ANNO VICESIMO SEXTO ET VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1863.

No. 5.


[Assented to, 12th November, 1863.]

WHEREAS it is expedient to amend “The Municipal Corporations Act, 1861”—Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. Sections numbered 182 to 187, both inclusive, and Schedules H and I of the said Municipal Corporations Act, 1861, shall be and the same are hereby repealed, excepting so far as may be necessary to support or give validity to any Act, matter, or thing heretofore legally done.

2. Bonds for securing payment of money to be borrowed by any Corporation shall be issued by the Corporation, under the Corporation Seal, in the form following, that is to say:

No. £ No. £
South Australia—City of Adelaide [or Town of , as
the case may be]. Corporation Securities.

The Corporation of the City of Adelaide [or Town of ], in consideration of the sum of Pounds paid to the Council of the said City [or Town], for the purposes of the said City [or Town], hereby binds itself to pay to the bearer for the time being of this present obligation the
Municipal Corporations Amendment Act.—1863.

the sum of Pounds, and to the bearer or bearers for the time being of the coupons or vouchers annexed hereto, interest upon the said sum after the rate of per centum per annum, such interest to be payable on the first day of March and the first day of September in every year, and the principal to be paid on the first day of

in the year one thousand eight hundred and : And further, the said Corporation hereby assigns the rates of the said City [or Town], authorized to be levied from time to time (except special rates, not applicable to the repayment of mortgages), to the bearer for the time being of this present obligation, until the said principal sum be satisfied, and to the bearer or bearers for the time being of the coupons or vouchers annexed hereto, until the interest upon the said principal, as represented in such coupons or vouchers by him or them held shall be satisfied.

Given under the Seal of the Corporation of the City of Adelaide [or Town of ], the day of 186 .

[The Seal of the Corporation.]

The Seal of the said Corporation was hereto affixed, in the presence of

A.B., Mayor,
C.D., Town Clerk.

Note.—Interest and principal, payable at the Bank of the Corporation in , or [in London, or any other agreed place], at such Bank or other place as may be appointed by notice to be given in the South Australian Government Gazette [or in the London Gazette].

Provided that a register of such bonds so issued shall be kept at the Town Clerk's office, and remain open to the inspection of the citizens at all reasonable hours.

Form of Coupon. 3. The coupons or vouchers for interest, to be issued by the Council, and annexed to such bonds, shall be in the form following, that is to say:

South Australia—City of Adelaide [or Town of ].
Corporation Securities.
Coupon for £ , for half-year's interest, due the first day of 18 , on Bond No.
Payable to bearer at

Payment. 4. The principal and interest upon such bonds shall be payable and paid to the bearer of the coupon or bond, as the case may be, at the
the place and time specified in such coupon or bond, and the interest payable on such bonds shall in no case exceed Six Pounds per centum per annum.

5. The bearer for the time being of any such bond or coupon shall be entitled to all rights and remedies under and in respect of the same in like manner as though he had been named in such bond as the obligee thereof.

6. The bearers for the time being of such bonds and coupons shall, in proportion to the amounts thereof, be creditors on the rates equally one with another without any preference in respect of the priority of the dates of such bonds respectively.

7. Until default shall be made in payment of the said bonds or the coupons thereto, the said Corporation by their collector may receive and recover, and the said Corporation may apply all the said rates, as if the said bonds and coupons had not been executed and given.

8. The securities already issued by the said Council of Adelaide, in the form of the Schedule II to the said Municipal Corporations Act, 1861, shall be binding upon the said Council and the rates of the said city, but the same may be exchanged at any time for bonds in the form prescribed by this Act.

9. The provisions in the said Municipal Corporations Act, 1861, restricting the erection of any building, or part thereof, on or over any footway, shall not extend to any building to be erected by the Corporation of Adelaide on the said Corporation Acre as and for a Town Hall, but the said Corporation may erect any part of such building on and over the footway adjoining the said acre in King William-street.

10. Meetings called to approve the borrowing of money on the credit of the rates, or to adopt a rate, or to erect a Town Hall, at which a poll, on any proposition submitted, shall be demanded, shall for the purpose of taking such poll be adjourned to a day to be then named, not later than four days from the day of such meeting.

11. The pieces of land mentioned in the Schedule to this Act shall no longer be under the care, control, and management of the Corporation of Adelaide, and may be appropriated by the Governor for the erection of public buildings or for any other public purpose: Provided that no portion of the piece of land secondly described in the said Schedule shall be appropriated for the erection of other buildings than those connected with the public gaol of the said Province.

12. This
12. This Act may be cited as "The Municipal Corporations Amendment Act, 1863."

In the name and on behalf of the Queen I hereby assent to this Act.

D. DALY, Governor.
SCHEDULE.

The portion of the Park Lands, commencing at a point on the north side of North-terrace, in prolongation of the west side of Morphett-street; thence west, for a distance of 568 links, to the east side of bridge road; thence, at an angle of ninety degrees and thirty-eight minutes, along the east side of said road, for a distance of 228 links, to the south side of City and Port Railway; thence easterly, by south side of said Railway, a distance of 600 links; thence southerly, for a distance of 119 links, to the point of commencement.

And also that portion of the Park Lands, commencing at the railway occupation bridge, south-east of the gaol, and running in a westerly direction along the line of fence for about 1,010 links; thence in a north-westerly direction along the line of fence, crossing the gaol-road, to the south-western corner of the stone wall, for 820 links; thence in a north-north-west direction, to the end of the stone wall, for 510 links; thence in a northerly direction, to the south-west corner of the railway bridge, for 1,200 links; thence in a north-east direction, crossing the railway; thence in an east and south-easterly direction, along the south bank of the River Torrens, for 2,510 links; thence in a south-westerly direction 370 links to the point of commencement.