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# A BILL

To remove doubts arising under the Municipalities Act of 1858.

[MR. HARGRAVE;—28 May, 1862.]

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**W**HEREAS divers Municipalities have been constituted and Preamble.  
incorporated under the Municipalities Act of 1858 consisting  
of certain Cities Towns Hamlets or Rural Districts separately or com-  
bined together or of combined portions thereof respectively and doubts  
5 have been raised as to the legality of the Constitution of certain  
of such Municipalities and as to the legality of the Proclamations  
constituting the same and as to the validity of contracts entered  
into and of assessments and rates made and levied and other acts  
done by the Councils of such Municipalities and it is expedient to  
10 remove all such doubts Be it therefore declared and enacted by the  
Queen's Most Excellent Majesty by and with the advice and consent  
of the Legislative Council and Legislative Assembly of New South  
Wales in Parliament assembled and by the authority of the same as  
follows :—

15       1. Every Proclamation issued before the passing of this Act All existing Muni-  
otherwise duly made and published constituting and incorporating palities declared  
legal.  
any Municipality under the said Act was and is and shall be deemed  
to be legal and valid And the Municipality thereby constituted and  
incorporated was and is and shall be deemed to be a good and lawful  
20 Municipality for all intents and purposes of the said Act any law  
statute or judgment to the contrary notwithstanding.

2. No contract entered into and no assessment made and no rate All bonâ fide acts of  
imposed or levied and no other act done if the same respectively shall Municipal Councils  
ratified.  
have been entered into made imposed levied or done *bonâ fide* by the  
25 Council of any such Municipality shall be deemed or taken to be  
illegal or void by reason of such Municipality having included more  
than one city town hamlet or rural district or any portion thereof  
respectively But all such contracts and rates may be enforced  
and all such contracts and assessments rates and acts whatsoever

are hereby ratified and declared valid and every Municipal Council and every Member or Officer thereof and every other person acting under their or his authority therein shall be and is hereby indemnified in respect thereof any law statute or judgment to the contrary notwithstanding.

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Construction  
declared as to future  
Proclamations.

3. It is hereby declared that the foregoing enactments are in accordance with the proper and true construction of the said Act and that such construction shall and may be acted upon with respect to the future constitution of any and every Municipality And that every Proclamation of a Municipality in accordance with such construction 10 if in all other respects in accordance with the said Act shall be valid and lawful any law statute or judgment to the contrary notwithstanding.

Interpretation.

4. It is hereby also declared that the term "*Rural District*" used in the said Act did and does mean and shall be deemed to mean 15 any portion of land not included in but adjoining any City Town or Hamlet and not separated therefrom otherwise than by any road river or creek and that the term "*the then current year*" used in the said Act did and does mean and shall be deemed to mean any whole year whether commencing on the first day of January and ending on 20 the thirty-first day of December—or commencing on the day of the constitution of the Municipality and ending on the day before any anniversary of such constitution—or commencing and ending on any other two days in the year twelve months apart from each other as shall appear most suitable to the case of each Municipality and as 25 the Council thereof shall have determined or determine any law statute or judgment to the contrary notwithstanding.

Short title.

5. This Act shall be styled and may be cited as the "*Municipalities Indemnity Act of 1862.*"