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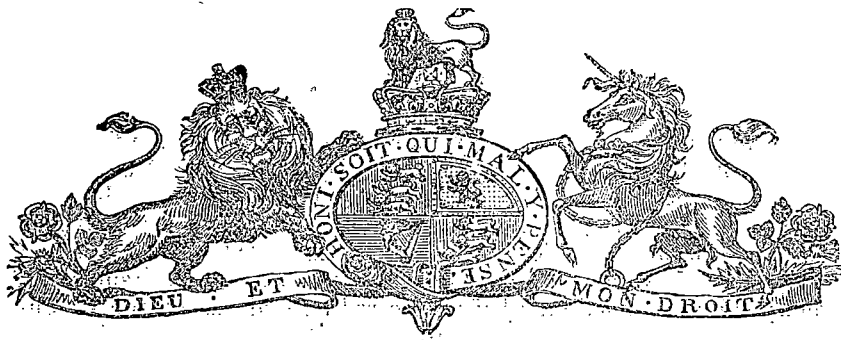
1885.

PARLIAMENT OF TASMANIA.

MUNICIPAL ACTION, EAST DEVON:

**REPORT FROM THE SELECT COMMITTEE, WITH MINUTES
OF THE PROCEEDINGS AND EVIDENCE.**

Brought up by Mr. Gray, and ordered by the House of Assembly to be printed,
November 24, 1885.



SELECT COMMITTEE appointed to enquire into and report upon the Reason why the Government refuse to permit the Petitioners of East Devon to assume Municipal action.

MEMBERS OF THE COMMITTEE.

MR. COOTE.
MR. ROOKE.
MR. GRAY.

MR. REIBEY.
MR. DOOLEY. (*Mover.*)

DAYS OF MEETING.

Friday, 20th November; Tuesday, 24th November.

WITNESSES EXAMINED.

Mr. J. M. Dooley, Mr. B. T. Solly.

M I N U T E S.

FRIDAY, NOVEMBER 20, 1885.

Committee met at 11 A.M.

Present—Messrs. Coote, Gray, Dooley, and Reibey.

Mr. Reibey was voted to the Chair.

The Petitions, Papers, and Correspondence ordered by the House of Assembly and laid upon the Table of the House by the Attorney-General on Tuesday, the 4th day of August, 1885, were produced.

Mr. Dooley tabled a statement setting forth the following particulars:—

“The Petition presented and dated 24th September, 1884, by Mr. Dooley purports to have been signed by 125 qualified electors, whose names appear on the Valuation Roll valued at not less than £20 annual value, as required by the provisions of 44 Vict. No. 26, praying that the Electoral District of East Devon, excepting the Parishes of Kentishbury and Northam, be proclaimed a Municipal District under the style and title of “The Municipal District of Latrobe.” This Petition was referred by the Chief Secretary to Mr. Dooley for the verification of the signatures, and returned to the Chief Secretary by Mr. Dooley on 25th October, 1884, having identified 96 out of the 125 signatures as duly qualified. What further means have been adopted to ascertain the qualified signatures the author of the Paper marked “Premier’s Office, 23rd June, 1885,” may be able to state.”

“In letter, L. 1567, the Deputy Governor in Council, under date 3rd November, 1884, in accordance with the provisions of “The Rural Municipalities Amendment Act, 1880,” 44 Vict. No. 26, approves of the publication of Petition, according to a Memo. signed by Mr. Solly and dated 27th September, 1884.”

“On the 4th February, 1885, Mr. Dooley wrote to the Hon. the Premier, to which the Premier replied, on 19th February, 1885—“The subject matter is under consideration.”

The Committee adjourned till Tuesday, 24th November, at 2:30 P.M.

TUESDAY, NOVEMBER 24, 1885.

The Committee met at 2:30 P.M.

Present.—Messrs. J. Gray, A. T. Pillinger, A. Coote, J. M. Dooley.

In the absence of Mr. Reibey, Mr. Gray was voted to the Chair.

Mr. B. T. Solly, Under Secretary, was called and examined. He produced plans and maps of the proposed Municipal District, together with Petitions in connection therewith.

Mr. Solly withdrew.

Mr. J. M. Dooley gave evidence in connection with the Petition for the proposed Municipality; after which the Committee deliberated.

The draft Report was prepared and adopted.

The Committee adjourned *sine die*.

R E P O R T.

THE Select Committee appointed to inquire into the reasons why the Petition for the creation of a new Municipal District out of that part of the Electoral District of East Devon described in the said Petition, and shown on plan (herewith) marked A., delineated thereon by a blue boundary line, should not be complied with, report to your Honorable House that having carefully examined the Petition for a new Municipal District, to be styled "The Municipal District of Latrobe," and heard Mr. J. M. Dooley's explanations thereon, and the statements of Mr. B. T. Solly, Under-Secretary, and examined plan before referred to, find that all the conditions necessary to enable the Government to proclaim such new District under the provisions of "An Act to further amend the Rural Municipalities Act of 1865," 44 Victoria, No. 26, of 1880, have been complied with. Your Committee therefore recommend that, as a preliminary step to the adoption of local self-government, such new District be declared in accordance with the prayer of the Petitioners, and the provisions of the Act, 44 Victoria, No. 26.

JAMES GRAY, *Chairman.*

Parliament House, 24th November, 1885.

E V I D E N C E.

TUESDAY, NOVEMBER 24, 1885.

MR. B. TRAVERS SOLLY *examined.*

1. *By the Chairman.*—What position do you occupy? Under Secretary.
2. What papers do you produce? A map showing the Electoral District of East Devon, excluding the Parishes of Kentishbury and Northam; the portions surrounded by the blue line are those which the petitioners have petitioned to be created a new Municipal District. This Petition handed in has been signed by 125 persons purporting to be qualified electors only.
3. Does the Petition fulfil the provisions of Sect. 3, 44 Vict. No. 26? As far as my knowledge goes there are names on the Petition of those who are not qualified to vote, which reduces the number of qualified electors to 96.
4. Would that Section enable the Governor in Council, notwithstanding the number of petitioners, to re-adjust the boundaries of the district? Under Section 3 it appears that the Governor has power to re-define the boundaries of any Municipal District upon the receipt of a Petition.—*Vide* Section 3, 44 Vict. No. 26.
5. Can you say whether the 96 persons, as reduced from the 125 petitioners, are a majority of the £20 ratepayers within the boundaries of the new district? No, I cannot say.
6. *By Mr. Dooley.*—How did you find out that only 96 were qualified? By comparison with the Assessment Roll.
7. Who made the comparison? One of the Clerks in my Office.

JAMES MONAGHAN DOOLEY, M.H.A., *examined.*

8. *By the Chairman.*—Have you seen the plan and map put in by Mr. Solly? Yes; the portions shown upon the plan are of the Electoral District of East Devon, excluding the Parishes of Northam and Kentishbury; they are the portions which are prayed for by the Petitioners, (*vide* Petition Sept. 24, 1884, D.P. 137, L. 1567), purporting to be signed by 125 Ratepayers, the number of whom qualified under the Section of the Act has been reduced to 96, praying for a redefinition of the boundaries of the Municipal District of the Mersey, by taking from the area of the said District the whole of the Electoral District of East Devon, excepting the Parishes of Kentishbury and Northam, and to proclaim the area so taken under the new style and title of the Municipal District of Latrobe.

9. Are the 96 qualified electors on the Petition, under Section 3, 44 Vict. No. 26, fairly entitled to have the boundaries of the new District altered in accordance with the prayer of the Petition? These 96 qualified electors represent a majority of the qualified ratepayers within the boundary of the proposed new Municipal District, and under Sect. 3, 44 Vict. No. 26, it is lawful for the Governor in Council to alter and redefine the boundaries of any Municipal District, unless Sect. 4 is complied with. After the proclamation by the Governor to alter such boundaries it will be necessary to comply with Sect. 7 of the Act 29 Vict. No. 8. My statement as regards the qualified electors is borne out by the Valuation Roll of 1884. The Petition in question was duly published in the *Gazette*, and the prescribed three months allowed to elapse, but no further action has been taken.