

(No. 99.)



1885.

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PARLIAMENT OF TASMANIA.

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**PUBLIC HEALTH BILL, 1885, [No. 7.] :**

PETITIONS AGAINST CERTAIN PROVISIONS, FROM THE  
MAYORS OF HOBART AND LAUNCESTON.

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Presented by Messrs. Davies and Lette, and ordered by the House of Assembly to  
be printed, August 19, 1885.



*The Honorable the Speaker and Honorable Members of the House of Assembly,  
in Parliament assembled.*

The Petition of the Mayor and Aldermen of the City of Hobart, in Council assembled,

HUMBLY SHOWETH :

THAT a Bill, intituled "A Bill to provide for the Conservation of the Public Health," is now under the consideration of your Honorable House, and your Petitioners, while admitting generally the necessity of such a Bill, are of opinion that the provisions contained therein for appointing a Central Board are most objectionable, so far as the Municipality of Hobart is concerned, for the following reasons ; viz.—

*First.* That the Municipality of Hobart have already a legally qualified practitioner as Officer of Health, who is remunerated for his services out of the funds of the Municipal Council.

*Second.* That at the request of your Petitioners, on the recommendation of the said Officer of Health, "The Public Health (Hobart) Act" was passed by Parliament, which, in conjunction with "The Police Act, 1865," in every way meets the sanitary requirements of the City; and your Petitioners respectfully venture to assert that the law in this respect has hitherto been faithfully administered by them.

*Third.* That your Petitioners would consider it a great slight on the Municipal Council, who perform their onerous duties gratuitously, and who are amenable to the fullest public criticism, both by the Press and the Ratepayers generally, to allow a paid Board to in any way control their proceedings, and come between them and the responsible Minister.

Your Petitioners, therefore, humbly pray that your Honorable House will exempt the City of Hobart from the provisions of the Bill with regard to the Central Board.

And your Petitioners will ever pray.

J. G. DAVIES, *Mayor of the City of Hobart.*

W. H. SMITH, *Town Clerk.*  
12th August, 1885.

[Presented by Mr. Davies, 19th August, 1885.]

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*To the Honorable the Speaker and the Honorable Members of the  
House of Assembly.*

The Petition of the undersigned,

HUMBLY SHOWETH :

THAT a Bill is now before Parliament, intituled "A Bill to provide for the Conservation of the Public Health."

That the said Bill provides for the appointment by the Governor in Council of any number of persons, not exceeding five, to be a Board, to be called the Central Board of Health; that all Municipal Councils and Town Boards shall be Local Boards of Health within their respective Districts.

That the said Central Board is empowered to override and completely ignore any or all of the said Local Boards, which would thus be precluded from discharging their functions in this particular except under the direction or with the approval of the said Central Board.

That the subordination of a body duly elected by the people to a Board nominated by the Crown is a retrograde step, subversive of the spirit which animates every British Constitution, and is fraught with great peril to popular liberty.

That there is no reason for supposing that any Local Board would be less qualified for, or less diligent in, the discharge of the functions assigned to it by law than the Central Board; and that to permit the latter to interfere with and dictate to the Local Boards would lead to jealousy and irritation that would inevitably tend to render the Act inoperative.

That in the opinion of your Petitioners only a Minister of the Crown—himself a member of the highest elective body in the State—should be empowered to interfere with Local Boards, which, if it should be necessary, could be compelled to perform their duty by *Mandamus* from the Supreme Court.

That for the foregoing reasons your Petitioners humbly pray that the provisions of the Bill relating to the Central Board may not pass into law, or may be so modified as to remove the objections to which attention has been drawn.

And your Petitioners, as in duty bound, will ever pray.

For the Municipal Council of Launceston,

H. BUTTON, *Mayor*.

*Town Hall, Launceston, 11th August, 1885.*

[Presented by Mr. Lette, 18th August, 1885.]