

## No. XIV.

SYDNEY CITY.

An Act to amend an Act intituled "*An Act to declare the Town of Sydney to be a City and to incorporate the Inhabitants thereof*" and for other purposes. [23rd December, 1844.]

Preamble.

6 Vic. No. 3 sec.  
12 partly recited.

Qualification of  
citizens reduced to  
£20.

Power to assess  
buildings which  
qualify persons to  
vote for the election  
of Councillors.

No tenant entitled  
to be enrolled on  
Citizen Roll unless  
he shall produce  
receipts for City  
Rates.

Officers required to  
give such receipts.

WHEREAS by an Act of the Governor and Legislative Council of New South Wales passed in the sixth year of the reign of Her present Majesty intituled "*An Act to declare the Town of Sydney to be a City and to incorporate the Inhabitants thereof*" it is amongst other things enacted that every male person of the full age of twenty-one years who on the last day of August in any year after the incorporation of the said City shall have occupied any house warehouse counting-house or shop within the said City of the annual value of twenty-five pounds clear of all charges thereupon during the whole of one year preceding such date and shall be otherwise qualified as therein mentioned shall if duly enrolled in that year according to the provisions thereafter contained be a citizen of the said City and member of the body corporate of the Mayor Aldermen Councillors and Citizens of the same and whereas it is necessary to reduce the said household qualification from the sum of twenty-five pounds to twenty pounds Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That after the passing of this Act every male person of the full age of twenty-one years who on the last day of August in any year shall have occupied any house warehouse counting-house or shop within the said City of the annual value of twenty pounds clear of all charges thereupon during the whole of any one year preceding such date shall if otherwise qualified as by the said Act is directed and if duly enrolled in that year according to the provisions of the said Act and subject to the provisos therein contained be a citizen of the said City and member of the body corporate of the Mayor Aldermen Councillors and Citizens of the same and be entitled to all the privileges conferred on every such citizen by the said Act.

2. And be it enacted That assessments or rates may be raised according to the provisions of the said Act on all houses counting-houses shops or other buildings whatever within the said City (except as in the seventy-fifth clause of the said Act are excepted) according to the annual value thereof clear of all charges thereupon provided that in any case in which such clear annual value shall be under twenty pounds such assessments or rates shall be paid by the respective owners or proprietors thereof and not by the tenant or tenants.

3. Provided always and be it enacted That no tenant shall be entitled to be enrolled in the Citizen Roll for that year unless he shall produce to the Collector of his ward at the time of making out the Citizens' List or to the Alderman and Assessors appointed by law to revise the Citizens' List of his ward a receipt or receipts from the proper officer of the Corporation for the time being (which receipt or receipts the said officer is hereby required to give) for the payment by such tenant of the six months City Rates last payable under the provisions of the said Act or in case of the loss or destruction of such receipt or receipts shall prove to the satisfaction of the said Alderman and Assessors at the time of such revision of the Citizens' List of his ward that such receipt or receipts were duly given and that the same have been lost or destroyed.

*Sydney City.*

4. And be it enacted That it shall be the duty of the Collector of each ward between the last day of August and the fifth day of September in each year to perambulate the ward for which he shall have been appointed and to call at every house or tenement therein of the annual value of twenty pounds and upwards to ascertain whether the tenant or tenants thereof have or have not the receipt or receipts for the last six months City Rates payable under the provisions of the said Act.

Collector to perambulate ward to ascertain whether tenants have receipts for city rates.

5. And be it enacted That so much of the said Act as provides that a citizen rated upon the annual value of not less than fifty pounds shall be qualified to be elected or to be a Councillor Alderman Auditor or Assessor under that Act shall be and the same is hereby repealed and that from and after the passing of this Act no citizen rated upon less than the annual value of one hundred pounds shall be so qualified as last aforesaid.

So much of 6 Vic. No. 3 as qualifies a citizen rated upon the annual value of £50 to be elected a Councillor &c. repealed and £100 annual value substituted in lieu thereof.

6. And whereas the office of Treasurer of the said City is an office of great trust and an annual appointment to such office as required by the said recited Act is unnecessary Be it therefore enacted That so much of the said hereinbefore recited Act as provides that the Council of the said City shall in every year appoint a fit person to be Treasurer of such City shall be and the same is hereby repealed and that the Council of the said City shall on the ninth day of November next after the passing of this Act appoint a fit person not being a member of the Council to be the Treasurer of the said City who shall thenceforth hold his office during the pleasure of the Council for the time being and on the happening of any vacancy thereafter by death resignation amotion or otherwise the Council shall proceed to the appointment of a successor either at any General Quarterly Meeting of the Council or at a Special Meeting to be convened for that purpose so that in no case such appointment be delayed twenty-one days from the happening of the vacancy.

Office of the Treasurer not to be subject to annual election but to be during the pleasure of the Council.

7. And whereas doubts have arisen as to the legality of filling up on the first day of November in every year all the then existing vacancies in the office of Councillor and it is expedient to remove the same Be it therefore enacted and declared That on the first day of November in every year there shall be elected in each ward in the said City a sufficient number of persons duly qualified as by the said Act is directed to fill up the ordinary vacancies caused by the retiring of such Councillors as go out by rotation as well as any extraordinary vacancy then existing so that on the first day of November in every year the whole number of the Council may be always completed and every such election shall be conducted as in and by the said Act is directed.

Council to be filled up annually.

8. Provided also and be it enacted That nothing herein contained shall be deemed to alter or affect the provisions of an Act passed in the seventh year of Her Majesty's reign intituled "*An Act for the more easy and effectual recovery of Rates in the City of Sydney*" except in so far as any such provisions are repugnant to this Act.

Not to affect the provisions of 7 Victoria No. 11.