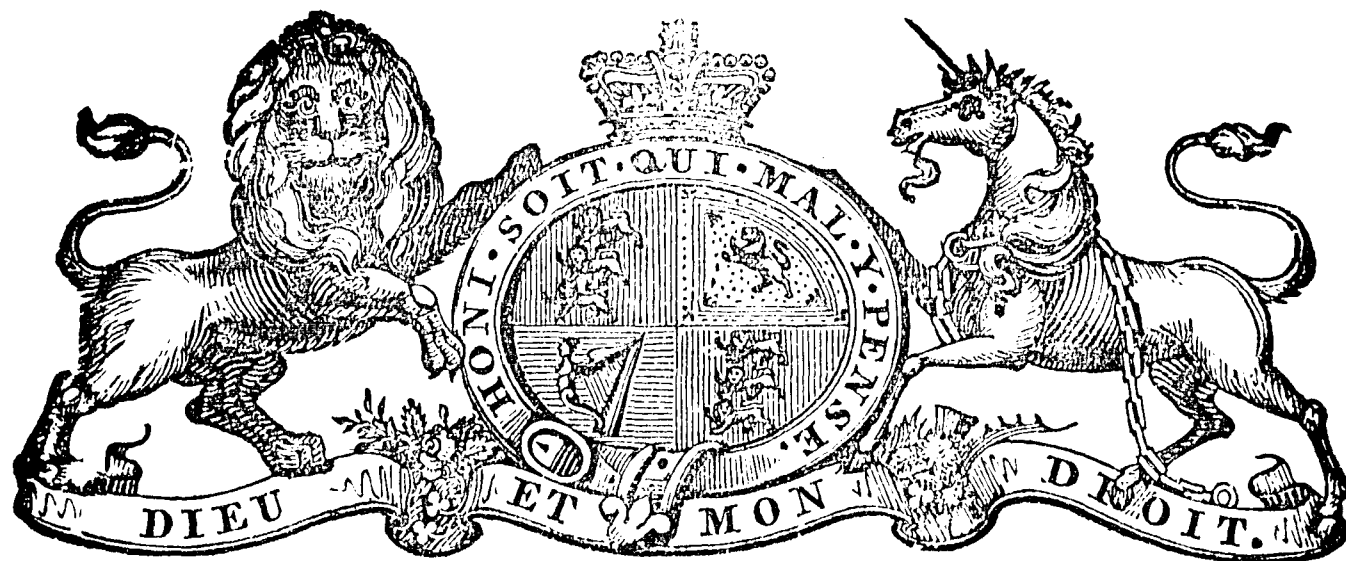


VICTORIA.



ANNO QUADRAGESIMO SECUNDO

VICTORIÆ REGINÆ.

No. DCXIX.

An Act to provide for the holding of Victorian Exhibitions.

[14th November 1878.]

WHEREAS it is desirable to hold public exhibitions of works of industry and art : And whereas it is also desirable that suitable buildings and grounds be provided for such purposes : And whereas it is expedient that commissioners should be appointed to carry out and superintend such exhibitions, and that trustees be appointed for such buildings and grounds : Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

Preamble.

1. This Act shall be called and may be cited as "*The Victorian Exhibitions Act 1878*" and shall be read and construed as one Act with "*The Exhibitors Protection Act 1872*."

Title of Act.

No. 422.

2. The Governor in Council may from time to time appoint or remove such persons as he may think fit to be Exhibition Commissioners one of whom he shall appoint to be president. Subject to the provisions of this Act such commissioners shall carry out and superintend any public exhibition of works of industry and art authorized to be held in accordance with the provisions of "*The Exhibitors Protection Act 1872*" and for which they may be appointed to be or act as commissioners. Provided that no commission for the holding of any exhibition shall remain in force for more than three years. The commissioners

Appointment of Exhibition Commissioners.

Ib. s. 2.

Published as a Supplement to the 'Victoria Government Gazette' of Friday, 15th November 1878.

commissioners for any exhibition shall for the purposes of this Act be a body politic and corporate by the name of "Exhibition Commissioners" and shall by that name have succession until the purposes for which they have been or shall be appointed respectively shall have been carried out and all claims demands and suits by or upon or against them in such their corporate character shall have been satisfied, and shall have a common seal and shall by the same name sue and be sued plead and be impleaded answer and be answered unto in all courts and places whatsoever and shall have power to compound or to prove in any competent court all debts due to them.

Powers of commissioners.

3. Unless otherwise directed by the Governor in Council such commissioners shall take all measures necessary for providing erecting altering and maintaining the buildings and premises required for any exhibition for which they may be appointed commissioners, and for securing and obtaining the most effective display of all articles received for public exhibit : Provided that plans and specifications together with an estimate of cost for the erection of the original building shall be first submitted to Parliament and shall receive the approval of the Governor in Council.

Commissioners may make rules and regulations.
No. 357 s. 6.

4. The commissioners for any exhibition or a majority of them at any general meeting assembled shall have power from time to time to make repeal alter and re-enact such rules and regulations as they may think fit for the purpose of providing for—

- (I.) The conduct of their own proceedings :
- (II.) The due management of the affairs of the exhibition in its several departments :
- (III.) The temporary admission or exclusion of the public or any individual to and from the exhibition or buildings or grounds or any part thereof and the behaviour to be observed therein :
- (IV.) The sum to be demanded and paid for admission to the exhibition or buildings or grounds or any part thereof, and the manner in which all moneys received by the commissioners shall be applied : and
- (V.) The purposes of public instruction enjoyment or entertainment for which any buildings or grounds or any part thereof may be used and applied.

And all such rules and regulations shall be signed by the president and submitted for the approval of the Governor in Council, and if approved they shall be published in the *Government Gazette*, and until such publication such rules and regulations shall not have any operation ; and every person who shall be guilty of a breach or contravention of any such rules or regulations shall on conviction thereof be liable to a penalty not exceeding Ten pounds.

Penalty.

5. A

5. A public exhibition of works of industry and art shall be held in Melbourne in the year One thousand eight hundred and eighty, and the commissioners appointed to carry out such exhibition shall have the exclusive control of all matters whatsoever connected with the said exhibition until the thirtieth day of September One thousand eight hundred and eighty-one and no longer.

A public exhibition to be held in 1880.

6. Subject to the conditions contained in any regulations which may from time to time be made by the Governor in Council and published in the *Government Gazette* and on receiving a statutory declaration from any importer exhibitor or his agent of his intention to exhibit any articles specified in such declaration at any public exhibition within the meaning of this Act it shall be lawful for the Commissioner of Customs by order under his hand to authorize the admission into Victoria by land or sea without payment of any duties of Customs of any such articles so intended as exhibits at any such public exhibition.

Exhibits may be admitted duty free.



7. The Governor in Council may from time to time appoint or remove persons to be trustees for the purposes of this Act: Provided that the number of trustees at any time shall not exceed seven, of whom one shall be the mayor for the time being of the city of Melbourne, and one other shall be such member for the time being of the Council of the said city as the said Council may from time to time elect to be trustee for any period not longer than one year; but if the said mayor for the time being shall fail or refuse to act as a trustee the Governor in Council may from time to time appoint any other person to be trustee instead of such mayor, and if the said council shall at any time fail to elect any member thereof to be a trustee, or if any member elected shall fail or refuse to act as a trustee, the Governor in Council may at any time after such failure to elect or failure or refusal to act appoint any person to be a trustee: Provided also that during the time or period for which any commissioners may be appointed to act in respect of any public exhibition such commissioners unless otherwise directed by the Governor in Council shall have the exclusive control of all lands buildings and premises held by such trustees, and such commissioners shall exercise all the powers conferred on them by this Act, and neither shall such commissioners nor shall any lands buildings or premises used in connection with any exhibition carried out and superintended by such commissioners be interfered with in any respect whatever by such trustees.

Trustees.

8. No power authority act or proceeding of any trustees or commissioners appointed under the provisions of this Act shall be invalidated or be illegal in consequence only of the whole number of trustees not being filled up or of there being any vacancy in the number of such trustees or commissioners as the case may be at the time of the exercise doing or execution of any such power authority act or proceeding.

Vacancies not to invalidate proceedings &c.

9. The

Trustees a corporation.

No. 357 s. 3.

Trustees may make rules and regulations.

No. 357 s. 6.

9. The trustees appointed under the provisions and for the purposes of this Act shall be a body politic and corporate by the name of "The Exhibition Trustees," and shall by that name have perpetual succession and shall adopt and have a common seal, and shall by the same name sue and be sued plead and be impleaded answer and be answered unto in all courts and places whatsoever, and shall have power to compound or to prove in any competent court all debts due to them.

10. The majority of the trustees for the time being at any general meeting assembled shall have power from time to time to make repeal alter and re-enact such rules and regulations as they may think fit for the purpose of providing for—

- (i.) The conduct of their own proceedings :
- (ii.) The due management of the affairs of the corporation in its several departments and the manner in which all moneys received by the trustees shall be applied :

And when there are no commissioners in existence under this Act—

- (iii.) The use and terms to and on which the buildings or grounds or any part thereof may be applied :
- (iv.) The temporary admission or exclusion of the public or any individual to and from the buildings or grounds or any part thereof and the behaviour to be observed therein :
- (v.) The sum to be demanded and paid for admission to the buildings or grounds or any part thereof.

And all such rules and regulations shall be reduced into writing, and the common seal of the corporation having been affixed thereto shall be submitted for the approval of the Governor in Council, and if approved they shall be published in the *Government Gazette*, and until such publication such rules and regulations shall not have any operation; and every person who shall be guilty of a breach or contravention of any such rules or regulations shall on conviction thereof be liable to a penalty not exceeding Ten pounds.

Annual report.
No. 357 s. 7.

No. 86.

11. The said trustees and any commissioners appointed under this Act shall respectively on or before the thirtieth day of September in every year report the proceedings of the said corporation or commissioners as the case may be during the previous financial year to the Chief Secretary, and such report shall contain a full account of the income and expenditure of such corporation or commissioners duly audited by the Commissioners of Audit, and a copy of every such report and all rules or regulations made under this Act shall be laid in each year before Parliament.

Expenses of buildings and exhibitions.

12. The expenses of providing or erecting buildings and premises for the said exhibition to be holden in the year One thousand eight hundred and eighty and of securing and obtaining the most effective display of all articles received for public exhibit and of the carrying out of

of the provisions of this Act shall be defrayed out of the moneys to be provided by Parliament therefor : Provided that if after all necessary expenses have been defrayed the Commissioners of Audit report that there are any surplus proceeds from any source whatever in respect of such exhibition or any future exhibition for which any appropriation of revenue may at any time be made, such surplus proceeds shall be forthwith paid into the Consolidated Revenue.

13. As to the land described in the First Schedule hereto, the Order in Council dated the ninth day of June One thousand eight hundred and seventy-three by which certain land in the parish of Jika Jika at Carlton was reserved from sale permanently and the grant of such land dated the thirteenth day of June in said year for certain purposes therein named to the Board of Land and Works and to the mayor aldermen councillors and citizens of the city of Melbourne and to their successors, and the enrolment of the record of such grant and the release dated the sixteenth day of September in said year of certain exemptions reservations and provisoes contained in said grant and also the enrolment of said release, shall be and the same are hereby declared to be respectively valid to all intents and purposes anything in any Act to the contrary notwithstanding but subject to the provisions hereinafter contained as to the disposal of a portion of said land.

14. The said land shall be used for the public exhibition of One thousand eight hundred and eighty hereinbefore mentioned, and the commissioners appointed to act in respect of such exhibition shall have the exclusive possession and control of the said land until the thirtieth day of September in the year One thousand eight hundred and eighty-one, and neither the Board of Land and Works nor the mayor aldermen councillors and citizens of the city of Melbourne shall interfere with such commissioners nor with the control of the said land in any respect before the said date ; and after the said thirtieth day of September One thousand eight hundred and eighty-one that portion of the said land described in the Second Schedule hereto shall be in and under the exclusive possession and control of the Exhibition trustees hereinbefore mentioned for the purposes of future public exhibitions and of general public instruction and recreation, and the remaining portion of the said land shall be restored to the joint possession of the Board of Land and Works and the mayor aldermen councillors and citizens of the city of Melbourne to be held and enjoyed under the grant hereinbefore mentioned :

Provided always that the public shall be deprived only upon any special and temporary occasions for which the said Exhibition Trustees shall receive the approval of the Governor in Council of the right of free ingress and egress as foot passengers only to and from the grounds around the buildings on such land described in the Second Schedule hereto.

Provided

Surplus.

Permanent reservation of land at Carlton and Crown grant thereof confirmed.

Schedule.

Vide "Government Gazette," 13th June 1873, p. 1058.

Register book No. 600, fols. 119, 905.

Land to be used for purposes of exhibition of 1880 under sole control of commissioners until 30 September 1881, and afterwards to revert in present trust save land described in Second Schedule.

Second Schedule.

Provided also that so often as the land mentioned in the Second Schedule shall be required for the purposes of a public exhibition of the character hereinbefore mentioned the Commissioners to be appointed for every such exhibition shall have the sole control of the said land and the buildings thereon whilst such exhibition may continue.

Provided also that nothing in this section contained shall be deemed to divest the Board of Land and Works and the mayor aldermen councillors and citizens of the city of Melbourne of the legal estate of such land described in the Second Schedule hereto.

SCHEDULES.

FIRST SCHEDULE.

CARLTON GARDENS.

Section 13.

Sixty-three acres more or less, county of Bourke, parish of Jika Jika, city of Melbourne, at Carlton : Commencing at the north-east angle of the land, being the junction of the south side of Carlton street with the west side of Nicholson street ; bounded thence by Carlton street bearing west 17 chains 77 links more or less to Rathdowne street ; thence by that street bearing south to Victoria street ; thence by that street and by Victoria parade bearing east to Nicholson street aforesaid ; and thence by that street bearing north to the point of commencement.

SECOND SCHEDULE.

EXHIBITION SITE.

Section 14.

Twenty acres two roods four perches, county of Bourke, parish of Jika Jika, city of Melbourne, at Carlton : Commencing at a point on the east side of Rathdowne street bearing north 761 feet from its intersection with the north side of Victoria street ; bounded thence by the first-named street bearing north 759 feet ; thence by a line bearing east 1178 feet to Nicholson street ; thence by that street bearing south 759 feet ; and thence by a line bearing west 1178 feet to the point of commencement.

MELBOURNE :

By Authority : JOHN FERRES, Government Printer.