to apply to such Debentures.

7 All and every the clauses, provisions, powers, penalties, forfeitures, and disabilities contained in the said Act of the 20th *Victoria*, No. 9, as far as the same are applicable, shall apply and extend to the Deben-

tures to be issued in pursuance of this Act, as fully and effectually to all intents and purposes as if the said several clauses, provisions, powers, penalties, forfeitures, and disabilities had been particularly repeated and re-enacted in this Act.

8 For the purpose of raising a sum of money to redeem the Debentures to be issued under this Act, with Interest thereon, as the same respectively become due and payable, the Governor in Council may, after the completion of the Valuation Roll for the District of *Sorell* under *The Property Valuation Act* in the year 186 , and in every succeeding year, make and levy a Rate, not exceeding the sum of Five pence in the Pound for any one year, upon the Annual Value as shown by the said Valuation Roll of the Property throughout so much of the said District as is described in the Schedule to this Act ; and such Rate shall be called "The *Sorell Causeway Rate*," and shall be payable at such periods and in such proportions as the Governor in Council appoints, and by such persons as would be liable, under the provisions of *The Cross and Bye Roads Act*, 1860, to pay any ordinary Road Rate.

Governor in Council may annually make and levy a Rate to redeem Debentures.

9 Upon the making of any such Rate a Proclamation shall be published in the *Gazette* declaring the making thereof, and specifying the amount in the Pound of such Rate, and at what periods and in what proportions the same is payable ; and upon such Proclamation being so published such Rate shall be payable at the periods and in the proportions specified in such Proclamation ; and it shall not be necessary in such Proclamation 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 of Rate, same to be notified by Proclamation.

10 The Governor may, from time to time, appoint and employ a proper person to be Collector of the said Rate ; and may, from time to time, remove any such Collector and appoint another in his stead ; and may pay such salary or allowance to such Collector as the Governor thinks reasonable.

Collector.

11 All and every the clauses, provisions, powers, penalties, forfeitures, and disabilities contained in *The Rural Police Rate Act* relating to the payment, collection, and recovery of Rural Police Rate shall apply and extend to the payment, collection, and recovery of the Rate to be made under this Act, as fully and effectually to all intents and purposes as if the said several clauses, provisions, powers, penalties, forfeitures, and disabilities had been particularly repeated and re-enacted in this Act.

Provisions of 21 Vict. No. 35, to apply to collection and recovery of Rate to be made under this Act.

12 This Act and *The Sorell Causeway Act*, except in so far as the same is altered or repealed by this Act, shall be read and construed together as one and the same Act.

This Act and 24 Vict. No. 27, to be read together.

13 In referring to this Act it shall be sufficient to use the expression *The Sorell Causeway Act, No. 2*.

Short Title.

SCHEDULE.

PORTION OF THE DISTRICT OF SORELL LIABLE TO SORELL CAUSEWAY RATE.

Commencing at the junction of the Orielton Rivulet with Pittwater, thence by Pittwater to the District of Richmond, thence by that District to the District of Clarence, thence by the last-named District and including the Sorell Causeway, and again by Pittwater, Frederick Henry Bay, and Norfolk Bay to Eagle Hawk Neck, crossing that Neck and by the sea to the south-west boundary of Lot 91 leased to John Dunbabin near Cape Bernier on the East Coast, by that boundary and a line from thence to the north-east angle of Lot 2521, by the northern boundary of that lot and the northern boundary of Lot 2520 and a line from the western angle of the last-mentioned lot to the north-east angle of 99a. 1r. 24p. purchased by W. Hyett, thence by the northern boundary of that lot and the northern and western boundaries of Lot 274 to the Curryjong Rivulet, thence by that rivulet to the Brushy Plains River and by that river to the Ringarooma Creek, by that creek to the north boundary of Lot 694, by that boundary and its south-west boundary and the south-east boundary of Lot 35 to the District of Richmond, and by that district to the point of commencement. Including the Islands adjacent to the coast.