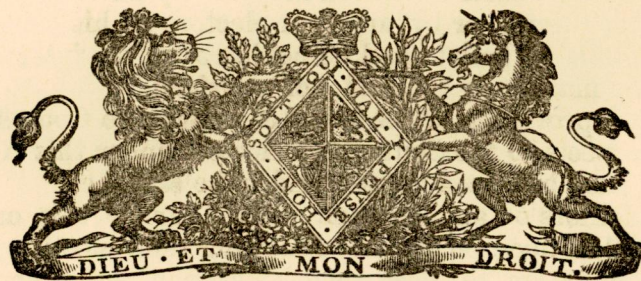


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber, }
Sydney, 27 March, 1866. }*

CHA. TOMPSON,
Clerk of Legislative Assembly.

New South Wales.



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Municipalities Act of 1858.

WHEREAS difficulties have arisen in carrying out certain pro- Preamble.
visions of the Municipalities Act of 1858 and certain
Municipalities created under that Act have in consequence of such
difficulties for some time past remained in abeyance And whereas it
5 is expedient without delay to remove such difficulties and to amend
the said Act Be it therefore 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:—

10 1. The word "Councillor" shall include and mean Alderman as Interpretation
well as Councillor and the word "Chairman" shall include and mean clause.
Mayor as well as Chairman.

2. In all cases where the Governor shall by Proclamation Governor may issue
published after any Municipality shall have been constituted have Proclamation for
15 divided such Municipality into Wards and such Municipality shall by election where Coun-
reason of such division have become unable to perform its functions cil in abeyance by
and to fill vacancies occasioned by the retirement of Councillors elected into Wards of Muni-
before such division it shall be lawful for the Governor with the advice cipality after con-
of the Executive Council by Proclamation to be published in the New stitution.
20 South Wales *Government Gazette* to appoint a Returning Officer for
such Municipality and to direct that on a day to be named therein there
shall be an election of three Councillors for each Ward of such Muni-
cipality and on the day so named such Returning Officer shall preside at

Municipalities Act Amendment.

a meeting of electors to be holden at noon at the Court House or Town Hall or some other place to be fixed by such Returning Officer for the purpose by notice to be published in the *Government Gazette* one week before the meeting and at such meeting any elector may nominate
5 any other elector as a candidate for election as Councillor for any Ward.

3. If at such meeting no more candidates be nominated than three for each Ward the Returning Officer shall declare the candidates so nominated duly elected and in the event of there being more candidates nominated than three for each Ward the Returning Officer shall
10 call for a show of hands for the candidates for each Ward separately and shall thereupon declare upon which candidates the election has fallen and such candidates shall be elected accordingly unless a poll be demanded by any candidate or by any four electors on his behalf in
15 which case an election by ballot shall be holden after the interval at the times and in the manner in the said Act provided.

Nomination of candidates.

4. The various provisions of the said Act relating to Councillors shall apply in all respects to the Councillors elected under this Act in the same way as if they had been elected under the said Act.

Former Act to apply to new Councillors.

5. The Councillors of any Council elected under this or the said recited Act shall at noon on the day following their election meet at the place of nomination to elect their Chairman and it shall be competent for such of the Councillors as may then be in attendance to proceed to such election although the whole number of Councillors
20 may not be present and such Chairman shall be elected by a majority of the Councillors who shall be present and take part in such election.

Election of Chairman.

6. The various provisions of the said Act shall apply in all respects to the Chairman elected under this Act in the same way as if he had been elected under the said Act.

Former Act to apply to Chairman.

7. On the publication of any Proclamation as aforesaid appointing a Returning Officer and directing an election of Councillors in any Municipality the Councillors whose term of office may not at that time have expired shall cease to be Councillors of such Municipality.

On Proclamation being published old Councillors to retire.

8. It shall be lawful for the Council of any Municipality elected under the provisions of this Act to demand sue for recover and receive any rates which may have been duly imposed by any previous Council of such Municipality within one year then next preceding and to receive and take into its possession money and property due or belonging to such Municipality or to the Council thereof.
40

New Council to recover old rates.

9. The electors of each Municipality now or hereafter to be constituted shall be the persons named in the Electoral Roll for the Legislative Assembly which applies to or includes such Municipality and whose qualifications as described in the said roll shall be within
45 the limits of such Municipality and who shall also be rate-payers as in the said Act is mentioned and no elector shall be permitted to vote at any Ward election whose qualification as stated in the said Electoral Roll is not situate within such Ward.

Electors.

10. In all cases where a Municipality shall have been divided by the Council thereof into Wards it shall be lawful for such Council to make by-laws for regulating the election to vacancies caused by the retirement of Councillors elected before such division.
50

Election in cases of division by Council into Wards.

11. In all cases where no election of Councillors shall have taken place in any Municipality within the time or at the times appointed by law for that purpose and such Municipality shall be entirely without a Council it shall be lawful for the Governor with the advice of the Executive Council by Proclamation to be published in the New South Wales *Government Gazette* to appoint a Returning Officer for such Municipality and to direct on a day to be named therein
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Governor may issue Proclamation for election when elections have not taken place in proper time.

Municipalities Act Amendment.

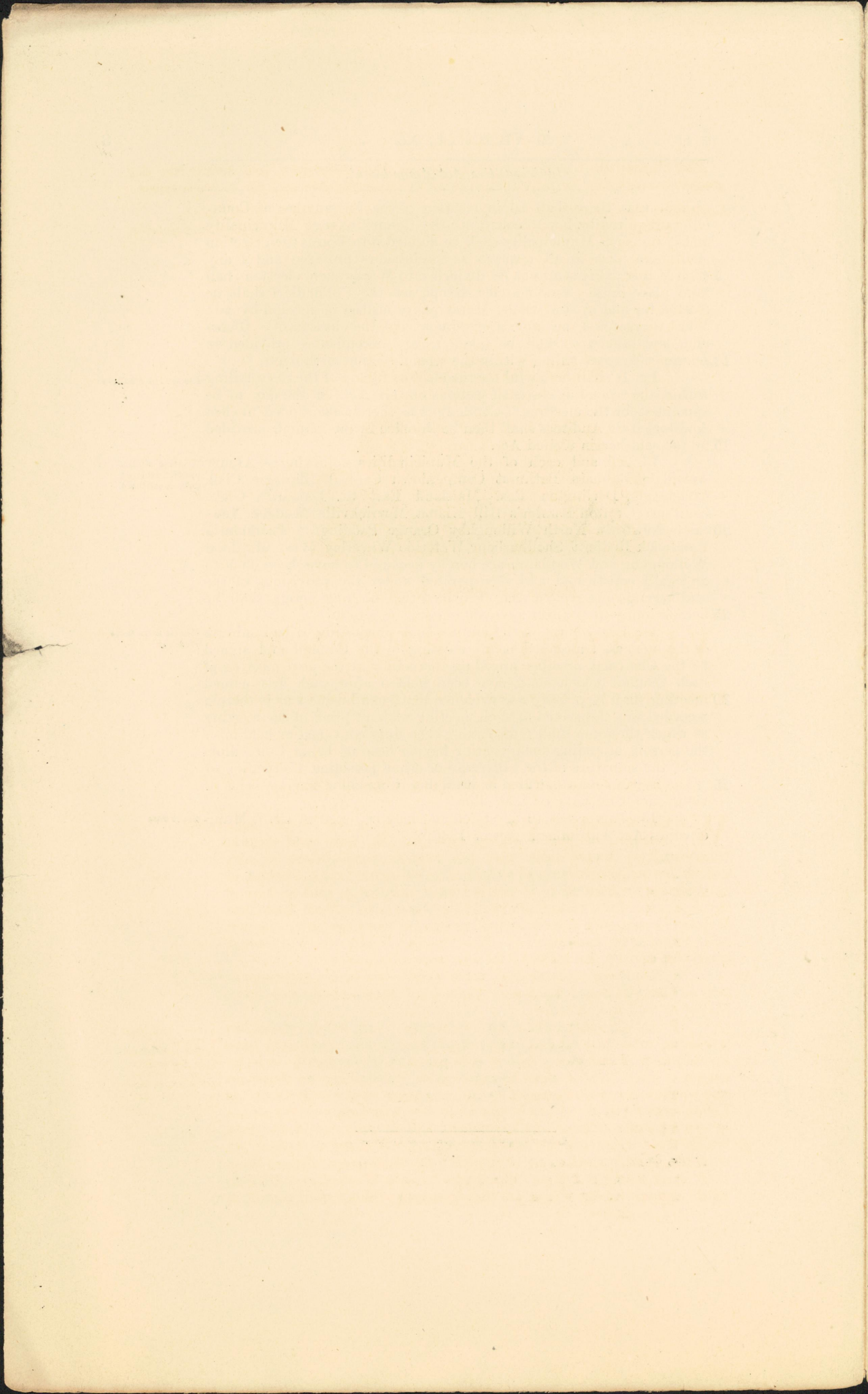
therein that there shall be an election of the full number of Councillors required by law to constitute the Council of such Municipality and if any such Municipality shall be divided into Wards such election shall take place in all respects as hereinbefore provided and if any
 5 such Municipality shall not be divided into Wards such election shall take place in the same manner except that the Councillors shall be elected for and by the whole Municipality instead of for and by any Ward thereof and the same proceedings as to the election of a Chairman and otherwise shall be taken as are hereinbefore provided in
 10 reference to cases falling within the second section of this Act.

12. It shall be lawful for the electors in any of the cases falling
 within the second or eleventh sections of this Act on the day to be appointed for the election of Councillors as therein mentioned to elect Auditors if no Auditors shall then be in office in the manner provided
 15 by the said herein recited Act. Election of Auditors.

13. All and each of the Municipalities following:—Albury Existing Municipalities declared duly constituted.
 Armidale Balmain Bathurst Camperdown Central Illawarra Cook
 Cudgegong Darlington East Maitland East St. Leonard's Glebe
 Goulburn Grafton Hunter's Hill Kiama Marrickville Mudgee New-
 20 castle Newtown North Willoughby Orange Paddington Parramatta
 Randwick Redfern Shellharbour Waterloo Waverley West Maitland
 Wollongong and Woollahra are hereby declared to have been and to be legally constituted and incorporated under the provisions of the said hereinbefore recited Act Provided that nothing herein shall be
 25 held to apply to or affect any existing suit or action.

14. Every entry in the minute book purporting to be a minute
 of the business transacted at any meeting of the Council and signed
 by the Chairman or other presiding Councillor at the next meeting of
 such Council which shall have been holden after such first named
 30 meeting shall be *prima facie* evidence that such business as is therein recorded was transacted at such meeting without proof of the meeting to which the same shall refer having been duly convened or held or of the persons attending such meeting having been or being Councillors or of the signature of the Chairman or other presiding Councillor or
 35 of the fact of such Chairman or presiding Councillor having been or being such Chairman or Councillor. Minute book to be evidence.

15. This Act shall be styled and may be cited as the "Muni- Short title.
 cipalities Act Amendment Act of 1866."



MUNICIPALITIES ACT AMENDMENT BILL.

*SCHEDULE of the Amendment made by the Legislative Council in the Bill intituled,
"An Act to amend the Municipalities Act of 1858," returned to the Legislative
Assembly with Message of 3rd April, 1866.*

R. O'CONNOR,
Clerk of the Parliaments.

Page 3, clause 13. *Omit* clause 13.

ANZO VIGILADO ZONO

VICTORIA REGINA

No.

An Act to amend the Municipalities Act of 1872

WHENAS Municipalities have been in existence for some years, and it is expedient without delay to remove any defect which may be found in the said Act, so that the same may be amended accordingly, 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 said Council and Assembly do hereby enact and declare that the said Act be amended in and to the effect following, that is to say,

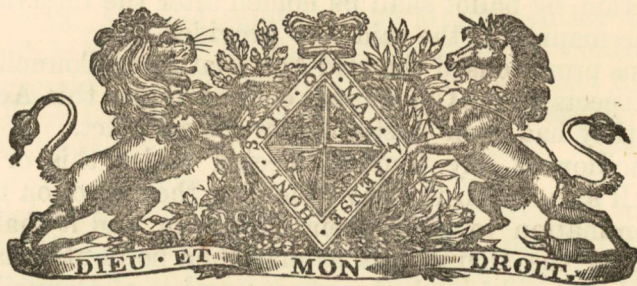
5

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.
Legislative Assembly Chamber, } CHA. TOMPSON,
Sydney, 27 March, 1866. } Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with an Amendment.

Legislative Council Chamber, } R. O'CONNOR,
Sydney, 3rd April, 1866. } Clerk of the Parliaments.

New South Wales.



ANNO VICESIMO NONO

VICTORIÆ REGINÆ.

No. .

An Act to amend the Municipalities Act of 1858.

WHEREAS difficulties have arisen in carrying out certain pro- Preamble.
visions of the Municipalities Act of 1858 and certain
Municipalities created under that Act have in consequence of such
difficulties for some time past remained in abeyance And whereas it
5 is expedient without delay to remove such difficulties and to amend
the said Act Be it therefore 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:—

10 1. The word "Councillor" shall include and mean Alderman as Interpretation
well as Councillor and the word "Chairman" shall include and mean clause.
Mayor as well as Chairman.

2. In all cases where the Governor shall by Proclamation Governor may issue
published after any Municipality shall have been constituted have Proclamation for
15 divided such Municipality into Wards and such Municipality shall by election where Coun-
reason of such division have become unable to perform its functions cil in abeyance by
and to fill vacancies occasioned by the retirement of Councillors elected reason of division
before such division it shall be lawful for the Governor with the advice into Wards of Muni-
of the Executive Council by Proclamation to be published in the New cipationity after con-
20 South Wales *Government Gazette* to appoint a Returning Officer for stitution.
such Municipality and to direct that on a day to be named therein there
shall be an election of three Councillors for each Ward of such Muni-
cipality and on the day so named such Returning Officer shall preside at

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a

NOTE.—The words to be omitted are ruled through.

Municipalities Act Amendment.

a meeting of electors to be holden at noon at the Court House or Town Hall or some other place to be fixed by such Returning Officer for the purpose by notice to be published in the *Government Gazette* one week before the meeting and at such meeting any elector may nominate
5 any other elector as a candidate for election as Councillor for any Ward.

3. If at such meeting no more candidates be nominated than
three for each Ward the Returning Officer shall declare the candidates
so nominated duly elected and in the event of there being more candi-
10 dates nominated than three for each Ward the Returning Officer shall
call for a show of hands for the candidates for each Ward separately
and shall thereupon declare upon which candidates the election has
fallen and such candidates shall be elected accordingly unless a poll be
15 demanded by any candidate or by any four electors on his behalf in
which case an election by ballot shall be holden after the interval at
the times and in the manner in the said Act provided.

Nomination of candidates.

4. The various provisions of the said Act relating to Councillors
shall apply in all respects to the Councillors elected under this Act in
the same way as if they had been elected under the said Act.

Former Act to apply to new Councillors.

20 5. The Councillors of any Council elected under this or the
said recited Act shall at noon on the day following their election meet
at the place of nomination to elect their Chairman and it shall be
competent for such of the Councillors as may then be in attendance
to proceed to such election although the whole number of Councillors
25 may not be present and such Chairman shall be elected by a majority
of the Councillors who shall be present and take part in such election.

Election of Chairman.

6. The various provisions of the said Act shall apply in all
respects to the Chairman elected under this Act in the same way as if
he had been elected under the said Act.

Former Act to apply to Chairman.

30 7. On the publication of any Proclamation as aforesaid
appointing a Returning Officer and directing an election of Coun-
cillors in any Municipality the Councillors whose term of office may
not at that time have expired shall cease to be Councillors of such
Municipality.

On Proclamation being published old Councillors to retire.

35 8. It shall be lawful for the Council of any Municipality
elected under the provisions of this Act to demand sue for recover and
receive any rates which may have been duly imposed by any
previous Council of such Municipality within one year then next
preceding and to receive and take into its possession money and pro-
40 perty due or belonging to such Municipality or to the Council thereof.

New Council to recover old rates.

9. The electors of each Municipality now or hereafter to be
constituted shall be the persons named in the Electoral Roll for the
Legislative Assembly which applies to or includes such Municipality
and whose qualifications as described in the said roll shall be within
45 the limits of such Municipality and who shall also be rate-payers as
in the said Act is mentioned and no elector shall be permitted to vote
at any Ward election whose qualification as stated in the said Electoral
Roll is not situate within such Ward.

Electors.

10. In all cases where a Municipality shall have been divided
50 by the Council thereof into Wards it shall be lawful for such Council
to make by-laws for regulating the election to vacancies caused by the
retirement of Councillors elected before such division.

Election in cases of division by Council into Wards.

11. In all cases where no election of Councillors shall have
taken place in any Municipality within the time or at the times
55 appointed by law for that purpose and such Municipality shall be
entirely without a Council it shall be lawful for the Governor with
the advice of the Executive Council by Proclamation to be published in
the New South Wales *Government Gazette* to appoint a Returning
Officer for such Municipality and to direct on a day to be named
therein

Governor may issue Proclamation for election when elections have not taken place in proper time.

Municipalities Act Amendment.

therein that there shall be an election of the full number of Councillors required by law to constitute the Council of such Municipality and if any such Municipality shall be divided into Wards such election shall take place in all respects as hereinbefore provided and if any
 5 such Municipality shall not be divided into Wards such election shall take place in the same manner except that the Councillors shall be elected for and by the whole Municipality instead of for and by any Ward thereof and the same proceedings as to the election of a Chairman and otherwise shall be taken as are hereinbefore provided in
 10 reference to cases falling within the second section of this Act.

12. It shall be lawful for the electors in any of the cases falling
 within the second or eleventh sections of this Act on the day to be
 appointed for the election of Councillors as therein mentioned to elect
 Auditors if no Auditors shall then be in office in the manner provided
 15 by the said herein recited Act. Election of Auditors.

13. All and each of the Municipalities following:—Albury
 Armidale Balmain Bathurst Camperdown Central Illawarra Cook
 Cudgegong Darlington East Maitland East St. Leonard's Glebe
 Goulburn Grafton Hunter's Hill Kiama Marrickville Mudgee New-
 20 castle Newtown North Willoughby Orange Paddington Parramatta
 Randwick Redfern Shellharbour Waterloo Waverley West Maitland
 Wollongong and Woollahra are hereby declared to have been and to
 be legally constituted and incorporated under the provisions of the
 said hereinbefore recited Act Provided that nothing herein shall be
 25 held to apply to or affect any existing suit or action. Existing Municipalities declared duly constituted.

14. 13. Every entry in the minute book purporting to be a minute
 of the business transacted at any meeting of the Council and signed
 by the Chairman or other presiding Councillor at the next meeting of
 such Council which shall have been holden after such first named
 30 meeting shall be *prima facie* evidence that such business as is therein
 recorded was transacted at such meeting without proof of the meeting
 to which the same shall refer having been duly convened or held or of
 the persons attending such meeting having been or being Councillors
 or of the signature of the Chairman or other presiding Councillor or
 35 of the fact of such Chairman or presiding Councillor having been or
 being such Chairman or Councillor. Minute book to be evidence.

15. 14. This Act shall be styled and may be cited as the "Muni-
 cipalities Act Amendment Act of 1866." Short title.

