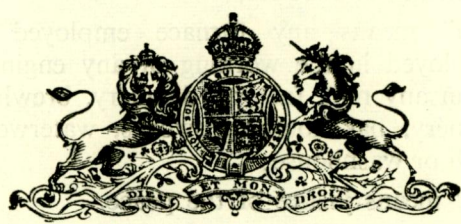


See also Act No. 41, 1919, ss. 289 (a) and 303 (1) (i).

New South Wales.



ANNO SECUNDO

EDWARDI VII REGIS.

Act No. 77, 1902.

An Act to consolidate the enactments for abating the nuisance arising from the smoke of furnaces.
[Assented to, 15th September, 1902.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Smoke Nuisance Short title. Abatement Act, 1902."

2. (1) The Act twenty-ninth Victoria number sixteen is hereby repealed. Repeal and savings.

Smoke Nuisance Abatement.

(2) All proclamations issued under the authority of the Act hereby repealed, the effect of which is not exhausted at the time of the passing of this Act, shall be deemed to have been made hereunder.

Interpreta-
tion.

29 Vic. No.
16, ss. 1, 2.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“furnace” means any furnace employed or to be employed in the working of any engine by steam or in any mill, factory, distillery, brewhouse, sugar refinery, bakehouse, gasworks, waterworks, public bath or washhouse;

“justice” means justice of the peace.

Application
of Act.

Ibid. ss. 1
and 2.

4. This Act shall apply—

(a) to every furnace constructed before the first day of July, one thousand eight hundred and sixty-six, which is in any city, town, or hamlet, containing, according to the last census for the time being, not less than two thousand inhabitants;

(b) to every furnace, whether constructed before or after the said day, which is in the suburbs of any such city, town, or hamlet, of which suburbs the boundaries are now or may hereafter be described in any proclamation made or deemed to have been made by the Governor under this Act;

(c) to every furnace constructed after the said day in any city or town.

Construc-
tion, &c., of
furnaces.

Ibid.

5. All furnaces to which this Act applies shall be so constructed or altered as to prevent as far as possible the formation of smoke therein.

Penalties.

Ibid.

6. Whosoever being the owner or occupier of the premises in which any such furnace is, or being a foreman or other person employed by such owner or occupier, uses such furnace, the same not having been so constructed as to prevent as far as possible the formation of smoke therein, or so negligently uses such furnace that smoke arises therefrom, shall

Smoke Nuisance Abatement.

shall be liable to a penalty not exceeding five pounds nor less than forty shillings, and upon a second conviction for a like offence to a penalty not exceeding ten pounds, and upon each subsequent conviction for a like offence to a penalty not exceeding twice the amount of the penalty imposed for the next preceding conviction.

7. The Justices before whom any complaint under this Act is heard may, with the consent of the person charged, on the hearing of the case, appoint a competent person to examine the furnace in question, and to make his report thereon whether it has been constructed or altered in compliance with the provisions of this Act, and may suspend their decision until they have received such report.

Justices may obtain report.
29 Vic. No. 16, s. 3.

8. (1) The Governor may, by proclamation published in the Gazette, extend the provisions of this Act to the suburbs of any city, town, or hamlet, containing, according to the last census, for the time being, not less than two thousand inhabitants.

Extension of Act to certain suburbs.
Ibid. s. 1.

(2) Such proclamation shall describe the boundaries of the suburbs to which such provisions are extended.

9. No complaint shall be brought against any person for the recovery of any penalty under this Act except by a superintendent, inspector, or sergeant of police, or by an inspector of nuisances, or by the owner or occupier of premises with reference to which the furnace in question is so situate as to create an annoyance to the occupiers of such premises.

By whom a complaint may be brought.
Ibid. s. 4.

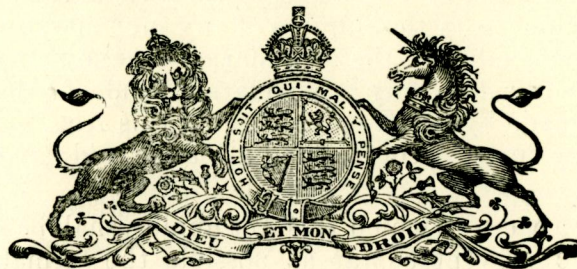
10. In case of any complaint under this Act to which two or more parties, whether as owners or occupiers of premises, may be jointly answerable, it shall be sufficient to proceed against one or more of them without proceeding against the others or other of them, but nothing herein contained shall prevent the parties so proceeded against from recovering relief in any case in which they are entitled to relief by law.

Joint owners or occupiers.
Ibid. s. 5.

By Authority:

V. C. N. BLIGHT, Government Printer, Sydney, 1959

New South Wales.



ANNO SECUNDO

EDWARDI VII REGIS.

Act No. 77, 1902.

An Act to consolidate the enactments for abating the nuisance arising from the smoke of furnaces. [Assented to, 15th September, 1902.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Smoke Nuisance Abatement Act, 1902."

2. (1) The Act twenty-ninth Victoria number sixteen is hereby **Repeal and savings.** repealed.

(2) All proclamations issued under the authority of the Act hereby repealed, the effect of which is not exhausted at the time of the passing of this Act, shall be deemed to have been made hereunder.

3.

Smoke Nuisance Abatement.

Interpretation.
29 Vic. No. 16,
ss. 1, 2.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“furnace” means any furnace employed or to be employed in the working of any engine by steam or in any mill, factory, distillery, brewhouse, sugar refinery, bakehouse, gasworks, waterworks, public bath or wash-house;

“justice” means justice of the peace.

Application of Act.
Ibid. ss. 1 and 2.

4. This Act shall apply—

- (a) to every furnace constructed before the first day of July, one thousand eight hundred and sixty-six, which is in any city, town, or hamlet, containing, according to the last census for the time being, not less than two thousand inhabitants;
- (b) to every furnace, whether constructed before or after the said day, which is in the suburbs of any such city, town, or hamlet, of which suburbs the boundaries are now or may hereafter be described in any proclamation made or deemed to have been made by the Governor under this Act;
- (c) to every furnace constructed after the said day in any city or town.

Construction, &c., of
furnaces.
Ibid.
Penalties.
Ibid.

5. All furnaces to which this Act applies shall be so constructed or altered as to prevent as far as possible the formation of smoke therein.

6. Whosoever being the owner or occupier of the premises in which any such furnace is, or being a foreman or other person employed by such owner or occupier, uses such furnace, the same not having been so constructed as to prevent as far as possible the formation of smoke therein, or so negligently uses such furnace that smoke arises therefrom, shall be liable to a penalty not exceeding five pounds nor less than forty shillings, and upon a second conviction for a like offence to a penalty not exceeding ten pounds, and upon each subsequent conviction for a like offence to a penalty not exceeding twice the amount of the penalty imposed for the next preceding conviction.

Justices may
obtain report.
Ibid. s. 3.

7. The Justices before whom any complaint under this Act is heard may, with the consent of the person charged, on the hearing of the case, appoint a competent person to examine the furnace in question, and to make his report thereon whether it has been constructed or altered in compliance with the provisions of this Act, and may suspend their decision until they have received such report.

Extension of Act to
certain suburbs.
Ibid. s. 1.

8. (1) The Governor may, by proclamation published in the Gazette, extend the provisions of this Act to the suburbs of any city, town, or hamlet, containing, according to the last census, for the time being, not less than two thousand inhabitants.

(2) Such proclamation shall describe the boundaries of the suburbs to which such provisions are extended.

Smoke Nuisance Abatement.

9. No complaint shall be brought against any person for the recovery of any penalty under this Act except by a superintendent, inspector, or sergeant of police, or by an inspector of nuisances, or by the owner or occupier of premises with reference to which the furnace in question is so situate as to create an annoyance to the occupiers of such premises.

By whom complaint
may be brought.
29 Vic. No. 16, s. 4.

10. In case of any complaint under this Act to which two or more parties, whether as owners or occupiers of premises, may be jointly answerable, it shall be sufficient to proceed against one or more of them without proceeding against the others or other of them, but nothing herein contained shall prevent the parties so proceeded against from recovering relief in any case in which they are entitled to relief by law.

Joint owners or
occupiers.
Ibid. s. 5.

[3d.]

By Authority : WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1902.

THE
LIBRARY
OF THE
MUSEUM OF
COMPARATIVE ZOOLOGY
AT
HARVARD UNIVERSITY
CAMBRIDGE, MASS.



RECEIVED
JAN 11 1901

FROM
THE
LIBRARY OF THE
MUSEUM OF
COMPARATIVE ZOOLOGY

AT
HARVARD UNIVERSITY
CAMBRIDGE, MASS.

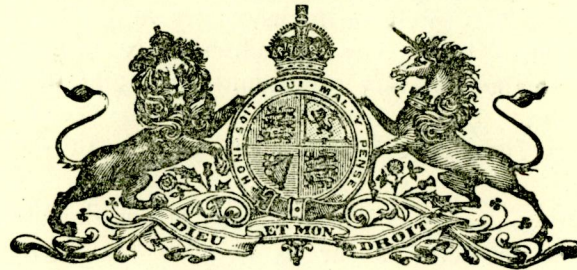
THE
LIBRARY
OF THE
MUSEUM OF
COMPARATIVE ZOOLOGY
AT
HARVARD UNIVERSITY
CAMBRIDGE, MASS.

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

*Legislative Council Chamber,
Sydney, 20th August, 1902. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SECUNDO

EDWARDI VII REGIS.

Act No. 77, 1902.

An Act to consolidate the enactments for abating the nuisance arising from the smoke of furnaces. [Assented to, 15th September, 1902.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Smoke Nuisance Abatement Act, 1902."

2. (1) The Act twenty-ninth Victoria number sixteen is hereby repealed. Repeal and savings.

(2) All proclamations issued under the authority of the Act hereby repealed, the effect of which is not exhausted at the time of the passing of this Act, shall be deemed to have been made hereunder.

3.

Smoke Nuisance Abatement.

Interpretation.
29 Vic. No. 16,
ss. 1, 2.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“furnace” means any furnace employed or to be employed in the working of any engine by steam or in any mill, factory, distillery, brewhouse, sugar refinery, bakehouse, gasworks, waterworks, public bath or wash-house ;
“justice” means justice of the peace.

Application of Act.
Ibid. ss. 1 and 2.

4. This Act shall apply—

- (a) to every furnace constructed before the first day of July, one thousand eight hundred and sixty-six, which is in any city, town, or hamlet, containing, according to the last census for the time being, not less than two thousand inhabitants ;
- (b) to every furnace, whether constructed before or after the said day, which is in the suburbs of any such city, town, or hamlet, of which suburbs the boundaries are now or may hereafter be described in any proclamation made or deemed to have been made by the Governor under this Act ;
- (c) to every furnace constructed after the said day in any city or town.

Construction, &c., of
furnaces.
Ibid.
Penalties.
Ibid.

5. All furnaces to which this Act applies shall be so constructed or altered as to prevent as far as possible the formation of smoke therein.

6. Whosoever being the owner or occupier of the premises in which any such furnace is, or being a foreman or other person employed by such owner or occupier, uses such furnace, the same not having been so constructed as to prevent as far as possible the formation of smoke therein, or so negligently uses such furnace that smoke arises therefrom, shall be liable to a penalty not exceeding five pounds nor less than forty shillings, and upon a second conviction for a like offence to a penalty not exceeding ten pounds, and upon each subsequent conviction for a like offence to a penalty not exceeding twice the amount of the penalty imposed for the next preceding conviction.

Justices may
obtain report.
Ibid. s. 3.

7. The Justices before whom any complaint under this Act is heard may, with the consent of the person charged, on the hearing of the case, appoint a competent person to examine the furnace in question, and to make his report thereon whether it has been constructed or altered in compliance with the provisions of this Act, and may suspend their decision until they have received such report.

Extension of Act to
certain suburbs.
Ibid. s. 1.

8. (1) The Governor may, by proclamation published in the Gazette, extend the provisions of this Act to the suburbs of any city, town, or hamlet, containing, according to the last census, for the time being, not less than two thousand inhabitants.

(2) Such proclamation shall describe the boundaries of the suburbs to which such provisions are extended.

Smoke Nuisance Abatement.

9. No complaint shall be brought against any person for the recovery of any penalty under this Act except by a superintendent, inspector, or sergeant of police, or by an inspector of nuisances, or by the owner or occupier of premises with reference to which the furnace in question is so situate as to create an annoyance to the occupiers of such premises. By whom complaint may be brought. 29 Vic. No. 16, s. 4

10. In case of any complaint under this Act to which two or more parties, whether as owners or occupiers of premises, may be jointly answerable, it shall be sufficient to proceed against one or more of them without proceeding against the others or other of them, but nothing herein contained shall prevent the parties so proceeded against from recovering relief in any case in which they are entitled to relief by law. Joint owners or occupiers. Ibid. s. 5.

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

HARRY H. RAWSON,
Governor.
*State Government House,
Sydney, 15th September, 1902.*

THE
SOUTH
EAST
ASIAN
ARCHIVE

THE
SOUTH
EAST
ASIAN
ARCHIVE

THE
SOUTH
EAST
ASIAN
ARCHIVE

Memo. and Certificate to accompany the Smoke Nuisance Abatement Bill.

Clause 4. The original Act has been taken to mean that it is the *suburbs* of which the boundaries are to be described by the Governor; and has been taken to have operated from the 1st July, 1866.

Clause 7. The portion of original sec. 3 preceding the proviso has been omitted as a mere meaningless and bewildering repetition of part of sec. 1.

Clause 10. The word "now" has been omitted as inoperative and useless.

I certify that, save as aforesaid, this Act solely consolidates and in no way alters, adds to, or amends the law as contained in the enactments therein consolidated.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

Alonso de Ercilla y Zúñiga

Diario de su viaje a Chile
1520-1525

En el año de mill e quinientos e veinte e cinco
el mes de febrero del mes de febrero del mes de febrero

En el mes de febrero del mes de febrero del mes de febrero
del mes de febrero del mes de febrero del mes de febrero

En el mes de febrero del mes de febrero del mes de febrero
del mes de febrero del mes de febrero del mes de febrero

En el mes de febrero del mes de febrero del mes de febrero
del mes de febrero del mes de febrero del mes de febrero

En el mes de febrero del mes de febrero del mes de febrero
del mes de febrero del mes de febrero del mes de febrero

Smoke Nuisance Abatement Bill.

TABLE showing how the enactments consolidated have been dealt with.

Section of Repealed Act.	Section of Consolidated Act.	Remarks.
29 Vic. No. 16.		
1	3, 4, 5, 6, 8	Part omitted unnecessary. See Act No. 71, 1900.
2	3, 4, 5	
3	7	Part omitted unnecessary.
4	9	
5	10	
6	Omitted. Short title.

presented to the Senate for consideration by the Committee on Finance

JOHN J. CALVERT

Committee on Finance

Smith's National Bank Bill

Report of the Committee on Finance

Submitted to the Senate

January 11, 1891

Washington

Printed by the Government

For sale by the Government

Price, 10 cents

Per copy, 10 cents

For sale by the Government

For sale by the Government

For sale by the Government

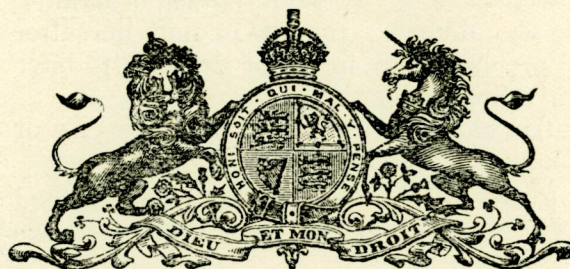
For sale by the Government

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

*Legislative Council Chamber,
Sydney, 9th July, 1902. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SECUNDO

EDWARDI VII REGIS.

Act No. , 1902.

An Act to consolidate the enactments for abating the nuisance arising from the smoke of furnaces.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Smoke Nuisance Abatement Act, 1902."

2. (1) The Act twenty-ninth Victoria number sixteen is hereby repealed. Repeal and savings.

(2) All proclamations issued under the authority of the Act hereby repealed, the effect of which is not exhausted at the time of the passing of this Act, shall be deemed to have been made hereunder.

3.

Smoke Nuisance Abatement.

3. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“furnace” means any furnace employed or to be employed in the working of any engine by steam or in any mill, factory, distillery, brewhouse, sugar refinery, bakehouse, gasworks, waterworks, public bath or wash-house;

“justice” means justice of the peace.

4. This Act shall apply—

- (a) to every furnace constructed before the first day of July, one thousand eight hundred and sixty-six, which is in any city, town, or hamlet, containing, according to the last census for the time being, not less than two thousand inhabitants;
- (b) to every furnace, whether constructed before or after the said day, which is in the suburbs of any such city, town, or hamlet, of which suburbs the boundaries are now or may hereafter be described in any proclamation made or deemed to have been made by the Governor under this Act;
- (c) to every furnace constructed after the said day in any city or town.

5. All furnaces to which this Act applies shall be so constructed or altered as to prevent as far as possible the formation of smoke therein.

6. Whosoever being the owner or occupier of the premises in which any such furnace is, or being a foreman or other person employed by such owner or occupier, uses such furnace, the same not having been so constructed as to prevent as far as possible the formation of smoke therein, or so negligently uses such furnace that smoke arises therefrom, shall be liable to a penalty not exceeding five pounds nor less than forty shillings, and upon a second conviction for a like offence to a penalty not exceeding ten pounds, and upon each subsequent conviction for a like offence to a penalty not exceeding twice the amount of the penalty imposed for the next preceding conviction.

7. The Justices before whom any complaint under this Act is heard may, with the consent of the person charged, on the hearing of the case, appoint a competent person to examine the furnace in question, and to make his report thereon whether it has been constructed or altered in compliance with the provisions of this Act, and may suspend their decision until they have received such report.

8. (1) The Governor may, by proclamation published in the Gazette, extend the provisions of this Act to the suburbs of any city, town, or hamlet, containing, according to the last census, for the time being, not less than two thousand inhabitants.

(2) Such proclamation shall describe the boundaries of the suburbs to which such provisions are extended.

Interpretation.
29 Vic. No. 16,
ss. 1, 2.

Application of Act.
Ibid. ss. 1 and 2.

Construction, &c., of
furnaces.
Ibid.

Penalties.
Ibid.

Justices may
obtain report.
Ibid. s. 3.

Extension of Act to
certain suburbs.
Ibid. s. 1.

Smoke Nuisance Abatement.

9. No complaint shall be brought against any person for the recovery of any penalty under this Act except by a superintendent, inspector, or sergeant of police, or by an inspector of nuisances, or by the owner or occupier of premises with reference to which the furnace in question is so situate as to create an annoyance to the occupiers of such premises. By whom complaint may be brought. 29 Vic. No. 16, s. 4.

10. In case of any complaint under this Act to which two or more parties, whether as owners or occupiers of premises, may be jointly answerable, it shall be sufficient to proceed against one or more of them without proceeding against the others or other of them, but nothing herein contained shall prevent the parties so proceeded against from recovering relief in any case in which they are entitled to relief by law. Joint owners or occupiers. Ibid. s. 5.

