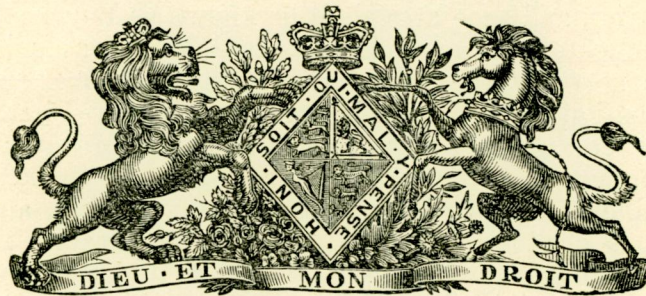


New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. 30, 1900.

An Act to make further and better provision as to the Municipal Government of the City of Sydney, and to amend the Sydney Corporation Act of 1879 and the Acts amending the same. [Assented to, 3rd October, 1900.]

BE it 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:—

Preliminary.

1. This Act shall be construed with the Sydney Corporation Act of 1879, hereafter called the Principal Act, and the Sydney Corporation Act Amendment Act, 1887, and may be cited as the "Sydney Corporation (Amending) Act, 1900." Incorporation and short title.

2. The Acts mentioned in Schedule One are, to the extent therein mentioned, hereby repealed:

A

Provided

Sydney Corporation (Amending).

Provided that, until the first election of a mayor and aldermen under this Act, the council shall be as constituted at the commencement of this Act.

Wards of the city.

Wards of city.

3. The city shall be divided into twelve wards, as hereunder described—

- (a) so much of Sydney-King electoral district as is bounded on the south by the northern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Bourke Ward ;
- (b) so much of Sydney-King electoral district as is bounded on the north by the southern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Macquarie Ward ;
- (c) so much of each of the Sydney-Fitzroy, Sydney-Belmore, Sydney-Cook, Sydney-Phillip, Sydney-Lang, and Sydney-Gipps electoral districts (described in Gazette number six hundred and eighty-eight, of the fifth day of October, one thousand eight hundred and ninety-three) as is included within the boundaries of the city, which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards ; and
- (d) so much of each of the Sydney-Bligh, Sydney-Flinders, Sydney-Denison, and Sydney-Pyrmont electoral districts (described in the Gazette aforesaid) as is included within the boundaries of the city, together with so much of the city as is outside of and adjoining each of the said electoral districts and is not included within any other Sydney electoral district described as aforesaid, which areas shall be known as Bligh, Flinders, Denison, and Pyrmont Wards.

Purchaser of ratable property to give notice.

4. Every purchaser of ratable property situate within the city shall, within ninety days after the completion of his purchase, give or cause to be given written notice thereof to the council, stating his name and address, and on failure to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds.

Qualifications of citizens.

Qualifications of citizens.

5. (1) The following persons, if of the age of twenty-one years or upwards, shall be entitled to be placed on the citizens' roll for any year for any ward :—

- (a) Any person, male or female, being a natural-born or naturalised British subject, who, on the first day of September of that year, is severally the owner of a freehold interest in possession

Sydney Corporation (Amending).

possession of any property in that ward assessed at a yearly value of five pounds or upwards, or of a leasehold interest in any property in that ward of a yearly value of twenty-five pounds or upwards; and

One of the persons who are on the said day jointly the owners or leaseholders as aforesaid of any property assessed as aforesaid; and in such case the joint owner or leaseholder who is entitled to be placed on the roll shall be determined by a majority of such joint owners or leaseholders evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or, failing such agreement, according to the alphabetical order of the surnames of such joint owners or leaseholders. In the case of properties owned by public companies, or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

- (b) Any person, male or female, being a natural-born or naturalised British subject, who has been continuously during the six months next preceding the first day of September in that year in joint or several occupation of any house, warehouse, counting-house, shop, or other building, including any room or part of a house separately occupied in that ward of a yearly value of ten pounds or upwards.

And where an occupier is entitled to the sole and exclusive use of any part of a house, that part shall not, for the purposes of this section, be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

But any such house, warehouse, counting-house, shop, building, room or part of a house need not be throughout the six months constituting the period of qualification under this subsection the same property, provided it is in the same ward. In the case of properties occupied by public companies or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary

Sydney Corporation (Amending).

secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

- (c) Any person, male or female, being a natural-born British subject or naturalised person, who as a lodger has continuously during the six months next preceding the first day of September in that year, occupied jointly or severally any lodgings in the same dwelling-house in the said ward, of a clear yearly value of ten pounds or upwards.

(2) For the purposes of this Act the word "female" shall include married women.

Provision for joint occupiers or lodgers.

(3) Provided that in the case of a joint occupation under subsection (b), or a joint occupation as a lodger under subsection (c), as aforesaid, only one of such joint occupiers or joint lodgers shall be entitled to be placed on the roll, unless the premises jointly occupied under subsection (b) are of the yearly value of twenty pounds or upwards, or unless such lodgings are of the clear yearly value of twenty pounds or upwards, in which cases such number of the said occupiers or lodgers as, when divided into the said yearly value, gives a quotient of ten pounds, with a remainder of less than ten pounds, shall be entitled to be placed on the citizens' roll.

The joint occupiers or lodgers who shall be so entitled shall be determined by a majority of the occupiers or lodgers, evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or failing such agreement, according to the alphabetical order of the surnames of the occupiers or lodgers.

Where citizen has more than one qualification under subsection (a).

(4) Provided also that any person having a qualification mentioned in subsection (a) shall not be entitled to have his name placed on the roll for any ward in virtue of any other qualification under subsection (b) or subsection (c) which he may possess; but he shall be entitled to have his name placed on the roll for every ward in which he is qualified under the said subsection (a) by virtue of his ownership or lesseeship of property in that ward.

Under subsections (b) or (c).

(5) Provided, further, that any person having more than one qualification under subsection (b) or subsection (c), or under both those subsections, shall be only entitled to have his name placed on the roll for one ward; and he may by notice in writing given to the chamber magistrate of the Central Police Court choose the roll on which his name shall be placed, and if he does not make such choice before the expiration of the time prescribed for making out the lists of citizens, the chamber magistrate aforesaid shall make such choice:

Provided further, that any person having a qualification mentioned in subsection (a) as an owner of property shall, before voting
at

Sydney Corporation (Amending).

at any election, make and subscribe a declaration before the presiding officer stating that he is the beneficial owner, or manager, or trustee for the beneficial owner, of the property for which his name is placed upon the roll :

Provided further that before any person claiming to vote under subsections (b) or (c) shall be permitted to vote, such person shall make and subscribe before the presiding officer a declaration in the form contained in Schedule Two to this Act.

(6) Any person who shall wilfully make a false declaration under this section shall be guilty of a misdemeanour. Making false declaration.

Lists and rolls of citizens.

6. On or before the first day of September in every year the stipendiary magistrates, and the acting and deputy stipendiary magistrates, of the metropolitan police district, or any three of such magistrates, shall appoint members of the police force as collectors for each ward of the city, and every such collector shall, before entering on his duties, make and subscribe a declaration before a justice in the form of Schedule Three, which declaration shall be kept as a record in the Central Police Court. Appointment of collectors.

Such magistrates or any three of them shall also appoint clerks of the revision courts to be held for that year under this Act.

7. Notwithstanding anything in section six the appointment of collectors for each ward of the city for the year one thousand nine hundred may be made as soon as practicable after the commencement of this Act. Appointment of collectors for 1900.

8. The collectors appointed for each such ward shall, in the month of September in every year, make out a list arranged in the alphabetical order of the surnames of the persons who on inquiry such collectors consider are entitled to have their names placed on the roll for such ward, and shall deliver such list to the chamber magistrate of the Central Police Court. Collectors to make out list.

The said chamber magistrate shall forthwith on receipt of any such list cause it to be printed, and shall supply copies at a reasonable price to any person requiring the same, and shall cause a copy to be affixed on every Court of Petty Sessions in the city, and at some convenient place in each ward where there may be no Court of Petty Sessions.

The town clerk shall procure a copy of such list and cause it to be posted at the Town Hall.

9. The said lists shall contain the names and qualifications of all persons qualified to vote, alphabetically arranged according to the form in Schedule Four, and shall be signed by the chamber magistrate, and exhibited at the places provided for under the last preceding section

Sydney Corporation (Amending).

section from the first to the fifteenth day of October in each year. Twice at least during such time the town clerk shall cause notice to be published in two daily papers of such lists being so open to inspection.

Notices of claims and objections.

10. At any time after the list for any ward has been made out, and before the fifteenth day of October in any year, any person whose name is not on such list may by notice in writing given by him or by some person on his behalf to the chamber magistrate of the Central Police Court make claim in the form of Schedule Five to have his name inserted in such list; and during the said period any person may by notice in writing given by him as aforesaid in the form of Schedule Six object to the name of any person being retained on such list.

As soon as possible after the said fifteenth day of October, the said chamber magistrate shall cause to be arranged in the alphabetical order of their surnames and printed in a paper the names of the persons so claiming, and shall cause to be arranged as aforesaid and printed in another paper the names of the persons so objected to, and shall supply copies at a reasonable price to any person requiring the same, and shall cause copies of such papers to be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed and shall keep them so affixed until the roll for the ward has been prepared.

Revision courts to be held.

11. Between the fifteenth day of October and the fifteenth day of November revision courts for revising the lists for the wards of the city shall be held at such places within the city as the stipendiary magistrates and deputy and acting stipendiary magistrates of the Metropolitan Police Court or any three of them may prescribe by notification in the Gazette and one or more of the metropolitan papers; and a copy of such notification shall be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed.

Each such revision court shall be an open court, and shall be constituted by one or more of such magistrates.

Procedure at revision courts.

12. (1) The chamber magistrate of the Central Police Court shall at the opening of any such revision court produce the list for the ward and copies of the papers containing the names of the persons claiming to be inserted in the list and of the persons objected to.

Correction of list.

- (2) The magistrate presiding at any such revision court—
- (a) shall remove from the list the name of every person proved to be dead, whether objection has or has not been made under this Act;
 - (b) shall remove from the list the name of every person objected to in pursuance of this Act on the appearance of the person so objecting, or his agent or advocate, and on proof that the person whose name is on the list has not the qualification entitling him to be placed on the roll for the ward;

(c)

Sydney Corporation (Amending).

(c) shall insert in the list the name of every person claiming in pursuance of this Act, on proof that he has the qualification aforesaid; and

(d) shall correct all errors and supply all omissions in such list as to the names, descriptions, and qualifications under this Act of any persons.

(3) The magistrate so presiding shall, in open court, write his initials against any addition to or alteration of the list made as aforesaid. Initialling alterations.

13. The magistrate presiding as aforesaid shall cause a fair copy to be made of the list as altered or added to in the revision court, and after certifying to the correctness of the same, shall forward it to the town clerk, and such copy shall be the roll for the ward until a new roll is prepared, and shall be prima facie evidence that the roll has been duly made and of the correctness of the contents thereof. Roll to be certified.

14. (1) A revision court shall have power to hear, receive, and examine evidence, and by summons under the hand of the revision clerk to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the court all such books and papers in their possession or under their control as may appear necessary for the purpose of their examination; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said court, refuses without such excuse to take an oath or affirmation, or having taken such oath or affirmation, to answer the questions put to him, may be dealt with in all respects as a person refusing or neglecting to appear or to take an oath or affirmation, or to give evidence before a Court of Petty Sessions. Power of revision court to examine evidence.

(2) If it appears to a revision court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim or objection, such court may order the payment by such person of any sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim or objection. Any sum so ordered to be paid may, if not paid within the time specified in the order, be recovered before any Court of Petty Sessions in the city by the person named in the order as being entitled thereto. Frivolous claims or objections.

(3) A revision court may adjourn from time to time, and if one hour after the time appointed for the holding of the court the magistrate is not present the revision clerk may adjourn such court to another hour or day: Provided that no such court shall be adjourned for more than three days at a time until the revision of the list then before it is completed. Adjournment of court.

Constitution of council.

15. The municipal council of the city of Sydney shall, after the first election under this Act of a mayor and aldermen, consist of a mayor and aldermen, elected in pursuance of this Act. Constitution of municipal council.

Retirement

Sydney Corporation (Amending).

Retirement and election of mayor and aldermen, and appointment of auditors.

Retirement and
election of aldermen.

16. On the first day of December, one thousand nine hundred, and on the first day of December in every second year thereafter, there shall be an election of aldermen of the city; and on such election being held, the aldermen then in office shall retire, but may, at such election, be re-elected, if otherwise qualified.

Any male person on the roll for any ward of the city shall be qualified to be elected as alderman.

Election of mayor.

17. On the ninth day of December in every year the aldermen shall assemble at the Town Hall for the purpose of electing one of their own number to be mayor of the city for the forthcoming year. The mayor shall enter into office on the first day of January next following his election, and shall hold office until the thirty-first day of December following, and shall be eligible for re-election if still qualified.

Auditors.

18. On the first day of December, one thousand nine hundred, the auditors then in office shall retire, and from that day the powers and duties of the auditors as prescribed by the Principal Act and any Act amending the same may be exercised, and shall be performed by such two or more Treasury inspectors as the Colonial Treasurer may from time to time appoint in that behalf.

After the commencement of this Act, no election to the office of auditor shall be held, and the provisions of the Principal Act and any Act amending the same relating to such election are hereby repealed.

Election of
aldermen.

19. There shall be two aldermen for each ward, who shall be elected by the persons on the roll for such ward. The proceedings in, and in connection with such election, shall be in accordance with the provisions of the Principal Act and any Acts amending the same, including this Act, and it shall not be lawful for any candidate, either by himself or his agent, to expend more than fifty pounds in connection with such election, and the details of such expenditure verified by statutory declaration shall be furnished to the town clerk within seven days after the holding of an election.

Election expenses—
Penalty.

20. Any candidate who shall spend more than the said fifty pounds in connection with any such election or shall fail to furnish the details of his expenditure within the time limited in the last preceding section shall be liable to a penalty of twenty pounds, to be recovered in a summary manner in any court of competent jurisdiction, and if elected such election shall be void.

The returning officer.

21. The returning officer for the election of aldermen shall be the town clerk or such other citizen as the Governor may appoint in that behalf, by notification in the Gazette and one or more metropolitan papers; and, notwithstanding the provisions of the Principal Act, all nominations

Sydney Corporation (Amending).

nominations to the office of alderman shall be made to the returning officer. Such returning officer shall, after ascertaining the result of any such election, report the same to the outgoing mayor, who shall declare, in the manner prescribed by the Principal Act with regard to the election of aldermen, the result of any such election.

The returning officer shall appoint, in writing under his hand, presiding officers to conduct such elections within the respective wards of the city, and if any such officer is prevented from attending by unavoidable accident, a substitute with like powers may be appointed in the same manner.

22. The voting at every election shall commence at eight o'clock in the morning and shall finally close at six o'clock in the afternoon of the same day, unless adjourned as provided in the Principal Act. Hours of voting.

23. At every election of aldermen, every voter shall vote for the full number of aldermen to be elected for the ward, otherwise the vote shall be rejected as informal. Mode of voting.

24. The provisions of sections one hundred and thirteen to one hundred and eighteen inclusive, and of section one hundred and twenty of the Parliamentary Electorates and Elections Act of 1893 shall mutatis mutandis apply to all elections held under this Act, and the commission of any of the acts mentioned in the said sections shall render void the election of the person committing such act either by himself or by an agent, and when committed with his knowledge and consent, shall disqualify him from holding or acting in any municipal office during the period of two years next following such commission. Penalties for bribing, intimidation, &c.

Expenses.

25. Any expenses incurred in or in connection with the making out and revising of the lists and printing of the lists and rolls and the election of aldermen shall be paid by the council out of the city fund. Expenses of lists and rolls and elections.

Resumption.

26. (1) It shall be lawful for the council from time to time, in pursuance of the provisions hereinafter mentioned, without further or other authority than this Act, to resume any lands (not being land the property of the Crown), which may be required for the opening of new streets or public places, and the widening or enlarging of streets or public places in the city. If portion only of any parcel of land is so resumed, and if the owner of such parcel of land requires the council to resume the remainder thereof along with the other land required for the purposes of this Act, the council shall resume the same accordingly. For the purposes aforesaid, the council shall have power by their officers or servants to enter upon and survey any lands within their jurisdiction. Resumption of land for municipal purposes.

Sydney Corporation (Amending).

Notice of resumption.

(2) The council shall cause a notice of the resumption of any land required by them for the purposes of this Act, together with a plan or diagram of the area required, to be served on the owners of such land, and a copy of such plan or diagram shall be deposited with the chief surveyor at the Department of Lands, Sydney.

Vesting of land.

(3) Upon the service of such notice and plan, the land therein described shall for the purposes, and subject to the provisions of this Act, be vested in the council for an absolute estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

Compensation.

(4) The owner of any portion of land resumed, or the person who, but for the provisions of this Act, would have been such owner, shall be entitled to receive compensation for the land so resumed, and the amount of such compensation shall be ascertained in accordance with the provisions of the Lands for Public Purposes Acquisition Acts, being the Acts of the forty-fourth Victoria number sixteen, and forty-fifth Victoria number twenty-six. For the purpose of ascertaining and dealing with such compensation, and for other purposes subsidiary thereto, the enactments hereinafter specified are declared to be incorporated with this Act, viz. :—

- (a) As to conversion of the estates of owners of lands into a claim to compensation,—Section eleven of the Act forty-fourth Victoria number sixteen.
- (b) As to notice of claim for compensation and abstract of title,—Section twelve of the Act forty-fourth Victoria number sixteen, and First Schedule thereto.
- (c) As to procedure after receipt of notice of claim, and the institution of proceedings in the Supreme Court,—Sections thirteen and fourteen of the Act forty-fourth Victoria number sixteen.
- (d) As to the nature of the issue in actions for compensation, verdict and costs, the payment of compensation, the mode of assessing compensation, and the obligation of the party claiming payment to make out a title,—Section sixteen of the Act forty-fourth Victoria number sixteen, section two of the Act forty-fifth Victoria number twenty-six, and section twenty-four of the Public Works Act of 1888: Provided that the interest mentioned in the said section sixteen shall be at the rate of four per centum per annum from the date of service of the notice of resumption, and that the payments therein mentioned shall be made out of the city fund by drafts signed by the mayor and city treasurer.
- (e) As to procedure on registration or transfer—section twenty-four of the Act forty-fourth Victoria number sixteen.

And

Sydney Corporation (Amending).

And in order to carry out the intention of this section, the words "this Act" whensoever occurring in any of the sections so declared to be incorporated herewith, shall be held to include this present Act, and the words "under the sixth section of this Act" in section twenty-four of the Act forty-fourth Victoria number sixteen shall be held, for the like purpose to refer to the present section of this Act; and there shall be substituted for the words "Minister" and "Crown Solicitor" wherever occurring in the said sections the words "mayor" and "city solicitor" respectively.

(5) The several sections of the Public Works Act of 1888, Incorporation of provisions of Public Works Act. hereinafter specified, together with the respective powers, authorities, duties, liabilities, obligations, and other the provisions therein contained, are hereby declared to be incorporated with, and embodied in this Act to the intent that the same may be applied as fully and effectually to, and in respect of, the lands resumed under this Act as if the said sections had been specifically enacted herein: Provided that, wheresoever in any section so incorporated the words "Constructing Authority" occur, there shall, for the purposes of this Act, be substituted in lieu of such words, the expression "council;" the expression "authorised work," wheresoever occurring in any such section shall be held to refer to the work authorised by this Act; and the words "this Act" shall similarly be held to refer to "this present Act." The following are the sections of the said Public Works Act so declared to be incorporated herewith—

- (a) As to the deposit of compensation money in certain cases with the master in equity, and the application and investment thereof; as to payment of such money in certain cases to trustees, or to the parties themselves, the exoneration of the Constructing Authority in respect thereof after payment, the presumption of ownership, and the payment of costs,—Sections sixty-two to seventy-two, both inclusive.
- (b) As to the procedure by the constructing authority in case the owner or occupier of any lands resumed under this Act refuses to give up possession thereof, or hinders the constructing authority from entering upon, or taking possession of the same,—Section seventy-seven.
- (c) As to the purchase or redemption of the interests of mortgagees, and the deposit of principal and interest due on mortgages with the master in equity, the procedure to be observed when the mortgaged lands are of less value than the mortgage debt, and where part only of lands in mortgage is taken,—Sections eighty-one to eighty-six, both inclusive.
- (d) As to the release of lands from rent charges and other incumbrances, and the procedure thereon,—Sections eighty-seven to ninety, both inclusive.

(e)

Sydney Corporation (Amending).

(e) As to the apportionment of rent where lands so resumed are taken under lease, and as to compensation to tenants,— Sections ninety-one to ninety-four, both inclusive.

Power to purchase lands.

27. In addition to the power of resuming land conferred by the last preceding section the council may purchase from any person who may be willing to sell the same in fee simple, or for any less estate or interest, any land which the council may require for any of the purposes in that section mentioned.

Sale or lease of superfluous lands.

28. The council may contract for and sell or lease for such considerations as they may deem reasonable, and by any deed under their corporate seal may convey to the purchasers or lessees thereof, any superfluous lands or any estate or interest of the council in such lands, or any part thereof, in such manner as they may deem most advantageous; and such contracts, sales, leases, and conveyances from the council shall be valid and effectual to all intents and purposes; and the money produced by all such sales or leases shall be carried to and form part of the city fund.

Appointment of inspector of nuisances or sanitary inspector.

Appointment of inspector of nuisances or sanitary inspector.

29. The council may nominate any person or persons for the position of inspector of nuisances or sanitary inspector of the city, and the Governor may appoint any person so nominated at such salary as he thinks fit. On such appointment being so made one half of such salary shall be payable out of the Consolidated Revenue Fund and one half by the council.

SCHEDULES.

SCHEDULE ONE.

Schedule 1.
Section 2.

Number of Act.	Title.	Extent of repeal.
43 Vic. No. 3 ...	Sydney Corporation Act of 1879	Section 5 so far as it divides the city into wards; sections 6, 7, 9, 10, 12, 16, 20, 24, 32, and 33, and the unrepealed enactments of section 8.
51 Vic. No. 23...	Sydney Corporation Act Amendment Act, 1887.	The whole.

Sydney Corporation (Amending).

SCHEDULE TWO.

Schedule 2

Voter's declaration.

Section 5

Voter's number .

I, A.B., do solemnly declare that I am the person named in the Roll now in force for the Ward of the City of Sydney, my name being numbered therein as in the margin hereto; that I have not already voted in this Ward at this election; and that I have still the qualification mentioned in the said Roll.

A.B.

Made and subscribed before me this day of , 19 .
C.D. Presiding Officer.

SCHEDULE THREE.

Schedule 3.

Declaration by collector.

Section 7.

I, , do hereby solemnly declare that having accepted the employment of a collector for the ward of the city of Sydney, I will faithfully perform the duties of that employment to the best of my knowledge and ability, according to the provisions of the Sydney Corporation (Amending) Act, 1900, and I will not insert in any list the name of any person whom I shall know or believe not to be entitled by the said Act to have his name entered on the roll for such ward; nor will I omit from any such list the name of any person whom I shall know or believe to be so entitled.

Declared before me, this day of , 19 .
Justice of the Peace.

SCHEDULE FOUR.

WARD.

List of citizens for the year

Number in rate-book.	Number.	Christian and surname and residence.	Nature of qualification.

SCHEDULE FIVE.

Schedule 5.

Notice of claim.

Section 7.

To the chamber magistrate of the Central Police Court,—

THIS is to give notice that [state christian name and surname in full] of [state residence and occupation], claims to have his name inserted in the citizens' roll for the ward of the city of Sydney.

Dated this day of , 19 .

(Signature of claimant, or where claim is made by any person on behalf of a claimant, signature of that person, with his residence and occupation, and with a statement that he makes the claim on behalf of the claimant.)

Sydney Corporation (Amending).

SCHEDULE SIX.

Notice of objection.

To the chamber magistrate of the Central Police Court,—

I HEREBY object to the name of _____, described as _____ upon the list for the ward of the city of Sydney being retained on such list.

Dated this _____ day of _____, 19 _____.

(Signature with residence and occupation.)

By Authority : WILLIAM APPLIGATE GULLICK, Government Printer, Sydney, 1900.

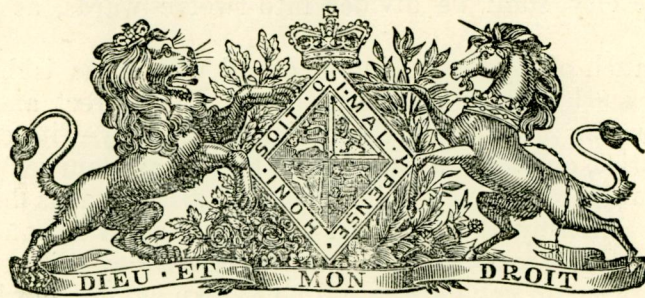
[1s.]

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, 28 September, 1900, A.M. }*

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. 30, 1900.

An Act to make further and better provision as to the Municipal Government of the City of Sydney, and to amend the Sydney Corporation Act of 1879 and the Acts amending the same. [Assented to, 3rd October, 1900.]

BE it 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:—

Preliminary.

1. This Act shall be construed with the Sydney Corporation Act of 1879, hereafter called the Principal Act, and the Sydney Corporation Act Amendment Act, 1887, and may be cited as the "Sydney Corporation (Amending) Act, 1900." Incorporation and short title.

2. The Acts mentioned in Schedule One are, to the extent therein mentioned, hereby repealed: Repeal.

Provided

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

J. H. CANN,
Chairman of Committees of the Legislative Assembly.

Sydney Corporation (Amending).

Provided that, until the first election of a mayor and aldermen under this Act, the council shall be as constituted at the commencement of this Act.

Wards of the city.

Wards of city.

3. The city shall be divided into twelve wards, as hereunder described—

- (a) so much of Sydney-King electoral district as is bounded on the south by the northern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Bourke Ward ;
- (b) so much of Sydney-King electoral district as is bounded on the north by the southern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Macquarie Ward ;
- (c) so much of each of the Sydney-Fitzroy, Sydney-Belmore, Sydney-Cook, Sydney-Phillip, Sydney-Lang, and Sydney-Gipps electoral districts (described in Gazette number six hundred and eighty-eight, of the fifth day of October, one thousand eight hundred and ninety-three) as is included within the boundaries of the city, which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards ; and
- (d) so much of each of the Sydney-Bligh, Sydney-Flinders, Sydney-Denison, and Sydney-Pyrmont electoral districts (described in the Gazette aforesaid) as is included within the boundaries of the city, together with so much of the city as is outside of and adjoining each of the said electoral districts and is not included within any other Sydney electoral district described as aforesaid, which areas shall be known as Bligh, Flinders, Denison, and Pyrmont Wards.

Purchaser of ratable property to give notice.

4. Every purchaser of ratable property situate within the city shall, within ninety days after the completion of his purchase, give or cause to be given written notice thereof to the council, stating his name and address, and on failure to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds.

Qualifications of citizens.

Qualifications of citizens.

5. (1) The following persons, if of the age of twenty-one years or upwards, shall be entitled to be placed on the citizens' roll for any year for any ward :—

- (a) Any person, male or female, being a natural-born or naturalised British subject, who, on the first day of September of that year, is severally the owner of a freehold interest in
possssion

Sydney Corporation (Amending).

possession of any property in that ward assessed at a yearly value of five pounds or upwards, or of a leasehold interest in any property in that ward of a yearly value of twenty-five pounds or upwards; and

One of the persons who are on the said day jointly the owners or leaseholders as aforesaid of any property assessed as aforesaid; and in such case the joint owner or leaseholder who is entitled to be placed on the roll shall be determined by a majority of such joint owners or leaseholders evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or, failing such agreement, according to the alphabetical order of the surnames of such joint owners or leaseholders. In the case of properties owned by public companies, or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

- (b) Any person, male or female, being a natural-born or naturalised British subject, who has been continuously during the six months next preceding the first day of September in that year in joint or several occupation of any house, warehouse, counting-house, shop, or other building, including any room or part of a house separately occupied in that ward of a yearly value of ten pounds or upwards.

And where an occupier is entitled to the sole and exclusive use of any part of a house, that part shall not, for the purposes of this section, be deemed to be occupied otherwise than separately by reason only that the occupier is entitled to the joint use of some other part.

But any such house, warehouse, counting-house, shop, building, room or part of a house need not be throughout the six months constituting the period of qualification under this subsection the same property, provided it is in the same ward. In the case of properties occupied by public companies or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary

Sydney Corporation (Amending).

secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

- (c) Any person, male or female, being a natural-born British subject or naturalised person, who as a lodger has continuously during the six months next preceding the first day of September in that year, occupied jointly or severally any lodgings in the same dwelling-house in the said ward, of a clear yearly value of ten pounds or upwards.

(2) For the purposes of this Act the word "female" shall include married women.

Provision for joint occupiers or lodgers.

(3) Provided that in the case of a joint occupation under subsection (b), or a joint occupation as a lodger under subsection (c), as aforesaid, only one of such joint occupiers or joint lodgers shall be entitled to be placed on the roll, unless the premises jointly occupied under subsection (b) are of the yearly value of twenty pounds or upwards, or unless such lodgings are of the clear yearly value of twenty pounds or upwards, in which cases such number of the said occupiers or lodgers as, when divided into the said yearly value, gives a quotient of ten pounds, with a remainder of less than ten pounds, shall be entitled to be placed on the citizens' roll.

The joint occupiers or lodgers who shall be so entitled shall be determined by a majority of the occupiers or lodgers, evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or failing such agreement, according to the alphabetical order of the surnames of the occupiers or lodgers.

Where citizen has more than one qualification under subsection (a).

(4) Provided also that any person having a qualification mentioned in subsection (a) shall not be entitled to have his name placed on the roll for any ward in virtue of any other qualification under subsection (b) or subsection (c) which he may possess; but he shall be entitled to have his name placed on the roll for every ward in which he is qualified under the said subsection (a) by virtue of his ownership or lesseeship of property in that ward.

Under subsections (b) or (c).

(5) Provided, further, that any person having more than one qualification under subsection (b) or subsection (c), or under both those subsections, shall be only entitled to have his name placed on the roll for one ward; and he may by notice in writing given to the chamber magistrate of the Central Police Court choose the roll on which his name shall be placed, and if he does not make such choice before the expiration of the time prescribed for making out the lists of citizens, the chamber magistrate aforesaid shall make such choice:

Provided further, that any person having a qualification mentioned in subsection (a) as an owner of property shall, before voting
at

Sydney Corporation (Amending).

at any election, make and subscribe a declaration before the presiding officer stating that he is the beneficial owner, or manager, or trustee for the beneficial owner, of the property for which his name is placed upon the roll:

Provided further that before any person claiming to vote under subsections (b) or (c) shall be permitted to vote, such person shall make and subscribe before the presiding officer a declaration in the form contained in Schedule Two to this Act.

(6) Any person who shall wilfully make a false declaration under this section shall be guilty of a misdemeanour. Making false declaration.

Lists and rolls of citizens.

6. On or before the first day of September in every year the stipendiary magistrates, and the acting and deputy stipendiary magistrates, of the metropolitan police district, or any three of such magistrates, shall appoint members of the police force as collectors for each ward of the city, and every such collector shall, before entering on his duties, make and subscribe a declaration before a justice in the form of Schedule Three, which declaration shall be kept as a record in the Central Police Court. Appointment of collectors.

Such magistrates or any three of them shall also appoint clerks of the revision courts to be held for that year under this Act.

7. Notwithstanding anything in section six the appointment of collectors for each ward of the city for the year one thousand nine hundred may be made as soon as practicable after the commencement of this Act. Appointment of collectors for 1900.

8. The collectors appointed for each such ward shall, in the month of September in every year, make out a list arranged in the alphabetical order of the surnames of the persons who on inquiry such collectors consider are entitled to have their names placed on the roll for such ward, and shall deliver such list to the chamber magistrate of the Central Police Court. Collectors to make out list.

The said chamber magistrate shall forthwith on receipt of any such list cause it to be printed, and shall supply copies at a reasonable price to any person requiring the same, and shall cause a copy to be affixed on every Court of Petty Sessions in the city, and at some convenient place in each ward where there may be no Court of Petty Sessions.

The town clerk shall procure a copy of such list and cause it to be posted at the Town Hall.

9. The said lists shall contain the names and qualifications of all persons qualified to vote, alphabetically arranged according to the form in Schedule Four, and shall be signed by the chamber magistrate, and exhibited at the places provided for under the last preceding section

Sydney Corporation (Amending).

section from the first to the fifteenth day of October in each year. Twice at least during such time the town clerk shall cause notice to be published in two daily papers of such lists being so open to inspection.

Notices of claims and objections.

10. At any time after the list for any ward has been made out, and before the fifteenth day of October in any year, any person whose name is not on such list may by notice in writing given by him or by some person on his behalf to the chamber magistrate of the Central Police Court make claim in the form of Schedule Five to have his name inserted in such list; and during the said period any person may by notice in writing given by him as aforesaid in the form of Schedule Six object to the name of any person being retained on such list.

As soon as possible after the said fifteenth day of October, the said chamber magistrate shall cause to be arranged in the alphabetical order of their surnames and printed in a paper the names of the persons so claiming, and shall cause to be arranged as aforesaid and printed in another paper the names of the persons so objected to, and shall supply copies at a reasonable price to any person requiring the same, and shall cause copies of such papers to be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed and shall keep them so affixed until the roll for the ward has been prepared.

Revision courts to be held.

11. Between the fifteenth day of October and the fifteenth day of November revision courts for revising the lists for the wards of the city shall be held at such places within the city as the stipendiary magistrates and deputy and acting stipendiary magistrates of the Metropolitan Police Court or any three of them may prescribe by notification in the Gazette and one or more of the metropolitan papers; and a copy of such notification shall be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed.

Each such revision court shall be an open court, and shall be constituted by one or more of such magistrates.

Procedure at revision courts.

12. (1) The chamber magistrate of the Central Police Court shall at the opening of any such revision court produce the list for the ward and copies of the papers containing the names of the persons claiming to be inserted in the list and of the persons objected to.

Correction of list.

- (2) The magistrate presiding at any such revision court—
- (a) shall remove from the list the name of every person proved to be dead, whether objection has or has not been made under this Act;
 - (b) shall remove from the list the name of every person objected to in pursuance of this Act on the appearance of the person so objecting, or his agent or advocate, and on proof that the person whose name is on the list has not the qualification entitling him to be placed on the roll for the ward;

(c)

Sydney Corporation (Amending).

- (c) shall insert in the list the name of every person claiming in pursuance of this Act, on proof that he has the qualification aforesaid; and
- (d) shall correct all errors and supply all omissions in such list as to the names, descriptions, and qualifications under this Act of any persons.

(3) The magistrate so presiding shall, in open court, write his initials against any addition to or alteration of the list made as aforesaid. Initialling alterations.

13. The magistrate presiding as aforesaid shall cause a fair copy to be made of the list as altered or added to in the revision court, and after certifying to the correctness of the same, shall forward it to the town clerk, and such copy shall be the roll for the ward until a new roll is prepared, and shall be prima facie evidence that the roll has been duly made and of the correctness of the contents thereof. Roll to be certified.

14. (1) A revision court shall have power to hear, receive, and examine evidence, and by summons under the hand of the revision clerk to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the court all such books and papers in their possession or under their control as may appear necessary for the purpose of their examination; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said court, refuses without such excuse to take an oath or affirmation, or having taken such oath or affirmation, to answer the questions put to him, may be dealt with in all respects as a person refusing or neglecting to appear or to take an oath or affirmation, or to give evidence before a Court of Petty Sessions. Power of revision court to examine evidence.

(2) If it appears to a revision court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim or objection, such court may order the payment by such person of any sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim or objection. Any sum so ordered to be paid may, if not paid within the time specified in the order, be recovered before any Court of Petty Sessions in the city by the person named in the order as being entitled thereto. Frivolous claims or objections.

(3) A revision court may adjourn from time to time, and if one hour after the time appointed for the holding of the court the magistrate is not present the revision clerk may adjourn such court to another hour or day: Provided that no such court shall be adjourned for more than three days at a time until the revision of the list then before it is completed. Adjournment of court.

Constitution of council.

15. The municipal council of the city of Sydney shall, after the first election under this Act of a mayor and aldermen, consist of a mayor and aldermen, elected in pursuance of this Act. Constitution of municipal council.

Retirement

Sydney Corporation (Amending).

Retirement and election of mayor and aldermen, and appointment of auditors.

Retirement and
election of aldermen.

16. On the first day of December, one thousand nine hundred, and on the first day of December in every second year thereafter, there shall be an election of aldermen of the city; and on such election being held, the aldermen then in office shall retire, but may, at such election, be re-elected, if otherwise qualified.

Any male person on the roll for any ward of the city shall be qualified to be elected as alderman.

Election of mayor.

17. On the ninth day of December in every year the aldermen shall assemble at the Town Hall for the purpose of electing one of their own number to be mayor of the city for the forthcoming year. The mayor shall enter into office on the first day of January next following his election, and shall hold office until the thirty-first day of December following, and shall be eligible for re-election if still qualified.

Auditors.

18. On the first day of December, one thousand nine hundred, the auditors then in office shall retire, and from that day the powers and duties of the auditors as prescribed by the Principal Act and any Act amending the same may be exercised, and shall be performed by such two or more Treasury inspectors as the Colonial Treasurer may from time to time appoint in that behalf.

After the commencement of this Act, no election to the office of auditor shall be held, and the provisions of the Principal Act and any Act amending the same relating to such election are hereby repealed.

Election of
aldermen.

19. There shall be two aldermen for each ward, who shall be elected by the persons on the roll for such ward. The proceedings in, and in connection with such election, shall be in accordance with the provisions of the Principal Act and any Acts amending the same, including this Act, and it shall not be lawful for any candidate, either by himself or his agent, to expend more than fifty pounds in connection with such election, and the details of such expenditure verified by statutory declaration shall be furnished to the town clerk within seven days after the holding of an election.

Election expenses—
Penalty.

20. Any candidate who shall spend more than the said fifty pounds in connection with any such election or shall fail to furnish the details of his expenditure within the time limited in the last preceding section shall be liable to a penalty of twenty pounds, to be recovered in a summary manner in any court of competent jurisdiction, and if elected such election shall be void.

The returning officer.

21. The returning officer for the election of aldermen shall be the town clerk or such other citizen as the Governor may appoint in that behalf, by notification in the Gazette and one or more metropolitan papers; and, notwithstanding the provisions of the Principal Act, all
nominations

Sydney Corporation (Amending).

nominations to the office of alderman shall be made to the returning officer. Such returning officer shall, after ascertaining the result of any such election, report the same to the outgoing mayor, who shall declare, in the manner prescribed by the Principal Act with regard to the election of aldermen, the result of any such election.

The returning officer shall appoint, in writing under his hand, presiding officers to conduct such elections within the respective wards of the city, and if any such officer is prevented from attending by unavoidable accident, a substitute with like powers may be appointed in the same manner.

22. The voting at every election shall commence at eight Hours of voting. o'clock in the morning and shall finally close at six o'clock in the afternoon of the same day, unless adjourned as provided in the Principal Act.

23. At every election of aldermen, every voter shall vote for Mode of voting. the full number of aldermen to be elected for the ward, otherwise the vote shall be rejected as informal.

24. The provisions of sections one hundred and thirteen to one Penalties for hundred and eighteen inclusive, and of section one hundred and twenty bribing, intimidation, of the Parliamentary Electorates and Elections Act of 1893 shall &c. mutatis mutandis apply to all elections held under this Act, and the commission of any of the acts mentioned in the said sections shall render void the election of the person committing such act either by himself or by an agent, and when committed with his knowledge and consent, shall disqualify him from holding or acting in any municipal office during the period of two years next following such commission.

Expenses.

25. Any expenses incurred in or in connection with the making Expenses of lists and out and revising of the lists and printing of the lists and rolls and the rolls and elections. election of aldermen shall be paid by the council out of the city fund.

Resumption.

26. (1) It shall be lawful for the council from time to time, Resumption of land in pursuance of the provisions hereinafter mentioned, without further for municipal or other authority than this Act, to resume any lands (not being land purposes. the property of the Crown), which may be required for the opening of new streets or public places, and the widening or enlarging of streets or public places in the city. If portion only of any parcel of land is so resumed, and if the owner of such parcel of land requires the council to resume the remainder thereof along with the other land required for the purposes of this Act, the council shall resume the same accordingly. For the purposes aforesaid, the council shall have power by their officers or servants to enter upon and survey any lands within their jurisdiction.

(2)

Sydney Corporation (Amending).

- Notice of resumption. (2) The council shall cause a notice of the resumption of any land required by them for the purposes of this Act, together with a plan or diagram of the area required, to be served on the owners of such land, and a copy of such plan or diagram shall be deposited with the chief surveyor at the Department of Lands, Sydney.
- Vesting of land. (3) Upon the service of such notice and plan, the land therein described shall for the purposes, and subject to the provisions of this Act, be vested in the council for an absolute estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.
- Compensation. (4) The owner of any portion of land resumed, or the person who, but for the provisions of this Act, would have been such owner, shall be entitled to receive compensation for the land so resumed, and the amount of such compensation shall be ascertained in accordance with the provisions of the Lands for Public Purposes Acquisition Acts, being the Acts of the forty-fourth Victoria number sixteen, and forty-fifth Victoria number twenty-six. For the purpose of ascertaining and dealing with such compensation, and for other purposes subsidiary thereto, the enactments hereinafter specified are declared to be incorporated with this Act, viz. :—
- (a) As to conversion of the estates of owners of lands into a claim to compensation,—Section eleven of the Act forty-fourth Victoria number sixteen.
 - (b) As to notice of claim for compensation and abstract of title,—Section twelve of the Act forty-fourth Victoria number sixteen, and First Schedule thereto.
 - (c) As to procedure after receipt of notice of claim, and the institution of proceedings in the Supreme Court,—Sections thirteen and fourteen of the Act forty-fourth Victoria number sixteen.
 - (d) As to the nature of the issue in actions for compensation, verdict and costs, the payment of compensation, the mode of assessing compensation, and the obligation of the party claiming payment to make out a title,—Section sixteen of the Act forty-fourth Victoria number sixteen, section two of the Act forty-fifth Victoria number twenty-six, and section twenty-four of the Public Works Act of 1888: Provided that the interest mentioned in the said section sixteen shall be at the rate of four per centum per annum from the date of service of the notice of resumption, and that the payments therein mentioned shall be made out of the city fund by drafts signed by the mayor and city treasurer.
 - (e) As to procedure on registration or transfer—section twenty-four of the Act forty-fourth Victoria number sixteen.

And

Sydney Corporation (Amending).

And in order to carry out the intention of this section, the words "this Act" whensoever occurring in any of the sections so declared to be incorporated herewith, shall be held to include this present Act, and the words "under the sixth section of this Act" in section twenty-four of the Act forty-fourth Victoria number sixteen shall be held, for the like purpose to refer to the present section of this Act; and there shall be substituted for the words "Minister" and "Crown Solicitor" wherever occurring in the said sections the words "mayor" and "city solicitor" respectively.

(5) The several sections of the Public Works Act of 1888, Incorporation of provisions of Public Works Act. hereinafter specified, together with the respective powers, authorities, duties, liabilities, obligations, and other the provisions therein contained, are hereby declared to be incorporated with, and embodied in this Act to the intent that the same may be applied as fully and effectually to, and in respect of, the lands resumed under this Act as if the said sections had been specifically enacted herein: Provided that, wheresoever in any section so incorporated the words "Constructing Authority" occur, there shall, for the purposes of this Act, be substituted in lieu of such words, the expression "council;" the expression "authorised work," wheresoever occurring in any such section shall be held to refer to the work authorised by this Act; and the words "this Act" shall similarly be held to refer to "this present Act." The following are the sections of the said Public Works Act so declared to be incorporated herewith—

- (a) As to the deposit of compensation money in certain cases with the master in equity, and the application and investment thereof; as to payment of such money in certain cases to trustees, or to the parties themselves, the exoneration of the Constructing Authority in respect thereof after payment, the presumption of ownership, and the payment of costs,—Sections sixty-two to seventy-two, both inclusive.
- (b) As to the procedure by the constructing authority in case the owner or occupier of any lands resumed under this Act refuses to give up possession thereof, or hinders the constructing authority from entering upon, or taking possession of the same,—Section seventy-seven.
- (c) As to the purchase or redemption of the interests of mortgagees, and the deposit of principal and interest due on mortgages with the master in equity, the procedure to be observed when the mortgaged lands are of less value than the mortgage debt, and where part only of lands in mortgage is taken,—Sections eighty-one to eighty-six, both inclusive.
- (d) As to the release of lands from rent charges and other incumbrances, and the procedure thereon,—Sections eighty-seven to ninety, both inclusive.

(e) —

Sydney Corporation (Amending).

(e) As to the apportionment of rent where lands so resumed are taken under lease, and as to compensation to tenants,— Sections ninety-one to ninety-four, both inclusive.

Power to purchase lands.

27. In addition to the power of resuming land conferred by the last preceding section the council may purchase from any person who may be willing to sell the same in fee simple, or for any less estate or interest, any land which the council may require for any of the purposes in that section mentioned.

Sale or lease of superfluous lands.

28. The council may contract for and sell or lease for such considerations as they may deem reasonable, and by any deed under their corporate seal may convey to the purchasers or lessees thereof, any superfluous lands or any estate or interest of the council in such lands, or any part thereof, in such manner as they may deem most advantageous; and such contracts, sales, leases, and conveyances from the council shall be valid and effectual to all intents and purposes; and the money produced by all such sales or leases shall be carried to and form part of the city fund.

Appointment of inspector of nuisances or sanitary inspector.

Appointment of inspector of nuisances or sanitary inspector.

29. The council may nominate any person or persons for the position of inspector of nuisances or sanitary inspector of the city, and the Governor may appoint any person so nominated at such salary as he thinks fit. On such appointment being so made one half of such salary shall be payable out of the Consolidated Revenue Fund and one half by the council.

SCHEDULES.

SCHEDULE ONE.

Schedule 1.
Section 2.

Number of Act.	Title.	Extent of repeal.
43 Vic. No. 3 ...	Sydney Corporation Act of 1879	Section 5 so far as it divides the city into wards; sections 6, 7, 9, 10, 12, 16, 20, 24, 32, and 33, and the unrepealed enactments of section 8.
51 Vic. No. 23...	Sydney Corporation Act Amendment Act, 1887.	The whole.

Sydney Corporation (Amending).

SCHEDULE TWO.

Schedule 2.
Section 5.

Voter's declaration.

Voter's number .

I, A.B., do solemnly declare that I am the person named in the Roll now in force for the Ward of the City of Sydney, my name being numbered therein as in the margin hereto; that I have not already voted in this Ward at this election; and that I have still the qualification mentioned in the said Roll.

A.B.

Made and subscribed before me this day of , 19 .
C.D. Presiding Officer.

SCHEDULE THREE.

Schedule 3.
Section 7.

Declaration by collector.

I, , do hereby solemnly declare that having accepted the employment of a collector for the ward of the city of Sydney, I will faithfully perform the duties of that employment to the best of my knowledge and ability, according to the provisions of the Sydney Corporation (Amending) Act, 1900, and I will not insert in any list the name of any person whom I shall know or believe not to be entitled by the said Act to have his name entered on the roll for such ward; nor will I omit from any such list the name of any person whom I shall know or believe to be so entitled.

Declared before me, this day of , 19 .
Justice of the Peace.

SCHEDULE FOUR.

WARD.

List of citizens for the year

Number in rate-book.	Number.	Christian and surname and residence.	Nature of qualification.

SCHEDULE FIVE.

Schedule 5.
Section 7.

Notice of claim.

To the chamber magistrate of the Central Police Court,—

THIS is to give notice that [state christian name and surname in full] of [state residence and occupation], claims to have his name inserted in the citizens' roll for the ward of the city of Sydney.

Dated this day of , 19 .

(Signature of claimant, or where claim is made by any person on behalf of a claimant, signature of that person, with his residence and occupation, and with a statement that he makes the claim on behalf of the claimant.)

SCHEDULE

Act No. 30, 1900.

Sydney Corporation (Amending).

SCHEDULE SIX.

Notice of objection.

To the chamber magistrate of the Central Police Court,—

I **HEREBY** object to the name of _____, described as _____ upon the list for the ward of the city of Sydney being retained on such list.

Dated this _____ day of _____, 19 .

(Signature with residence and occupation.)

By virtue of a Deputation from His Excellency the Right Honorable Earl Beauchamp, K.C.M.G., Governor of New South Wales, in the name and on the behalf of Her Majesty I assent to this Act.

Government House,
Sydney, 3rd October, 1900.

FREDK. M. DARLEY,
Lieutenant-Governor.

SYDNEY CORPORATION (AMENDING) BILL.

SCHEDULE showing the Legislative Assembly's Disagreements from the Legislative Council's Amendments, referred to in Message of 11th September, 1900.

F. W. WEBB,
Clerk of the Legislative Assembly.

Page 4, clause 5. *Re-insert* subsection (c)

Page 4, clause 5, lines 10 and 11. *Omit*—

(2) For the purposes of this Act the word "female" shall include married women.

Page 4, clause 5, line 13. *Re-insert* "or a joint occupation as a lodger under subsection (c)"

Page 4, clause 5, line 16. *Re-insert* "under subsection (b)"

Page 4, clause 5, lines 17 and 18. *Re-insert* "or unless such lodgings are of the clear yearly value of twenty pounds or upwards"

Page 4, clause 5, line 18. *Re-insert* "cases" *omit* "case"

Page 4, clause 5, line 19. *Re-insert* "or lodgers"

Page 4, clause 5, line 22. *Re-insert* "or lodgers"

Page 4, clause 5, line 23. *Re-insert* "or lodgers"

Page 4, clause 5, line 28. *Re-insert* "or lodgers"

Page 4, clause 5, line 32. *Re-insert* "or subsection (c)"

Page 4, clause 5, lines 37 and 38. *Re-insert* "or subsection (c), or under both those subsections"

Page 5, clause 5, line 6. *Re-insert* subsections (b) or (c) *omit* subsection (b)

Page 8, clause 14: 16, line 8. *Re-insert* "the mayor and"

Page 8, clause 14: 16, line 9. *Re-insert* "mayor and"

Page 8, clause 14: 16, line 12. *Re-insert* "mayor or"

Page 8, clause 15. *Re-insert* clause 15.

Page 9, clause 17. *Omit* clause 17.

Page 9, clause 17: 19, line 29. *Re-insert*—

"But if the person elected alderman is at the same election elected mayor, the nomination and election of such person to the office of alderman shall be void, and the result of such election shall be as if such person had not been so nominated: Provided that the candidate then second on the poll shall have received at least one-half the number of votes polled by the candidate then first on the poll; if such votes be not polled, or in the event of only two persons being nominated, the vacancy shall be treated as an extraordinary vacancy under the Principal Act."

Page 9, clause ~~19~~: 21, line 44. *Re-insert* "a mayor and"

Page 10, clause ~~22~~: 25, line 33. *Re-insert* "a mayor or of"

STATUTE OF THE STATE OF TEXAS

SECTION 1. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

J. W. WORTH
Governor of the State of Texas

SECTION 2. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

SECTION 3. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

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SECTION 5. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

SECTION 6. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

SECTION 7. The Board of Directors of the State Board of Education shall have the honor to certify to the Governor the names of the members of the Board of Directors of the State Board of Education for the year ending on the 31st day of December next.

SYDNEY CORPORATION (AMENDING) BILL.

SCHEDULE showing the Legislative Assembly's Disagreements from the Legislative Council's Amendments, referred to in Message of 11th September, 1900.

F. W. WEBB,
Clerk of the Legislative Assembly.

- Page 4, clause 5. *Re-insert* subsection (c)
Page 4, clause 5, lines 10 and 11. *Omit*—
(2) For the purposes of this Act the word "female" shall include married women.
Page 4, clause 5, line 13. *Re-insert* " or a joint occupation as a lodger under sub-section (c) "
Page 4, clause 5, line 16. *Re-insert* " under subsection (b) "
Page 4, clause 5, lines 17 and 18. *Re-insert* " or unless such lodgings are of the " clear yearly value of twenty pounds or upwards "
Page 4, clause 5, line 18. *Re-insert* " cases " omit " case "
Page 4, clause 5, line 19. *Re-insert* " or lodgers "
Page 4, clause 5, line 22. *Re-insert* " or lodgers "
Page 4, clause 5, line 23. *Re-insert* " or lodgers "
Page 4, clause 5, line 28. *Re-insert* " or lodgers "
Page 4, clause 5, line 32. *Re-insert* " or subsection (c) "
Page 4, clause 5, lines 37 and 38. *Re-insert* " or subsection (c), or under both those " subsections "
Page 5, clause 5, line 6. *Re-insert* subsections (b) or (c) omit subsection (b)
Page 8, clause 14. 16, line 8. *Re-insert* " the mayor and "
Page 8, clause 14. 16, line 9. *Re-insert* " mayor and "
Page 8, clause 14. 16, line 12. *Re-insert* " mayor or "
Page 8, clause 15. *Re-insert* clause 15.
Page 9, clause 17. *Omit* clause 17.
Page 9, clause 17. 19, line 29. *Re-insert*—
" But if the person elected alderman is at the same election elected mayor, " the nomination and election of such person to the office of alderman shall be " void, and the result of such election shall be as if such person had not been so " nominated: Provided that the candidate then second on the poll shall have " received at least one-half the number of votes polled by the candidate then first on " the poll; if such votes be not polled, or in the event of only two persons being " nominated, the vacancy shall be treated as an extraordinary vacancy under the " Principal Act."
Page 9, clause 19. 21, line 44. *Re-insert* " a mayor and "
Page 10, clause 22. 25, line 33. *Re-insert* " a mayor or of "

SYDNEY CORPORATION (AMENDMENT)

Section 10 of the Sydney Corporation Act 1906 is amended as follows:

E. W. WYLLIE
Clerk of the Legislative Assembly

Section 10 of the Sydney Corporation Act 1906 is amended as follows:

(1) In the definition of "land" the words "land" shall include

any land which is used for the purposes of a public utility

or for the purposes of a public service

or for the purposes of a public work

or for the purposes of a public building

or for the purposes of a public institution

or for the purposes of a public office

or for the purposes of a public library

or for the purposes of a public museum

or for the purposes of a public park

or for the purposes of a public garden

or for the purposes of a public recreation ground

or for the purposes of a public sports ground

or for the purposes of a public swimming bath

or for the purposes of a public cinema

or for the purposes of a public theatre

or for the purposes of a public concert hall

or for the purposes of a public lecture hall

or for the purposes of a public library

or for the purposes of a public museum

or for the purposes of a public park

or for the purposes of a public garden

or for the purposes of a public recreation ground

SYDNEY CORPORATION (AMENDING) BILL.

SCHEDULE of the Amendments referred to in Message of 5th September, 1900.

- Page 2, clause 3, line 20. *After* "city" *insert* "which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards"
- Page 2, clause 3. At end of clause *add* "which areas shall be known as Bligh, Flinders, Denison, and Pyrmont Wards"
- Page 2, clause 5, line 40. *After* "natural-born" *insert* "or naturalised"
- Page 2, clause 5, line 41. *Omit* "or naturalised person"
- Page 3, clause 5, line 15. *After* "leaseholders" *insert* "In the case of properties owned by public companies, or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust, shall be so enrolled"
- Page 3, clause 5, line 24. *After* "natural-born" *insert* "or naturalised"
- Page 3, clause 5, line 25. *Omit* "or naturalised person"
- Page 3, clause 5, line 40. *After* "ward" *insert* "In the case of properties occupied by public companies, or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled"
- Page 4, clause 5. *Omit* Paragraph (c)
- Page 4, clause 5. *After* subsection (1) *insert* new subsection (2)
- Page 4, clause 5, line 13. *Omit* "or a joint occupation as a lodger under subsection (c)"
- Page 4, clause 5, line 14. *Omit* "or joint lodgers"
- Page 4, clause 5, line 16. *Omit* "under subsection (b)"
- Page 4, clause 5, lines 17 and 18. *Omit* "or unless such lodgings are of the clear yearly value of twenty pounds or upwards"
- Page 4, clause 5, line 18. *Omit* "cases" *insert* "case"
- Page 4, clause 5, line 19. *Omit* "or lodgers"
- Page 4, clause 5, line 22. *Omit* "or lodgers"
- Page 4, clause 5, line 23. *Omit* "or lodgers"
- Page 4, clause 5, line 28. *Omit* "or lodgers"
- Page 4, clause 5, line 32. *Omit* "or subsection (c)"
- Page 4, clause 5, lines 37 and 38. *Omit* "or subsection (c) or under both those subsections"
- Page 5, clause 5, line 1. *Omit* "a statutory declaration" *insert* "and subscribe a declaration before the presiding officer"
- Page 5, clause 5, line 2. *After* "owner" *insert* "or manager or trustee for the beneficial owner"
- Page 5, clause 5, line 6. *Omit* "subsections (b) or (c)" *insert* "subsection (b)"
- Page 5, clause 5, line 8. *After* "Act" *omit* remainder of clause.
- Page 5, clause 5. At end of clause *add* new subsection (6)
- Page 5. *After* clause 6 *insert* new clause 7
- Page 5, clause 7, 8, lines 37 and 38. *Omit* "and kept so affixed until the roll for the ward has been prepared" *insert* "and at some convenient place in each ward where there may be no Court of Petty Sessions"
- Page 5. *After* clause 7, 8, *insert* new clause 9
- Page 6, clause 8, 10, line 10. *Omit* "Four" *insert* "Five"
- Page 6, clause 8, 10, line 13. *Omit* "Five" *insert* "Six"
- Page 6, clause 8, 10, line 21. *Omit* "house" *insert* "of Petty Sessions"

- Page 6, clause ~~8~~ **10**, line 21. *After* "city" *insert* "and at such places in each ward where the lists
" have been affixed "
- Page 6, clause ~~9~~ **11**, line 31. *After* "city" *insert* "and at such places in each ward where the lists
" have been affixed "
- Page 7, clause ~~12~~ **14**, line 36. *After* "sessions" *insert* "in the city "
- Page 8, clause ~~13~~ **15**, line 4. *Omit* "twenty-four "
- Page 8, clause ~~14~~ **16**, line 8. *Omit* "the mayor and "
- Page 8, clause ~~14~~ **16**, line 9. *Omit* "mayor and "
- Page 8, clause ~~14~~ **16**, line 12. *Omit* "mayor or "
- Pages 8, clause 15. *Omit* clause 15 *insert* new clause **17**
- Page 9 clause ~~17~~ **19**, lines 19 to 21. *Omit* "and each such person shall give as many votes as there are
" aldermen to be elected. And "
- Page 9, clause ~~17~~ **19**, line 24. *Omit* "alderman" *insert* "candidate "
- Page 9, clause ~~17~~ **19**, line 26. *Before* "expenditure" *insert* "such "
- Page 9, clause ~~17~~ **19**, line 26. *After* "expenditure" *insert* "verified by statutory declaration "
- Page 9, clause ~~17~~ **19**, line 28. *After* "election" *omit* remainder of clause.
- Page 9, clause ~~18~~ **20**, line 39. *After* "election" *insert* "or shall fail to furnish the details of his
" expenditure within the time limited in the last preceding section "
- Page 9, clause ~~19~~ **21**, line 44. *Omit* "a mayor and "
- Page 9, clause ~~19~~ **21**, line 45. *Omit* "such member of the council or other person" *insert* "the town
" clerk or such other citizen "
- Page 10. *After* clause ~~20~~ **22**, *insert* new clause **23**
- Page 10, clause ~~22~~ **25**, line 33. *Omit* "a mayor or of "
- Page 10, clause ~~23~~ **26**, lines 39 and 40. *Omit* "municipal purposes including "
- Pages 10 and 11, clause ~~23~~ **26**, lines 42 to 1. *Omit* "including the whole of any land of which part is
" required for the said purposes. The council shall have power to enter upon and survey any
" lands within their jurisdiction" *insert* "If portion only of any parcel of land is so resumed
" and if the owner of such parcel of land requires the council to resume the remainder
" thereof along with the other land required for the purposes of this Act, the council
" shall resume the same accordingly. For the purposes aforesaid, the council shall have
" power by their officers or servants to enter upon and survey any lands within
" their jurisdiction "
- Page 12, clause ~~23~~ **26**, line 36. *Omit* "Minister" *insert* "Constructing Authority "
- Page 14, Schedule One, line 5. *After* "6" *insert* "7 "
- Page 14, Schedule One, line 6. *Omit* "11 "
- Page 14, Schedule One, line 6. *After* "24" *insert* "32 "
- Page 14, Schedule One, line 9. *Omit* "Sections 1, 2, 3, and 5," *insert* "The whole "
- Page 14. *After* Schedule Three *insert* new Schedule **Four**.

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, 14 August, 1900.* }

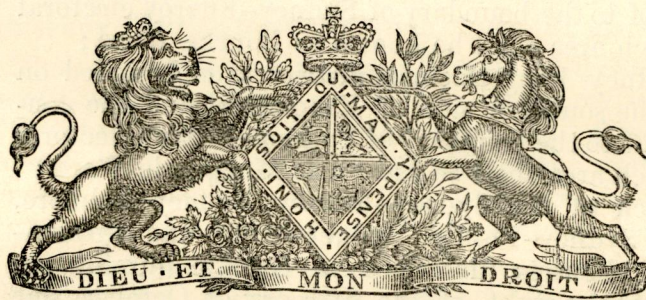
F. W. WEBB,
Clerk of the Legislative Assembly.

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

*Legislative Council Chamber,
Sydney, 5th September, 1900.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. , 1900.

An Act to make further and better provision as to the Municipal Government of the City of Sydney, and to amend the Sydney Corporation Act of 1879 and the Acts amending the same.

BE it 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:—

5

Preliminary.

1. This Act shall be construed with the Sydney Corporation Act of 1879, hereafter called the Principal Act, and the Sydney Corporation Act Amendment Act, 1887, and may be cited as the "Sydney Corporation (Amending) Act, 1900." Incorporation and short title.

10

2. The Acts mentioned in Schedule One are, to the extent therein mentioned, hereby repealed: Repeal.

127—A

Provided

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Sydney Corporation (Amending).

Provided that, until the first election of a mayor and aldermen under this Act, the council shall be as constituted at the commencement of this Act.

Wards of the city.

5 **3.** The city shall be divided into twelve wards, as hereunder described—

10 (a) so much of Sydney-King electoral district as is bounded on the south by the northern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Bourke Ward ;

15 (b) so much of Sydney-King electoral district as is bounded on the north by the southern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Macquarie Ward ;

20 (c) so much of each of the Sydney-Fitzroy, Sydney-Belmore, Sydney-Cook, Sydney-Phillip, Sydney-Lang, and Sydney-Gipps electoral districts (described in Gazette number six hundred and eighty-eight, of the fifth day of October, one thousand eight hundred and ninety-three) as is included within the boundaries of the city, which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards ; and

25 (d) so much of each of the Sydney-Bligh, Sydney-Flinders, Sydney-Denison, and Sydney-Pymont electoral districts (described in the Gazette aforesaid) as is included within the boundaries of the city, together with so much of the city as is outside of and adjoining each of the said electoral districts and is not included within any other Sydney electoral district described as aforesaid, which areas shall be known as Bligh, Flinders, Denison, and Pymont Wards.

30 **4.** Every purchaser of ratable property situate within the city shall, within ninety days after the completion of his purchase, give or cause to be given written notice thereof to the council, stating his name and address, and on failure to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds.

Purchaser of ratable property to give notice.

Qualifications of citizens.

35 **5.** (1) The following persons, if of the age of twenty-one years or upwards, shall be entitled to be placed on the citizens' roll for any year for any ward :—

Qualifications of citizens.

40 (a) Any person, male or female, being a natural-born or naturalised British subject, or ~~naturalised person~~, who, on the first day of September of that year, is severally the owner of a freehold interest in possession of any property in that

Sydney Corporation (Amending).

that ward assessed at a yearly value of five pounds or upwards, or of a leasehold interest in any property in that ward of a yearly value of twenty-five pounds or upwards; and

5 One of the persons who are on the said day jointly the owners or leaseholders as aforesaid of any property assessed as aforesaid; and in such case the joint owner or leaseholder who is entitled to be placed on the roll shall be
10 determined by a majority of such joint owners or leaseholders evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or, failing such agreement, according to the
15 alphabetical order of the surnames of such joint owners or leaseholders. In the case of properties owned by public companies, or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their
20 own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

25 (b) Any person, male or female, being a natural-born or naturalised British subject or ~~naturalised person~~, who has been continuously during the six months next preceding the first day of September in that year in joint or several occupation of any house, warehouse, counting-house, shop, or other building, including any room or part of a house separately occupied in
30 that ward of a yearly value of ten pounds or upwards.

And where an occupier is entitled to the sole and exclusive use of any part of a house, that part shall not, for the purposes of this section, be deemed to be occupied otherwise than separately by reason only that the occupier is
35 entitled to the joint use of some other part.

But any such house, warehouse, counting-house, shop, building, room or part of a house need not be throughout the six months constituting the period of qualification under this subsection the same property, provided it is in the same
40 ward. In the case of properties occupied by public companies or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of
45 such property; or, failing such nomination, the manager or secretary

Sydney Corporation (Amending).

secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

5 (c) Any person, male or female, being a natural-born British subject or naturalised person, who as a lodger has continuously during the six months next preceding the first day of September in that year, occupied jointly or severally any lodgings in the same dwelling-house in the said ward, of a clear yearly value of ten pounds or upwards.

10 (2) For the purposes of this Act the word "female" shall include married women.

(2 3) Provided that in the case of a joint occupation under subsection (b), or ~~a joint occupation as a lodger under subsection (e)~~, ^{Provision for joint occupiers or lodgers.} as aforesaid, only one of such joint occupiers or joint lodgers shall be entitled to be placed on the roll, unless the premises jointly occupied ~~under subsection (b)~~ are of the yearly value of twenty pounds or upwards, ~~or unless such lodgings are of the clear yearly value of twenty pounds or upwards,~~ in which cases such number of the said occupiers or lodgers as, when divided into the said yearly value, gives 15 a quotient of ten pounds, with a remainder of less than ten pounds, shall be entitled to be placed on the citizens' roll.

The joint occupiers or lodgers who shall be so entitled shall be determined by a majority of the occupiers or lodgers, evidenced by agreement signed by such majority, and handed to the collector of 25 the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or failing such agreement, according to the alphabetical order of the surnames of the occupiers or lodgers.

(3 4) Provided also that any person having a qualification 30 mentioned in subsection (a) shall not be entitled to have his name placed on the roll for any ward in virtue of any other qualification under subsection (b) or ~~subsection (e)~~ which he may possess; but he shall be entitled to have his name placed on the roll for every ward in which he is qualified under the said subsection (a) by virtue of his 35 ownership or lesseeship of property in that ward.

(4 5) Provided, further, that any person having more than one qualification under subsection (b) or ~~subsection (e)~~, ^{Under subsections (b) or (e):} or ~~under both these~~ subsections, shall be only entitled to have his name placed on the roll for one ward; and he may by notice in writing given to the chamber 40 magistrate of the Central Police Court choose the roll on which his name shall be placed, and if he does not make such choice before the expiration of the time prescribed for making out the lists of citizens, the chamber magistrate aforesaid shall make such choice:

Provided further, that any person having a qualification men- 45 tioned in subsection (a) as an owner of property shall, before voting at

Sydney Corporation (Amending).

at any election, make a statutory declaration and subscribe a declaration before the presiding officer stating that he is the beneficial owner, or manager, or trustee for the beneficial owner, of the property for which his name is placed upon the roll :

5 Provided further that before any person claiming to vote under subsections (b) or (e) subsection (b) shall be permitted to vote, such person shall make and subscribe before the presiding officer a declaration in the form contained in Schedule Two to this Act, and any such person who shall wilfully make a false declaration shall be guilty of a
10 misdemeanour.

(6) Any person who shall wilfully make a false declaration **Making false declaration.**
under this section shall be guilty of a misdemeanour.

Lists and rolls of citizens.

6. On or before the first day of September in every year the **Appointment of collectors.**
15 stipendiary magistrates, and the acting and deputy stipendiary magistrates, of the metropolitan police district, or any three of such magistrates, shall appoint members of the police force as collectors for each ward of the city, and every such collector shall, before entering on his duties, make and subscribe a declaration before a justice in the
20 form of Schedule Three, which declaration shall be kept as a record in the Central Police Court.

Such magistrates or any three of them shall also appoint clerks of the revision courts to be held for that year under this Act.

7. Notwithstanding anything in section six the appointment **Appointment of collectors for 1900.**
25 of collectors for each ward of the city for the year one thousand nine hundred may be made as soon as practicable after the commencement of this Act.

7. 8. The collectors appointed for each such ward shall, in the **Collectors to make out list.**
30 month of September in every year, make out a list arranged in the alphabetical order of the surnames of the persons who on inquiry such collectors consider are entitled to have their names placed on the roll for such ward, and shall deliver such list to the chamber magistrate of the Central Police Court.

The said chamber magistrate shall forthwith on receipt of any
35 such list cause it to be printed, and shall supply copies at a reasonable price to any person requiring the same, and shall cause a copy to be affixed on every Court of Petty Sessions in the city, and kept so affixed until the roll for the ward has been prepared and at some convenient place in each ward where there may be no Court of Petty Sessions.

40 The town clerk shall procure a copy of such list and cause it to be posted at the Town Hall.

9. The said lists shall contain the names and qualifications of all persons qualified to vote, alphabetically arranged according to the form in Schedule Four, and shall be signed by the chamber magistrate,
and

Sydney Corporation (Amending).

and exhibited at the places provided for under the last preceding section from the first to the fifteenth day of October in each year. Twice at least during such time the town clerk shall cause notice to be published in two daily papers of such lists being so open to
5 inspection.

8- 10. At any time after the list for any ward has been made out, and before the fifteenth day of October in any year, any person whose name is not on such list may by notice in writing given by him or by some person on his behalf to the chamber magistrate of the Central
10 Police Court make claim in the form of Schedule ~~Four~~ Five to have his name inserted in such list; and during the said period any person may by notice in writing given by him as aforesaid in the form of Schedule
~~Five~~ Six, object to the name of any person being retained on such list.

As soon as possible after the said fifteenth day of October, the
15 said chamber magistrate shall cause to be arranged in the alphabetical order of their surnames and printed in a paper the names of the persons so claiming, and shall cause to be arranged as aforesaid and printed in another paper the names of the persons so objected to, and shall supply copies at a reasonable price to any person requiring the
20 same, and shall cause copies of such papers to be affixed on every Court-house of Petty Sessions in the city and at such places in each ward where the lists have been affixed and shall keep them so affixed until the roll for the ward has been prepared.

9- 11. Between the fifteenth day of October and the fifteenth
25 day of November revision courts for revising the lists for the wards of the city shall be held at such places within the city as the stipendiary magistrates and deputy and acting stipendiary magistrates of the Metropolitan Police Court or any three of them may prescribe by notification in the Gazette and one or more of the metropolitan
30 papers; and a copy of such notification shall be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed.

Each such revision court shall be an open court, and shall be constituted by one or more of such magistrates.

35 10- 12. (1) The chamber magistrate of the Central Police Court shall at the opening of any such revision court produce the list for the ward and copies of the papers containing the names of the persons claiming to be inserted in the list and of the persons objected to.

(2) The magistrate presiding at any such revision court—
40 (a) shall remove from the list the name of every person proved to be dead, whether objection has or has not been made under this Act;
(b) shall remove from the list the name of every person objected to in pursuance of this Act on the appearance of the person so
45 objecting, or his agent or advocate, and on proof that the person

Sydney Corporation (Amending).

person whose name is on the list has not the qualification entitling him to be placed on the roll for the ward ;

5 (c) shall insert in the list the name of every person claiming in pursuance of this Act, on proof that he has the qualification aforesaid ; and

(d) shall correct all errors and supply all omissions in such list as to the names, descriptions, and qualifications under this Act of any persons.

10 (3) The magistrate so presiding shall, in open court, write his initials against any addition to or alteration of the list made as aforesaid. Initialling alterations.

11- 13. The magistrate presiding as aforesaid shall cause a fair copy to be made of the list as altered or added to in the revision court, and after certifying to the correctness of the same, shall forward it to the town clerk, and such copy shall be the roll for the ward until a new roll is prepared, and shall be prima facie evidence that the roll has been duly made and of the correctness of the contents thereof. Roll to be certified.

12- 14. (1) A revision court shall have power to hear, receive, and examine evidence, and by summons under the hand of the revision clerk to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the court all such books and papers in their possession or under their control as may appear necessary for the purpose of their examination ; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said court, refuses without such excuse to take an oath or affirmation, or having taken such oath or affirmation, to answer the questions put to him, may be dealt with in all respects as a person refusing or neglecting to appear or to take an oath or affirmation, or to give evidence before a Court of Petty Sessions. Power of revision court to examine evidence.

30 (2) If it appears to a revision court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim or objection, such court may order the payment by such person of any sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim or objection. Any sum so ordered to be paid before any Court of Petty Sessions in the city by the person named in the order as being entitled thereto. Frivolous claims or objections.

40 (3) A revision court may adjourn from time to time, and if one hour after the time appointed for the holding of the court the magistrate is not present the revision clerk may adjourn such court to another hour or day : Provided that no such court shall be adjourned for more than three days at a time until the revision of the list then before it is completed. Adjournment of court.

*Sydney Corporation (Amending).**Constitution of council.*

13. 15. The municipal council of the city of Sydney shall, after the first election under this Act of a mayor and aldermen, consist of a mayor and ~~twenty-four~~ aldermen, elected in pursuance of this Act. Constitution of municipal council.

5 *Retirement and election of mayor, aldermen, and auditors.*

14. 16. On the first day of December, one thousand nine hundred, and on the first day of December in every second year thereafter, there shall be an election of ~~the mayor and~~ aldermen of the city; and on such election being held, the ~~mayor and~~ aldermen then in office shall retire, but may, at such election, be re-elected, if otherwise qualified. Retirement and election of mayor, aldermen, and auditors.

Any male person on the roll for any ward of the city shall be qualified to be elected as ~~mayor or~~ alderman.

15. (1) ~~The~~ mayor shall be elected by the persons on the rolls for the wards of the city, and no person shall give more than one vote at such election. Persons to elect mayor.

(2) The nomination of the mayor shall be made on or after the tenth day and until noon of the fifth day next before any election, and shall be made to the returning officer by two persons on the roll for some ward of the city. But no such nomination shall be received, and no proceedings thereon shall be taken, unless it be accompanied by a consent to such nomination signed by the person nominated. Nomination of mayor.

There shall, on the two days next before the election and on the day of election, be published under the hand of the returning officer in two daily newspapers published in the city the names and residences of each person so nominated, and the names and residences of two at least of the persons nominating him. 25

(3) If at any election of a mayor only one person is nominated, the returning officer shall so report to the outgoing mayor, and such mayor shall declare, in the manner hereinafter in this Act provided, such person to be duly elected. Election of mayor.

But if more than one person is so nominated, an election shall be held as provided in this Act.

(4) Subject to the provisions of this Act, the provisions of the Principal Act, and any Acts amending the same, applicable to the election of an auditor under those Acts (including the provisions for election upon an extraordinary vacancy) shall, as nearly as practicable, apply to the election of a mayor. Incorporation of Principal Act.

(5) The person for whom at an election there appears to be a majority of votes in all the wards collectively shall be declared elected mayor, but in case of an equality of votes the returning officer shall give a casting vote in writing. What person elected.

The result of the election shall be ascertained and declared at the time and in the manner prescribed by the Principal Act as amended by this Act in regard to the election of aldermen. 17.

Sydney Corporation (Amending).

17. On the ninth day of December in every year the aldermen ^{Election of mayor.} shall assemble at the Town Hall for the purpose of electing one of their own number to be mayor of the city for the forthcoming year. The mayor shall enter into office on the first day of January next ⁵ following his election, and shall hold office until the thirty-first day of December following, and shall be eligible for re-election if still qualified.

^{16.} 18. On the first day of December, one thousand nine hundred, ^{Election of auditors.} the auditors then in office shall retire, and from that day the powers and duties of the auditors as prescribed by the Principal Act and any ¹⁰ Act amending the same may be exercised, and shall be performed by such two or more Treasury inspectors as the Colonial Treasurer may from time to time appoint in that behalf.

After the commencement of this Act, no election to the office ¹⁵ of auditor shall be held, and the provisions of the Principal Act and any Act amending the same relating to such election are hereby repealed.

^{17.} 19. There shall be two aldermen for each ward, who shall be ^{Election of aldermen.} elected by the persons on the roll for such ward, ~~and each such person shall give as many votes as there are aldermen to be elected.~~ ²⁰ ~~And~~ The proceedings in, and in connection with such election, shall be in accordance with the provisions of the Principal Act and any Acts amending the same, including this Act, and it shall not be lawful ²⁵ for any alderman candidate, either by himself or his agent, to expend more than fifty pounds in connection with such election, and the details of such expenditure **verified by statutory declaration** shall be furnished to the town clerk within seven days after the holding of an election.

But if the person elected alderman is at the same election ³⁰ elected mayor, the nomination and election of such person to the office of alderman shall be void, and the result of such election shall be as if such person had not been so nominated: Provided that the candidate then ³⁵ second on the poll shall have received at least one-half the number of votes polled by the candidate then first on the poll; if such votes be not polled, or in the event of only two persons being nominated, the vacancy shall be treated as an extraordinary vacancy ~~under the Principal Act.~~

^{18.} 20. Any candidate who shall spend more than the said fifty ^{Election expenses—} pounds in connection with any such election ^{Penalty.} or shall fail to furnish the ⁴⁰ details of his expenditure within the time limited in the last preceding section shall be liable to a penalty of twenty pounds, to be recovered in a summary manner in any court of competent jurisdiction, and if ⁴⁵ elected such election shall be void.

^{19.} 21. The returning officer for the election of a ~~mayor and~~ ^{The returning officer.} aldermen shall be such member of the council, or other person, ⁴⁵ the town clerk

Sydney Corporation (Amending).

clerk or such other citizen as the Governor may appoint in that behalf, by notification in the Gazette and one or more metropolitan papers; and, notwithstanding the provisions of the Principal Act, all nominations to the office of alderman shall be made to the returning officer. Such returning officer shall, after ascertaining the result of any such election, report the same to the outgoing mayor, who shall declare, in the manner prescribed by the Principal Act with regard to the election of aldermen, the result of any such election.

The returning officer shall appoint, in writing under his hand, presiding officers to conduct such elections within the respective wards of the city, and if any such officer is prevented from attending by unavoidable accident, a substitute with like powers may be appointed in the same manner.

20. 22. The voting at every election shall commence at eight o'clock in the morning and shall finally close at six o'clock in the afternoon of the same day, unless adjourned as provided in the Principal Act.

23. At every election of aldermen, every voter shall vote for the full number of aldermen to be elected for the ward, otherwise the vote shall be rejected as informal.

24. 24. The provisions of sections one hundred and thirteen to one hundred and eighteen inclusive, and of section one hundred and twenty of the Parliamentary Electorates and Elections Act of 1893 shall mutatis mutandis apply to all elections held under this Act, and the commission of any of the acts mentioned in the said sections shall render void the election of the person committing such act either by himself or by an agent, and when committed with his knowledge and consent, shall disqualify him from holding or acting in any municipal office during the period of two years next following such commission.

30 *Expenses.*

22. 25. Any expenses incurred in or in connection with the making out and revising of the lists and printing of the lists and rolls and the election of a mayor or of aldermen shall be paid by the council out of the city fund.

35 *Resumption.*

23. 26. (1) It shall be lawful for the council from time to time, in pursuance of the provisions hereinafter mentioned, without further or other authority than this Act, to resume any lands (not being land the property of the Crown), which may be required for municipal purposes, including the opening of new streets or public places, and the widening or enlarging of streets or public places in the city, including the whole of any land of which part is required for the said purposes. The council shall have power to enter upon and survey any

Sydney Corporation (Amending).

~~any lands within their jurisdiction.~~ If portion only of any parcel of land is so resumed, and if the owner of such parcel of land requires the council to resume the remainder thereof along with the other land required for the purposes of this Act, the council shall resume the
5 same accordingly. For the purposes aforesaid, the council shall have power by their officers or servants to enter upon and survey any lands within their jurisdiction.

(2) The council shall cause a notice of the resumption of Notice of resumption.
any land required by them for the purposes of this Act, together with
10 a plan or diagram of the area required, to be served on the owners of such land, and a copy of such plan or diagram shall be deposited with the chief surveyor at the Department of Lands, Sydney.

(3) Upon the service of such notice and plan, the land Vesting of land.
therein described shall for the purposes, and subject to the provisions
15 of this Act, be vested in the council for an absolute estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

(4) The owner of any portion of land resumed, or the Compensation.
20 person who, but for the provisions of this Act, would have been such owner, shall be entitled to receive compensation for the land so resumed, and the amount of such compensation shall be ascertained in accordance with the provisions of the Lands for Public Purposes Acquisition Acts, being the Acts of the forty-fourth Victoria number
25 sixteen, and forty-fifth Victoria number twenty-six. For the purpose of ascertaining and dealing with such compensation, and for other purposes subsidiary thereto, the enactments hereinafter specified are declared to be incorporated with this Act, viz. :—

(a) As to conversion of the estates of owners of lands into a claim
30 to compensation,—Section eleven of the Act forty-fourth Victoria number sixteen.

(b) As to notice of claim for compensation and abstract of title,—
Section twelve of the Act forty-fourth Victoria number sixteen, and First Schedule thereto.

(c) As to procedure after receipt of notice of claim, and the
35 institution of proceedings in the Supreme Court,—Sections thirteen and fourteen of the Act forty-fourth Victoria number sixteen.

(d) As to the nature of the issue in actions for compensation,
40 verdict and costs, the payment of compensation, the mode of assessing compensation, and the obligation of the party claiming payment to make out a title,—Section sixteen of the Act forty-fourth Victoria number sixteen, section two of the Act forty-fifth Victoria number twenty-six, and section
45 twenty-four of the "Public Works Act of 1888 :—" Provided that

Sydney Corporation (Amending).

that the interest mentioned in the said section sixteen shall be at the rate of four per centum per annum from the date of service of the notice of resumption, and that the payments therein mentioned shall be made out of the city fund by drafts signed by the mayor and city treasurer.

5

(e) As to procedure on registration or transfer—section twenty-four of the Act forty-fourth Victoria number sixteen.

And in order to carry out the intention of this section, the words “this Act” whensoever occurring in any of the sections so declared to be
10 incorporated herewith, shall be held to include this present Act, and the words “under the sixth section of this Act” in section twenty-four of the Act forty-fourth Victoria number sixteen shall be held, for the like purpose to refer to the present section of this Act; and there shall be substituted for the words “Minister” and “Crown Solicitor”
15 wherever occurring in the said sections the words “mayor” and “city solicitor” respectively.

(5) The several sections of the “Public Works Act of 1888,”
hereinafter specified, together with the respective powers, authorities, duties, liabilities, obligations, and other the provisions therein contained,
20 are hereby declared to be incorporated with, and embodied in this Act to the intent that the same may be applied as fully and effectually to, and in respect of, the lands resumed under this Act as if the said sections had been specifically enacted herein: Provided that, wheresoever in any section so incorporated the words “Constructing Authority”
25 occur, there shall, for the purposes of this Act, be substituted in lieu of such words, the expression “council;” the expression “authorised work,” wheresoever occurring in any such section shall be held to refer to the work authorised by this Act; and the words “this Act” shall similarly be held to refer to “this present Act.” The
30 following are the sections of the said Public Works Act so declared to be incorporated herewith—

Incorporation of provisions of Public Works Act.

(a) As to the deposit of compensation money in certain cases with the master in equity, and the application and investment thereof; as to payment of such money in certain cases to trustees, or to the parties themselves, the exoneration of
35 the ~~Minister~~ **Constructing Authority** in respect thereof after payment, the presumption of ownership, and the payment of costs,—Sections sixty-two to seventy-two, both inclusive.

(b) As to the procedure by the constructing authority in case the owner or occupier of any lands resumed under this Act refuses
40 to give up possession thereof, or hinders the constructing authority from entering upon, or taking possession of the same,—Section seventy-seven.

(c) As to the purchase or redemption of the interests of mortgagages, and the deposit of principal and interest due on
45 mortgages

Sydney Corporation (Amending).

- mortgages with the master in equity, the procedure to be observed when the mortgaged lands are of less value than the mortgage debt, and where part only of lands in mortgage is taken,—Sections eighty-one to eighty-six, both inclusive.
- 5 (d) As to the release of lands from rent charges and other incumbrances, and the procedure thereon,—Sections eighty-seven to ninety, both inclusive.
- (e) As to the apportionment of rent where lands so resumed are taken under lease, and as to compensation to tenants,—
- 10 Sections ninety-one to ninety-four, both inclusive.
- ~~24.~~ 27. In addition to the power of resuming land conferred by the last preceding section the council may purchase from any person who may be willing to sell the same in fee simple, or for any less estate or interest, any land which the council may require for any of the
- 15 purposes in that section mentioned. Power to purchase lands.
- ~~25.~~ 28. The council may contract for and sell or lease for such considerations as they may deem reasonable, and by any deed under their corporate seal may convey to the purchasers or lessees thereof, any superfluous lands or any estate or interest of the council in such
- 20 lands, or any part thereof, in such manner as they may deem most advantageous; and such contracts, sales, leases, and conveyances from the council shall be valid and effectual to all intents and purposes; and the money produced by all such sales or leases shall be carried to and form part of the city fund. Sale or lease of superfluous lands.
- 25 *Appointment of inspector of nuisances or sanitary inspector.*
- ~~26.~~ 29. The council may nominate any person or persons for the position of inspector of nuisances or sanitary inspector of the city, and the Governor may appoint any person so nominated at such salary as he thinks fit. On such appointment being so made one half of such
- 30 salary shall be payable out of the Consolidated Revenue Fund and one half by the council. Appointment of inspector of nuisances or sanitary inspector.

Sydney Corporation (Amending).

SCHEDULES.

SCHEDULE ONE.

Schedule 1.
Section 2.

Number of Act.	Title.	Extent of repeal.
5 43 Vic. No. 3 ...	Sydney Corporation Act of 1879	Section 5 so far as it divides the city into wards; sections 6, 7, 9, 10, 11, 12, 16, 20, 24, 32, and 33, and the unrepealed enactments of section 8.
10 51 Vic. No. 23...	Sydney Corporation Act Amendment Act, 1887.	Sections 1, 2, 3, and 5. The whole.

SCHEDULE TWO.

Schedule 2
Section 5.

Voter's declaration.

Voter's number .
I, A.B., do solemnly declare that I am the person named in the Roll now in
15 force for the Ward of the City of Sydney, my name being numbered therein
as in the margin hereto; that I have not already voted in this Ward at this election;
and that I have still the qualification mentioned in the said Roll.
A.B.
20 Made and subscribed before me this day of , 19 .
C.D. Presiding Officer.

SCHEDULE THREE.

Schedule 3.
Section 7.

Declaration by collector.

I, , do hereby solemnly declare that having accepted the employment of a
collector for the ward of the city of Sydney, I will faithfully perform the
25 duties of that employment to the best of my knowledge and ability, according to the
provisions of the "Sydney Corporation (Amending) Act, 1900," and I will not insert
in any list the name of any person whom I shall know or believe not to be entitled
by the said Act to have his name entered on the roll for such ward; nor will I omit
30 from any such list the name of any person whom I shall know or believe to be so
entitled.
Declared before me, this day of , 19 .
Justice of the Peace.

SCHEDULE FOUR.

Ward.

35 List of citizens for the year .

Number in rate-book.	Number.	Christian and surname and residence.	Nature of qualification.

SCHEDULE

Sydney Corporation (Amending).

SCHEDULE ~~FOUR~~ FIVE.

Schedule 4, 5.
Section 7.

Notice of claim.

To the chamber magistrate of the Central Police Court,—

THIS is to give notice that [*state christian name and surname in full*] of [*state residence and occupation*], claims to have his name inserted in the citizens' roll for the ward of the city of Sydney.

Dated this day of , 19 .

(*Signature of claimant, or where claim is made by any person on behalf of a claimant, signature of that person, with his residence and occupation, and with a statement that he makes the claim on behalf of the claimant.*)

10

SCHEDULE ~~FIVE~~ SIX.

Notice of objection.

To the chamber magistrate of the Central Police Court,—

I HEREBY object to the name of , described as upon the list for the ward of the city of Sydney being retained on such list.

Dated this day of , 19 .

(*Signature with residence and occupation.*)

[1s. 3d.]

(Continued from page 17)

ARTICLE IV

The Board of Directors shall have the right to make and alter the by-laws of the corporation, subject to the power of the stockholders to change or repeal the same. The Board of Directors shall also have the right to fill any vacancies in the office of any officer or director, and to suspend or remove any officer or director for cause.

ARTICLE V

The Board of Directors shall have the right to elect or appoint such officers and agents as may be necessary for the management of the business of the corporation, and to determine the powers and duties of each of them. The Board of Directors shall also have the right to suspend or remove any officer or agent for cause.

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, 14 August, 1900. }*

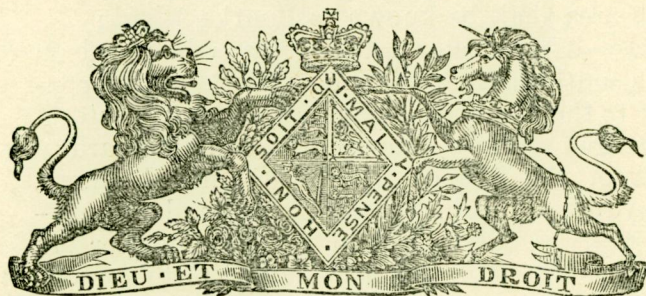
*F. W. WEBB,
Clerk of the Legislative Assembly.*

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

*Legislative Council Chamber,
Sydney, September, 1900. }*

Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. , 1900.

An Act to make further and better provision as to the Municipal Government of the City of Sydney, and to amend the Sydney Corporation Act of 1879 and the Acts amending the same.

BE it 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:—

5 *Preliminary.*

1. This Act shall be construed with the Sydney Corporation Act of 1879, hereafter called the Principal Act, and the Sydney Corporation Act Amendment Act, 1887, and may be cited as the "Sydney Corporation (Amending) Act, 1900." Incorporation and short title.

10 2. The Acts mentioned in Schedule One are, to the extent therein mentioned, hereby repealed: Repeal.

127—A

Provided

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Sydney Corporation (Amending).

Provided that, until the first election of a mayor and aldermen under this Act, the council shall be as constituted at the commencement of this Act.

Wards of the city.

5 **3.** The city shall be divided into twelve wards, as hereunder described— Wards of city.

10 (a) so much of Sydney-King electoral district as is bounded on the south by the northern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Bourke Ward ;

15 (b) so much of Sydney-King electoral district as is bounded on the north by the southern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Macquarie Ward ;

20 (c) so much of each of the Sydney-Fitzroy, Sydney-Belmore, Sydney-Cook, Sydney-Phillip, Sydney-Lang, and Sydney-Gipps electoral districts (described in Gazette number six hundred and eighty-eight, of the fifth day of October, one thousand eight hundred and ninety-three) as is included within the boundaries of the city, **which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards ;** and

25 (d) so much of each of the Sydney-Bligh, Sydney-Flinders, Sydney-Denison, and Sydney-Pyrmont electoral districts (described in the Gazette aforesaid) as is included within the boundaries of the city, together with so much of the city as is outside of and adjoining each of the said electoral districts and is not included within any other Sydney electoral district described as aforesaid, **which areas shall be known as Bligh, Flinders, Denison, and Pyrmont Wards.**

30 **4.** Every purchaser of ratable property situate within the city shall, within ninety days after the completion of his purchase, give or cause to be given written notice thereof to the council, stating his name and address, and on failure to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds. Purchaser of ratable property to give notice.

Qualifications of citizens.

5. (1) The following persons, if of the age of twenty-one years or upwards, shall be entitled to be placed on the citizens' roll for any year for any ward :— Qualifications of citizens.

40 (a) Any person, male or female, being a natural-born or naturalised British subject, ~~or naturalised person,~~ who, on the first day of September of that year, is severally the owner of a freehold interest in possession of any property in that

Sydney Corporation (Amending).

that ward assessed at a yearly value of five pounds or upwards, or of a leasehold interest in any property in that ward of a yearly value of twenty-five pounds or upwards; and

5 One of the persons who are on the said day jointly the owners or leaseholders as aforesaid of any property assessed as aforesaid; and in such case the joint owner or leaseholder who is entitled to be placed on the roll shall be determined by a majority of such joint owners or leaseholders
10 evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or, failing such agreement, according to the alphabetical order of the surnames of such joint owners or leaseholders. In the case of properties owned by public
15 companies, or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect
20 of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

(b) 25 Any person, male or female, being a natural-born or naturalised British subject ~~or naturalised person~~, who has been continuously during the six months next preceding the first day of September in that year in joint or several occupation of any house, warehouse, counting-house, shop, or other building, including any room or part of a house separately occupied in
30 that ward of a yearly value of ten pounds or upwards.

And where an occupier is entitled to the sole and exclusive use of any part of a house, that part shall not, for the purposes of this section, be deemed to be occupied otherwise than separately by reason only that the occupier is
35 entitled to the joint use of some other part.

But any such house, warehouse, counting-house, shop, building, room or part of a house need not be throughout the six months constituting the period of qualification under this subsection the same property, provided it is in the same
40 ward. In the case of properties occupied by public companies or bodies corporate, or trustees, the directors of such companies, or bodies corporate, or the trustees, shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of
45 such property; or, failing such nomination, the manager or secretary

Sydney Corporation (Amending).

secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled.

5 (c) Any person, male or female, being a natural-born British subject or naturalised person, who as a lodger has continuously during the six months next preceding the first day of September in that year, occupied jointly or severally any lodgings in the same dwelling-house in the said ward, of a clear yearly value of ten pounds or upwards.

10 (2) For the purposes of this Act the word "female" shall include married women.

(2 3) Provided that in the case of a joint occupation under subsection (b), ~~or a joint occupation as a lodger under subsection (e),~~ Provision for joint occupiers or lodgers. as aforesaid, only one of such joint occupiers or joint lodgers shall be 15 entitled to be placed on the roll, unless the premises jointly occupied under subsection (b) are of the yearly value of twenty pounds or upwards, ~~or unless such lodgings are of the clear yearly value of twenty pounds or upwards,~~ in which cases case such number of the said occupiers or lodgers as, when divided into the said yearly value, gives 20 a quotient of ten pounds, with a remainder of less than ten pounds, shall be entitled to be placed on the citizens' roll.

The joint occupiers or lodgers who shall be so entitled shall be determined by a majority of the occupiers or lodgers, evidenced by agreement signed by such majority, and handed to the collector of 25 the roll for the ward, and delivered by him with the list to the chamber magistrate of the Central Police Court, or failing such agreement, according to the alphabetical order of the surnames of the occupiers or lodgers.

(3 4) Provided also that any person having a qualification 30 mentioned in subsection (a) shall not be entitled to have his name placed on the roll for any ward in virtue of any other qualification under subsection (b) ~~or subsection (e)~~ which he may possess; but he shall be entitled to have his name placed on the roll for every ward in which he is qualified under the said subsection (a) by virtue of his 35 ownership or lesseeship of property in that ward.

(4 5) Provided, further, that any person having more than one 40 qualification under subsection (b) ~~or subsection (e), or under both these~~ Under subsections (b) or (e). subsections, shall be only entitled to have his name placed on the roll for one ward; and he may by notice in writing given to the chamber magistrate of the Central Police Court choose the roll on which his name shall be placed, and if he does not make such choice before the expiration of the time prescribed for making out the lists of citizens, the chamber magistrate aforesaid shall make such choice:

45 Provided further, that any person having a qualification mentioned in subsection (a) as an owner of property shall, before voting at

Sydney Corporation (Amending).

at any election, make a statutory declaration and subscribe a declaration before the presiding officer stating that he is the beneficial owner, or manager, or trustee for the beneficial owner, of the property for which his name is placed upon the roll :

5 Provided further that before any person claiming to vote under subsections (b) or (e) subsection (b) shall be permitted to vote, such person shall make and subscribe before the presiding officer a declaration in the form contained in Schedule Two to this Act, and any such person who shall wilfully make a false declaration shall be guilty of a
10 misdemeanour.

(6) Any person who shall wilfully make a false declaration Making false
under this section shall be guilty of a misdemeanour. declaration.

Lists and rolls of citizens.

6. On or before the first day of September in every year the
15 stipendiary magistrates, and the acting and deputy stipendiary magistrates, of the metropolitan police district, or any three of such magistrates, shall appoint members of the police force as collectors for each ward of the city, and every such collector shall, before entering
20 on his duties, make and subscribe a declaration before a justice in the form of Schedule Three, which declaration shall be kept as a record in the Central Police Court.

Such magistrates or any three of them shall also appoint clerks of the revision courts to be held for that year under this Act.

7. Notwithstanding anything in section six the appointment
25 of collectors for each ward of the city for the year one thousand nine hundred may be made as soon as practicable after the commencement of this Act. Appointment of collectors for 1900.

7. 8. The collectors appointed for each such ward shall, in the
30 month of September in every year, make out a list arranged in the alphabetical order of the surnames of the persons who on inquiry such collectors consider are entitled to have their names placed on the roll for such ward, and shall deliver such list to the chamber magistrate of the Central Police Court. Collectors to make out list.

The said chamber magistrate shall forthwith on receipt of any
35 such list cause it to be printed, and shall supply copies at a reasonable price to any person requiring the same, and shall cause a copy to be affixed on every Court of Petty Sessions in the city, and kept so affixed until the roll for the ward has been prepared and at some convenient place in each ward where there may be no Court of Petty Sessions.

40 The town clerk shall procure a copy of such list and cause it to be posted at the Town Hall.

9. The said lists shall contain the names and qualifications of all persons qualified to vote, alphabetically arranged according to the form in Schedule Four, and shall be signed by the chamber magistrate, and

Sydney Corporation (Amending).

and exhibited at the places provided for under the last preceding section from the first to the fifteenth day of October in each year. Twice at least during such time the town clerk shall cause notice to be published in two daily papers of such lists being so open to inspection.

8- 10. At any time after the list for any ward has been made out, and before the fifteenth day of October in any year, any person whose name is not on such list may by notice in writing given by him or by some person on his behalf to the chamber magistrate of the Central Police Court make claim in the form of Schedule ~~Four~~ Five to have his name inserted in such list; and during the said period any person may by notice in writing given by him as aforesaid in the form of Schedule ~~Five~~ Six, object to the name of any person being retained on such list.

As soon as possible after the said fifteenth day of October, the said chamber magistrate shall cause to be arranged in the alphabetical order of their surnames and printed in a paper the names of the persons so claiming, and shall cause to be arranged as aforesaid and printed in another paper the names of the persons so objected to, and shall supply copies at a reasonable price to any person requiring the same, and shall cause copies of such papers to be affixed on every Court-house of Petty Sessions in the city and at such places in each ward where the lists have been affixed and shall keep them so affixed until the roll for the ward has been prepared.

9- 11. Between the fifteenth day of October and the fifteenth day of November revision courts for revising the lists for the wards of the city shall be held at such places within the city as the stipendiary magistrates and deputy and acting stipendiary magistrates of the Metropolitan Police Court or any three of them may prescribe by notification in the Gazette and one or more of the metropolitan papers; and a copy of such notification shall be affixed on every Court of Petty Sessions in the city and at such places in each ward where the lists have been affixed.

Each such revision court shall be an open court, and shall be constituted by one or more of such magistrates.

10- 12. (1) The chamber magistrate of the Central Police Court shall at the opening of any such revision court produce the list for the ward and copies of the papers containing the names of the persons claiming to be inserted in the list and of the persons objected to.

(2) The magistrate presiding at any such revision court—
 (a) shall remove from the list the name of every person proved to be dead, whether objection has or has not been made under this Act;
 (b) shall remove from the list the name of every person objected to in pursuance of this Act on the appearance of the person so objecting, or his agent or advocate, and on proof that the person

Sydney Corporation (Amending).

person whose name is on the list has not the qualification entitling him to be placed on the roll for the ward ;

(c) shall insert in the list the name of every person claiming in pursuance of this Act, on proof that he has the qualification aforesaid ; and

5

(d) shall correct all errors and supply all omissions in such list as to the names, descriptions, and qualifications under this Act of any persons.

(3) The magistrate so presiding shall, in open court, write his initials against any addition to or alteration of the list made as aforesaid.

~~11.~~ 13. The magistrate presiding as aforesaid shall cause a fair copy to be made of the list as altered or added to in the revision court, and after certifying to the correctness of the same, shall forward it to the town clerk, and such copy shall be the roll for the ward until a new roll is prepared, and shall be prima facie evidence that the roll has been duly made and of the correctness of the contents thereof.

~~12.~~ 14. (1) A revision court shall have power to hear, receive, and examine evidence, and by summons under the hand of the revision clerk to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the court all such books and papers in their possession or under their control as may appear necessary for the purpose of their examination ; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said court, refuses without such excuse to take an oath or affirmation, or having taken such oath or affirmation, to answer the questions put to him, may be dealt with in all respects as a person refusing or neglecting to appear or to take an oath or affirmation, or to give evidence before a Court of Petty Sessions.

(2) If it appears to a revision court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim or objection, such court may order the payment by such person of any sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim or objection. Any sum so ordered to be paid may, if not paid within the time specified in the order, be recovered before any Court of Petty Sessions in the city by the person named in the order as being entitled thereto.

(3) A revision court may adjourn from time to time, and if one hour after the time appointed for the holding of the court the magistrate is not present the revision clerk may adjourn such court to another hour or day : Provided that no such court shall be adjourned for more than three days at a time until the revision of the list then before it is completed.

Sydney Corporation (Amending).

Constitution of council.

13. 15. The municipal council of the city of Sydney shall, after the first election under this Act of a mayor and aldermen, consist of a mayor and ~~twenty-four~~ aldermen, elected in pursuance of this Act. Constitution of municipal council.

5 *Retirement and election of mayor, aldermen, and auditors.*

14. 16. On the first day of December, one thousand nine hundred, and on the first day of December in every second year thereafter, there shall be an election of the mayor and aldermen of the city; and on such election being held, the mayor and aldermen then in office shall retire, but may, at such election, be re-elected, if otherwise qualified. Retirement and election of mayor, aldermen, and auditors.

Any male person on the roll for any ward of the city shall be qualified to be elected as mayor or alderman.

15 (1) The mayor shall be elected by the persons on the rolls for the wards of the city, and no person shall give more than one vote at such election. Persons to elect mayor.

(2) The nomination of the mayor shall be made on or after the tenth day and until noon of the fifth day next before any election, and shall be made to the returning officer by two persons on the roll for some ward of the city. But no such nomination shall be received, and no proceedings thereon shall be taken, unless it be accompanied by a consent to such nomination signed by the person nominated. Nomination of mayor.

20 There shall, on the two days next before the election and on the day of election, be published under the hand of the returning officer in two daily newspapers published in the city the names and residences of each person so nominated, and the names and residences of two at least of the persons nominating him. 25

(3) If at any election of a mayor only one person is nominated, the returning officer shall so report to the outgoing mayor, and such mayor shall declare, in the manner hereinafter in this Act provided, such person to be duly elected. Election of mayor.

30 But if more than one person is so nominated, an election shall be held as provided in this Act.

(4) Subject to the provisions of this Act, the provisions of the Principal Act, and any Acts amending the same, applicable to the election of an auditor under those Acts (including the provisions for election upon an extraordinary vacancy) shall, as nearly as practicable, apply to the election of a mayor. Incorporation of Principal Act.

(5) The person for whom at an election there appears to be a majority of votes in all the wards collectively shall be declared elected mayor, but in case of an equality of votes the returning officer shall give a casting vote in writing. What person elected.

40 The result of the election shall be ascertained and declared at the time and in the manner prescribed by the Principal Act as amended by this Act in regard to the election of aldermen. **17.**

Sydney Corporation (Amending).

17. On the ninth day of December in every year the aldermen shall assemble at the Town Hall for the purpose of electing one of their own number to be mayor of the city for the forthcoming year. The mayor shall enter into office on the first day of January next following his election, and shall hold office until the thirty-first day of December following, and shall be eligible for re-election if still qualified. Election of mayor.

16. 18. On the first day of December, one thousand nine hundred, the auditors then in office shall retire, and from that day the powers and duties of the auditors as prescribed by the Principal Act and any Act amending the same may be exercised, and shall be performed by such two or more Treasury inspectors as the Colonial Treasurer may from time to time appoint in that behalf. Election of auditors.

After the commencement of this Act, no election to the office of auditor shall be held, and the provisions of the Principal Act and any Act amending the same relating to such election are hereby repealed.

17. 19. There shall be two aldermen for each ward, who shall be elected by the persons on the roll for such ward, and each such person shall give as many votes as there are aldermen to be elected. Election of aldermen.
 And The proceedings in, and in connection with such election, shall be in accordance with the provisions of the Principal Act and any Acts amending the same, including this Act, and it shall not be lawful for any alderman candidate, either by himself or his agent, to expend more than fifty pounds in connection with such election, and the details of such expenditure verified by statutory declaration shall be furnished to the town clerk within seven days after the holding of an election.

But if the person elected alderman is at the same election elected mayor, the nomination and election of such person to the office of alderman shall be void, and the result of such election shall be as if such person had not been so nominated: Provided that the candidate then second on the poll shall have received at least one-half the number of votes polled by the candidate then first on the poll; if such votes be not polled, or in the event of only two persons being nominated, the vacancy shall be treated as an extraordinary vacancy under the Principal Act.

18. 20. Any candidate who shall spend more than the said fifty pounds in connection with any such election or shall fail to furnish the details of his expenditure within the time limited in the last preceding section shall be liable to a penalty of twenty pounds, to be recovered in a summary manner in any court of competent jurisdiction, and if elected such election shall be void. Election expenses—
Penalty.

19. 21. The returning officer for the election of a mayor and aldermen shall be such member of the council, or other person, the town clerk The returning officer.

Sydney Corporation (Amending).

clerk or such other citizen as the Governor may appoint in that behalf, by notification in the Gazette and one or more metropolitan papers; and, notwithstanding the provisions of the Principal Act, all nominations to the office of alderman shall be made to the returning officer. Such returning officer shall, after ascertaining the result of any such election, report the same to the outgoing mayor, who shall declare, in the manner prescribed by the Principal Act with regard to the election of aldermen, the result of any such election.

The returning officer shall appoint, in writing under his hand, presiding officers to conduct such elections within the respective wards of the city, and if any such officer is prevented from attending by unavoidable accident, a substitute with like powers may be appointed in the same manner.

22. The voting at every election shall commence at eight o'clock in the morning and shall finally close at six o'clock in the afternoon of the same day, unless adjourned as provided in the Principal Act.

23. At every election of aldermen, every voter shall vote for the full number of aldermen to be elected for the ward, otherwise the vote shall be rejected as informal.

24. The provisions of sections one hundred and thirteen to one hundred and eighteen inclusive, and of section one hundred and twenty of the Parliamentary Electorates and Elections Act of 1893 shall mutatis mutandis apply to all elections held under this Act, and the commission of any of the acts mentioned in the said sections shall render void the election of the person committing such act either by himself or by an agent, and when committed with his knowledge and consent, shall disqualify him from holding or acting in any municipal office during the period of two years next following such commission.

Expenses.

25. Any expenses incurred in or in connection with the making out and revising of the lists and printing of the lists and rolls and the election of a mayor or of aldermen shall be paid by the council out of the city fund.

Resumption.

26. (1) It shall be lawful for the council from time to time, in pursuance of the provisions hereinafter mentioned, without further or other authority than this Act, to resume any lands (not being land the property of the Crown), which may be required for municipal purposes, including the opening of new streets or public places, and the widening or enlarging of streets or public places in the city, including the whole of any land of which part is required for the said purposes. The council shall have power to enter upon and survey any

Sydney Corporation (Amending).

any lands within their jurisdiction. If portion only of any parcel of land is so resumed, and if the owner of such parcel of land requires the council to resume the remainder thereof along with the other land required for the purposes of this Act, the council shall resume the same accordingly. For the purposes aforesaid, the council shall have power by their officers or servants to enter upon and survey any lands within their jurisdiction.

(2) The council shall cause a notice of the resumption of any land required by them for the purposes of this Act, together with a plan or diagram of the area required, to be served on the owners of such land, and a copy of such plan or diagram shall be deposited with the chief surveyor at the Department of Lands, Sydney.

(3) Upon the service of such notice and plan, the land therein described shall for the purposes, and subject to the provisions of this Act, be vested in the council for an absolute estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

(4) The owner of any portion of land resumed, or the person who, but for the provisions of this Act, would have been such owner, shall be entitled to receive compensation for the land so resumed, and the amount of such compensation shall be ascertained in accordance with the provisions of the Lands for Public Purposes Acquisition Acts, being the Acts of the forty-fourth Victoria number sixteen, and forty-fifth Victoria number twenty-six. For the purpose of ascertaining and dealing with such compensation, and for other purposes subsidiary thereto, the enactments hereinafter specified are declared to be incorporated with this Act, viz. :—

(a) As to conversion of the estates of owners of lands into a claim to compensation,—Section eleven of the Act forty-fourth Victoria number sixteen.

(b) As to notice of claim for compensation and abstract of title,—Section twelve of the Act forty-fourth Victoria number sixteen, and First Schedule thereto.

(c) As to procedure after receipt of notice of claim, and the institution of proceedings in the Supreme Court,—Sections thirteen and fourteen of the Act forty-fourth Victoria number sixteen.

(d) As to the nature of the issue in actions for compensation, verdict and costs, the payment of compensation, the mode of assessing compensation, and the obligation of the party claiming payment to make out a title,—Section sixteen of the Act forty-fourth Victoria number sixteen, section two of the Act forty-fifth Victoria number twenty-six, and section twenty-four of the “Public Works Act of 1888 :” Provided that

Sydney Corporation (Amending).

that the interest mentioned in the said section sixteen shall be at the rate of four per centum per annum from the date of service of the notice of resumption, and that the payments therein mentioned shall be made out of the city fund by drafts signed by the mayor and city treasurer.

5

(e) As to procedure on registration or transfer—section twenty-four of the Act forty-fourth Victoria number sixteen.

And in order to carry out the intention of this section, the words “this Act” whensoever occurring in any of the sections so declared to be incorporated herewith, shall be held to include this present Act, and the words “under the sixth section of this Act” in section twenty-four of the Act forty-fourth Victoria number sixteen shall be held, for the like purpose to refer to the present section of this Act; and there shall be substituted for the words “Minister” and “Crown Solicitor” wherever occurring in the said sections the words “mayor” and “city solicitor” respectively.

(5) The several sections of the “Public Works Act of 1888,” hereinafter specified, together with the respective powers, authorities, duties, liabilities, obligations, and other the provisions therein contained, are hereby declared to be incorporated with, and embodied in this Act to the intent that the same may be applied as fully and effectually to, and in respect of, the lands resumed under this Act as if the said sections had been specifically enacted herein: Provided that, wheresoever in any section so incorporated the words “Constructing Authority” occur, there shall, for the purposes of this Act, be substituted in lieu of such words, the expression “council;” the expression “authorised work,” wheresoever occurring in any such section shall be held to refer to the work authorised by this Act; and the words “this Act” shall similarly be held to refer to “this present Act.” The following are the sections of the said Public Works Act so declared to be incorporated herewith—

Incorporation of provisions of Public Works Act.

(a) As to the deposit of compensation money in certain cases with the master in equity, and the application and investment thereof; as to payment of such money in certain cases to trustees, or to the parties themselves, the exoneration of the ~~Minister~~ **Constructing Authority** in respect thereof after payment, the presumption of ownership, and the payment of costs,—Sections sixty-two to seventy-two, both inclusive.

35

(b) As to the procedure by the constructing authority in case the owner or occupier of any lands resumed under this Act refuses to give up possession thereof, or hinders the constructing authority from entering upon, or taking possession of the same,—Section seventy-seven.

40

(c) As to the purchase or redemption of the interests of mortgages, and the deposit of principal and interest due on mortgages

45

Sydney Corporation (Amending).

mortgages with the master in equity, the procedure to be observed when the mortgaged lands are of less value than the mortgage debt, and where part only of lands in mortgage is taken,—Sections eighty-one to eighty-six, both inclusive.

5 (d) As to the release of lands from rent charges and other incumbrances, and the procedure thereon,—Sections eighty-seven to ninety, both inclusive.

(e) As to the apportionment of rent where lands so resumed are taken under lease, and as to compensation to tenants,—
10 Sections ninety-one to ninety-four, both inclusive.

24- 27. In addition to the power of resuming land conferred by the last preceding section the council may purchase from any person who may be willing to sell the same in fee simple, or for any less estate or interest, any land which the council may require for any of the
15 purposes in that section mentioned. Power to purchase lands.

25- 28. The council may contract for and sell or lease for such considerations as they may deem reasonable, and by any deed under their corporate seal may convey to the purchasers or lessees thereof, any superfluous lands or any estate or interest of the council in such
20 lands, or any part thereof, in such manner as they may deem most advantageous; and such contracts, sales, leases, and conveyances from the council shall be valid and effectual to all intents and purposes; and the money produced by all such sales or leases shall be carried to and form part of the city fund. Sale or lease of superfluous lands.

25 *Appointment of inspector of nuisances or sanitary inspector.*

26- 29. The council may nominate any person or persons for the position of inspector of nuisances or sanitary inspector of the city, and the Governor may appoint any person so nominated at such salary as he thinks fit. On such appointment being so made one half of such
30 salary shall be payable out of the Consolidated Revenue Fund and one half by the council. Appointment of inspector of nuisances or sanitary inspector.

Sydney Corporation (Amending).

SCHEDULES.

SCHEDULE ONE.

Schedule 1.
Section 2.

Number of Act.	Title.	Extent of repeal.
5 43 Vic. No. 3 ...	Sydney Corporation Act of 1879	Section 5 so far as it divides the city into wards; sections 6, 7, 9, 10, 11, 12, 16, 20, 21, 32, and 33, and the unrepealed enactments of section 8.
10 51 Vic. No. 23...	Sydney Corporation Act Amendment Act, 1887.	Sections 1, 2, 3, and 5. The whole.

SCHEDULE TWO.

Schedule 2.
Section 5.

Voter's declaration.

Voter's number .

15 I, A.B., do solemnly declare that I am the person named in the Roll now in force for the Ward of the City of Sydney, my name being numbered therein as in the margin hereto; that I have not already voted in this Ward at this election; and that I have still the qualification mentioned in the said Roll.

A.B.

20 Made and subscribed before me this day of , 19 .
C.D. Presiding Officer.

SCHEDULE THREE.

Schedule 3.
Section 7.

Declaration by collector.

25 I, , do hereby solemnly declare that having accepted the employment of a collector for the ward of the city of Sydney, I will faithfully perform the duties of that employment to the best of my knowledge and ability, according to the provisions of the "Sydney Corporation (Amending) Act, 1900," and I will not insert in any list the name of any person whom I shall know or believe not to be entitled by the said Act to have his name entered on the roll for such ward; nor will I omit from any such list the name of any person whom I shall know or believe to be so
30 entitled.

Declared before me, this day of , 19 .
Justice of the Peace.

SCHEDULE FOUR.

Ward.

35 List of citizens for the year.

Number in rate-book.	Number.	Christian and surname and residence.	Nature of qualification.

SCHEDULE

The Board of Directors of the Corporation, and being the
board is hereby authorized to execute the same for its convenience

T. W. WEBB

RESPECTFULLY

Yours truly,

To the Board of Directors of the Corporation

This is to certify that the above is a true and correct copy of the

minutes of the Board of Directors of the Corporation held on the

10th day of May, 1911.

Witness my hand and the seal of the Corporation at New York

City, New York, this 10th day of May, 1911.

10

RESPECTFULLY

Yours truly,

To the Board of Directors of the Corporation

This is to certify that the above is a true and correct copy of the

minutes of the Board of Directors of the Corporation held on the

10th day of May, 1911.

10

1900.

Legislative Council.

SYDNEY CORPORATION (AMENDING) BILL.

(Amendments to be proposed in Committee of the Whole by
THE HON. JOHN HUGHES.)

- Page 2, clause 2, line 1. *Omit* the words "of a mayor and aldermen"
- Page 2, clause 3, sub-clause (c), line 20. *After* the word "city" *insert* the words "which areas shall be known as Fitzroy, Belmore, Cook, Phillip, Lang, and Gipps Wards"
- Page 2, clause 3, sub-clause (d), line 27. At end of sub-clause *add* the words "which areas shall be known as Bligh, Flinders, Denison, and Pyrmont Wards"
- Page 2, clause 5, sub-clause (1) (a), line 37. *After* the words "natural born" *insert* the words "or naturalised"
- Page 2, clause 5, sub-clause (1) (a), line 38. *Omit* the words "or naturalised person"
- Page 3, clause 5, sub-clause (1) (a), line 10. *After* the word "surnames" *insert* the words "and names"
- Page 3, clause 5, sub-clause (1) (a), line 11. At the end of the sub-clause *add* the following proviso: "Provided that in the case of properties owned by public companies, or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled"
- Page 3, clause 5, sub-clause (1) (b), line 12. *After* the words "natural born" *insert* the words "or naturalised"
- Page 3, clause 5, sub-clause (1) (b), line 13. *Omit* the words "or naturalised person"
- Page 3, clause 5, sub-clause (1) (b), line 15. *After* the word "year" *insert* the words "resident otherwise than as a lodger in any house or"

Page 3, clause 5, sub-clause (1) (b), line 28. At the end of the sub-clause *add* the following proviso:—

“Provided that in the case of properties occupied by public companies or bodies corporate, or trustees, the directors of such companies or bodies corporate, or the trustees shall have power to nominate their manager or secretary, or one of their own number, as the person to be placed on the roll in respect of such property; or, failing such nomination, the manager or secretary of any such company, or the trustee whose name first appears in the instrument creating such trust shall be so enrolled ”

Page 3, clause 5, sub-clause (1) (c), line 29. *After* the words “ natural born ” *insert* the words “ or naturalised ”

Page 3, clause 5, sub-clause (1) (c), line 30. *Omit* the words “ or “ naturalised person ”

Page 3, clause 5. At the end of sub-clause (1) *add*:—“ For the “ purposes of this Act the word ‘ female ’ shall include “ married women ”

Page 4, clause 5, sub-clause (2), line 6. *After* the word “ surnames ” *insert* the words “ and names ”

Page 4, clause 5, sub-clause (4), line 25. *Omit* the words “ a statutory ” and *insert* in lieu thereof the words “ and subscribe a declaration before the presiding officer ”

Page 4, clause 5, sub-clause 4, line 26. *After* the word “ owner ” *insert* the words “ or manager or trustee for the beneficial owner ”

Page 4, clause 5, sub-clause (4), line 31. *Omit* all the words after the word “ Act ” and *add* new sub-clause to stand as sub-clause (5): “ Any person who shall wilfully make a false declaration “ under this section shall be guilty of a misdemeanour ”

Page 5, clause 7, line 10. *After* the word “ city ” *insert* the words “ and at some convenient place in each ward where there “ may be no Court of Petty Sessions ”

Page 5, clause 7, lines 10 and 11. *Omit* the words “ and kept so “ affixed until the roll for the ward has been prepared ”

Page 5. *Insert* the following new clause after line 13, to stand as clause 8 of the Bill:—

The said lists shall contain the names and qualifications of all persons qualified to vote, alphabetically arranged according to the form in Schedule Four, and shall be signed by the chamber magistrate, and exhibited at the places provided for under the last preceding section from the first to the fifteenth day of October in each year. Twice at least during such time the town clerk shall cause notice to be published in two daily papers of such lists being so open to inspection.

Page 5, clause 8, line 18. *Omit* the word “ Four ” *insert* the word “ Five ”

Page 5, clause 8, line 21. *Omit* the word “ Five ” *insert* the word “ Six ”

Page 5, clause 8, line 29. *Omit* the word "house" and *insert* the words "of petty sessions"

Page 5, clause 8, line 29. *After* the word "city" *insert* the words "and at such places in each ward where the lists have been affixed"

Page 5, clause 9, line 38. *After* the word "city" *insert* the words "and at such places in each ward where the lists have been affixed"

Page 6, clause 12, sub-clause (2), line 43. *After* the word "sessions" *insert* the words "in the city"

Page 7, clause 13, line 9. *Omit* the words "of a mayor and aldermen"

Page 7, clause 13, line 10. *Omit* the words "twenty four"

Page 7, clause 13, line 10. *Omit* the words "in pursuance of this Act" and *insert* in lieu thereof the words "as hereinafter provided"

Page 7, clause 15, line 21. *After* the word "election," *insert* the words "or shall be permitted to vote until he shall have made and subscribed before the presiding officer a declaration in the form contained in Schedule Seven to this Act. Any person who shall wilfully make a false declaration under this section shall be guilty of a misdemeanour"

Page 7, clause 15. *Omit* sub-clauses (4) and (5).

Insert the following new clause to stand as clause 17 of the Bill:—

In every election of mayor the proceedings shall be as nearly Election of mayor. as practicable the same as for the election of aldermen. The person for whom there shall be a majority of votes in all the wards collectively shall be the person elected, but in case there shall be an equality of votes, the returning officer shall give a casting vote in writing. The result of such election shall be declared at the same time and in the same way as is herein provided for the declaration of the election of aldermen: Provided always that in case an extraordinary vacancy shall be occasioned in the office of mayor during any year by reason of death, resignation, or otherwise, the town clerk shall, within fourteen days from the occurrence of such vacancy, appoint a day, and give public notice thereof in the Government Gazette, and in two daily papers circulating in the city, for the election of another fit and proper person to be mayor, and, in the event of there being more than one nomination, an election shall be held in all the wards of the city, and the person elected shall hold the office of mayor for the residue of the term for which his predecessor was elected.

Page 8, clause 17, lines 19 and 20. *Omit* the words "and each such person shall give as many votes as there are aldermen to be elected"

Page 8, clause 17, line 21. *Omit* the word "And" at the beginning of the line.

Page 8, clause 17, line 24. *Omit* the word "alderman" and *insert* in lieu thereof the word "candidate"

Page 8, clause 17, line 26. *Insert* the word "such" before the word "expenditure"

Page 8, clause 17, line 26. *After* the word "expenditure" *insert* the words "verified by statutory declaration"

Page 8, clause 17, line 27. *After* the word "election" *omit* the rest of the clause.

Page 8, clause 19, line 42. *Omit* the words "such member of the council or other person" and *insert* in lieu thereof the words "the town clerk or such other citizen"

Page 9. *After* clause 20 *insert* the following new clause, to stand as clause 23 of the Bill:—

"At every election of aldermen every voter shall vote for the full number of aldermen to be elected for the ward, otherwise the vote shall be rejected as informal." Mode of voting.

Page 12, clause 26, line 14. *Omit* the word "may" and *insert* in lieu thereof the word "shall"

Page 12, clause 26, line 14. *Omit* the word "any" and *insert* in lieu thereof the word "a"

Page 12. *After* clause 26 *insert* the following new clauses, to stand as clauses 30, 31, 32, 33, 34, and 35 of the Bill:—

30. All rates heretofore made or hereafter to be made in respect of any ratable property under the provisions of the principal Act, or of any Act amending the same, or under the provisions of the Municipal Council of Sydney Electric Lighting Act, shall, if the same shall not have been paid at the commencement of this Act, be, and remain until payment a charge upon such property, and may, notwithstanding any Statute of Limitations, or anything contained in this Act, or in the Principal Act, or in any Act amending the same, or in the Small Debts Recovery Act, 1899, and notwithstanding that no steps shall have been taken to recover the same from the tenant, if any, occupying such property, be recovered at any time in any Court of Petty Sessions or District Court holden in the City of Sydney, or in any other Court of competent jurisdiction, from the owner of such property for the time being. Rates to be a charge upon the property.

31. The amount specified in the assessment-book made and deposited by the Municipal Council of Sydney under the provisions of section six of the Moore-street Improvement Act of 1890 in respect of any property situate within the improvement area defined by the said Act and mentioned in the said assessment-book shall be deemed to have been, and shall, until payment, be and remain a charge upon such property, and all payments thereof now overdue or hereafter accruing due may be recovered at any time from the owner of such property for the time being. Contributions under Moore-street Improvement Act of 1890 to be a charge on the lands assessed.

32.

32. From and after the commencement of this Act the powers vested in the City of Sydney Improvement Board by the Act forty-second Victoria number twenty-five shall be and the same are hereby transferred to and vested in a committee to be elected annually for the purpose by the council and to be styled "The Improvement Committee of the City Council," such committee to consist of five persons, three to form a quorum; and wheresoever in the said Act the word "Board" occurs there shall be substituted in lieu of such word the expression "Improvement Committee."

Transfer of powers of City Improvement Board.

33. Notwithstanding anything contained in the Acts forty-third Victoria number thirty-eight and forty-seventh Victoria number three, or in any Act amending the same, the members of the Board of Water Supply and Sewerage and the Fire Brigades Board elected by the Municipal Council of the City of Sydney shall hold office only for the period for which they shall have been elected aldermen, and any such member upon ceasing to be an alderman of the said council shall thereupon vacate his seat upon either of the said Boards, and his place shall be filled by a fresh election, which shall be conducted as nearly as may be in the manner provided by the said Acts respectively for the ordinary elections. The alderman elected to fill an extraordinary vacancy shall hold office only for the residue of the term for which his predecessor was elected.

Members of Water and Sewerage Board and Fire Brigades Board representing Council to vacate their seats on ceasing to be aldermen.

34. Notwithstanding the provisions of the one hundred and twenty-ninth and one hundred and thirtieth sections of the Principal Act, it shall be lawful for the council to grant leases of all buildings erected in Prince Alfred Park for such term or terms not exceeding five years at any one time, and for such purpose as they may approve; or to establish a public market therein for the sale of fruit, vegetables, fish, produce, or general merchandise.

Power to lease Prince Alfred Park buildings, or establish a public market therein.

35. It shall be lawful for the council, by its servants, at all times, to enter upon, cleanse, regulate, and maintain in good and proper repair, all private ways, rights of way, passages, or alleys within the city, which are not vested in or dedicated to the council; and all costs and expenses incurred in the performance of any of the said work shall be recoverable in manner provided by the seventy-first section of the Principal Act.

Council may enter upon, cleanse, and maintain private ways.

Page 12, Schedule One, line 24. *After* the numeral "6" *insert* the numeral "7"

Page 12, Schedule One, line 24. *Omit* the numeral "11"

Page 12, Schedule One, line 25. *After* the numeral "24" *insert* the numeral "32"

Page 12, Schedule One, line 27. *Omit* the words and numerals "Sections 1, 2, 3, and 5," and *insert* the words "The whole"

Page 12, Schedule Two, line 30. *Insert* the words "Election of aldermen" before the word "voter's"

Page 13. After Schedule Three insert the following new Schedule, to stand as Schedule Four of the Bill :—

WARD.

List of citizens for the year

Number in rate-book.	Number.	Christian and surname and residence.	Nature of qualification.

Page 13. After Schedule Five insert the following new Schedule to stand as Schedule Seven of the Bill :—

ELECTION OF MAYOR.

Voter's declaration.

Voter's number

I, A.B., do solemnly declare that I am the person named in the roll now in force for the Ward of the City of Sydney, my name being numbered therein as in the margin hereto, that I have not already voted for mayor in any other ward at this election, and that I have still the qualification mentioned in the said Bill.

A.B.

Made and subscribed before me this day of , 19 .

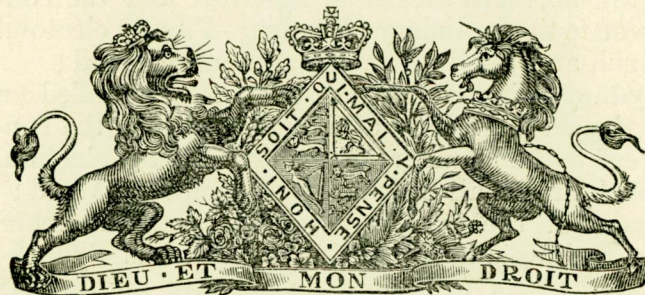
C.D.,
Presiding Officer.

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, 14 August, 1900. }

F. W. WEBB,
Clerk of the Legislative Assembly.

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. , 1900.

An Act to make further and better provision as to the Municipal Government of the City of Sydney, and to amend the Sydney Corporation Act of 1879 and the Acts amending the same.

BE it 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:—

5

Preliminary.

1. This Act shall be construed with the Sydney Corporation Act of 1879, hereafter called the Principal Act, and the Sydney Corporation Act Amendment Act, 1887, and may be cited as the "Sydney Corporation (Amending) Act, 1900." Incorporation and short title.

10 2. The Acts mentioned in Schedule One are, to the extent therein mentioned, hereby repealed: Repeal.

127—A

Provided

Sydney Corporation (Amending).

Provided that, until the first election of a mayor and aldermen under this Act, the council shall be as constituted at the commencement of this Act.

Wards of the city.

5 **3.** The city shall be divided into twelve wards, as hereunder described— Wards of city.

10 (a) so much of Sydney-King electoral district as is bounded on the south by the northern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Bourke Ward ;

15 (b) so much of Sydney-King electoral district as is bounded on the north by the southern side of King-street and the continuation thereof to the boundary of Sydney-Fitzroy electoral district, and such area shall be known as Macquarie Ward ;

20 (c) so much of each of the Sydney-Fitzroy, Sydney-Belmore, Sydney-Cook, Sydney-Phillip, Sydney-Lang, and Sydney-Gipps electoral districts (described in Gazette number six hundred and eighty-eight, of the fifth day of October, one thousand eight hundred and ninety-three) as is included within the boundaries of the city ; and

25 (d) so much of each of the Sydney-Bligh, Sydney-Flinders, Sydney-Denison, and Sydney-Pymont electoral districts (described in the Gazette aforesaid) as is included within the boundaries of the city, together with so much of the city as is outside of and adjoining each of the said electoral districts and is not included within any other Sydney electoral district described as aforesaid.

30 **4.** Every purchaser of ratable property situate within the city shall, within ninety days after the completion of his purchase, give or cause to be given written notice thereof to the council, stating his name and address, and on failure to comply with the requirements of this section shall be liable to a penalty not exceeding ten pounds. Purchaser of ratable property to give notice.

Qualifications of citizens.

35 **5.** (1) The following persons, if of the age of twenty-one years or upwards, shall be entitled to be placed on the citizens' roll for any year for any ward :— Qualifications of citizens.

40 (a) Any person, male or female, being a natural-born British subject or naturalised person, who, on the first day of September of that year, is severally the owner of a freehold interest in possession of any property in that ward assessed at a yearly value of five pounds or upwards, or of a leasehold interest in any property in that ward of a yearly value of twenty-five pounds or upwards ; and One

Sydney Corporation (Amending).

5 One of the persons who are on the said day jointly
the owners or leaseholders as aforesaid of any property
assessed as aforesaid; and in such case the joint owner or
leaseholder who is entitled to be placed on the roll shall be
determined by a majority of such joint owners or leaseholders
evidenced by agreement signed by such majority, and handed
to the collector of the roll for the ward, and delivered by
him with the list to the chamber magistrate of the Central
Police Court, or, failing such agreement, according to the
10 alphabetical order of the surnames of such joint owners or
leaseholders.

15 (b) Any person, male or female, being a natural-born British
subject or naturalised person, who has been continuously
during the six months next preceding the first day of
September in that year in joint or several occupation of any
house, warehouse, counting-house, shop, or other building,
including any room or part of a house separately occupied in
that ward of a yearly value of ten pounds or upwards.

20 And where an occupier is entitled to the sole and
exclusive use of any part of a house, that part shall not, for
the purposes of this section, be deemed to be occupied other-
wise than separately by reason only that the occupier is
entitled to the joint use of some other part.

25 But any such house, warehouse, counting-house, shop,
building, room or part of a house need not be throughout
the six months constituting the period of qualification under
this subsection the same property, provided it is in the same
ward.

30 (c) Any person, male or female, being a natural-born British
subject or naturalised person, who as a lodger has continuously
during the six months next preceding the first day of
September in that year, occupied jointly or severally any
lodgings in the same dwelling-house in the said ward, of a
clear yearly value of ten pounds or upwards.

35 (2) Provided that in the case of a joint occupation under
subsection (b), or a joint occupation as a lodger under subsection (c),
as aforesaid, only one of such joint occupiers or joint lodgers shall be
entitled to be placed on the roll, unless the premises jointly occupied
under subsection (b) are of the yearly value of twenty pounds or
40 upwards, or unless such lodgings are of the clear yearly value of
twenty pounds or upwards, in which cases such number of the said
occupiers or lodgers as, when divided into the said yearly value, gives
a quotient of ten pounds, with a remainder of less than ten pounds,
shall be entitled to be placed on the citizens' roll.

Provision for joint
occupiers or lodgers.

The

Sydney Corporation (Amending).

The joint occupiers or lodgers who shall be so entitled shall be determined by a majority of the occupiers or lodgers, evidenced by agreement signed by such majority, and handed to the collector of the roll for the ward, and delivered by him with the list to the
 5 chamber magistrate of the Central Police Court, or failing such agreement, according to the alphabetical order of the surnames of the occupiers or lodgers.

(3) Provided also that any person having a qualification mentioned in subsection (a) shall not be entitled to have his name
 10 placed on the roll for any ward in virtue of any other qualification under subsection (b) or subsection (c) which he may possess; but he shall be entitled to have his name placed on the roll for every ward in which he is qualified under the said subsection (a) by virtue of his ownership or lesseeship of property in that ward.

(4) Provided, further, that any person having more than one
 15 qualification under subsection (b) or subsection (c), or under both those subsections, shall be only entitled to have his name placed on the roll for one ward; and he may by notice in writing given to the chamber magistrate of the Central Police Court choose the roll on which his
 20 name shall be placed, and if he does not make such choice before the expiration of the time prescribed for making out the lists of citizens, the chamber magistrate aforesaid shall make such choice:

Provided further, that any person having a qualification mentioned in subsection (a) as an owner of property shall, before voting
 25 at any election, make a statutory declaration stating that he is the beneficial owner of the property for which his name is placed upon the roll:

Provided further that before any person claiming to vote under subsections (b) or (c) shall be permitted to vote, such person shall make
 30 and subscribe before the presiding officer a declaration in the form contained in Schedule Two to this Act, and any such person who shall wilfully make a false declaration shall be guilty of a misdemeanour.

Lists and rolls of citizens.

6. On or before the first day of September in every year the
 35 stipendiary magistrates, and the acting and deputy stipendiary magistrates, of the metropolitan police district, or any three of such magistrates, shall appoint members of the police force as collectors for each ward of the city, and every such collector shall, before entering on his duties, make and subscribe a declaration before a justice in the
 40 form of Schedule Three, which declaration shall be kept as a record in the Central Police Court.

Such magistrates or any three of them shall also appoint clerks of the revision courts to be held for that year under this Act.

Sydney Corporation (Amending).

7. The collectors appointed for each such ward shall, in the month of September in every year, make out a list arranged in the alphabetical order of the surnames of the persons who on inquiry such collectors consider are entitled to have their names placed on the roll for such ward, and shall deliver such list to the chamber magistrate of the Central Police Court.

The said chamber magistrate shall forthwith on receipt of any such list cause it to be printed, and shall supply copies at a reasonable price to any person requiring the same, and shall cause a copy to be affixed on every court of petty sessions in the city, and kept so affixed until the roll for the ward has been prepared.

The town clerk shall procure a copy of such list and cause it to be posted at the Town Hall.

8. At any time after the list for any ward has been made out, and before the fifteenth day of October in any year, any person whose name is not on such list may by notice in writing given by him or by some person on his behalf to the chamber magistrate of the Central Police Court make claim in the form of Schedule Four to have his name inserted in such list; and during the said period any person may by notice in writing given by him as aforesaid in the form of Schedule Five, object to the name of any person being retained on such list.

As soon as possible after the said fifteenth day of October, the said chamber magistrate shall cause to be arranged in the alphabetical order of their surnames and printed in a paper the names of the persons so claiming, and shall cause to be arranged as aforesaid and printed in another paper the names of the persons so objected to, and shall supply copies at a reasonable price to any person requiring the same, and shall cause copies of such papers to be affixed on every court-house in the city and shall keep them so affixed until the roll for the ward has been prepared.

9. Between the fifteenth day of October and the fifteenth day of November revision courts for revising the lists for the wards of the city shall be held at such places within the city as the stipendiary magistrates and deputy and acting stipendiary magistrates of the Metropolitan Police Court or any three of them may prescribe by notification in the Gazette and one or more of the metropolitan papers; and a copy of such notification shall be affixed on every court of petty sessions in the city.

Each such revision court shall be an open court, and shall be constituted by one or more of such magistrates.

10. (1) The chamber magistrate of the Central police court shall at the opening of any such revision court produce the list for the ward and copies of the papers containing the names of the persons claiming to be inserted in the list and of the persons objected to.

(2)

Sydney Corporation (Amending).

- (2) The magistrate presiding at any such revision court— Correction of list.
- (a) shall remove from the list the name of every person proved to be dead, whether objection has or has not been made under this Act;
- 5 (b) shall remove from the list the name of every person objected to in pursuance of this Act on the appearance of the person so objecting, or his agent or advocate, and on proof that the person whose name is on the list has not the qualification entitling him to be placed on the roll for the ward;
- 10 (c) shall insert in the list the name of every person claiming in pursuance of this Act, on proof that he has the qualification aforesaid; and
- (d) shall correct all errors and supply all omissions in such list as to the names, descriptions, and qualifications under this Act
- 15 of any persons.
- (3) The magistrate so presiding shall, in open court, write his initials against any addition to or alteration of the list made as aforesaid. Initialling alterations.
11. The magistrate presiding as aforesaid shall cause a fair copy to be made of the list as altered or added to in the revision court, and
- 20 after certifying to the correctness of the same, shall forward it to the town clerk, and such copy shall be the roll for the ward until a new roll is prepared, and shall be prima facie evidence that the roll has been duly made and of the correctness of the contents thereof. Roll to be certified.
12. (1) A revision court shall have power to hear, receive, and
- 25 examine evidence, and by summons under the hand of the revision clerk to require all such persons as it thinks fit to appear personally before it, at a time and place to be named in such summons, and to produce to the court all such books and papers in their possession or under their control as may appear necessary for the purpose of their
- 30 examination; and any person so required who, without sufficient excuse, neglects or refuses to comply with such summons, or, having appeared before the said court, refuses without such excuse to take an oath or affirmation, or having taken such oath or affirmation, to answer the questions put to him, may be dealt with in all respects as a person
- 35 refusing or neglecting to appear or to take an oath or affirmation, or to give evidence before a court of petty sessions. Power of revision court to examine evidence.
- (2) If it appears to a revision court that any person has made or attempted to sustain any groundless, frivolous, or vexatious claim or objection, such court may order the payment by such person of any
- 40 sum not exceeding ten pounds as costs to be paid to any other person in resisting such claim or objection. Any sum so ordered to be paid may, if not paid within the time specified in the order, be recovered before any court of petty sessions by the person named in the order as being entitled thereto. Frivolous claims or objections.

Sydney Corporation (Amending).

(3) A revision court may adjourn from time to time, and if one hour after the time appointed for the holding of the court the magistrate is not present the revision clerk may adjourn such Court to another hour or day: Provided that no such court shall be adjourned for more than three days at a time until the revision of the list then before it is completed.

Adjournment of court.

Constitution of council.

13. The municipal council of the city of Sydney shall, after the first election under this Act of a mayor and aldermen, consist of a mayor and twenty-four aldermen, elected in pursuance of this Act.

Constitution of municipal council.

Retirement and election of mayor, aldermen, and auditors:

14. On the first day of December, one thousand nine hundred, and on the first day of December in every second year thereafter, there shall be an election of the mayor and aldermen of the city; and on such election being held, the mayor and aldermen then in office shall retire, but may, at such election, be re-elected, if otherwise qualified.

Retirement and election of mayor, aldermen, and auditors.

Any male person on the roll for any ward of the city shall be qualified to be elected as mayor or alderman.

15. (1) The mayor shall be elected by the persons on the rolls for the wards of the city, and no person shall give more than one vote at such election.

Persons to elect mayor.

(2) The nomination of the mayor shall be made on or after the tenth day and until noon of the fifth day next before any election, and shall be made to the returning officer by two persons on the roll for some ward of the city. But no such nomination shall be received, and no proceedings thereon shall be taken, unless it be accompanied by a consent to such nomination signed by the person nominated.

Nomination of mayor.

There shall, on the two days next before the election and on the day of election, be published under the hand of the returning officer in two daily newspapers published in the city the names and residences of each person so nominated, and the names and residences of two at least of the persons nominating him.

(3) If at any election of a mayor only one person is nominated, the returning officer shall so report to the outgoing mayor, and such mayor shall declare, in the manner hereinafter in this Act provided, such person to be duly elected.

Election of mayor.

But if more than one person is so nominated, an election shall be held as provided in this Act.

(4) Subject to the provisions of this Act, the provisions of the Principal Act, and any Acts amending the same, applicable to the election of an auditor under those Acts (including the provisions for election upon an extraordinary vacancy) shall, as nearly as practicable, apply to the election of a mayor.

Incorporation of Principal Act.

(5)

Sydney Corporation (Amending).

(5) The person for whom at an election there appears to be a majority of votes in all the wards collectively shall be declared elected mayor, but in case of an equality of votes the returning officer shall give a casting vote in writing. What person elected.

5 The result of the election shall be ascertained and declared at the time and in the manner prescribed by the Principal Act as amended by this Act in regard to the election of aldermen.

16. On the first day of December, one thousand nine hundred, the auditors then in office shall retire, and from that day the powers and duties of the auditors as prescribed by the Principal Act and any Act amending the same may be exercised, and shall be performed by such two or more Treasury inspectors as the Colonial Treasurer may from time to time appoint in that behalf. Election of auditors.

15 After the commencement of this Act, no election to the office of auditor shall be held, and the provisions of the Principal Act and any Act amending the same relating to such election are hereby repealed.

17. There shall be two aldermen for each ward, who shall be elected by the persons on the roll for such ward, and each such person shall give as many votes as there are aldermen to be elected. And the proceedings in, and in connection with such election, shall be in accordance with the provisions of the Principal Act and any Acts amending the same, including this Act, and it shall not be lawful for any alderman, either by himself or his agent, to expend more than fifty pounds in connection with such election, and the details of expenditure shall be furnished to the town clerk within seven days after the holding of an election. Election of aldermen.

But if the person elected alderman is at the same election elected mayor, the nomination and election of such person to the office of alderman shall be void, and the result of such election shall be as if such person had not been so nominated: Provided that the candidate then second on the poll shall have received at least one-half the number of votes polled by the candidate then first on the poll; if such votes be not polled, or in the event of only two persons being nominated, the vacancy shall be treated as an extraordinary vacancy under the Principal Act.

18. Any candidate who shall spend more than the said fifty pounds in connection with any such election shall be liable to a penalty of twenty pounds, to be recovered in a summary manner in any court of competent jurisdiction, and if elected such election shall be void. Election expenses—Penalty.

19. The returning officer for the election of a mayor and aldermen shall be such member of the council, or other person, as the Governor may appoint in that behalf, by notification in the Gazette and one or more metropolitan papers; and, notwithstanding the provisions of the Principal Act, all nominations to the office of alderman The returning officer.

Sydney Corporation (Amending).

alderman shall be made to the returning officer. Such returning officer shall, after ascertaining the result of any such election, report the same to the outgoing mayor, who shall declare, in the manner prescribed by the Principal Act with regard to the election of aldermen, the result of any such election.

The returning officer shall appoint, in writing under his hand, presiding officers to conduct such elections within the respective wards of the city, and if any such officer is prevented from attending by unavoidable accident, a substitute with like powers may be appointed in the same manner.

20. The voting at every election shall commence at eight o'clock in the morning and shall finally close at six o'clock in the afternoon of the same day, unless adjourned as provided in the Principal Act.

21. The provisions of sections one hundred and thirteen to one hundred and eighteen inclusive, and of section one hundred and twenty of the Parliamentary Electorates and Elections Act of 1893 shall mutatis mutandis apply to all elections held under this Act, and the commission of any of the acts mentioned in the said sections shall render void the election of the person committing such act either by himself or by an agent, and when committed with his knowledge and consent, shall disqualify him from holding or acting in any municipal office during the period of two years next following such commission.

Expenses.

22. Any expenses incurred in or in connection with the making out and revising of the lists and printing of the lists and rolls and the election of a mayor or of aldermen shall be paid by the council out of the city fund.

Resumption.

23. (1) It shall be lawful for the council from time to time, in pursuance of the provisions hereinafter mentioned, without further or other authority than this Act, to resume any lands (not being land the property of the Crown), which may be required for municipal purposes, including the opening of new streets or public places, and the widening or enlarging of streets or public places in the city, including the whole of any land of which part is required for the said purposes. The council shall have power to enter upon and survey any lands within their jurisdiction.

(2) The council shall cause a notice of the resumption of any land required by them for the purposes of this Act, together with a plan or diagram of the area required, to be served on the owners of such land, and a copy of such plan or diagram shall be deposited with the chief surveyor at the Department of Lands, Sydney.

Sydney Corporation (Amending).

(3) Upon the service of such notice and plan, the land therein described shall for the purposes, and subject to the provisions of this Act, be vested in the council for an absolute estate in fee simple in possession, freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

Vesting of land.

(4) The owner of any portion of land resumed, or the person who, but for the provisions of this Act, would have been such owner, shall be entitled to receive compensation for the land so resumed, and the amount of such compensation shall be ascertained in accordance with the provisions of the Lands for Public Purposes Acquisition Acts, being the Acts of the forty-fourth Victoria number sixteen, and forty-fifth Victoria number twenty-six. For the purpose of ascertaining and dealing with such compensation, and for other purposes subsidiary thereto, the enactments hereinafter specified are declared to be incorporated with this Act, viz. :—

Compensation.

- (a) As to conversion of the estates of owners of lands into a claim to compensation,—Section eleven of the Act forty-fourth Victoria number sixteen.
- 20 (b) As to notice of claim for compensation and abstract of title,—Section twelve of the Act forty-fourth Victoria number sixteen, and First Schedule thereto.
- (c) As to procedure after receipt of notice of claim, and the institution of proceedings in the Supreme Court,—Sections 25 thirteen and fourteen of the Act forty-fourth Victoria number sixteen.
- (d) As to the nature of the issue in actions for compensation, verdict and costs, the payment of compensation, the mode of assessing compensation, and the obligation of the party claiming payment to make out a title,—Section sixteen of the 30 Act forty-fourth Victoria number sixteen, section two of the Act forty-fifth Victoria number twenty-six, and section twenty-four of the “Public Works Act of 1888:” Provided that the interest mentioned in the said section sixteen shall 35 be at the rate of four per centum per annum from the date of service of the notice of resumption, and that the payments therein mentioned shall be made out of the city fund by drafts signed by the mayor and city treasurer.
- (e) As to procedure on registration or transfer—section twenty- 40 four of the Act forty-fourth Victoria number sixteen.

And in order to carry out the intention of this section, the words “this Act” whensoever occurring in any of the sections so declared to be incorporated herewith, shall be held to include this present Act, and the words “under the sixth section of this Act” in section twenty-four 45 of the Act forty-fourth Victoria number sixteen shall be held, for the

like

Sydney Corporation (Amending).

like purpose to refer to the present section of this Act; and there shall be substituted for the words "Minister" and "Crown Solicitor" wherever occurring in the said sections the words "mayor" and "city solicitor" respectively.

5 (5) The several sections of the "Public Works Act of 1888," hereinafter specified, together with the respective powers, authorities, duties, liabilities, obligations, and other the provisions therein contained, are hereby declared to be incorporated with, and embodied in this Act to the intent that the same may be applied as fully and effectually to, and in respect of, the lands resumed under this Act as if the said sections had been specifically enacted herein: Provided that, wheresoever in any section so incorporated the words "Constructing Authority" occur, there shall, for the purposes of this Act, be substituted in lieu of such words, the expression "council;" the expression "authorised work," wheresoever occurring in any such section shall be held to refer to the work authorised by this Act; and the words "this Act" shall similarly be held to refer to "this present Act." The following are the sections of the said Public Works Act so declared to be incorporated herewith—

20 (a) As to the deposit of compensation money in certain cases with the master in equity, and the application and investment thereof; as to payment of such money in certain cases to trustees, or to the parties themselves, the exoneration of the Minister in respect thereof after payment, the presumption of ownership, and the payment of costs,—Sections sixty-two to seventy-two, both inclusive.

25 (b) As to the procedure by the constructing authority in case the owner or occupier of any lands resumed under this Act refuses to give up possession thereof, or hinders the constructing authority from entering upon, or taking possession of the same,—Section seventy-seven.

30 (c) As to the purchase or redemption of the interests of mortgagees, and the deposit of principal and interest due on mortgages with the master in equity, the procedure to be observed when the mortgaged lands are of less value than the mortgage debt, and where part only of lands in mortgage is taken,—Sections eighty-one to eighty-six, both inclusive.

35 (d) As to the release of lands from rent charges and other incumbrances, and the procedure thereon,—Sections eighty-seven to ninety, both inclusive.

40 (e) As to the apportionment of rent where lands so resumed are taken under lease, and as to compensation to tenants,—Sections ninety-one to ninety-four, both inclusive.

45 24. In addition to the power of resuming land conferred by the last preceding section the council may purchase from any person who may

Sydney Corporation (Amending).

may be willing to sell the same in fee simple, or for any less estate or interest, any land which the council may require for any of the purposes in that section mentioned.

25. The council may contract for and sell or lease for such ^{Sale or lease of superfluous lands.} considerations as they may deem reasonable, and by any deed under their corporate seal may convey to the purchasers or lessees thereof, any superfluous lands or any estate or interest of the council in such lands, or any part thereof, in such manner as they may deem most advantageous; and such contracts, sales, leases, and conveyances from the council shall be valid and effectual to all intents and purposes; and the money produced by all such sales or leases shall be carried to and form part of the city fund.

Appointment of inspector of nuisances or sanitary inspector.

26. The council may nominate any person or persons for the ^{Appointment of inspector of nuisances or sanitary inspector.} position of inspector of nuisances or sanitary inspector of the city, and the Governor may appoint any person so nominated at such salary as he thinks fit. On such appointment being so made one half of such salary shall be payable out of the Consolidated Revenue Fund and one half by the council.

SCHEDULES.

SCHEDULE ONE.

Schedule 1.
Section 2.

20

Number of Act.	Title.	Extent of repeal.
43 Vic. No. 3 ...	Sydney Corporation Act of 1879	Section 5 so far as it divides the city into wards; sections 6, 9, 10, 11, 12, 16, 20, 24, and 33, and the unrepealed enactments of section 8.
51 Vic. No. 23...	Sydney Corporation Act Amendment Act, 1887.	Sections 1, 2, 3 and 5.

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SCHEDULE TWO.

Schedule 2
Section 5.

30

Voter's number .

Voter's declaration.

I, A.B, do solemnly declare that I am the person named in the Roll now in force for the Ward of the City of Sydney, my name being numbered therein as in the margin hereto; that I have not already voted in this Ward at this election; and that I have still the qualification mentioned in the said Roll.

35

Made and subscribed before me this _____ day of _____, 19____ .
A.B.
C.D. Presiding Officer.

Sydney Corporation (Amending).

SCHEDULE THREE.

Schedule 4.
Section 7.

Declaration by collector.

I, _____, do hereby solemnly declare that having accepted the employment of a collector for the _____ ward of the city of Sydney, I will faithfully perform the duties of that employment to the best of my knowledge and ability, according to the provisions of the "Sydney Corporation (Amending) Act, 1900," and I will not insert in any list the name of any person whom I shall know or believe not to be entitled by the said Act to have his name entered on the roll for such ward; nor will I omit from any such list the name of any person whom I shall know or believe to be so entitled.

Declared before me, this _____ day of _____, 19____.
Justice of the Peace.

SCHEDULE FOUR.

Schedule 3.
Section 7.

Notice of claim.

To the chamber magistrate of the Central Police Court,—

THIS is to give notice that [state christian name and surname in full] of [state residence and occupation], claims to have his name inserted in the citizens' roll for the ward of the city of Sydney.

Dated this _____ day of _____, 19____.

(Signature of claimant, or where claim is made by any person on behalf of a claimant, signature of that person, with his residence and occupation, and with a statement that he makes the claim on behalf of the claimant.)

SCHEDULE FIVE.

Notice of objection.

To the chamber magistrate of the Central Police Court,—

I HEREBY object to the name of _____, described as _____ upon the list for the ward of the city of Sydney being retained on such list.

Dated this _____ day of _____, 19____.

(Signature with residence and occupation.)

[18]

THE UNITED STATES OF AMERICA

(Continued from previous page)

1914-1915

and of the fact that the...
I hereby certify to the...
of the... of the...

WITNESSETH

That I, the undersigned...

do hereby certify...

and of the fact that...
and of the fact that...
This is to certify...

in the presence of the...

WITNESSETH

...

...

10 and of the fact that...
I hereby certify to the...
of the... of the...
and of the fact that...
This is to certify...

WITNESSETH

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