

(No. 29.)



1865.

T A S M A N I A .

LEGISLATIVE COUNCIL.

**RURAL MUNICIPALITIES BILL; POLICE BILL;
AND POLICE REGULATION BILL.**

**PETITION FROM MUNICIPAL COUNCIL OF CLARENCE
PROPOSING AMENDMENTS.**

Laid upon the Table by Mr. Abbott, August 1; and ordered by the Council to be printed, August 4, 1865.



To the Honorable the President and Members of the Legislative Council, in Parliament assembled.

The Petition of the Warden and Council of the Municipality of Clarence.

RESPECTFULLY SHOWETH :

THAT your Petitioners having had under their consideration the following Bills, now or soon likely to be under the purview of your Honorable House,—viz. “The Rural Municipalities Bill,” “The Police Bill,” and “The Police Regulation Bill,”—respectfully ask for the following alterations in those measures:—

“*The Rural Municipalities Bill.*” Sect. 17.—That every leaseholder of property of the annual value of £10 as shown on the Valuation Roll, as paying Rates to the Municipality, should have a vote.

Your Petitioners would point out to your Honorable House that such persons possess the franchise as respects Members of the House of Assembly; that Property is sufficiently represented up to Ten votes; and that, unless such an alteration is made, the difference between a Leaseholder and Owner would be invidious; besides causing trouble in the compilation of the Lists.

Sect. 60.—That there should be a longer period than Five days allowed a person to elect whether he would serve as a Councillor or refuse.

Sect. 61.—That the period of Two months is too long for absence of the Councillors,—one being sufficient.

Sect. 179.—That the Aid granted to Municipalities should be for Three or Five years.

Sect. 185.—That the transference to Municipalities of the Court of Requests’ Fees, in consideration of their bearing the expense of Inquests instead of the General Government, is totally inadequate, and involves a serious loss on this Municipality, as the following items will show:—

DR.—Expenses of Inquests for 1864	£	s.	d.
CR.—By Court of Requests’ Fees for 1864	16	18	6
	4	7	0
Difference against Municipality.....	£12	11	6

Your Petitioners therefore suggest that the Fees received for Stage Coach and Drivers’ Licences (which in most Districts are exceedingly small) be handed over to the Municipalities, in order to equalize this additional tax on its resources.

Sects. 192 & 193.—That no Notice is required if the Municipal Council adjourn to a particular day.

“*Police Regulation Bill.*” Sect. 6.—Your Petitioners would point out to your Honorable House that, in order to the harmonious working of Rural Municipalities, the several Municipal Councils should be consulted before the Executive Government approve of the Regulations to be framed by the Inspector of Police under this Section; otherwise an antagonism might arise which would be hurtful to the interests of the community if Regulations were promulgated distasteful to the several Districts.

Sect. 16.—The Regulations to be framed under this Section to be laid before Parliament.

Sect. 25.—The word “audited” in this Section is an error.

Sect. 29.—By this Section the District of Clarence would have to transmit all Prisoners *en route* to Hobart Town across the Ferry. The ferryage should be borne by the Municipality for which such escort is performed, or by the General Government.

Sects. 31 & 32.—These Sections give far too much power to the Inspector of Police: there are too many provisoes in them. It would be more agreeable to Municipalities generally if Wardens in adjoining Districts were called in to decide.

Sect. 33.—This Section is far too vague and indefinite. It would be to the interests of every Municipality to properly conduct its escort duty without any rules. If the escort duty was improperly conducted, then, in such case, it would become the duty of the Executive to interfere, and not otherwise.

“*The Police Bill.*” *Sect. 13.*—Provides that a man dressed in female apparel may be apprehended; but it is silent as to a female being habited in masculine attire. Perhaps it might be a doubt if the “Bloomer” costume came within the latter category.

Sect. 15.—Enacts that Parents or Guardians of begging children may be apprehended. This Section is too indefinite to pass in its present shape.

Sect. 20.—The hours of Bathing should be defined, and not altogether prevented by law as this Section assumes. There are no Public Baths in this Colony as elsewhere; and bathing should be encouraged instead of measures being passed for its prohibition.

Sects. 37 & 46.—The fees for Stage Coach as well as Drivers’ Licences should go to the Municipal Fund; and a law is required, or soon will be, as to Traction Engines on the Main Line of Road.

Sect. 51.—The penalty of £3 is too low; it should be more than £10.

NOTE.—Sir Henry Parnell, while he approves of Local Trusts, proposes that measures should be taken for increasing the responsibility of the Trustees, and that every Trust should be obliged to submit its Accounts to the inspection of some Public Board.—*M’Culloch, Roads*, 1078.

Your Petitioners respectfully represent to your Honorable House that they think that the working of the Rural Municipalities might be curtailed and simplified by a Government Auditor being appointed yearly to audit the Accounts of the different Municipalities, whereby the expense and trouble of elections for Auditors might be dispensed with, and the Accounts of the several Municipalities kept in an uniform manner, which is the case in the Mother Country, where the General Government contribute funds for a specific purpose; but as there might be a diversity of opinion on this suggestion your Petitioners do not formally urge the same.

That the principle of the Government contribution as propounded by the Warden of this Municipality may be embodied in *The Rural Municipalities Bill*, which will render useless Sections 179 & 180 of the present Bill.

That a Clause is necessary authorising the several Municipal Councils to transfer the money now accumulated to the credit of the “Police Fund,” and the “Police Reward and Superannuation Fund” to the “Municipal Fund.”

Your Petitioners therefore pray that the various alterations now brought under the notice of your Honorable House may be taken into consideration and remedied; and that the above-recited Bills may undergo the strict supervision of your Honorable House.

And your Petitioners will ever pray.

Municipal Council Chambers, Clarence,
1st August, 1865.

Affixed the Municipal and Common Seal to
this Petition this 1st day of August,
1865.

W. I. THOMAS, *Council Clerk.*