

(No. 63.)



1898.

PARLIAMENT OF TASMANIA.

THE ZEEHAN ELECTRIC LIGHT AND POWER
BILL, 1898, (PRIVATE):

REPORT OF SELECT COMMITTEE, WITH MINUTES OF
PROCEEDINGS, EVIDENCE, AND APPENDIX.

Brought up by Mr. Lewis, August 26, 1898, and ordered by the House of
Assembly to be printed.

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SELECT COMMITTEE appointed, on the 17th day of August, 1898, to consider and report upon "*The Zeehan Electric Light and Power Bill, 1898,*" (Private).

MEMBERS OF THE COMMITTEE.

MR. ATTORNEY-GENERAL.
MR. STAFFORD BIRD.
MR. MILES.
MR. MULCAHY.

MR. MURRAY.
MR. RONALD SMITH.
MR. LEWIS.

DAY OF MEETING.

Friday, August 26.

WITNESSES EXAMINED.

Mr. Percy John Edward Fowler; Mr. Arthur Charles Parker; Mr. Arthur Morrisby; Mr. Hugh Marsh.

R E P O R T.

Your Committee having taken evidence in support of the allegations contained in the Preamble of the Bill, has the honour to report that the said Preamble has been proved to its satisfaction.

Your Committee having agreed that the Preamble should stand part of the Bill, then entered into consideration of the several Clauses, and has the honour to recommend certain amendments.

Your Committee has now the honour to submit the Bill, as amended, for the favourable consideration of your Honourable House.

N. E. LEWIS, *Chairman.*

Committee Room, 26th August, 1898.

MINUTES OF PROCEEDINGS.

FRIDAY, AUGUST 26, 1898.

The Committee met at 10.45 o'clock.

Members present.—Mr. Lewis, Mr. Bird, Mr. Ronald Smith, and Mr. Murray.

The Clerk read the Order of the House appointing the Committee.

Mr. Lewis was appointed Chairman.

The Chairman laid upon the Table the Petition praying for leave to bring in the Bill. (Appendix.)

Resolved, That the Petitioner be heard by Counsel.

Accordingly, Mr. John Bradford appeared.

Mr. Percy John Edward Fowler was called in and examined.

Mr. Fowler withdrew.

Mr. Arthur Charles Parker was called in and examined.

Mr. Mulcahy took his seat.

Mr. Parker withdrew.

Mr. Arthur Morrisby was called in and examined.

Mr. Morrisby withdrew.

Mr. Hugh Marsh was called in and examined.

Mr. Marsh withdrew.

Counsel addressed the Committee in support of the Bill.

Counsel withdrew.

The Committee then entered upon the consideration of the Bill:

Preamble.

Amendments made:—

Page 1, line 1, after "Percy," by inserting "John Edward."

Page 1, line 9, after "Percy," by inserting "John Edward."

Preamble, as amended, agreed to.

Clause 1 agreed to.

Clause 2.

Amendments made:—

Page 2, line 9, after "of," by inserting "live."

Page 3, line 9, after "Percy," by inserting "John Edward."

Clause, as amended, agreed to.

Clauses 3 to 9 agreed to.

Clause 10.

Amendment made, page 4, line 36, after "Section," by striking out "Nineteen," and inserting "Seventeen."

Clause, as amended, agreed to.

Clauses 11 to 16 agreed to.

Clause 17.

Amendment made, page 6, line 8, after "Act," by striking out "fell timber, and use and carry away the same and."

Clause, as amended, agreed to.

Clauses 18 to 21 agreed to.

Clause 22.

Amendments made:—

Page 7, line 3, after "authority," by inserting "or their authorised officer."

Page 7, line 15, after "supply," by adding "Provided that if the local authority or their authorised officer refuse or neglect to supervise the operations referred to in this Section, the Projector may perform the work so specified in the notice herein mentioned without the supervision of such local authority or their authorised officer."

Clause, as amended, agreed to.

New Clause A (Provisions for cases of emergency) brought up and read 1^o:—"In cases of emergency arising from defects in the conduits, machinery, or works of the Projector, the Projector may proceed to exercise any of the powers referred to in the last preceding Section before such notice has been given, or before such period has expired; but in case such notice has not been already given, the same shall be given as soon as possible after the commencement of the work, or the necessity for the same has arisen."

Read 2^o, and made part of the Bill. (To follow Clause 22.)

Clause 23.

Amendment made, page 7, line 21, after "thereby," by inserting "to the satisfaction of the local authority or their authorised officer."

Clause, as amended, agreed to.

Clause 24 disagreed to.

Clauses 25 to 44 agreed to.

Clause 45.

Amendments made:—

Page 10, line 36, after "exceeding," by striking out "Ten," and inserting "Five."

Page 10, line 37, after "exceeding," by striking out "Five," and inserting "Two."

Clause, as amended, agreed to.

Clause 46 agreed to.

Clause 47.

Amendments made :—

Page 10, line 49, after "exceeding," by striking out "Ten," and inserting "Five."

Page 11, line 1, after "exceeding," by striking out "Ten," and inserting "Five."

Clause, as amended, agreed to.

Clauses 48 to 54 agreed to.

Clause 55.

Amendment made, page 12, line 29, after "exceeding," by striking out "Fifty," and inserting "Twenty-five."

Clause, as amended, agreed to.

Clauses 56 to 58 agreed to.

Clause 59.

Amendments made :—

Page 13, line 9, after "transformer," by striking out "or point of distribution."

Page 13, line 16, after "employ," by inserting "beyond the transformer."

Clause, as amended, agreed to.

Clauses 60 to 87 agreed to.

Clause 88.

Amendment made, page 18, line 26, after "the," by striking out "Hobart."

Clause, as amended, agreed to.

Clause 89.

Amendments made :—

Page 19, line 2, after "due," by inserting "commencement and."

Page 19, line 3, after "Act," by striking out "within Two years from the passing of this Act."

Page 19, line 5, after "manner," by striking out "and continue the construction of such works."

Page 19, line 6, after "the," by inserting "First."

Page 19, line 7, after "of," by inserting "July."

Same line, after "Ninety," by inserting "Nine."

Page 19, line 8, after "of," by striking out "Two," and inserting "One."

Same line, after "thousand," by inserting "Five hundred."

Page 19, line 9, after "the," by inserting "First."

Same line, after "of," by inserting "July."

Same line, after "thousand," by striking out "eight," and inserting "nine."

Page 19, line 10, after "hundred," by striking out "and ninety."

Page 19, line 12, after "Colony," by adding "Provided that if the Projector shall within Six months after the passing of this Act expend upon the said works, to the satisfaction of the Minister, the sum of One thousand five hundred Pounds, then the Projector shall not be required to make the deposit of Five hundred Pounds as aforesaid, and a notice in writing under the hand of the Minister that such sum of One thousand five hundred Pounds has been expended to his satisfaction shall be deemed sufficient to exonerate the Projector from his liability to make such deposit as is hereinbefore mentioned."

Clause, as amended, agreed to.

Clause 90.

Amendments made :—

Page 19, line 14, before "the," by striking out "and the completion of the said works or part of the said works," and inserting "upon."

Same line, after "of," by striking out "Two," and inserting "One."

Same line, after "thousand," by inserting "five hundred."

Page 19, line 15, after "shall," by inserting "if deposited."

Clause, as amended, agreed to.

Clause 91.

Amendment made, page 19, line 26, after "mentioned," by inserting "if required under the foregoing provisions."

Clause, as amended, agreed to.

Title.

Amendment made, after "Percy," by inserting "John Edward."

Title, as amended, agreed to.

Draft Report brought up and agreed to.

Committee adjourned *sine die*.

EVIDENCE.

FRIDAY, AUGUST 26, 1898.

PERCY JOHN EDWARD FOWLER, *called and examined.*

1. *By Mr. Bradford.*—What is your name? Percy John Edward Fowler.
2. And what are you? A Newspaper Proprietor and Journalist.
3. How many years have you been in Zeehan, Mr. Fowler? Well, ever since it was Zeehan; ever since it was founded, eight or nine years.
4. And you are well acquainted with Zeehan and the country around? Thoroughly.
5. And you have large freehold and mining interests there? I have.
6. How did this proposed scheme originate? When Mr. M'Clean's electrical scheme was initiated, and afterwards failed, I was thinking of putting up an electrical plant on my own private establishment; and I was asked if I would put up plant enough to supply the people, and I consented.
7. And all the residents promised you support if you carried out the works? Yes.
8. Are there many other people among the commercial people of Zeehan willing to support the scheme? A very considerable number; but I have not gone to the people individually. I could not do that until I saw I could get the right. They will want a thousand lights or so after the plant is up.
9. Do you know that a certain number of people—persons whom you know—would support you?—do you know that the commercial men and the people generally would support you? Yes.
10. What do you roughly estimate the first cost of the necessary plant to be, Mr. Fowler? About £4000.
11. How will that be erected—as a single plant or extended? With provision for extension.
12. Over what radius do you propose exercising your lights, or do you wish to have power given you to exercise your lights where required,—there is a blank here in the Bill? Well, I want to extend the lights to the boundaries of Zeehan and to the mines in the immediate vicinity.
13. How many miles radius would that be? From the central point of operations it would extend two miles in each direction.
14. That would be a radius of two miles? Yes.
15. Are you prepared to carry out the scheme immediately the Act is passed and you can purchase the necessary machinery and plant? Yes.
16. And you are prepared to spend from £4000 to £6000, as may be required? I am.
17. Are you aware that by one Section of the Bill a sum of £500 has to be deposited with the Hon. the Treasurer within six months of the passing of the Act? I am aware of that; and I consider it hardly a fair condition. No concessions are asked for,—no grant in the way of land or water rights. I should rather, if it could be done, like to have an alternative scheme,—either that I should put up the £500 within six months, or erect, within six months of the passing of this Act, £2000 worth of work.
18. You will undertake to do that? Yes, I will either put up £500 deposit within six months, or undertake within that time to put plant to the value of £2000 on the ground, and erect it.
19. The Town Board or any other local governing authority has power under the Bill to purchase the works, and the price is to be twenty per cent. on the amount actually expended: do you think that is a fair thing?—do you, as a commercial man, consider that too much, or is it a fair thing to ask? As a commercial man myself, I think it is a very reasonable request.
20. *By the Chairman.*—I notice, Mr. Fowler, that in Mr. M'Lean's Act referring to the boundaries they include, in the area of supply, all that portion of Montagu within a radius of five miles from the Town of Zeehan. Would it be to your interest to make it two miles? It is a question if the people would be satisfied. I would extend it if the people want it. I should prefer the privilege of a five-mile radius, but I would not undertake to carry it so far unless I had support.
21. It is a question as to how this blank in the Bill should be filled up? I should prefer to have the right to the five miles, as the people might desire it; and I should carry it there if sufficient inducement offered. If I do not have this, it might mean an amendment of the Act later. I would prefer five miles; and I think people would wish five miles, as the Town might extend.
22. *By Mr. Smith.*—Is there any electric plant there now? Only the private one on the Silver Queen Mine.
23. Would that be interfered with at all? No.
24. *By the Chairman.*—How do you propose generating the electricity? By steam-power at the present time.
25. Do you not ask for any water concessions? No. I was asked to do that; but there was an impression abroad that Parliament would not grant it.
26. *By Mr. Bird.*—I thought that you were thinking of taking over Mr. M'Lean's rights. There has been no negotiation to that effect.
27. *By the Chairman.*—You say that if you deposited the £500 you would get that sum repaid as soon as you could expend £2000 on the works? Yes, I am aware of that. If I spend £2000 on the works within six months, it would not be necessary for me to put up the £500.
28. You have the Bill there: look at the 89th Section, you will find certain blanks for dates. When do you propose to commence the construction of these works—we shall want the date? Immediately after the Bill is passed, and the necessary rights are granted.
29. If the House fixes six months after the passing of the Act, will you be satisfied? Yes, I will accept that, and will commence the works within six months certainly.

30. Then, as regards the expenditure of £2000, will you be satisfied with twelve months from the passing of the Act? I will.

31. Is there any probability of any of the mines in the vicinity of Zeehan taking electrical power? Yes, there are several small tributaries who will do so. It is difficult to get machinery on to those small tributaries, and they want small power to pump their mines with. If they could get the electric power it would facilitate their mining operations greatly.

Witness withdrew.

ARTHUR CHARLES PARKER, *called and examined.*

32. *By Mr. Bradford.*—What is your name? Arthur Charles Parker.

33. What is your occupation? I am an Electrical Engineer, and Manager of the Hobart Electric Trams.

34. How many years' experience have you? 16 or 17 years.

35. You have had electrical experience in England and on the Continent—is that true? Yes, I have been all over England and on the Continent, and also in the West Indies.

36. Have you read the Bill before the Committee? Yes.

37. You have heard that the Promoter intends to spend from £4000 to £6000 to start an installation at Zeehan—would that be enough to provide an efficient working plant? Yes, you could start very well with that in a small way. For instance, the Hobart Gas Company are starting a plant that will not cost more than that.

38. What amount of electricity per horse-power would that provide? Well, it would be rather hard to say what amount, but you would get from a 100 horse-power, perhaps more.

39. How many lights would that supply, calculating from that power? That would depend on the candle-power of the lights.

40. Well, 16 candle-power? About a thousand lights.

41. Could the plant be so put down that it could be extended in future? Yes.

42. Could it be put down so that it could be extended without incurring the cost of a new installation? Certainly; it is usual to put down small plants first, and then duplicate or triplicate them as you go along. The same management would work a duplicate or triplicate plant. It is always better to start that way, I think.

43. I understand that the great advantage of electric lighting is its great safety, and the minimum risk of fire? That depends upon how the installation is put up. With ordinary care the risk is very small.

44. Supposing it is put up properly at first, and then attended to periodically? It would not want much attending to; once properly put up it is for always; there is nothing to deteriorate, nothing to cause risk.

45. Is there nothing to cause danger to wood-work over which it runs? No.

46. As regards electricity as a motive power, what is its superiority over other powers, such as steam or compressed air? Its adaptability, for one thing: you can put it where you can't put steam or any other power. Then, for the transmission of power, the loss is slight even as compared with compressed air. If you have a scattered district, and you want to transmit the power, there is nothing to beat electricity for that.

47. I understand a number of small mines could be worked at a profit if they had cheaper motive power; that is, they have to spend a large sum in steam pumping plant, in the fuel consumed, in labour, and otherwise, and they have to employ men continuously at the engine. How would electric motive power affect that? As regards labour and supervision, there is a saving; but, as regards fuel, the same amount of fuel would have to be expended for electro motive power as for steam, to get sufficient energy,—that is at the central station. Where the power is transmitted, you would not want attention to the steam boiler. On the electric motor being started, you have no need to give it any attention. Where steam is used, there would be the boiler, and a fireman would have to stand by the boiler the whole time. I may mention that in some large manufactories, where they used to employ fifty engines about the works, they are all done away with now. There is a central station for generating power, and all the work is done by electric motors. The saving in wages alone, I believe, is a very great item.

48. Then you think, if Mr. Fowler could supply the power that it would tend to put the mines in the district on a paying basis? Yes, the smaller mines; and it would be an assistance to them. I don't say that where a mine has to use steam-power, that it would pay to take the current,—that is for the mines to use an extra motor solely for pumping; but if there is no steam-power it would be an advantage then.

49. I hear that electro-motive power is used in driving rock drills: what can you tell us about that? I have had no experience; but I am told it is very successfully used, and it is claimed that there is a great saving in regard to working expenses. You can get the power for the drill with less expense. With compressed air, if it has to be carried any distance there is a great loss of power. You lose really from 80 to 90 per cent. of air by the time it gets to work. With the electric motor you do not lose at all.

50. *By Mr. Bird.*—Working at what distance with the air? Oh, miles, but in dealing with electrical works I will not lose more than 3 per cent. on these mines. Of course it all depends upon the construction of the plant. With a high tension plant you would lose very little power.

51. If you went for electric lighting works at Bridgewater how much more power would you have to put on to drive on to Hobart? That would depend on the size of the leads. You would work it out then with leads large enough, working at high tension. It is a question of the number of amperes passing through a known resistance. Say it is 5 miles. You can get wire, were it not too costly, an ohm per mile. That would be 10 ohms. If you should want an ampere, then you would lose 10 volts.

52. So Mr. Fowler can supply the mines five miles distant just as readily as at one mile? Yes, he can do it if he works with high tension, and if he works up to five miles he can work with nothing less.

53. *By Mr. Bradford.*—Look at Section 59: it says:—“No continuous electric current shall be supplied by the Projector beyond the transformer or point of distribution to any electric line, main, or cable

having an electro-motive force of more than Three hundred volts from the secondary terminals of the transformer, and no alternating currents shall be so supplied having an electro-motive force of more than One hundred and fifty volts from such terminals."

Then there is a proviso that:—"If in the opinion of the Projector it is deemed necessary, for the purpose of carrying into effect the provisions of this Act, to employ a higher tension of electricity than the said Three hundred volts in the case of a continuous current, or the said One hundred and fifty volts in the case of an alternating current, a written notice of the same containing a statement of the extent of the proposed increase of electro-motive power shall be served on the Superintendent of Telegraphs, who may, within Fourteen days from receipt of such notice, give to the Projector notice in writing of the necessary precautions to be taken and things to be done by the Projector in order to secure the safety of the public, which said precautions (if any) shall be taken, and the terms of such last-mentioned notice (if any shall be given within the time named) shall in all respects be complied with by the Projector before he shall supply a continuous electric current of higher electro-motive force than Three hundred volts, or an alternating electric current of higher electro-motive force than One hundred and fifty volts."

That practically means that you must get the consent of the Superintendent of Telegraphs—would you explain what you think of this section as to generating? There is no mention of generating here. It says, no current shall be supplied by the Projector except of a certain force. I don't know whether that means that you can put it on your mains.

54. *By Mr. Bird.*—It is in connection, I think, with any probable interference with the Telegraph Service of the Government? Well, if the Projector is not to generate more than that it is detrimental to him.

55. *By the Chairman.*—No, I think it means that they may generate any voltage they please? Certainly they should be allowed to do so. If it is that it is all right.

56. *By Mr. Bird.*—I think you will find it is in connection with any probable interference with the Telegraphic Service of the Government? Oh, that is not it. If you work on a high tension current it would not make any difference.

57. Then what is the necessity for the clause? It means that you must not supply customers with a current of more than a certain voltage; that is in the British Board of Trade rules.

58. Then why should the Superintendent of Telegraphs be consulted at all? I don't know. If that supply means that you can only supply premises at that low tension, but that the Projector can generate and supply on his mains at high tension, that is all right. As it is not mentioned, I presume he can work at high tension.

59. It is in the twenty-third line of the clause that the precaution is taken that he should have to apply to the Superintendent of Telegraphs? I don't quite understand the words "or point of distribution." The Projector won't want to supply current beyond the transformer any higher than that mentioned.

60. If we leave it unlimited in regard to electro-motive force, he can take it along his mains at high tension? Yes, as it is not mentioned here I take it that he can work on his mains, at any pressure.

61. I think there were certain words put into M'Lean's Act which put that right? Yes; I don't see any clause in the Bill as to generation.

62. Is there any clause in the Bill limiting the power? No, that is not mentioned in the Bill. The only thing, in my mind, is that if the projector was working with an electro-motive force of 2000 volts on his mains whether the Superintendent of Telegraphs could come down and say you are not conforming to the Act.

63. Would there be any objection to the Projector using on his mains 2000 volts? Not the slightest. The Gas Company are using on their mains 2000, but only supplying their customers at 110 volts. This clause means that the Projector could not supply any house or private premises at over 150 volts, I take it.

64. Would that be sufficient for a mine? Oh, yes, it would be enough.

65. Would it be enough to drive a concentrator? No; it would be better in some cases to have a higher tension.

66. *By Mr. Bird.*—How many horse-power would that be? Ah, that would depend on the quantity; your amperes come in then. This Bill is all right so long as the Projector is not prevented from using high tension on his mains. You don't want the words "or point of distribution."

67. *By the Chairman.*—What is the difference between "beyond the transformer" and "or point of distribution"? Well, I take it that when the main comes along you branch off and take it into the house or premises.

68. Then, where is the transformer? That would be in the house, or as near the house as possible.

69. *By Mr. Bird.*—Then, if it should be that no continuous electric current is to be supplied beyond the transformer, in that case could he not supply at high tension between the point of distribution and the transformer? Oh, yes.

70. What would you use? I should not use any more force. At the transformer the current goes in at 2000 volts pressure, and it goes out at 150 volts if you like. You go in with 2000 volts and one ampere, and you come out on the other side with 14 amperes and 150 volts; that is, you reduce the pressure and get quantity.

71. *By the Chairman.*—Is the term "the point of distribution" a technical term in electrical engineering? No, the "transformer" is, "but not point of distribution." I think if you said "beyond the transformer" it would be enough.

72. *By Mr. Bird.*—Do you think, then, that the words "point of distribution" and "beyond the transformer" have the same meaning, or do you mean them to be two separate points on the main? Two separate points, I fancy.

73. And you think it is not necessary to have the words "point of distribution" at all? No, I don't think so.

74. *By the Chairman.*—Could you have a point of distribution without a transformer? Yes, you could do so; for instance, if you had a large area, such as Deptford, at home, where they work up to 10,000 volts. They have distributing houses in London. They have one house where they perhaps transform down to 5000 or 2000 volts, and then they go on to other distributing houses, transforming one step at each point of distribution; but that would be with distributing houses.

75. It is a transformer all the same? No, not as meant here; a transformer is for supplying reduced current direct to customers.

76. *By Mr. Bird.*—Would there be any special safety in it if, beyond a certain transformer or point of distribution, you use 150 volts or more, that you should get the Superintendent of Telegraphs' consent so as to insure safety? There is no necessity for it beyond the transformer. If you wanted to go beyond 150 volts to supply your customers, then it would be right to get permission.

77. *By the Chairman.*—There might be some risk in allowing a higher voltage than 150 beyond the transformer? Yes, in private premises.

78. Do you see any objection beyond the point of distribution? No, I don't think so. At a place like Zeehan you would not want distribution houses; there should be no risk there. If you wanted to go five miles away, you might have a distributing house in the centre of the town, but you would not supply from the distribution house beyond 150 volts.

79. *By Mr. Bird.*—Then, if we say beyond the transformer, we shall be quite safe? Yes.

70. And we can leave out the other words with perfect safety? Yes, with safety.

81. As far as the public is concerned? Yes, so far as the public is concerned.

82. Would it do any harm to keep the words in? Not if Mr. Fowler is going to work from a central station at Zeehan; but if he had to come a long way, and put up a distributing house in Zeehan, then it would be.

83. *By Mr. Smith.*—Would he not want to have a distributing house? He might have such a building, or he might have a generator, and then have his own transformer and supply from that transformer instead of having a transformer to each house; then he would not want the volts.

84. And you think it is better to strike out the words? Yes, I think they might be struck out.

85. *By Mr. Bradford.*—In the case you mention—where you have a distributing house, that is, to distribute electricity to mines, not for the purpose of supply? Yes, that is right; the supply is beyond the transformer.

86. The question of whether he should supply a distributing house like that mentioned, or whether the current you send to the distributing house should be limited, would not come in under this section at all, would it?—the question could not arise because there is no point of supply? I see what you mean, that is supply beyond the transformers or point of distribution. He might have a lot of distributing houses, and you might want to go on further, with high tension current. If you keep to the supply beyond the transformers you can safely go on with high tension to the next person to be supplied, and then put on another transformer. He would then get the voltage at the rate named here, and therefore you would not want permission to carry on your mains beyond the point of distribution.

87. That would be for the purpose of distributing electricity over the different mines: you don't supply customers in that way? Yes; you don't supply the full current. The electric current cannot be supplied beyond the transformer.

Witness withdrew.

ARTHUR MORRISBY, called and examined.

88. *By Mr. Bradford.*—What is your name? Arthur Morrisby.

89. What is your occupation? I am Chairman of the Town Board of Zeehan.

90. How many years have you been at Zeehan? A little over seven years.

91. And how long have you been connected with the Town Board? Since its inception in 1892.

92. Have you read the Zeehan Electric Light and Power Bill? Yes, I have.

93. What is the feeling of the members of the Town Board with regard to the Bill? They are very favourable to the Bill, with one or two exceptions.

94. What are the exceptions? Well, one is as to the percentage asked for on the probable purchase of the plant. It is twenty per cent., and some of the members of the Town Board think that is too high.

95. What percentage do the majority of the members want in the Bill? I think the members of the Board would be satisfied if it were put at fifteen per cent. I think fifteen per cent. would satisfy them.

96. Fifteen per cent. on the cost of machinery and works? Yes.

97. And what do they think about the term?—are they agreed it is a reasonable term? Yes, after discussion they are satisfied that the term is not unreasonable.

98. When Mr. M'Lean's Bill was before Parliament in 1896, what was the resolution?—did the Town Board pass any resolution about it? Yes, they passed a resolution advocating the passing of the Bill, and also, I was authorised to bring before the conference of Town Boards held in Hobart a resolution empowering the Town Board to agree with the proposals of the Bill so that they might have the right of contracting with Mr. M'Lean for lighting and giving the Board power to recover the lighting rates. That was adopted in the amended Town Boards Act.

99. Are the streets of Zeehan lighted now? No, they are not, except by the lights in the shops. There is no other attempt at lighting; it is a very urgent need in the streets.

100. You have no scheme of lighting at all? No, none at all.

101. Are the Town Board anxious to have the electric light? Yes, they are anxious to see the streets lighted by electricity for various reasons. The streets are now dark, and they consider it would minimise the danger from fire considerably. The use of kerosene is a constant source of danger, and they think the electric light would decrease the danger considerably.

102. And they are willing to contract with the Projector for the supply of electric light to the Town? Yes.

103. Personally, what do you think of Mr. Fowler's scheme? I am very favourably disposed towards it; it is very necessary, as the light is badly wanted in Zeehan. I was very disappointed that Mr. M'Lean's Company did not become a live company. It is a very desirable thing, and no one could be more pleased than myself to see Mr. Fowler get his Bill through, and then light the town with electricity. I think that is also the opinion of the majority.

104. *By Mr. Bird.*—You have not seen Mr. Stephenson's new gas yet, have you? No, I have not seen that.

105. *By the Chairman.*—Are you aware that it has become a common practice in recent times to give concessions to companies and promoters, to make provision in the Bills for compulsory purchase after a certain term, and to allow them twenty per cent. on the actual cost of construction? Yes, I am aware that is the practice.

106. Would your Board agree that the amount of compensation to be paid should be settled by arbitration without fixing a maximum in the Bill? Yes; I think they would be favourable to that.

107. *By Mr. Bradford.*—Do you consider, Mr. Morrisby, that the rights of the townspeople are perfectly protected by the Sections of this Act? Yes; I am perfectly satisfied that the rights of the people are fully protected by that Bill—quite satisfied.

108. *By Mr. Smith.*—Is there any probability of the Town Board undertaking this work? No probability for some years to come. Of course, if no private company came along the Board would have to do it, but they are not in a position at the present, and will not be for some years to come.

Witness withdrew.

HUGH DRAPER MARSH, *called and examined.*

109. *By Mr. Bradford.*—What is your name? Hugh Draper Marsh.

110. What is your occupation? I am an Ironmonger, at Zeehan.

111. And a partner in the firm of Marsh Bros.? Yes.

112. How long have you been at Zeehan? About 7 years.

113. Do you hold mining or freehold interests there? Yes.

114. Do you hold any large interests at all? Yes; I hold large interests in both freehold property and mining properties.

115. Is there any particular mine there which you have a large interest in? Yes, in Smith's Section.

116. How much ore do you get a month? About £3000 worth a month.

117. You have read this Electric Light Bill, Mr. Marsh? Yes.

118. What do you think of the powers it is proposed to give to the Projector? I think they are very fair.

119. Are you in favour of the Bill? Yes; I think it will be a great benefit to Zeehan.

120. I believe the streets of Zeehan are not lighted at present: does that cause inconvenience, both to those engaged in commercial business and in mining? Yes.

121. Do you know whether the Promoter is likely, suppose he can carry the scheme through—will he meet with support from commercial men and the people of Zeehan? Yes, certainly I do.

122. I believe your firm has an insurance agency? Yes; we are agents for the South British Insurance Company.

123. Will the commercial and insurance people support the Bill? They would if there will be less risk of fire.

124. What is the risk at present?—what do you consider the risk—is it great or otherwise? It is very great.

125. What is the present rate of insurance? It is as high as £5 per hundred (£100), and there is very little at that in the Main-street.

126. *By the Chairman.*—What is the average? It has been higher than £5. Perhaps from 40s. to 50s. in the Main-street would be about the average.

127. *By Mr. Mulcahy.*—I am paying £4 per hundred in the Main-street? Yes. I am taking the average, we pay as high as £4 10s. and £5.

128. *By the Chairman.*—If your buildings were lighted by electricity would the insurance be any less? I believe so.

129. What do you think the Insurance Companies will come down to? Well, I am not in a position to say. I should have to make enquiries.

130. Are you a Member of the Town Board? No.

131. *By Mr. Bradford.*—What is the quantity of kerosene consumed in Zeehan per month? Roughly, about 600 cases per month.

132. And the risk of fire is far greater when you burn that quantity? Yes.

133. If the electric light were duly installed, you being a large householder and property owner there, and also in your business selling a large quantity of kerosene—how many cases does your firm sell a month? About 100 cases a month.

134. And you would be willing to abolish kerosene on your premises and take the electric light? Yes.

135. Have you every confidence in the Promoter's undertaking? Yes.

136. How about the other commercial men? I believe almost everybody in Zeehan would wish for the electric light.

137. As a commercial undertaking do you consider the rate fixed at which the Town Board or other Local authority may acquire the works, the rate at which they can purchase, too high? No, I think it is a fair thing.

138. You think twenty per cent. on cost of construction is a fair thing? Yes.

139. Suppose you were to carry out the works yourself, what would you expect? I would, fairly, expect twenty per cent.

140. You know a good deal about mining, and I believe you do a fair amount of tributing, do you not? Yes.

141. Do you think this would be of benefit to the smaller mines if they could get electro motive power supplied to them? Yes, I believe it would.

142. Is the cost of pumping machinery very expensive? It is expensive.

143. That is, with steam power? Yes.

Witness withdrew.


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As amended by the Select Committee.

A

B I L L

TO

Enable *Percy (John Edward) Fowler*, of *Zeehan*,  A.D. 1898.
to construct, maintain, and work the necessary Machinery and Appliances for generating and transmitting Electricity, and supplying the same to any Person or Company, at and near *Zeehan*.

WHEREAS *Percy (John Edward) Fowler*, of *Zeehan*, in *Tasmania*, Newspaper Proprietor, is desirous of acquiring the right to construct, maintain, and work the necessary Machinery and Appliances for generating and transmitting Electricity to any Person or Company
5 at or near *Zeehan* aforesaid :

And whereas it would be conducive to the development of the mining operations, and for the benefit of the inhabitants of the said Town of *Zeehan* and its vicinity, that the powers and authorities herein contained should be conferred upon the said *Percy (John Edward)*
10 *Fowler* upon the terms and conditions hereinafter mentioned :

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 :—

[*Private.*]

* * The words proposed to be struck out are enclosed in brackets [] ; those to be inserted, in parentheses ().

Zeehan Electric Light and Power Works. [62 VICT.]

A.D. 1898.

Short title.



Interpretation.

1 This Act may be cited for all purposes as “The *Zeehan* Electric Light and Power Act, 1898.”

2 In this Act and in any By-law made under it, save where there is something in the context inconsistent therewith, the following words and expressions shall have and include the following meanings attached thereto respectively :—

- “Area of supply” shall mean and include the Town of *Zeehan* and the vicinity thereof, and all other portions of the County of *Montagu*, in *Tasmania*, within a radius of (Five) miles from the Post Office in the Town of *Zeehan* : 10
- “Conductor” shall mean and include cable, wire, or other apparatus for transmitting electrical power :
- “Conduit” shall mean and include the pipes or wires by means of which the main supply of electricity is supplied to any town, mine, property, or person : 15
- “Crown Land” shall mean and include any land or lands in the Colony of *Tasmania* which are or may become vested in the Crown, and includes all lands of the Crown which are or may be occupied for pastoral or mining or other purposes under any lease or licence issued in pursuance of any Act of the Parliament of *Tasmania* : 20
- “Electricity” shall mean and include electricity, electric current, or any like agency :
- “Electric Line” means a wire or wires, conductor, or other means used for the purpose of conveying, transmitting, or distributing electricity with any casing, coating, covering, tube, pipe, or insulator enclosing, surrounding, or supporting the same or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting, or distributing electricity or electric currents : 25 30
- “First lessee” means any person entitled to occupy any land previously leased under the authority of any Act of the Parliament of *Tasmania* :
- “*Gazette*” means *The Hobart Gazette* :
- “Governor” means the Governor for the time being of the Colony of *Tasmania*, with the advice of the Executive Council : 35
- “Local Authority” means the Municipal Council, Road Trust, Town Board, or body of persons or person having the control or management of the street in respect of which such expression shall be used, if the same shall be used in respect of any particular street ; but if the same shall not be used in respect of any street it shall mean the Town Board or body corporate having the local government of any City, Town, or District in which any of the works hereby authorised may be situate, or, in default of any such Local Authority, the Commissioner of Crown Lands : 40 45
- “Machinery” means any appliance for carrying into effect any of the objects authorised by this Act : 50
- “Meter” means any instrument, apparatus, or appliance for measuring and ascertaining the quantity of motive power or electricity used or supplied to any person :
- “Minister” means the Minister of Lands and Works for the time being of the Colony of *Tasmania* : 55

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- “Owner” means the person for the time being in actual receipt of or entitled to receive the rents and profits of any house, manufactory, or building of whatsoever kind, or any land : — **A.D. 1898.**
- 5 “Person” includes Corporation, Company, Association, Syndicate, Partnership, or Local Authority :
- “Private Lands” means any land which shall have been granted by the Crown in fee simple, or by lease for a longer term than Ninety-nine years, to any person :
- 10 “Projector” means the before-named *Percy (John Edward) Fowler*, his executors, administrators, or assigns : 
- “Property” means lands or buildings, and land and buildings :
- “Street” means any public and common highway, main road, road, bridge, footway, square, court, alley, lane, thoroughfare, or public way, place, or passage, or any railway or tramway :
- 15 “Town” means any settlement, camp, or collection of houses, whether proclaimed as a town or not, and situate within the area of supply :
- 20 “Works” means and includes electric lines, and also all machinery, buildings, engines, cables, poles for carrying cables and wires, and other works of what kind soever which are from time to time necessary, or used for effectuating the purposes of this Act.
- 3** It shall be lawful for the Projector, subject to the provisions of **[Power to use water.]**
 25 this Act—
- To work any machinery that may be erected by the Projector for generating, making, and transmitting electricity for the purpose of supplying light to the towns, streets, mines, and buildings within the area of supply : **[Purposes for which water may be used.]**
- 30 To work any machinery that may be erected by the Projector for generating, making, and transmitting electricity for the purpose of supplying the inhabitants of the area of supply with electricity for any purpose : **(Authority to work machinery, &c.)** 
- To work any machinery that may be erected by the Projector for drawing or propelling trams, carriages, and other vehicles in, over, along, and upon the streets of any of the towns or public or private lands within the area of supply :
- 35 To work any machinery that may be erected by the Projector for the purpose of executing or exercising any of the powers, functions, duties, or authorities now or hereinafter vested in or imposed on the Projector :
- 40 To supply any mines or batteries within the area of supply with electric motive-power for winding, pumping, working, or any other purpose :
- 45 To make, generate, and transmit electricity for the purpose of telpherage, or for working any electrical appliance or machine to which electricity can be applied :
- 4** It shall be lawful for the Projector, under the supervision of the Local Authority, from time to time to place and maintain conduits, electric lines, leads, wires, cables, or conductors necessary for conveying the electricity to be supplied by him under, over, along, or across any street or open public reserve within the area of supply, and may place and maintain posts in, upon, or over such street or open public reserve, and may at any time alter or remove the same. **Power to construct lines with consent of Local Authority.**
- 50

Zechan Electric Light and Power Works. [62 VICT.]

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Notice of laying
electric mains, &c.
to be given to
Local Authority.
Provision for
cases of emer-
gency.

5 Before proceeding to construct any electric line or works under the powers contained in this Act, the Projector shall give notice in writing signed by the said Projector or his agent, to the Local Authority, or to their clerk or surveyor, within the area of supply, of the Projector's intention to do so: Provided always that, in cases of emergency arising from defects in the electric lines or works, the Projector shall be at liberty to begin to repair the same without giving such notice, and in all such cases like notice in writing shall be given by the Projector to such Local Authority or their clerk or surveyor as soon as may be convenient after the beginning of such repairs.

10

Compensation
for damage.

6 In the exercise of the powers in relation to the execution of the works given him under this Act, the Projector shall cause as little detriment and inconvenience and do as little damage as may be, and shall make full compensation to all bodies and persons interested for all damage sustained by them by reason or in consequence of the exercise of such powers, the amount and application of such compensation in case of difference to be determined by arbitration in the mode prescribed in *The Lands Clauses Act*.

Projector em-
powered to take
and sell land.

7 The Projector is hereby empowered to acquire, purchase, and take on lease, sell, or exchange any land which the Projector may consider to be necessary for the purposes of this Act.

21 Vict. No. 11
incorporated.

8 *The Lands Clauses Act* shall, except as hereby expressly varied, be incorporated with this Act, but there shall not be incorporated with this Act the Eighth and Ninth Sections of *The Lands Clauses Act*; and in the construction of this Act and the said incorporated Act this Act shall be deemed to be the special Act, and the said Projector shall be deemed to be the Promoter of the undertaking, subject to the provisions of this Act.

Lease of Crown
lands may be
granted.

9 It shall be lawful for the Minister, with the consent of the Governor, to grant to the Projector from time to time, for any term not exceeding Thirty years, at a rental to be fixed by the Minister, a lease of any Crown lands that the Projector may consider necessary for the purposes of this Act, subject to such covenants and conditions as the Minister may think fit.

Effect of lease.

*(Seventeen)



10 Every such lease as aforesaid shall, subject to the provisions of Section [Nineteen],* operate and take effect merely as a licence to the Projector to construct and maintain the works hereby contemplated, and shall not confer any right or title to any mines or minerals.

Protection to
rights of first
lessee.

11 In case any such lease as aforesaid comprises any Crown land previously leased, then such lease shall not affect the rights of the first lessee, except so far as may be necessary for carrying out the objects of such lease, and the first lessee may accordingly exercise all powers conferred upon him in respect of the land previously leased: Provided that he shall not carry on mining or other operations upon any land comprised in the said lease in such a way as to damage the work of the Projector.

45

Notice to first
lessee of intention
to construct
works.

12 In case any such lease shall comprise any Crown land previously leased, then the Projector shall, not less than Seven days before commencing any work, serve upon the first lessee a notice indicating with all reasonable accuracy, by means of a plan or otherwise, the proposed course, direction, or situation of the said works.

50

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13 The Projector may, for the purpose merely of surveying and taking levels, after giving not less than Twenty-four hours' nor more than Seven days' notice to the owner or first lessee, enter upon any private or Crown land without the previous consent of any person.

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Projector may enter after notice.

14 Before any works shall be constructed or done by the Projector under or in pursuance of any lease granted to him under this Act through, over, or upon any land previously leased, the first lessee shall be paid by the Projector such compensation, if any, as shall be determined by agreement between the first lessee and the Projector; and if such compensation shall not be fixed by agreement within One month after the service of the notice mentioned in Section Twelve, then such compensation, if any, shall be determined by arbitration in the mode prescribed in *The Lands Clauses Act*.

Compensation to first lessee.

15 It shall be lawful for the Projector and all persons by him authorised, after not less than Two nor more than Seven days' notice to the occupier or occupiers, to enter upon any lands, not being a garden, orchard, or plantation attached or belonging to a house, nor a park, planted walk, avenue, or ground ornamentally planted, and to occupy the said lands so long as may be necessary for the construction or repair of any works authorised by this Act, or of the accommodation works connected therewith hereinafter mentioned, and to use the same for any of the following purposes; that is to say—

Power to take temporary possession of land.

For the purpose of constructing, building, or putting thereon any machinery :

25 For the purpose of taking earth or soil by cuttings therefrom :

For the purpose of depositing soil thereon :

For the purpose of obtaining materials therefrom for the construction or repair of the works or such accommodation works as aforesaid ; or

30 For the purpose of forming roads thereon to or by the side of the said works.

And in the exercise of such powers it shall be lawful for the Projector and all other persons employed therein to deposit and also to manufacture and work upon such lands materials of every kind used in constructing the said works ; and also to cut and take from any such lands any timber ; and also to dig and take from or out thereof any clay, stone, gravel, sand, or other things that may be found therein useful or proper for constructing the said works or any such roads as aforesaid, and for the purposes aforesaid to erect thereon workshops, sheds, and other buildings of a temporary nature, or any steam-engines or other machinery : Provided always, that nothing in this Act contained shall exempt the Projector from an action for nuisance or other injury, if any, done in the exercise of the powers hereby conferred to the lands or habitations of any party other than the party whose lands shall be so taken or used for any of the purposes aforesaid.

Provided also, that no stone or slate quarry or brickfield, or other like place which at the time of the passing of this Act shall be commonly worked or used for getting materials therefrom for the purpose of selling or disposing of the same, shall be taken or used by the Projector, either wholly or in part, for any of the purposes hereinbefore mentioned.

16 In any of the cases aforesaid, where the Projector shall take temporary possession of lands by virtue of the powers herein granted,

Compensation to be made for temporary occupation.

A.D. 1898.

it shall be incumbent on him, within One month after his entry upon such lands, upon being required to do so, to pay the occupier of the said lands the value of any crop or dressing that may be destroyed or injured thereon, as well as full compensation for any other damage which he may sustain by reason of the Projector so taking possession 5 of his lands.

Materials from
Crown lands.



17 The Projector may from time to time, for the purposes of this Act, [fell timber, and use and carry away the same, and] dig and use clay, stone, and other materials upon any Crown lands, and carry away the same; and may fell and remove all timber which in the 10 opinion of the Projector it may be necessary to remove for the safety of the works hereby contemplated, notwithstanding anything contained in Section Ten of this Act: Provided, that full compensation shall, in the case of Crown land belonging to the first lessee, be made to all parties interested in such land for the damage done under this 15 Section; and such compensation shall be settled by arbitration in the mode prescribed by *The Lands Clauses Act* in cases of disputed compensation.

Compensation.

Before roads
interfered with
others to be
substituted.

18 If in the exercise of the powers hereby granted it be found necessary to cross-cut through, raise, sink, or use any part of any 20 street so as to render it impassable for, or dangerous, or more than usually inconvenient to passengers or carriages, or to the persons entitled to the use thereof, the Projector shall, before the commencement of any such operations, cause a street to be made to the satisfaction of the Local Authority, instead of the street to be interfered 25 with.

Period for
restoration of
roads interfered
with.

19 If the road so interfered with can be restored compatibly with the due completion of any works authorised under this Act, the same shall be restored to as good a condition as it was in at the time when the same was first interfered with by the Projector, or as near thereto as 30 may be; and if such road cannot be so restored, the Projector shall cause the new or substituted road, or some other sufficient substituted road, to be put into a permanently substantial condition, equally convenient as the former road, or as near thereto as circumstances will allow; and the former road shall be restored, or the substituted road 35 put into such condition as aforesaid, as the case may be, with all reasonable expedition.

Persons not
making claim
barred.

20 If the Projector by notice in writing require any person to make claim for compensation for any damage occasioned by the exercise of any of the powers conferred on the Projector by this Act previously 40 to the service of such notice, such person shall not be entitled to compensation for any damage sustained by reason of the exercise of any such powers previously to the service of such notice, unless he prefers his claim in the manner aforesaid within Six months after service of such notice.

45.

Penalty for
obstructing con-
struction of
works.

21 Every person who shall wilfully obstruct any person acting under the authority of the Projector in setting out the line of any works undertaken under the authority of this Act, or pull up or remove any poles or stakes driven into the ground for the purpose of setting out the line of such works, or destroy or injure any works 50 undertaken as aforesaid, shall incur a penalty not exceeding Five Pounds for every such offence.

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22 The Projector may, upon giving Seven days' notice in writing to the local authority of his intention so to do, open and break up under the supervision of the Local Authority (or their authorised officer) the soil and pavement of any street in any town or other place within the area of supply, and may open and break up any sewers, drains, or tunnels within or under such street, and lay down and place within the said limits conduits, service pipes, and other works and engines, and erect posts or poles, and stretch and put conduits and wires thereon, and carry and run electricity or any motive-power on and through such conduits and wires, and from time to time repair, or alter, or remove the same, and, for the purposes aforesaid, remove and use all earth and materials in and under such streets, and do all other acts which the Projector shall from time to time deem necessary for supplying light or motive-power by electricity to the property, mines, persons, or inhabitants of the area of supply. (Provided, that if the Local Authority or their authorised officer refuse or neglect to supervise the operations referred to in this Section, the Projector may perform the work specified in the notice herein mentioned without the supervision of such Local Authority or their authorised officer.)

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Power to open streets, &c.



(A) In cases of emergency arising from defects in the conduits, machinery, or works of the Projector, the Projector may proceed to exercise any of the powers referred to in the last preceding Section before such notice has been given, or before such period has expired; but, in case such notice has not been already given, the same shall be given as soon as possible after the commencement of the work or the necessity for the same has arisen.)

(Provision for cases of emergency.)



[23] (24) When the Projectors shall open or break up the soil or pavement of any street, or any sewer, drain, or tunnel, they shall, with all convenient speed, complete the work for which the same shall be broken up, and fill in the ground and reinstate and make good the soil or pavement, or the sewer, drain, or tunnel so opened or broken, and carry away the rubbish occasioned thereby (to the satisfaction of the Local Authority or their authorised officer); and shall at all times, whilst any such road or pavement shall be so open or broken up, cause the same to be fenced and guarded, and shall cause light sufficient for the warning of passengers to be set up and kept there for every night during which such road or pavement shall be continued open or broken up.

Reinstatement of streets, &c.



[24] No street outside any town within the area of supply shall, except in the case of emergency, be opened or broken up except under the superintendence of the persons, if any, having the control or management thereof, or of their officers, and according to such plan as is approved of by such person or their officer, or, in case of any difference respecting such plan, then according to such plan as may be determined by Two Justices of the Peace: Provided, that if the persons having such control or management as aforesaid and their officer fail to attend at the time fixed for the opening of any such street after having had such notice of the intention of the Projector as aforesaid, or do not propose any plan for breaking up or opening the same, or refuse or neglect to superintend the operation, the Projector may perform the work specified in such notice without the superintendence of such persons or their officer.]

[Streets, &c. broken up to be reinstated without delay.]



25 The Projectors shall cause any settlement of the trenches which may appear from time to time within Twelve months of the execution of any works in any street to be made good with sound and suitable

Settlement of trenches to be made good.

A.D. 1898.

material at least of equal quantity to that displaced, and shall remove any ridges left therein so as to permanently leave the level of the street the same as before the commencement of the work: Provided, that the Local Authority may execute any such reinstatement or repairs as mentioned in this Section, and recover the cost thereof from the Projector if he has neglected, after receiving Seven days' notice from such Local Authority, to effect the same.

Projector not to injure any Government line of telegraphic or telephonic communication.

26 The Projector shall not, in the exercise of any of the powers conferred by this Act, lay down any electric line, or do any other work for the supply of electricity, whereby any telegraphic or telephonic line 10 belonging to or under the control of the Government is or may be injuriously affected.

Consent of Postmaster-General to be obtained.

27 The Projector shall not proceed to erect or lay down any wire, conductor, communicator, distributor, electric line, or other electric apparatus without the approval of the Postmaster-General having been 15 previously obtained as hereinafter provided; and if the said Postmaster-General is at any time of opinion that any telegraphic or telephonic wire is or may be injuriously affected by such wire, conductor, communicator, distributor, electric line, or other apparatus, or that the same is likely to become dangerous to the public safety or a 20 public nuisance, the said Postmaster-General may, by notice in writing, require the Projector to remove such wire, conductor, communicator, distributor, electric line, or other apparatus, or any portion thereof; and if the Projector do not within Ten days after service on him of such written notice remove the same, the said Postmaster-General may 25 remove the same, and recover the expense of such removal from the Projector in a summary manner.

Notice to be given to Postmaster-General of intention to execute works.

28 One month before commencing the execution of any works under the authority of this Act (not being the repairs, renewals, or amendments of existing works of which the character and position are 30 not altered), the Projector shall serve a notice on the Postmaster-General, describing the proposed works, together with a plan of the works, showing the mode or position in which such works are intended to be executed, and shall, upon being required to do so by the Postmaster-General, give him any such further information in relation 35 thereto as he may desire.

Postmaster General may approve.

29 The Postmaster-General may, in his discretion, approve of any such works or plan, subject to such amendments or conditions as may seem fit, or may disapprove of the same, and may give notice of such approval or disapproval to the Projector. 40

If Postmaster-General does not disapprove within One month works may be executed.

30 If the Postmaster-General fail to give any such notice of approval or disapproval to the Projector within One month after the service of the notice upon him, he shall be deemed to have approved such works and plan.

Works to be in accordance with plans.

31 Notwithstanding anything in this Act contained, the Projector 45 shall not be entitled to execute any such works as above specified except so far as the same may be of a description and in accordance with a plan which has been approved or is deemed to have been approved by the Postmaster-General as above mentioned; but where any such works, description, and plan are so approved or to be deemed 50 to be approved, the Projector may cause such works to be executed in accordance with such description and plan, subject in all respects to the provisions of this Act.

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32 If the Projector make default in complying with any of the requirements or restrictions of this Act, he shall make full compensation to the Postmaster-General for any loss or damage which he may incur by reason thereof. A.D. 1898.

Projector liable in damages.

33 The Postmaster-General may require the Projector to erect his wires, conductors, communicators, distributors, electric lines, and other apparatus in accordance with the Rules and Regulations applying to electric light and power-wires as issued by the *London* Board of Trade, or such modification thereof as may be approved and sanctioned by the Governor in Council. Wires, &c. to be in accordance with Rules of Board of Trade.

34 In the event of any contravention of or wilful non-compliance by the Projector or his agents with any of the provisions of the Eight preceding Sections of this Act, the Projector shall be liable on conviction to a penalty not exceeding Ten Pounds for every day during which such contravention or non-compliance continues, or, if the telegraphic communication is wilfully interrupted, not exceeding Twenty Pounds for every day on which such interruption continues. Penalty.

35 Nothing in the Nine preceding Sections of this Act shall subject the Projector or his agents to a penalty if he satisfies the Court having cognisance of the case that an immediate execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that he forthwith served on the Postmaster or officer in charge of the post or telegraph office nearest to the place where the work was done a notice of the execution thereof, stating the reason for executing the same without previous notice. Penalty not to be incurred in certain cases.

36 For the purposes of this Act, a telegraphic or telephonic line, belonging to or under the control of the Government, shall be deemed to be injuriously affected by a work if telegraphic or telephonic communication by means of such line is, whether through induction or otherwise, in any manner affected by such work or by any use made of such work. Where line to be deemed to be injuriously affected.

37 If at any time the Projector is dissatisfied with anything done by the Postmaster-General under the alleged authority of this Act, the Projector may appeal to a Judge of the Supreme Court, who shall determine whether the particular power claimed by the Postmaster-General is conferred upon him by this Act, and whether the manner in which the same has been exercised is reasonable and proper for the purpose for which it is conferred, and such Judge may make such order as he shall deem necessary to secure a proper exercise of such power. Projector may appeal to Judge of Supreme Court.

38 The Projector may generate and supply, let, hire, and sell to any Local Authority or to any person, mine, building, or property within the area of supply electric power or electricity for lighting purposes or for motive power, and may make charges for the supply of electric power or electricity, and may enter into any contract with the Local Authority for the area of supply or any part thereof for such supply for public purposes, upon such terms and for such price as may be mutually agreed upon, and also may contract with any person for the supply of electricity for private purposes upon such terms and conditions as in this Act contained, or as may be mutually agreed upon. Projector may supply electricity for streets and houses.

39 The Projector shall, before supplying any Local Authority, person, mine, or building with electric power or electricity, put up and erect suitable apparatus at some testing place for the purpose of testing [Private.] Testing.

A.D. 1898.

the normal strength, and electric power, and motive force of the power supplied by him; and the Minister or Local Authority may from time to time appoint a person to test the strength and electric power of the motive force to be supplied by the Projector.

Projector may
let meters.

40 The Projector may let for hire to any consumer of electricity 5 supplied by measure any meter or instrument for measuring the quantity of electricity supplied and consumed, and any conduits and apparatus for the conveyance, reception, and storage of the electricity, for such remuneration in money as may be agreed upon between the Projector and the consumer, which shall be recoverable in the manner 10 hereinafter mentioned.

Meters not
distrainable.

41 Such meters, instruments, conduits, and apparatus shall not be subject to distress for rent or rates or taxes of the premises where the same are used, or to be attached or taken in execution under any process of any Court of Law or Equity, or under or in pursuance of any 15 adjudication, sequestration, or order in bankruptcy, or other legal proceedings against or affecting the consumer of the electricity, or the occupier of the premises or other the person in whose possession the meters, conduits, instruments, and apparatus may be.

Meter to be
supplied and
maintained by
consumer.

42 Every person who shall have agreed with the Projector for the 20 supply of electricity by measure shall, at his own expense, unless he hire a meter from the Projector, in which case such meter must be to the satisfaction of the consumer, provide a meter, and keep and maintain the same in good working condition to the satisfaction of such officer as may be appointed by the Projector; and in the event of any repairs 25 being required to such meter, notice in writing shall be immediately given by such person to the Projector, and a registration of the quantity used shall be taken before such repairs are effected.

Notice of re-
moval, &c. of
meter.

43 Every person requiring to remove or alter the position of any meter shall give Six days notice in writing to that effect to the Pro- 30 jector, and a registration of the quantity of electricity shall be taken before such removal or alteration is made.

Penalty for
neglect to provide
meter.

44 If any person who under the provisions hereinbefore contained ought to provide any meter, neglect or refuse to provide such meter, after having been required by the Projector so to do, he shall, for every 35 such day during which such neglect or refusal continues, forfeit a sum not exceeding Two Pounds.

Penalty for
neglect to give
notice of repairs
of meters.



45 If any person who has provided any meter as aforesaid fail to give the notice hereinbefore required of any repairs required for such meter, he shall forfeit a sum not exceeding [Ten] (Five) Pounds, and 40 a further sum not exceeding [Five] (Two) Pounds for each day (if more than one) that such meter remains unrepared.

Electricity may
be shut off if
meter not in
order.

46 If any person refuse or delay to have such meter properly repaired and put in correct working order after having been required by any officer of the Projector so to do, the Projector may shut off the 45 supply of electricity from the premises of such person, either by cutting the conduits or service pipe, or otherwise, until such meter shall have been properly repaired and certified by some officer of the Projector to be in proper working order.

Penalty for fixing
uncertified meter.

47 If any person fix or refix any meter upon any premises supplied 50 with electric power by the Projector without having first obtained a certificate from the Projector that the said meter has been examined

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and found in correct working order, he shall forfeit a sum not exceeding **[Ten] (Five) Pounds.** A.D. 1898.

If any person remove or alter the position of, or in any way interfere with, any meter without giving such notice as aforesaid, he shall for every such offence forfeit a sum not exceeding **[Ten] (Five) Pounds** over and above the damage which he may be found liable to pay in any action at law at the suit of the Projector.



Penalty for removing meter without notice.



48 The Projector or his officers may enter any house, building, mine, or property to, through, or into which electricity is supplied by the Projector by measure in order to inspect the meters, instruments, conduits, and apparatus for the measuring, conveyance, reception, or storage of electricity, or for the purpose of ascertaining the quantity of electricity supplied or consumed, and may from time to time enter any house, building, or lands for the purpose of removing any meter, instrument, conduit, or apparatus the property of the Projector; and if any person hinders any such officer from entering or making such inspection or effecting such removal, he shall for each offence be liable to a penalty not exceeding Five Pounds, but, except with the consent of a Justice of the Peace, this power of entry shall be exercised only between the hours of Nine in the forenoon and Four in the afternoon.

Power to officers of Projector to inspect meter.

49 After conduits or wires have been laid and erected and put up under the authority of this Act for the supply of electric power or light to any street or part thereof, the Projector shall cause a notice thereof to be published in a newspaper circulating in any Town within the area of supply.

Notice that conduits laid.

50 Any owner or occupier of any dwelling-house or part of a dwelling-house, mine, building, or property within the area of supply, who shall wish to have electricity brought into his premises, and shall have paid in advance or tendered to the Projector the charge in respect of such electricity by this Act directed to be paid, may, with the consent of the Projector first had and obtained, open the private land between the conduits of the Projector, or erect poles and put wires and conductors thereon between and to communicate with the conduit poles and wires of the Projector, and carry and run electricity therein and thereon, having first obtained the consent of the owners and occupiers of such private land.

Conduits laid by owners or occupiers.

51 Before any conduit or wire is made to communicate with the conduit or wires of the Projector, the person intending to lay such conduit or put up poles and wires shall give Two days' notice to the Projector of the day and hour when such conduit or wire is intended to be made to communicate with the conduits or wires of the Projector; and every such conduit or wire shall be so made to communicate under the superintendence and according to the directions of the Surveyor or other officer appointed for that purpose by the Projector, and shall be of a strength and material approved by such surveyor or other officer. The conductor, communicator, distributor, conduits or wires put up to connect with the conduits or wires of the Projector shall be supplied by the Projector at cost price to any person requiring the same at his request and costs.



Communication with [pipes] (conduits) of Projector to be made under the superintendence of surveyor.

52 Any person who shall have laid down any conduit wire or other works, or who shall have become the proprietor thereof, may remove the same after having first given Six days' notice in writing to the Projector of his intention to do so, and of the time of such proposed removal; and every such person shall make compensation to the

Service conduits may be removed after giving notice.

A.D. 1898. Projector for any injury or damage to his conduits, wires, or works which may be caused by such removal.

Power to break up pavements.

53 Any such owner or occupier may open or break up so much of the street or pavement (if any), or any sewer or drain therein, as shall be between the conduits of the Projector and his house, mine, buildings, 5 or property, for any such purposes as aforesaid (doing as little damage as may be, and making compensation to the Local Authority for any such damage done in the execution of any such work).

Provided always, that every such owner or occupier desiring to break up any street or pavement, or any sewer or drain therein, shall 10 be subject to the same necessity of giving previous notice, and shall be subject to the same control, restrictions, and obligations in and during the time of breaking up the same, and also reinstating same, and to the same penalties for any delay in regard thereto, as the Projector is subject to under the provisions of this Act. 15

Protection of the motive power; in case of any breach of this part of this Act, motive power may be cut off.

54 If any person, supplied with electricity by the Projector, wrongfully does, or causes or permits to be done, anything in contra-vention of any of the provisions of this Act, or wrongfully fails to do anything which under any of those provisions ought to be done for the prevention of waste, misuse, or undue consumption of electricity, the 20 Projector may, without prejudice to any remedy against him in respect thereof, cut off any of the conduits or wires by or through which electricity is supplied to him or for his use, and may cease to supply him with electricity as long as the cause of injury remains or is not remedied. 25

Penalty for waste of motive power.

55 If any person supplied with electricity by the Projector wilfully or negligently causes or suffers any conduit or other apparatus to be out of repair, or to be so used or contrived that the electricity supplied to him by the Projector is or is likely to be wasted, misused, or unduly consumed, he shall for every such offence be liable to a penalty not ex- 30 ceeding [Fifty] (Twenty-five) Pounds, and a further sum not exceeding Five Pounds for each day (if more than one) that such offence continues.



Penalty for destroying works, &c.

56 If any person shall wilfully and maliciously destroy, injure, or damage, or attempt to destroy, injure, or damage, any conduit, pipe, wire, or apparatus, or any of the works constituted under the authority 35 of this Act, or wilfully and maliciously do any act calculated to render any part or parts of the machinery or works of the Projector unworkable or defective, or whereby any electricity is or may be lost, wasted, misused, destroyed, or interrupted in any way, he shall be deemed guilty of a felony, and be liable to imprisonment, with or without hard 40 labour, for any term not exceeding Two years.

No conduit, &c. to be fixed to consumer's conduit, &c. without permission of Projector.

57 It shall not be lawful for the owner or occupier of any house, mine, buildings, or property supplied with electricity by the Projector, or any consumer of the electricity of the Projector, or any other person, to affix, or cause or permit to be affixed, any conduit, wire, or apparatus 45 to a conduit or wire belonging to or used by such owner, or occupier, consumer, or any other person, or to make any alteration in any such communication, or conduit, or wire, or in any apparatus connected therewith, without the consent in every such case of the Projector; and if any person acts in any respect in contravention of the provisions 50 of this Section he shall for every such offence be liable to a penalty not exceeding Five Pounds; and the Projector may, in addition, recover damages in respect of any injury done to his property, and the value of any electricity used, wasted, misused, or unduly consumed.

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58 No electric main or conductor shall be used for the supply of electricity, and no electric photometer shall be used for ascertaining the illuminating power of electric light, and no electric meter shall be used for ascertaining the quantity of electricity supplied by the Projector, unless the said main, conductor, photometer, and meter respectively shall be of a pattern approved in writing by the Superintendent of Telegraphs.

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Electric conductor photometers and meters.

59 No continuous electric current shall be supplied by the Projector beyond the transformer [or point of distribution] to any electric line, main, or cable having an electro-motive force of more than Three hundred volts from the secondary terminals of the transformer, and no alternating current shall be so supplied having an electro-motive force of more than One hundred and fifty volts from such terminals

Potential of current.



Provided that, if in the opinion of the Projector it is deemed necessary, for the purpose of carrying into effect the provisions of this Act, to employ (beyond the transformer) a higher tension of electricity than the said Three hundred volts in the case of a continuous current, or the said One hundred and fifty volts in the case of an alternating current, a written notice of the same containing a statement of the extent of the proposed increase of electro-motive power shall be served on the Superintendent of Telegraphs, who may, within Fourteen days from receipt of such notice, give to the Projector notice in writing of the necessary precautions to be taken and things to be done by the Projector in order to secure the safety of the public, which said precautions (if any) shall be taken, and the terms of such last-mentioned notice (if any shall be given within the time named) shall in all respects be complied with by the Projector before he shall supply a continuous electric current of higher electro-motive force than Three hundred volts, or an alternating electric current of higher electro-motive force than One hundred and fifty volts.



For every breach of any of the provisions of this Section the Projector shall be liable to a penalty not exceeding Two hundred and fifty Pounds, to be recovered in a summary manner before any two Justices of the Peace; and every agent or workman of the Projector who shall knowingly and wilfully authorise or permit such a breach shall be liable to the like penalty, to be recovered in the manner hereinbefore provided.

60 It shall not be lawful for the Projector to prescribe any special form of lamp or burner to be used by any person, or in any way to control or interfere with the manner in which electricity supplied by the Projector is used. Provided, that no person shall be at liberty to use any form of lamp or burner, or to use the electricity supplied by the Projector for any purpose, or to deal with it in any manner so as to unduly and improperly interfere with the supply of electricity supplied to any other person by the Projector.

No form of lamp or burner to be prescribed.

61 The Surveyor or other person appointed for that purpose by the Projector may, between the hours of Nine o'clock in the forenoon and Four o'clock in the afternoon, enter into any house or premises supplied with electricity by the Projector in order to examine if there be any waste or misuse of electricity, and if such Surveyor or other person at any such time be refused admittance into such dwelling-house or premises for the purpose aforesaid, or be prevented from making such examination as aforesaid, the Projector may turn off the electricity supplied by him from such house or other premises.

Inspection of premises supplied with electricity.

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Where several
houses supplied
by one conduit,
each to pay.

62 Where several houses or parts of houses, buildings, or mines, in the separate occupation of several persons, are supplied by one common conduit or wire, or where electricity is supplied to courts, alleys, and rights-of-way by conduit or otherwise, the several owners or occupiers of such houses or parts of houses, buildings, or mines, or of the several houses or parts of houses in every court, alley, or right-of-way, shall be liable to the payment of the same charges for the supply of electricity as they would have been liable to if each of such several houses or parts of houses, buildings, or mines had been supplied with electricity from the works of the Projector by a separate conduit or wire. 10

Projector may
make charges.

63 The Projector is hereby authorised to make such charges for the supply of electricity as may be agreed upon by him and the persons to whom such electricity is supplied by the Projector, provided that in no case will the charge exceed One Shilling and Sixpence per unit. 15



[Rates]
(Charges) to be
recoverable from
occupier.

64 The charges for electricity, and all sums due to the Projector under this Act, shall be paid by and be recoverable summarily before any Two Justices of the Peace, or as a debt in any other Court of competent jurisdiction, from the occupier of the premises or the person requiring, receiving, or using the supply of electricity. 20

Recovery of rates
and charges.

65 If any person refuse or neglect to pay on demand to the Projector any charge or sum due to the Projector under this Act, the Projector may stop the electricity from flowing or going into or on the premises in respect of which such charge or sum is payable by cutting off the conduit or wire to such premises by such means as the Projector shall think fit; and the Projector may sue for and recover the charge or sum due from such person, with costs, and with the expenses of cutting off the electricity. 25

Minister or local
authority may
purchase works.

66 It shall be lawful for the Minister, with the approval of Parliament, or for the Town Board or other local governing body for the time being of the Town of *Zeehan*, at any time after the expiration of Twenty-one years from the passing of this Act, by notice in writing, to require the Projector to sell at the expiration of Six months from the giving of such notice, and the Projector shall accordingly sell to the Crown or to the Town Board or other local governing body aforesaid, the whole or any part of the lands, machinery, and works then belonging to the Projector, and which shall have been acquired, made, or erected under the authority of this Act, and all rights, privileges, powers, and advantages connected therewith or appurtenant thereto. 35

Compensation
purchase of
works.

67 The amount of compensation to be paid to the Projector upon the purchase of the lands, machinery, and works, rights, privileges, powers, and advantages comprised in such notice, shall not exceed the actual cost of such land and of the *bona fide* construction of such machinery and works, with an amount added equal to Twenty Pounds per centum on such cost. 45

If parties cannot
agree as to
amount of com-
pensation question
to be referred to
arbitration.

68 If the parties cannot agree upon the sum to be paid as the purchase money of the lands, machinery, and works, the question shall be referred to the determination of Five arbitrators, Two of whom shall be appointed by the purchaser and Two of whom shall be appointed by the Projector, and the Fifth arbitrator shall be appointed by the Four other arbitrators. 50

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- 69** If the Projector fails or refuses to appoint Two arbitrators for the purpose aforesaid within a period of One month after having received notice in writing from the purchaser so to do, it shall be lawful for the purchaser to appoint Two arbitrators to act with the 5 Two arbitrators already appointed by the purchaser, and such Four arbitrators shall appoint a Fifth arbitrator, and the Five arbitrators so appointed, or a majority of them, shall determine the purchase money to be paid. A.D. 1898.
If parties do not agree upon arbitrators.
- 70** If any vacancy shall occur among the arbitrators before they 10 have fixed such purchase money as aforesaid, such vacancy shall be filled up by the appointment of another arbitrator by the same authority by which the arbitrator whose place has become vacant was appointed. Vacancy in arbitrators, how filled up-
- 71** For the purpose of ascertaining the actual cost of the construction work under this Act, the Projector shall from year to year submit 15 to the Auditor-General accounts and proper vouchers of all construction works, and upon computing the amount of compensation to be paid to the Projector in the event of the purchase as aforesaid, the amount of the accounts as passed by the Auditor-General shall be deemed to be the actual cost of the construction of the works. Accounts of cost of construction to be submitted to Auditor-General.
- 72** The accounts of the Projector in and about the construction of the said works shall be subject to all the provisions of *The Audit Act, 1888*, in the same manner in all respects as if such accounts had been 20 specifically mentioned therein. Accounts of construction subject to 52 Vict. No. 43.
- 73** Whenever by this Act authority is conferred upon the Projector 25 to enter upon any land for the purpose of this Act, or to do any act in or relating to the construction or maintenance of any work, the same authority shall extend to all persons acting by direction of the Projector, and to all necessary agents, assistants, servants, workmen, means, and appliances whatsoever. Entry by Agents.
- 74** All offences against this Act or any By-law made hereunder, 30 and all penalties and sums of money imposed or made payable by this Act, shall be heard, determined, and recovered in a summary way by any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*; and all penalties recovered by 35 any such By-law shall be paid to the Projector. Penalties, &c. to be summarily recovered before Two Justices.
- 75** Any person summarily convicted of any offence against this Act or any By-law made hereunder, or who feels himself aggrieved by any Order made by any Justices of the Peace under this Act or any By-law made hereunder, may appeal against the conviction in the 40 mode prescribed by *The Appeals Regulation Act*. Appeal.
- 76** In all proceedings whatever for the recovery of any charges or sums of money under this Act, and in all other proceedings before 45 Justices of the Peace in pursuance of this Act, it shall be lawful for the Justice or Justices, in his or their discretion, to award and order that the defendant shall pay such costs as to such Justice or Justices of the Peace shall seem just and reasonable in that behalf. And in case where such Justice or Justices of the Peace, instead of making an order as aforesaid, shall dismiss the information or complaint, it shall be lawful for him or them, in his or their discretion, to award and order to the Power to award costs.

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defendant such costs as to such Justice or Justices of the Peace shall seem just and reasonable; and the sums so allowed for costs shall in all cases be specified in the order made against the defendant or in the order of dismissal as aforesaid; and the same shall be recoverable in the same manner and under the same warrants as any penalty or sum of money adjudged to be paid in and by such order is recoverable; and in cases where there is no such penalty or sum to be thereby recovered, then such costs shall be recoverable by distress and sale of goods and chattels of the party ordered to pay the same: Provided, that no imprisonment for non-compliance with any order for payment of any money or charges due to the Projector shall be imposed.

Persons under
Act entitled to
notice of action.

77 No action shall lie against any person for anything done in pursuance of this Act unless notice in writing of such action, and of the cause thereof, is given to the defendant One month at least before the commencement of the action, and such action is commenced within 15 Three months after the cause of action has accrued; and in any such action the defendant may plead the general issue and give this Act and the special matter in evidence, and no plaintiff shall recover in any such action if tender of sufficient amends has been made before such action brought, or if a sufficient sum of money has been paid into Court by or on behalf of the defendant after such action brought, together with the costs incurred up to that time; and if a verdict passes for the defendant, or if the plaintiff becomes nonsuit or discontinues such action, or, if upon demurrer or otherwise, judgment is given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for recovering the same as any defendant has by law in other cases; and though a verdict is given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Judge before whom the case is tried certifies his approbation of the action and the verdict obtained thereupon. 30

Damage to be
made good in
addition to
penalty.

78 If through any act, neglect, or default on account whereof any person shall have incurred any penalty imposed by this Act, any damage to any conduit, main, pipe, wire, or other property of the Projector shall have been committed by such person, he shall be liable to make good such damage in addition to any penalty that may be imposed upon him under this Act. 35

Notices.

79 Any notice required by this Act, or any by-law or regulation made hereunder, to be served on or given to any owner or occupier of any building, property, mine, or premises, or to any person, may be in writing or printed, or may be partly in writing and partly printed. And it shall be sufficient for all purposes of this Act, unless the said Act in any case prescribes a different course to be pursued, if any such notice is sent by post to the owner by registered letter addressed to his last known place of abode or business, or is served on the owner or occupier of such building, property, mine, or premises, or left with some inmate apparently over the age of Fourteen years living at the place of abode of such owner or occupier, or (if there be no occupier) if such notice be posted on some conspicuous part of such building, property, mine, or premises; and any notice required to be served or given in respect of any street may be served on or sent by post as aforesaid to the secretary or clerk, or left at the office of the local authority having control of such street or the portion thereof affected by the notice. 50

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80 Any notice required to be given by the Projector under this Act shall be sufficient if signed by the Projector or by his Secretary or Solicitor. A.D. 1898.

Signature of notices.

81 It shall be lawful for the Projector at any time after the passing hereof, to assign, transfer, convey, and release to any company duly incorporated for that purpose, or to any person or persons, all or any of the rights, powers, authorities, privileges, liabilities, and obligations conferred and imposed upon him by this Act, together with all or any of the lands, tenements, and hereditaments, estates, chattels, and effects of every kind acquired by him under or in pursuance thereof, and purchased, occupied, or used in connection with the construction, maintenance, and working of the works hereby authorised; and upon and after the completion of such assignment, transfer, conveyance, and release the said company, person or persons, their officers, agents, and servants, may lawfully exercise and enjoy all the rights, powers, authorities, and privileges, and shall be and continue to be subject to all liabilities, obligations, penalties, and forfeitures to which the Projector or his officers, agents, or servants would have been entitled or subject had no such assignment, transfer, conveyance, and release been completed: Provided however, that nothing herein contained shall prejudice or affect any rights accrued, actions or proceedings taken against, or liabilities, obligations, penalties, or forfeitures incurred by the Projector before the completion of the said assignment, transfer, conveyance, and release.

Rights, powers, &c. under this Act may be assigned, &c. to incorporated company, &c.

82 Upon the completion of any such assignment, transfer, conveyance, or release as is hereinbefore mentioned, this Act shall be read so that whenever the word "Projector" occurs it shall be omitted and the name of the company, person or persons who shall be the assignee or transferee shall be read and taken to be inserted in its place.

How Act to be read on completion of assignment, &c.

83 Subject to the provisions of this Act, the Projector may from time to time make, alter, and repeal By-laws—

Projector may make By-laws.

For regulating the form of contract to be entered into with the Projector and any other person, and generally for carrying into effect the purposes of this Act:

As to supplying electricity:

35 For determining the time at which any charge for electricity shall be payable, and whether in advance or not:

40 For regulating the form, material, dimensions, construction, and arrangement of pipes, conductors, conduits, wires, and other works supplying electricity from the pipes, conduits, or wires of the Projector to adjacent premises, the time of executing and the notices to be given for such works, the superintendence thereof, the making good and replacing ground which may be displaced in the course of such works, and for inspecting all works or appliances at reasonable times, whether situate within any building or otherwise:

45 For regulating the construction, disposition, custody, and inspection of meters:

For preventing the waste or misuse of electricity supplied by the Projector:

50 For preventing the use, directly or indirectly, of electricity supplied by the Projector by persons unauthorised by the Projector:

For preventing persons from wilfully breaking, injuring, or interfering with any conduit, lock, cock, valve, engine, or work

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belonging to the Projector, and from doing any other wilful act whereby the electricity supplied by the Projector may be wasted.

By-laws to be approved and published.

84 Every such By-law shall, after approval by the Governor, and after such approval has been signified to the Projector, be by him published at least once in the *Gazette*; and no such By-law shall have any force or effect until it has been published in the *Gazette*, and every such By-law shall, when so published, be binding upon and be observed by all persons, and shall be sufficient to justify all persons acting under the same.

10

By-laws to be laid before Parliament.

85 All By-laws made by the Projector under this Act shall be laid before both houses of Parliament within Fourteen days of the making thereof if Parliament is in Session, and if not, then within Fourteen days after the commencement of the next Session.

Penalties in By-laws.

86 The Projector, by the By-laws to be made by him, may, subject to the approval of the Governor, impose such reasonable penalties as he shall think fit, not exceeding Ten Pounds, for each breach of such By-law or any of them.

Evidence of By-law.

87 The production of the *Gazette* containing any such By-law shall in any action at law or suit in equity, or any arbitration, or any proceeding in any Court, be *prima facie* evidence that such By-law as it is printed in such *Gazette* has been duly made and published as hereinbefore provided.

Projector to have registered office.

88—(1.) Before commencing to construct any works authorised by this Act, the Projector shall register with the Registrar under “The Companies Act, 1869,” and shall publish in the *Hobart Gazette*, the name and place of abode or business of the person who for the time being carries on the business of the Projector in *Tasmania*, and also the situation of the office in *Tasmania* of the Projector, and shall in like manner upon any change of such person, or in the situation of such office, register and publish the same, and such person shall be deemed to be the agent, and such office to be the registered office of the Projector.

(2.) The name of the style or firm under which the Projector is carrying on business, and that such office is his registered office under this Act, shall appear and be stated in a conspicuous manner on the outside of such registered office.


(3.) Any Bill in equity, writ, summons, notice, order, or other document relating to the works authorised by this Act, or to any matters herein mentioned, or to the privileges or liabilities of the Projector hereunder, may be served upon the Projector by delivering the same to his agent, or by leaving the same at his registered office, or by sending the same in a prepaid and registered letter addressed to the Projector at such office.


(4.) If the Projector shall at any time transfer or assign his rights, privileges, and authorities under this Act, or any of them, to a company incorporated and registered in *Tasmania* under “The Companies Act, 1869,” the preceding provisions of this Section shall not extend or apply to such company.


Security to be given for completion of the work.


89 The Projector shall within Six months after the passing of this Act place on fixed deposit in some bank in *Hobart*, to be approved of

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by the Minister in the name of the Treasurer of the Colony, the sum A.D. 1898.
of Five hundred Pounds, as a security for the due (commencement and)
construction of part of the works authorised by this Act [within Two
years from the passing of this Act,] and if the Projector does not
5 commence the construction of the said works in a *bonâ fide* manner
[and continue the construction of such works] to the satisfaction of the
Minister before the (First) day of (*July*), one thousand eight hundred
and ninety (-nine), and expend upon the said works the sum of [Two] 
(One) thousand (five hundred) Pounds before the (First) day of (*July*),
10 one thousand [eight] (nine) hundred [and ninety], the said sum of
Five hundred Pounds, and the interest accrued thereon shall be forfeited
to Her Majesty and shall become part of the Consolidated Revenue Fund
of the Colony.

(Provided, that if the Projector shall within Six months after the
15 passing of this Act expend upon the said works to the satisfaction of
the Minister the sum of One thousand five hundred Pounds, then the
Projector shall not be required to make the deposit of Five hundred 
Pounds as aforesaid; and a notice in writing under the hand of the
Minister that such sum of One thousand five hundred Pounds has
20 been expended to his satisfaction shall be deemed sufficient to exonerate
the Projector from his liability to make such deposit as is hereinbefore
mentioned.)

90 [On the completion of the said works or part of the said works, Deposit to be
or] (Upon) the expenditure of the sum of [Two] (One) thousand repaid.
25 (five hundred) Pounds to the satisfaction of the Minister, the said 
sum of Five hundred Pounds shall (if deposited) be repaid to the
Projector, and until such sum is repaid to the Projector he shall be
entitled to receive, unless such sum is forfeited as aforesaid, interest
thereon as from the day of deposit.

30 91 If the said works authorised by this Act or some part thereof Forfeiture.
are not commenced, and the construction thereof continued according
to the provisions of this Act, and the sum of Two thousand Pounds
is not expended upon the said works or a part thereof, or if the
Projector shall fail to carry out the objects and purposes of this Act
35 to the satisfaction of the Minister certified under his hand, or, if the
Projector shall fail to deposit the said sum of Five hundred Pounds
as hereinbefore mentioned, (if required under the foregoing provisions), 
then the powers, authorities, and privileges conferred by this Act upon
the Projector, and any lease granted by the Crown or any person to the
40 Projector, shall cease and be void.

92 Notwithstanding anything in this Act contained, it shall be Extension.
lawful for the Governor, on the Address of both Houses of Parliament,
to extend the time for completion of the works authorised by this Act.

APPENDIX.

To the Honourable the Speaker and Members of the House of Assembly of Tasmania, in Parliament assembled.

The humble Petition of Percy Fowler, of Zeehan, in Tasmania, Newspaper Proprietor,

SHOWETH :

1. That your Petitioner has, within three months previously to the presentation of this Petition, given public notice in the manner prescribed by the Standing Rules and Orders of your Honourable House of his intention to apply for a Private Bill.

2. That such notice was published in the *Hobart Gazette* of the twelfth, nineteenth, and twenty-sixth days of April last past and the third day of May instant, and in the *Clipper*, being a newspaper published at Hobart, on the ninth, sixteenth, twenty-third, and thirtieth days of April now last past, and such notice was also published in the *Zeehan and Dundas Herald*, being a newspaper published in or nearest to the District affected by the Bill, on the fifth, eleventh, nineteenth, and twenty-sixth days of April now last past, and the said notice so published as aforesaid contained a true statement of the general objects of the said Bill as hereinafter set forth.

3. That the general objects of the said Bill are :—

To enable your Petitioner to lay down, construct, work, and maintain in all or any public and private places or place in the Town and District of Zeehan and in the vicinity thereof, and in such other place or places in the County of Montagu as may be authorised, machinery, engines, buildings, and works for the generation, manufacture, and supply by steam of electric lighting, and to use, sell, or supply electricity for the lighting of the localities above-mentioned or as a motive-power, and for any other purposes whatever to which electricity may for the time being be applicable, excepting the transmission of telegraphic or telephonic messages.

To enable your Petitioner to construct, maintain, and work through, over, along, under, and upon any streets, roads, or ways, or any public or private or Crown land, and at all necessary places in the said town and district and the vicinity thereof, such posts, pipes, wires, channels, and other works and things of any and every nature and kind as may be required for the purpose aforesaid, to lay down all necessary communications, and to break up any roads, streets, or lands either public or private.

To provide for the incorporation of the Lands Clauses Acts, or so much thereof as may be necessary, with the said Bill, and otherwise for the acquisition of any lands or materials, rights, powers, privileges, or easements for the purposes of the premises.

To enable your Petitioner to make all proper charges for, and to enter into contracts for, the supply of electricity, upon such terms and conditions as may be mutually agreed upon.

To provide for the regulation and protection of the works and the making of By-laws and Rules in relation thereto, and for the infliction of penalties upon persons infringing the provisions of the said Bill, By-laws, and Rules.

To enable your Petitioner to borrow money, if necessary, for the purpose of the said undertaking and works either without security, or upon security of the undertaking and works or the assets of your Petitioner, or any portion thereof, or otherwise howsoever.

To provide for the sale, disposition, or lease of the aforesaid undertaking, works, rights, and premises, or any of them, or any part thereof, to any person or persons, company, corporation, town board, or local authority.

The said Bill will also contain all clauses usual in Bills of a like nature, and all other matters that may be deemed necessary or proper for enabling your Petitioner to carry out the works and undertaking aforesaid.

Your Petitioner therefore humbly prays for leave to introduce the said Bill.

And your Petitioner will ever pray, &c.

Dated this tenth day of May, 1898.

PERCY FOWLER.

URQUHART & OMANT,
Attorneys for the Petitioner.