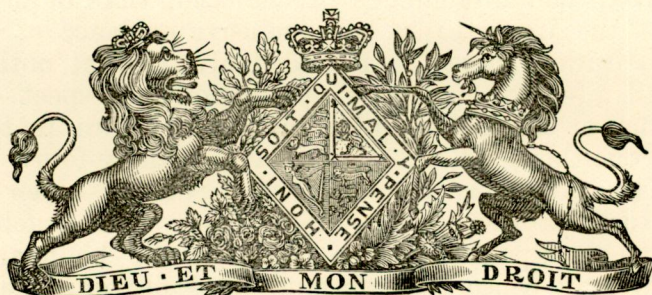


New South Wales.



ANNO QUINQUAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. IX.

An Act to declare valid certain proclamations issued under the "Municipalities Act of 1867," and to make further provision for the constitution of Municipalities under the said Act ; and for other purposes in connection therewith. [Assented to, 4th December, 1894.]

WHEREAS by section ten of the "Municipalities Act of 1867"^{Preamble.} the Governor has power as therein provided on receipt of a petition praying that a proposed Municipality may be declared a Borough or Municipal District, and sufficiently setting out the boundaries thereof, to declare the same by proclamation in the *Gazette* to be a Borough or Municipal District, and to define the limits and boundaries thereof in accordance with the boundaries set forth in the said petition, or as nearly in accordance therewith as may be considered expedient: And whereas in certain cases the boundaries of the Borough or Municipal District as defined in the proclamation differ from those set out in the petition: And whereas it is expedient to declare such proclamations valid notwithstanding such differences and to provide further in future for making such alterations as may appear expedient in the boundaries of Municipalities as set out in such petitions: Be it therefore enacted by the Queen's Most Excellent Majesty,

Municipalities Act of 1867 Amendment.

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:—

Effect of certain proclamations made before the passing of this Act.

1. Every proclamation by the Governor, heretofore published in the *Gazette*, and made or purporting to be made under the "Municipalities Act of 1867," and declaring an area therein mentioned or described to be a Municipality or a Borough or Municipal District by a name mentioned therein, shall, whether the procedure appointed and the conditions imposed by the said Act have been followed and complied with or not, have and be deemed to have had from the date thereof the effect of constituting the same accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution thereof: Provided always that nothing in this section shall affect or have any application in respect of any proceeding, either at law or in equity, instituted before the tenth day of September, one thousand eight hundred and ninety-four.

Constitution of Municipalities after the passing of this Act.

2. The Governor on receipt of a petition under section ten of the "Municipalities Act of 1867" may cause such alterations as may appear expedient to be made in the boundaries set out therein, and may cause the substance and prayer of such petition with such alterations if any to be published in the *Gazette*, and in some newspaper circulating in or near the proposed Municipality; and unless a counter-petition be received as in the said section ten provided, the Governor may by proclamation published in like manner declare the proposed Municipality to be a Borough or Municipal District, as the case may be, by a name to be mentioned in such proclamation, and define in accordance with the boundaries published in the *Gazette* as aforesaid the limits and boundaries of the said Borough or Municipal District, which on such proclamation shall be constituted accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution of such Municipality.

Short title, &c.

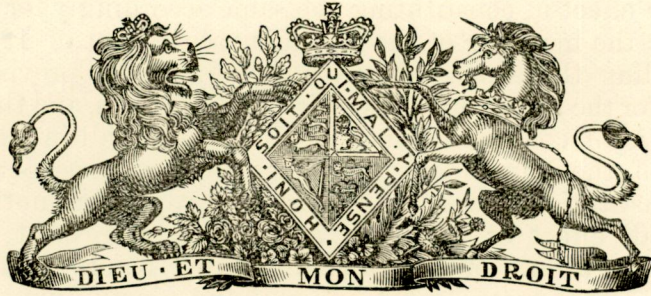
3. This Act may be cited as the "Municipalities Act of 1867 Amendment Act, 1894," and shall be read as part of the "Municipalities Act of 1867" and any Acts amending the same.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 27 November, 1894.* }

RICHD. A. ARNOLD,
For Clerk of the Legislative Assembly.

New South Wales.



ANNO QUINQUAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. IX.

An Act to declare valid certain proclamations issued under the "Municipalities Act of 1867," and to make further provision for the constitution of Municipalities under the said Act; and for other purposes in connection therewith. [Assented to, 4th December, 1894.]

WHEREAS by section ten of the "Municipalities Act of 1867" Preamble. the Governor has power as therein provided on receipt of a petition praying that a proposed Municipality may be declared a Borough or Municipal District, and sufficiently setting out the boundaries thereof, to declare the same by proclamation in the *Gazette* to be a Borough or Municipal District, and to define the limits and boundaries thereof in accordance with the boundaries set forth in the said petition, or as nearly in accordance therewith as may be considered expedient: And whereas in certain cases the boundaries of the Borough or Municipal District as defined in the proclamation differ from those set out in the petition: And whereas it is expedient to declare such proclamations valid notwithstanding such differences and to provide further in future for making such alterations as may appear expedient in the boundaries of Municipalities as set out in such petitions: Be it therefore enacted by the Queen's Most Excellent Majesty,

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

WILLIAM McCOURT,
Chairman of Committees of the Legislative Assembly.

Municipalities Act of 1867 Amendment.

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:—

Effect of certain proclamations made before the passing of this Act.

1. Every proclamation by the Governor, heretofore published in the *Gazette*, and made or purporting to be made under the "Municipalities Act of 1867," and declaring an area therein mentioned or described to be a Municipality or a Borough or Municipal District by a name mentioned therein, shall, whether the procedure appointed and the conditions imposed by the said Act have been followed and complied with or not, have and be deemed to have had from the date thereof the effect of constituting the same accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution thereof: Provided always that nothing in this section shall affect or have any application in respect of any proceeding, either at law or in equity, instituted before the tenth day of September, one thousand eight hundred and ninety-four.

Constitution of Municipalities after the passing of this Act.

2. The Governor on receipt of a petition under section ten of the "Municipalities Act of 1867" may cause such alterations as may appear expedient to be made in the boundaries set out therein, and may cause the substance and prayer of such petition with such alterations if any to be published in the *Gazette*, and in some newspaper circulating in or near the proposed Municipality; and unless a counter-petition be received as in the said section ten provided, the Governor may by proclamation published in like manner declare the proposed Municipality to be a Borough or Municipal District, as the case may be, by a name to be mentioned in such proclamation, and define in accordance with the boundaries published in the *Gazette* as aforesaid the limits and boundaries of the said Borough or Municipal District, which on such proclamation shall be constituted accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution of such Municipality.

Short title, &c.

3. This Act may be cited as the "Municipalities Act of 1867 Amendment Act, 1894," and shall be read as part of the "Municipalities Act of 1867" and any Acts amending the same.

In the name and on the behalf of Her Majesty I assent to this Act.

R. W. DUFF,
Governor.

Government House,
Sydney, 4 December, 1894.

MUNICIPALITIES ACT OF 1867 AMENDMENT BILL.

SCHEDULE of Amendments referred to in Message of 22 November, 1894.

- Page 1, clause 1, line 20. *Omit* “ before the passing of this Act”
- Page 2, clause 1, line 2. *After* “ shall” *insert* “ **whether the procedure appointed and
“ the conditions imposed by the said Act have been followed and complied
“ with or not”**
- Page 2, clause 1, line 4. *After* “ have” *insert* “ **and be deemed to have had from the
“ date thereof”**
- Page 2, clause 1, line 11. *After* “ thereof” *omit* remainder of clause, *insert* “ **Provided
“ always that nothing in this section shall affect or have any application
“ in respect of any proceeding, either at law or in equity, instituted
“ before the tenth day of September, one thousand eight hundred and
“ ninety-four.”**
- Page 2, clause 2, line 21. *Omit* “ After the passing of this Act”
-

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, 8 November, 1894. }

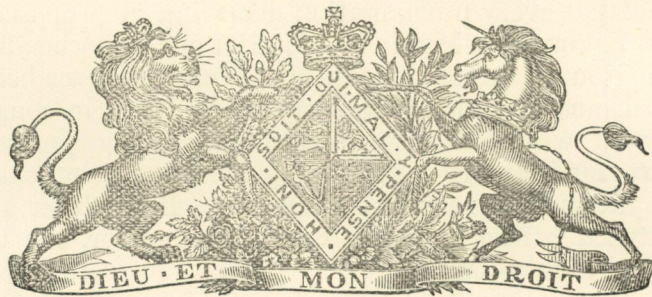
RICHD. A. ARNOLD,
For Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber,
Sydney, 22nd November, 1894. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUINQUAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. .

An Act to declare valid certain proclamations issued under the "Municipalities Act of 1867," and to make further provision for the constitution of Municipalities under the said Act; and for other purposes in connection therewith.

WHEREAS by section ten of the "Municipalities Act of 1867" ^{Preamble.} the Governor has power as therein provided on receipt of a petition praying that a proposed Municipality may be declared a Borough or Municipal District, and sufficiently setting out the boundaries thereof, to declare the same by proclamation in the *Gazette* to be a Borough or Municipal District, and to define the limits and boundaries thereof in accordance with the boundaries set forth in the said petition, or as nearly in accordance therewith as may be considered expedient: And whereas in certain cases the boundaries of the Borough or Municipal District as defined in the proclamation differ from those set out in the petition: And whereas it is expedient to declare such proclamations valid notwithstanding such differences and to provide further in future for making such alterations as may appear expedient in the boundaries of Municipalities as set out in such petitions: 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:—

1. Every proclamation by the Governor, heretofore published in the *Gazette* before the passing of this Act, and made or purporting to be made under the "Municipalities Act of 1867," and declaring an area therein ^{Effect of certain proclamations made before the passing of this Act.}

Municipalities Act of 1867 Amendment.

therein mentioned or described to be a Municipality or a Borough or Municipal District by a name mentioned therein, shall, whether the procedure appointed and the conditions imposed by the said Act have been followed and complied with or not, have and be deemed to have
 5 had from the date thereof the effect of constituting the same accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such
 10 proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution thereof, and the validity and effect of every proclamation declaring a proposed Municipality to be a Borough or Municipal District shall not be affected by the fact that the boundaries of the area mentioned or described therein
 15 are not in accordance with those set out in the petition in consequence or in pursuance of which the proclamation has or purports to have been made: Provided always that nothing in this section shall affect or have any application in respect of any proceeding, either at law or in equity, instituted before the tenth day of September, one thousand
 20 eight hundred and ninety-four.

2. ~~After the passing of this Act~~ The Governor on receipt of a petition under section ten of the "Municipalities Act of 1867" may cause such alterations as may appear expedient to be made in the boundaries set out therein, and may cause the substance and prayer of
 25 such petition with such alterations if any to be published in the *Gazette*, and in some newspaper circulating in or near the proposed Municipality; and unless a counter-petition be received as in the said section ten provided, the Governor may by proclamation published in like manner declare the proposed Municipality to be a Borough or Municipal
 30 District, as the case may be, by a name to be mentioned in such proclamation, and define in accordance with the boundaries published in the *Gazette* as aforesaid the limits and boundaries of the said Borough or Municipal District, which on such proclamation shall be constituted accordingly for the purposes and within the meaning of
 35 the "Municipalities Act of 1867" and any Act amending the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution of
 40 such Municipality.

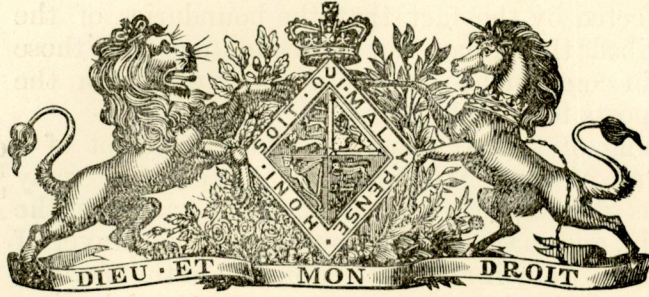
3. This Act may be cited as the "Municipalities Act of 1867 Amendment Act, 1894," and shall be read as part of the "Municipalities Act of 1867" and any Acts amending the same.

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, 8 November, 1894. }

RICHD. A. ARNOLD,
For Clerk of the Legislative Assembly.

New South Wales.



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Effect of certain proclamations made before the passing of this Act.

Municipalities Act of 1867 Amendment.

therein mentioned or described to be a Municipality or a Borough or Municipal District by a name mentioned therein, shall have the effect of constituting the same accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending
 5 the same, subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of
 10 the constitution thereof, and the validity and effect of every proclamation declaring a proposed Municipality to be a Borough or Municipal District shall not be affected by the fact that the boundaries of the area mentioned or described therein are not in accordance with those set out in the petition in consequence or in pursuance of which the proclamation has or purports to have been made.

15 2. After the passing of this Act the Governor on receipt of a petition under section ten of the "Municipalities Act of 1867" may cause such alterations as may appear expedient to be made in the boundaries set out therein, and may cause the substance and prayer of such petition with such alterations if any to be published in the *Gazette*,
 20 and in some newspaper circulating in or near the proposed Municipality; and unless a counter-petition be received as in the said section ten provided, the Governor may by proclamation published in like manner declare the proposed Municipality to be a Borough or Municipal District, as the case may be, by a name to be mentioned in such
 25 proclamation, and define in accordance with the boundaries published in the *Gazette* as aforesaid the limits and boundaries of the said Borough or Municipal District, which on such proclamation shall be constituted accordingly for the purposes and within the meaning of the "Municipalities Act of 1867" and any Act amending the same,
 30 subject, however, to the provisions therein contained for the revocation of certain proclamations, and the production of the *Gazette* containing such proclamation shall in all proceedings on behalf of the Municipality be conclusive evidence of the legality of the constitution of such Municipality.

35 3. This Act may be cited as the "Municipalities Act of 1867 Amendment Act, 1894," and shall be read as part of the "Municipalities Act of 1867" and any Acts amending the same.