

No. XXX.

An Act to repeal certain Sections of the Sydney Corporation Act fourteen Victoria number forty-one and to amend the City Corporation Abolition Act seventeen Victoria number thirty-three. [30th November, 1854.]

SYDNEY
COMMISSIONERS.

WHEREAS it is expedient to repeal certain sections of the Sydney Corporation Act passed in the fourteenth year of the reign of Her present Majesty Queen Victoria and numbered forty-one and the twentieth section of the Act of Council passed in the seventeenth year of the reign of Her said Majesty and numbered thirty-three and so much of the twenty-fifth section of the last recited Act as relates to the duties (under the Electoral Act of 1851) of the Secretary to the Commissioners appointed under the provisions of the secondly recited Act and to make other provisions relative to the matters thereby repealed and to enable the Governor with the advice of the Executive Council to borrow money for the purposes respectively mentioned in "The Sydney Sewerage Act of 1853" and "The Sydney Water Act of 1853" at an increased rate of interest Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows:—

1. The seventy-seventh section of the Act of Council called "The Sydney Corporation Act" passed in the fourteenth year of the reign of Her said Majesty and numbered forty-one shall be and the same is hereby repealed.

Sec. 77 of 14 Vic.
No. 41 repealed.

2. It shall be lawful for the Commissioners for the City of Sydney and they are hereby authorized to purchase horses and carts or to hire and employ men horses and water carts for the purpose of watering any street road place or square in the City of Sydney as to them may seem expedient and to impose upon the citizens in such street road place or square a rate sufficient to cover the expense of the same in rateable proportion to the amount for which they may be respectively assessed in addition to any City or other rates and the said Commissioners shall for the purpose of collecting levying and raising the

Commissioners em-
powered to water
streets and levy
rates for expenses
thereof.

Sydney Commissioners.

the rates necessary for this purpose proceed in the same manner and have the same powers and remedies they now or hereafter may have for collecting raising and levying any rates duly imposed by law.

From 31st December next sections 114 115 and 118 and Schedule I of 14 Vic. No. 41 repealed.

3. From and after the thirty-first day of December next the one hundred and fourteenth the one hundred and fifteenth the one hundred and eighteenth clauses and Schedule I of the first recited Act shall be and the same are hereby repealed.

Commissioners empowered to let markets or stalls separately.

4. The said Commissioners are hereby authorized to lease under and subject to such terms and conditions as they may think fit the tolls and dues receivable at the public markets now or hereafter to be established in the said City either by public auction or tender for any period not exceeding one year or to lease in like manner every stall in such markets separately.

Commissioner may alter market buildings.

5. The said Commissioners may make such alterations in the buildings or sheds of the said markets or erect such other buildings therein as they may think fit provided that the plan of such buildings or alterations together with an estimate of the probable cost thereof shall be previously submitted to and approved of by the Governor with the advice of the Executive Council.

Commissioners may permit sale of other articles in Hay Market.

6. The said Commissioners are hereby authorized and empowered to order and direct the sale of vegetables garden produce and other articles in the market known as the Hay Corn and Cattle Market and to make such by-laws orders provisions and regulations for the sale of such produce and other articles as to the said Commissioners shall seem meet anything to the contrary notwithstanding.

Commissioners empowered to establish other markets for sale of fruit vegetables &c. subject to existing rules.

7. The said Commissioners shall have full power and authority to establish other markets for the sale of fruit vegetables fish Colonial produce or general merchandise in such other part or parts of the said City as may be considered advisable and any such market when so established by notification in the *New South Wales Government Gazette* shall be subject to the rules and regulations and by-laws of the said Commissioners as fully in all respects as the markets already established in Sydney Provided that no such notification shall be made unless it shall have first received the sanction of the Governor with the advice of the Executive Council.

By-laws to be in force when published.

8. All by-laws to be made under the provisions of this Act or any other Act of Council shall be valid and effectual as soon as the same shall have been approved by His Excellency the Governor and notice of such approval shall have been published in the *New South Wales Government Gazette* anything in the first recited Act to the contrary notwithstanding and a copy of any such by-laws under the common seal of the said Commissioners and certified by their Secretary to be a true copy thereof shall be received as sufficient *prima facie* evidence thereof in all Courts of Justice and that the same have been approved and allowed according to law.

Governor and Executive Council under certain provisions of 17 Vic. 34 and 35 may borrow money at an increased rate of interest not exceeding five pounds per cent. per annum.

9. It shall be lawful for the Governor with the advice of the Executive Council to borrow money in pursuance of the provisions of the second section of "The Sydney Sewerage Act of 1853" and the first section of "The Sydney Water Act of 1853" at an increased rate of interest for the purposes therein respectively mentioned not exceeding the rate of five pounds per centum per annum or by the sale of debentures bearing interest at a rate not exceeding five pounds per centum per annum.

Section 142 of 14 Vic. No. 41 and sec. 20 of 17 Vic. No. 33 repealed.

10. The one hundred and forty-second section of the first recited Act and the twentieth section of the secondly recited Act shall be and the same are hereby repealed.

Section 25 of 17th Vic. No. 33 repealed and the Sheriff to appoint persons to perform the same.

11. So much of the twenty-fifth section of the secondly recited Act as relates to the duties of the Secretary to the Commissioners appointed under the provisions thereof shall be and the same are hereby

Sydney Rate.

hereby repealed and the Sheriff of the said Colony shall appoint some person to perform the duties which by the "Electoral Act of 1851" are required to be performed by the Town Clerk of the said City and the person so appointed shall possess the same powers and privileges and be subject to the same duties and penalties as the Town Clerk or Secretary to the Commissioners appointed respectively under the provisions of the said recited Acts would have possessed for the same purposes or would have been subject to if this Act had not been passed.

12. The enactments herein contained shall so far as is consistent with the contents and subject matter thereof be read construed and acted upon as if this Act had been incorporated with and had formed parts of the said recited Acts. Enactments hereof to be acted upon as if parts of said recited Act.

13. The first recited Act may be cited as "The Sydney Corporation Act of 1851" and the second recited Act as "The Sydney Corporation Abolition Act of 1853" and this Act as "The Sydney Corporation Amendment Act of 1854." Titles of Acts.
