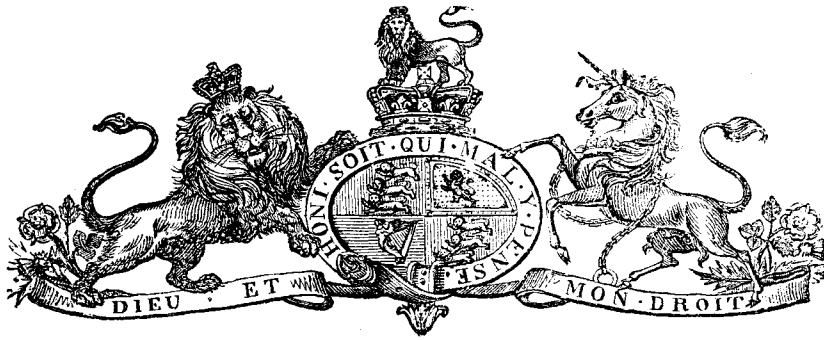


T A S M A N I A .



1885.

ANNO QUADRAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 34.



AN ACT to incorporate and endow the *Tas-* A.D. 1885.
manian Museum and Botanical Gardens.

[5 December, 1885.]

WHEREAS the Museum situate in *Hobart*, and known as "The Royal Society's Museum," has been for many years in the possession of and under the control of "The Royal Society of *Tasmania* for Horticulture, Botany, and the Advancement of Science," and the Society has acquired a large collection of specimens of Natural History and other objects of value, which collection is now deposited in the said Museum and is the property of the Society: And whereas the Gardens situate in the vicinity of *Hobart*, and known as "The Royal Society's Gardens," have in like manner been for many years in the possession and under the control of the same Society, and the Society has expended considerable sums of money thereon: And whereas the Society has proposed to surrender all claim to the Museum and the collections therein, and to the Gardens, in order that the Museum Buildings, together with the land occupied therewith, and the objects contained therein, or which may hereafter be acquired by gift, bequest, purchase, or exchange and be deposited therein, and also the Gardens, together with the lands and buildings belonging to or occupied therewith, should be vested in certain persons, who should be incorporated as a Board of Trustees for the management and guardianship of the Museum and the collections therein, and of the Gardens, and that the said Museum and Gardens should be endowed out of the Public Funds:

PREAMBLE.

Museum and Botanical Gardens Incorporation.

A.D. 1885.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Tasmanian
Museum and
Botanical
Gardens.

1 The said Royal Society's Museum shall henceforth be called "The *Tasmanian* Museum," and the said Royal Society's Gardens shall be called "The Botanical Gardens."

Trustees of
Tasmanian
Museum and
Botanical
Gardens incor-
porated.

2 A Board of Trustees, in this Act called "the Trustees," and composed as hereinafter mentioned, shall be and is hereby constituted a body politic and corporate, by the name of "The Trustees of the *Tasmanian* Museum and Botanical Gardens," by which name such body corporate shall have perpetual succession, and be capable in law to sue and be sued in all Courts, and to take, purchase, and hold land and personal estate, and to alienate the same for any estate, term, or interest, and to do and suffer all acts as a body corporate under the provisions of this Act, and shall have a common seal: Provided that it shall not be lawful for the Trustees to alienate, mortgage, charge, or demise any real estate without the consent of the Governor in Council previously obtained.

Restrictions on
power of
alienating land
of the Corporation.

Property of
Royal Society
vested in Trustees.

3 The piece of land in *Hobart* whereon the Museum is built, comprised within the boundaries described and set forth in the Schedule (1.), and the piece of land in the vicinity of *Hobart* hitherto known as the Royal Society's Gardens, comprised within the boundaries described and set forth in the Schedule (2.), shall be and the same are hereby vested in the Trustees and their successors in fee simple; and the specimens of Natural History, collections, goods, and chattels contained in and belonging to the Museum, and the goods and chattels in, upon, and belonging to the said Gardens, shall be and the same are hereby vested in the Trustees and their successors.

Certain property
and rights
reserved.

4 Provided always, that the books, manuscripts, pictures, engravings, maps, philosophical apparatus, bookcases, furniture, goods, and chattels contained in the Library of the Museum, being the property of the Royal Society, shall not vest in the Trustees, but shall be and remain the absolute property of such Society: Provided also that, in consideration of the services rendered by the Society in the promotion of science and in the formation, management, and guardianship of the Museum, and in the formation and management of the said Gardens, the Society shall have exclusive possession of the Library Room of the Museum, or other sufficient and convenient rooms therein, for the safe custody of their library of books and other effects, and for their meetings and for all other purposes connected with the Society.

Permanent
endowment.

5 By way of permanent endowment for the said Museum and Gardens, the Governor shall be and is hereby empowered, by warrant under his hand, to direct to be issued and paid out of the Consolidated Revenue Fund, by four equal quarterly payments on the First day of *January*, the First day of *April*, the First day of *July*, and the First day of *October* in every year, as a fund for defraying the stipends which shall be appointed to be paid to such necessary officers and servants as shall be from time to time appointed by the Trustees, and for discharging all incidental and necessary charges connected with the current expenditure thereof, or otherwise, the sum of Five hundred

Museum and Botanical Gardens Incorporation.

Pounds for the purposes of the Museum, and the sum of Eight hundred Pounds for the purposes of the Gardens, in each and every year, the First instalment thereof to become due and payable on the First day of *January*, 1886. A.D. 1885.

6 The Trustees shall consist of the following public officers for the time being, who shall be called Official Trustees, that is to say, the Chief Justice, the Chief Secretary, the Minister of Lands and Works, the President of the Legislative Council, the Speaker of the House of Assembly; a Trustee to be named by the Governor and to be called the Crown Trustee; and of Six Trustees, being Members of the Council for the time being of the Royal Society and elected by the Council. Members of Corporation.

7 At every meeting of the Trustees, Five Trustees shall form a quorum, and all questions shall be decided by the majority of votes of the Trustees present; and in all cases when the votes on each side shall be equal, the Chairman who may be chosen to act on the occasion shall have an additional or casting vote. Quorum of Trustees.

8 The Common Seal of the Trustees shall not be affixed to any deed, contract, agreement, or other document whatsoever except by authority of a Resolution of the Trustees, and in presence of Two or more of the Trustees, who shall sign an attestation to the effect that such Seal was so affixed or attached in their presence. Seal.

9 The Trustees shall have full power to appoint all officers and servants of the said Museum and Gardens, and shall have the entire management and superintendence of the affairs, concerns, and property of the said Museum and Gardens. In all cases not provided for by this Act, it shall be lawful for the Trustees to act in such manner as shall appear to them best calculated to advance the objects of such Institutions. General powers of Trustees.

10 The said Trustees shall have power and authority to make, and also to repeal and alter, all such by-laws, rules, and orders touching and concerning the management and good government of the said Museum and Gardens, and the income and property thereof, or any other matter or thing relative to the same, as to them may seem fit for the effectual attainment of the objects of such Institutions; and all such by-laws, rules, and orders shall be presented to the Governor, and on confirmation and allowance thereof by the Governor in Council, shall come into force and be binding in law; and all such by-laws, rules, and orders shall, within One month from the date thereof, be published in the *Hobart Gazette*, and shall be laid before Parliament within One month after the same shall have been made, if Parliament shall be then sitting, or if not, then within One month after the commencement of the next Session thereof. Power to make by-laws, rules, and orders.

11 The Trustees shall once at least in every year, and also whenever the pleasure of the Governor shall be signified in that behalf, report their proceedings, and the proceedings and the progress of the said Institutions, to the Governor, and a copy of every such report shall be laid before Parliament within One month after the same shall have been received, if Parliament be then sitting, or if not, then within One month after the commencement of the next Session thereof. Trustees to make reports of their proceedings.

Museum and Botanical Gardens Incorporation.

A.D. 1885.

Accounts.
Audit.

12 Accounts of the expenditure of the Museum and Gardens shall be furnished annually by the Trustees to the Chief Secretary for examination and audit, and in order that an abstract thereof may be published in the *Hobart Gazette*.

SCHEDULE.

(1.)

ALL that allotment or piece of land in the City of *Hobart*, containing one rood and twenty-one perches or thereabouts, bounded as follows :—

On the north west by one hundred and thirty-two feet and ten inches north-easterly along *Macquarie*-street commencing at the angle of that street with *Argyle*-street, on the north east by one hundred and twenty-six feet and ten inches south-easterly along a roadway, on the south east by one hundred and thirty-two feet and ten inches south-westerly along Crown Land to *Argyle*-street aforesaid, and thence on the south west by one hundred and twenty-six feet and ten inches north-westerly along that street to the point of commencement.

(2.)

ALL that allotment or piece of land in the Parish of *Hobart* in the County of *Buckingham*, containing twenty-four acres or thereabouts as now fenced, bounded as follows :—

Commencing at a north-west angle of Government House Grounds on a Roadway, and bounded by that roadway and by the Queen's Domain (crossing the Main Line Railway Reserve) to the River *Derwent*, thence by that river south-easterly to the Main Line Railway Reserve aforesaid, thence re-crossing the same by that reserve to Government House Grounds aforesaid, and thence by those grounds to the point of commencement.