

1896. Session II.

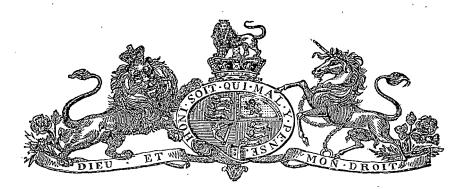
PARLIAMENT OF TASMANIA.

MONTAGU (ZEEHAN) ELECTRIC LIGHT AND MOTIVE POWER BILL, 1896, (PRIVATE):

REPORT OF SELECT COMMITTEE, WITH MINUTES OF THE PROCEEDINGS, EVIDENCE, AND APPENDICES.

Brought up by Mr. Urquhart, August 20, 1896, and ordered by the House of Assembly to be printed.

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SELECT COMMITTEE appointed, on the 7th day of August, 1896, to consider and report upon "The Montagu (Zeehan) Electric Light and Motive Power Bill, 1896," (Private.)

MEMBERS OF THE COMMITTEE.

MR. SUTTON. MR. W. T. H. BROWN. MR. FENTON. MR. LEATHAM. MR. NICHOLAS BROWN. MR. MULCAHY. MR. URQUHART. (Mover.)

DAYS OF MEETING.

Wednesday, August 12; Thursday, August 13; Wednesday, August 19.

WITNESSES EXAMINED.

Mr. Samuel McClean; Mr. Arthur Charles Parker; Mr. C. H. Westwood; Mr. C. J. Atkins; Mr. W. H. Burgess; Mr. Richard Fitzarthur Waller.

REPORT.

YOUR Committee having taken evidence in support of the allegations contained in the Preamble of the Bill, have the honor to report that the said Preamble has been proved to their satisfaction, subject to certain Amendments which the Committee recommend.

Your Committee, having agreed that the Preamble should stand part of the Bill, then entered into consideration of the several clauses, and have the honor to recommend certain further amendments and additions.

Your Committee have now the honor of submitting the Bill, with the Amendments and additions, to the favourable consideration of your Honorable House.

D. C. URQUHART, Chairman.

Committee Room, 19th August, 1896.

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PROCEEDINGS. MINUTES OF

Nó. 1.

WEDNESDAY, AUGUST 12, 1896.

The Committee met at 2 o'clock.

Present-Mr. Mulcahy, Mr. Nicholas Brown, Mr. Sutton, Mr. Urquhart, and Mr. W. T. H. Brown.

Mr. Urguhart was appointed Chairman.

The Chairman laid upon the Table the Petition praying for leave to bring in the Bill, and also the Petition from (362) residents and persons interested in the West Coast Districts praying that the Bill be passed into Law. Resolved, That Counsel be heard in support of the Bill.

Mr. Arthur Denison Watchorn accordingly appeared, and addressed the Committee in support of the Bill. Resolved, That Messrs. Samuel McLean and Charles Hutton Westwood be admitted during the examination of witnesses.

Mr. Samuel McClean was called and examined.

Mr. Arthur Charles Parker, Manager Hobart Tramway Company, was called in and examined.

The Committee adjourned till 2 o'clock to-morrow.

No. 2.

THURSDAY, AUGUST 13, 1896.

The Committee met at 2 o'clock.

Present-Mr. Urquhart, Mr. N. J. Brown, Mr. Mulcuhy, Mr. W. T. H. Brown, and Mr. Sutton.

Mr. Charles J. Atkins was called in and examined.

Mr. Atkins withdrew.

Mr. William Henry Burgess was called in and examined.

Mr. Burgess withdrew.

Mr. Richard F. Waller was called in and examined.

Mr. Waller withdrew.

The Committee adjourned sine die.

No. 3.

WEDNESDAY, AUGUST 19, 1896.

The Committee met at 2 o'clock.

Present-Mr. Urquhart, Mr. W. T. H. Brown, Mr. Mulcahy, and Mr. Sutton.

The Minutes of last Meeting were read and confirmed.

The Committee entered into the consideration of the Bill.

Preamble.

Amendments made (Mr. Mulcahy) :---Page 2, line 5, after "and" by striking out "other" and inserting "its tributary;" Page 2, line 9, after "Company" by inserting "at and near Zeehan;" Page 2, line 12, after "inhabitants" by inserting "of the Town of Zeehan and its vicinity." Preamble agreed to as amended.

Clause 1-

Amendment made (Mr. Urquhart), page 2, line 17, after "The," by striking out "Montagu" and inserting "Zeehan."

Clause; as amended, agreed to.

Clause 2-

Amendment made (Mr. Urquhart), page 2, line 25, after "Tasmania," by inserting "within a radius of Five miles from the Post Office in the Town of Zeehan."

Clause, as amended, agreed to.

Clause 3-

Inuse 3--Amendments made (Mr. Mulcahy): --Page 3, line 42, after "Creek" by inserting "and its tributary streams;"
Page 3, line 43, after "Tasmania" by striking out "and the waters of all other streams within a radius of Five miles from the said Creek;"
Page 3, line 45, after "Creek and" by striking out "other" and inserting "its tributary;"
Page 3, line 48, after "and" by striking out "other" and inserting "its tributary;"
Page 3, line 55, after "taken" by adding "at a point to be approved by the Minister;"

Clause, as amended, agreed to.

Clause 4-

Amendment made (Mr. Sutton), page 4, line 12, after "trams" by striking out "tramways;" Clause, as amended, agreed to.

Clauses 5 and 6 agreed to.

Clauses 7

Amendments made (Mr. Sutton) :--Page 4, line 38, after "at a" by striking out "nominal ;" Same line, after "rental" by inserting,"to be fixed by the Minister."

Clause, as amended, agreed to.

Clauses 8 to 26 agreed to.

Clause 27-

Amendment made (Mr. Sutton), page 8, line 17, after "erect" by striking out "telegraph."

Clause, as amended, agreed to.

Clauses 28 to 51 agreed to.

Clause 52-

Amendments made (Mr. Mulcahy) :--Page 12, line 27, after "Projectors" by inserting "beyond the transformer or point of distribution;" Page 12, line 28, after "than," by striking out "Two" and inserting "Three." Page 12, line 30, after "hundred," by inserting "and fifty." Page 12, line 36, after "hundred," by inserting "and fifty." Page 12, line 36, after "hundred," by inserting "and fifty." Page 12, line 36, after "than," by striking out "Two" and inserting "Three." Page 12, line 46, after "than," by striking out "Two" and inserting "Three." Page 12, line 46, after "than," by inserting "and fifty." Page 12, line 46, after "hundred," by inserting "and fifty." Page 12, line 47, after "hundred," by inserting "and fifty." Page 12, line 47, after "hundred," by inserting "and fifty."

Clause, as amended, agreed to.

Clauses 53 to 63 agreed to.

Clause 64

be imposed."

Clause, as amended, agreed to.

Clauses 65 to 76 agreed to.

Clause 77.

Amendments made (Mr. Mulcahy) :--Page 17, line 42, after "the," by inserting "First day of July, 1897." Page 17, line 44, after "the," by inserting "First day of July, 1898."

Clause, as amended, agreed to.

Clauses 78 to 84 agreed to.

New Clauses A. to L. brought up (Mr. Urquhart), read 1° and 2°, and made part of the Bill, to follow

"A. The Projectors 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 belonging to or under the control of the Government is or may be injuriously affected. "B. The Projectors 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 previously obtained as hereinafter provided; and if the said Postmaster-General is at any time of opinion that any telegraph or telephone 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 public nuisance, the said Postmaster-General may, by notice in writing, require the Projectors to remove such wire, conductor, communicator, distributor, electric line, or other apparatus or any portion thereof; and if the Projectors do not within Ten days after service on them of such written notice remove the same, the said Postmaster-General may remove the same, and recover the expense of such removal from the Corporation in a summary manner.

same, the said Postmaster-General may remove the same, and recover the expense of such removal from the Corporation in a summary manner. "C. 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 not altered), the Projectors shall serve a notice upon the Postmaster-General describing the proposed works, together with a plan of the works showing the mode and 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 thereto as he may desire. "D The Postmaster-General may in his discretion approve of any such works or plan subject to such

"D. 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 Projectors. "E. If the Postmaster-General fail to give any such notice of approval or disapproval to the Projectors-within One month after the service of the notice upon him he shall be deemed to have approved such works-

and plan. "F. Notwithstanding anything in this Act contained, the Projectors shall not be entitled to execute any "F. Notwithstanding anything in this Act contained, the Projectors 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 to be approved, the Projectors may cause such works to be executed in accordance with such description and plan, subject in all respects to the provisions of this Act. "G. If the Projectors make default in complying with any of the requirements or restrictions of this Act, they shall make full compensation to the Postmaster-General for any loss or damage which he may incur by

they shall make full compensation to the Postmaster-General for any loss or damage which he may incur by reason thereof. "H. The Postmaster-General may require the Projectors to erect their wires, conductors, communicators,. distributors, electric lines, or 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. "I. In the event of any contravention of or wilful non-compliance by the Projectors or their agents with any of the provisions of this Part of this Act, the Company 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 Fifty Pounds for every day on which such interruption continues.

interruption continues. "J. Nothing in this Part of this Act shall subject the Projectors or their agents to a penalty if they satisfy the Court having cognizance 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 they 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. "K. 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

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. "L. If at any time the Projectors are dissatisfied with anything done by the Postmaster-General under the alleged authority of this Act, the Company may appeal to a Judge of the Supreme Court, who shall deter-mine 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 is a conferred upon which the same make each each of the bulk down property to compare the upon 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.'

New Clauses M. to Q. brought up (Mr. Urquhart), read 1° and 2°, and made part of the Bill, to follow

New Clauses M. to Q. Drought up (MI. Orquinacy, rough a second se

thereto. "N. The amount of compensation to be paid to the Projectors 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 *bond fide* construction of such machinery and works, with an amount added

equal to Twenty pounds per centum on such cost. "O. If the parties cannot agree upon the sum to be paid as the purchase money of the said lands, machinery, and works, the question shall be referred to two or more arbitrators to be mutually agreed upon, or failing

and works, the question shall be referred to two or more arbitrators to be mutually agreed upon, or failing such agreement the reference shall be made in the manner hereinafter provided. "P. If the parties do not agree upon the arbitrators as aforesaid, the reference shall be made to Four arbi-trators, two of whom shall be appointed by each party. "Q. Upon the appointment of Arbitrators under this Act, whether by mutual agreement or otherwise, they shall, before entering on the business of the reference, appoint by writing under their hands an impartial and qualified person to be their umpire." Title amended, after "Company," by inserting "at and near Zeehan."

Title, as amended, agreed to.

The Chairman submitted Draft Report, which was read and agreed to.

The Committee adjourned sine die.

EVIDENCE.

WEDNESDAY, 12TH AUGUST, 1896.

MR. WATCHORN, (Finlay and Watchorn), appeared for the Promoters, and opened the Case.

1. By Mr. Mulcahy.—Is it proposed, Mr. Watchorn, to give these rights to this Company insperpetuity? Well, yes, practically so. 2. Is there any provision for purchase by the Government or anyone else? No; but the promoters.

would have no objection to such a provision being inserted if thought desirable.

SAMUEL McCLEAN, called and examined.

By Mr. Watchorn.—What is your name? Samuel McClean.
 You are a Mining Investor? Yes.

5. How long have you known Mt. Zeehan and the vicinity of Zeehan? Between eight and ninevears.

6. Do you know anything of the mining fields about Zeehan? Yes.

7. Were you ever prospecting on the West Coast ? Yes.

8. In this particular part where the water-right is situated? Yes; the creek was named after me. I was prospecting for some time particularly on that part of the field.

9. Can you describe the country in which this creek rises and through which it flows? Yes; thisplan (produced) shows the creek and its course.

10. This plan (produced) shows the Town of Zeehan and all the country around for a radius of five-

miles? Yes. 11. You had this plan prepared to show the Committee so that the Members might see at a glance-the mines situated within the radius. The Town of Zeehan is shown in the centre, and all the country shown is within the radius of five miles, the mines included? Yes; (pointing to plan) this is the machinery site, that is the dam site, both marked in my name (the witness described the course of the creek and its branches). It runs up towards the Comstock mine. From the machinery site to the centre of the Town of Zeehan is about 44 miles in a direct line, which line would cross the dividing ridge and go. of the Town of Zeehan is about $4\frac{1}{2}$ miles in a direct line, which line would cross the dividing ridge and go

towards the Mount. 12. Well, tell the Committee about the Falls and the volume of water? Yes I was camped on this-creek for a considerable time prospecting, and on two or three different occasions the Falls drew my attention, and the old original M'Lean Company were going to take them up but did not do so. Then I decided to take up the water-right on my own account. The Falls were very extensive and came down in about three Then I decided tojumps (photograph showing the Falls put in). The Falls were about 450 feet vertical by 700 or 800 feet long, so you will see the Falls are very precipitous. Of course there are times in the year when the creek is not large, but for nine months out of the twelve there is a tremendous flow of water. 13. And what is the area of catchment? About 3000 acres, but I don't think you can get a fair idea

of it from the plan (explains on plan). I estimate the catchment at 3000 acres, but that is merely a rough estimate.

14. You have read the Bill now before the Committee? Yes.

15. You say that for nine months of the year there is sufficient water for the purposes of the Bill?' Yes

16. Then how would you provide water power for the remaining three months? By a conserving dam and a reservoir.

17. Is the site favourable? Yes, most favourable, it is a very fine site.

18. And the projectors are the owners of the water-rights, the dam site, and the machinery site? Yes.

19. And these are the leases-(leases put in)? Yes.

20. And these documents (produced) are the transfers to trustees on behalf of the projectors? Yes-(transfers put in.)

21. Are the leases still in force? Yes.

22. And are there arrears of rent due? No arrears ; they are paid up to July, 1897.

22. And are there arrears of rent due? No arrears; they are paid up to 5 day, 1657.
23. Will you explain to the Committee what works the projectors propose to construct? Yes; a large weir or dam, that will conserve sufficient water to carry out the working of the whole of the plant.
24. And that is the plan of the survey made by Mr. Waller (plan put in)? That is the dam itself as marked by Mr. Waller; that (showing spot) is the fall of the creek, and the Falls come right down nearly perpendicular. This is a very narrow pass of conglomerate rock, such as is common on the field. It is a more because the price of the plant with the plant. magnificent site for a dam, and it can be constructed at a reasonable price, and then can be connected with the machinery.

Mr. Watchorn proposed to put in the report of Mr. Waller.
By the Chairman.—When we take his evidence, then you can put it in.
25. You have a report from Mr. Lee Murray as to the feasibility and cost of the scheme as far as electricity is concerned? Yes. Mr. Lee Murray was in communication with me on the matter three orfour months ago.

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26. And do you think there is sufficient water at all times to create the electricity required? Yes.
27. That would be to light the Town of Zeehan and the mines of the Zeehan field within a radius of five miles, and to work the mines in operation in that area? Yes.
28. What would be the capacity of the dam? According to measurement, 364,000,000 gallons of water : I know the capacity is very large.

water; I know the capacity is very large. 29. How far is the Town of Zeehan from the machinery site? A little over four miles—four and a quarter miles I should think, but you can make it more on the plan by making allowance for deviations.

30. Now, what is the estimated cost of the dam, the dynamo, and other machinery, including the machinery necessary to transmit the power to Zeehan? About £7500. We have had it roughly estimated. 31. Does that include construction of the dam? Yes; that includes the dam and all the electrical

machinery required.

32. And that is the entire cost? That is the estimated cost according to the reports we have had. 33. By Mr. Sutton.—But that won't cover everything—dam, machinery, and everything? Yes,

everything except the connections.

34. By Mr. Watchorn.-That is, so far as the generating is concerned? Yes, but not the distribution. ŝ, 35. Then that is, landed at the distribution station? Yes.

36. How do you propose to raise the capital? Oh, I suppose in the usual way.

37. Are the contractors for the electrical works likely to give you assistance? I believe they will. Whovever takes the contract for this work will, I believe, give assistance.

38. What electrical companies have approached you as to the works? Well, the Brush Company and Messrs. Siemens Brothers.

39. Will any proportion of the capital be raised locally? I think the whole of the capital will be

raised in Tasmania. 40. Will any be raised at Zeehan? Well, the Zeehan people have subscribed so far, and some of them will be able to go further. Of course, there are not may wealthy men there, but a certain proportion will turn up as subscribers.

41. Are the people of Zeehan in favour of the scheme for lighting? Yes; and if this Bill had not been gone on with—if they had been put off, as before—they would have adopted a scheme for lighting the town with electricity by steam power. They wanted it especially for lighting the streets.
42. What do you mean by being put off? Well, the old Australasian Rights Purchase Company, that Company's operations were put off. I was there about two years ago, and as that company did not

go on some of the people of Zeehan were going to put up steam works to supply electricity to light the town and the houses. They were sick of kerosene, especially in the large houses, and said it would pay them to put up a steam plant of their own to generate electricity, especially for many of the houses in the main street. I told them we intended going on with this scheme, and should do our utmost to get it through the House, and that if we succeeded we should light the town with electricity by means of water power.

43. Do you think it would be conducive to the development of mining to install the electric light there? Yes, certainly.

44. Do you think it would be a convenience to the inhabitants? Decidedly; they are most anxious to have it down there.

45. How would it be beneficial? Well, first to the townspeople for lighting their houses and the streets as well. The weather is very wet there and the streets are sloppy, and the want of street lamps was bad where there was so much mud. It would be a great convenience to have the streets lit up with electricity. Then, no doubt, there would be a great future for electricity as a motive power, and there -electricity. would be a big future for it in Tasmania in course of time. I believe ere long we will be able to work our motive power by electricity instead of steam ; it will be far less expensive.

46. By the Chairman.-I observe there is no time mentioned in the Act for starting the work?

Mr. Watchorn.-No, it is left blank. I should suggest inserting the 1st September, 1897.

47. By the Chairman.—What time would be reasonable to give you: do you think twelve months, or, say, to 31st Decomber, 1897? Yes, I think that date would do.
48. Then you have to expend not less than £2000 on the works within twelve months after that? Yes, that is the money. Well, we don't want to hang the thing up, and the quicker we can get to work the better we will like it.

Mr. Watchorn-We intended to propose 30th September, 1898-that is, we will start the works within twelve months, and expend the sum of £2000 within nine months from that time.

49. By the Chairman.-Do you know the feeling of the Town Board of Zeehan on this matter? Yes, I have consulted with them.

50. Are they in favour of it? All are particularly in favour of it. Every one I have spoken to is in favour of it.

51. And I understand you want these concessions in perpetuity? Yes, I suppose that is the usual thing.

52. By Mr. Mulcahy.-What water-power do you now hold? Ten heads.

53. And what proportion is that of the average water in the river or creek? I suppose that is nearly the average, and at all events we can get it by conserving. Of course there is nothing like that in the summer time, while at times I suppose there might be over a hundred heads.

54. Are you asking, then, for the whole of the water-power which you now hold in the district? I don't think so ; we are asking for the whole of the water in this creek.

55. And all the water-power within a radius of five miles of the town of Zeehan? Well, there is no other water-power there that can be got.

56. Still you ask in the Bill for all the water-power within a radius of five miles? Yes, we take in all the streams that feed the river.

57. Will that involve interference with any other persons on that creek? No, I don't think so. 58. Will it interfere with any other mining property? There is no other mining property at work where the dam site will be.

59. But there may be some in the future? There might be; at the same time there is little probability of it, for all the prospecting likely to be done there has been done long ago. I was myself camped on the creek for a considerable time, and prospected every hole and corner there in search of minerals, and did not find any.

60. But if a mineral discovery were made on that stream below its source, and we allow you to take the water, would not your rights interfere with the mineral-holders lower down? In any case we would have the first rights as the original applicants.

61. For how long? I suppose as long as the rent was paid.

62. I believe twenty-one years is the extent of the lease? Yes.63. And now you want it for all time? Yes, that is the custom. I presume when the lease is up, the conditions being complied with, it would be renewed.

64. I suppose the carrying out of the work will depend on your floating the company and getting the capital? Yes; but we can't go on until we get the Bill.

65. You have not the money yourselves, but you will endeavour to float a company to carry the work Yes, that is the usual course. on?

66. I see the date of deposit as security for completion of the work is that you shall pay up the amount within six months of the passing of the Act. Have you, as promoters, sufficient confidence in the scheme to make the deposit as soon as the Act is passed? Yes, I think so.

67. Would you be willing to have that alteration made in the Bill, to pay the deposit immediately on the passing of the Act, say in a month? Yes, I don't think there would be any objection, but certainly to

pay in a month would be giving a very short time. 68. I ask because I want to know whether you have enough faith in your ability to form the company? Yes, that is correct; but it is a very short time indeed. You can't move in the formation of a company like this until you have got the Bill through Parliament. If the promoters have to put up £500 within a month it is a very short time. Some of the other witnesses will be able to enlighten you on that point better than I am able to do. I can only say that I am satisfied that if the Bill passes the

company will be formed. 69. With regard to the time of commencing, I see that the people of Zeehan are anxious to have the electric light as soon as possible, and you say they were prepared to erect a steam-engine at once to generate electricity: under the circumstances don't you think it rather long to ask for twelve months before beginning your works? Well, I look on that as a mere matter of form. We want to commence as soon as we can, so as to get the light before next winter. 70. Are you willing to do that? As far as I am concerned, I am willing to do it. 71. Can you supply that information from the promoters as a body? I should think so.

72. You say you have consulted the members of the Zeehan Town Board in a private capacity only. You have not written to the Town Board on it? Yes, I have talked to them personally, and they are willing

73. That is, they have not expressed an adverse opinion about it? No, they are all anxious to have the light.

74. There is no resolution of the Town Board in favour of this Bill? I don't think so. The Town Board will require to have a Bill passed through to enable them to make use of the light. I believe the The Town matter is now under the consideration of the Attorney-General, and I believe it will require a special Bill to enable them to use the light when it is up.

75. There is no clause in the Bill to enable either a local body or the Government to purchase the plant, should it be thought desirable, by arbitration or otherwise : would there be any objection to that

being put in? I don't think so. 76. By Mr. N. J. Brown.-Would there be any objection on the part of the promoters to provide, say in Clause 69, in a similar way as it is usually provided in Railway Bills, for the purchase of the undertaking by any local authority, on adding a certain percentage on the cost? That is what Mr. Mulcahy was speaking of. There would be no objection to that at all that I can see.

77. Are you aware that the Australasian Rights Purchase Company have a Bill now before Parliament seeking a renewal of their powers under their Act? Yes.

78. In what way would a renewal of the powers granted to that company affect the interests of the promoters under this Bill? Well, it would affect us considerably if their powers were renewed again. It would be running two companies where there is really only business sufficient for one.

79. As a matter of fact if the rights of the Australasian Rights Purchase Company are revived as at present proposed they would be interfering with the supply of water that you are expecting to operate on? No, there could be no interference with the water supply, but it would interfere with the profits of the undertaking.

80. It would interfere with your market for light and power? Yes, and it would not do for two companies to run the show for such a town as Zeehan.

81. It is said that you should return the water to the river, creek, or stream from which it is taken. Would there be any objection to a clause to provide that the water should be returned to the stream, and that the conditions should be fixed by some authority, say the Minister of Lands? No, there would be no

objection to that so long as you don't ask us to run it up hill again. 82. That would be absurd, of course, but it might affect the water supply or the interests of the inhabitants farther down the stream? There would be no objection so far as I am concerned.

83. By Mr. Sutton.—You think the cost of the plant would be £7500: did Mr. Lee Murray give evidence to that effect? Yes, he has.

84. Will there be any evidence given here as to Mr. Lee Murray's report? I believe so.

Mr. Watchorn: There will be expert evidence on that point.
85. By Mr. Watchorn.—Look at the second part of Clause 3. Mr. Mulcahy asked you about the rights of others; you see the provision made at line 50...." Provided that nothing herein contained shall abrogate any existing rights vested in any person or persons to take, divert, or appropriate any of the said waters." Is that sufficient? Yes, we will not interfere with any existing rights.

86. And under Section 9 there is protection given as to the rights of other people: "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." That protects lessees? Yes.

87. And Clause 12 provides for payment of compensation before works can be constructed through or

over previously leased land? Yes. 88. And in Clause 21: "The projectors shall make compensation in manner hereinafter provided to all persons lawfully claiming any right to the use of any water taken, or diverted, or appropriated by the projectors under the authority of this Act, or lawfully interested in any private land other than land purchased by the projectors in or upon which any waterworks may hereafter be constructed" and so on. These Clauses protect all interests? Yes, fully; I know that all rights have been protected under the Bill.

ARTHUR CHARLES PARKER, called and examined.

89. By Mr. Watchorn.—What is your name? Arthur Charles Parker.
90. What are you? I am Manager of the Hobart Electric Tramway Company.
91. And you are an Electrician? Yes.

91. And you are an Electrician? Yes.
92. What experience have you had in electrical work? Well, I have had fifteen years' experience in all parts of England, on the Continent, and in Hobart.

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

94. Have you read Mr. Lee Murray's report and Mr. Waller's report? Yes.

95. Assuming that a fall or head of water is 440 feet, and that the theoretical horse-power available, say for a turbine, is 670, what do you consider would be the brake horse-power applicable for working a dynamo or a Pelton wheel, and will you describe the process? Yes. A turbine and a Pelton wheel are the same, or rather a Pelton wheel is an improved turbine. The brake horse-power is the effective horse-power when acting on the turbine. The theoretical horse-power is worked out by figures, and is merely

nominal, but the effective horse-power is the actual power you get from water running through the turbine, allowing of course for loss, and is determined by a brake on the shaft of the turbine. 96. In this case what would be the brake horse-power? Well, Mr. Waller puts it down very low. I calculated it out that we might get 30 per cent. above Mr. Waller's figures with the water he has available.

97. And what results did you arrive at?. Well, I made it out into electrical horse-power at Zeehan. 98. Yes, but what would be the brake horse-power at the turbine? I could not tell now. I can tell you the electrical horse-power at Zeehan. Yes, I will tell you, I made it about 510 horse-power I think, at the turbine—I don't remember what Mr. Waller said now.

99. And with that brake horse-power you could transmit such an amount of electrical horse-power to Zeehan as would supply Zeehan and the mining fields at Zeehan for a radius of five miles around the town of Zeehan? Yes, we could get in Zeehan, which is a distance of about five miles, from 360 to 370 horsepower

100. And what electrical horse-power would be required to light the town of Zeehan alone? I could say. I do not know the area of Zeehan. Mr. Murray said 100 horse-power would be enough to light not say. Zeehan.

 101. Mr. Murray's report reads 100 electrical horse-power; this permitted of 1250 sixteen candle-power lamps being lighted at one time, or 2500 eight candle-power lamps—is that right? Yes.
 102. Assuming that 1250 sixteen candle-power lamps or 2500 eight candle-power lamps were going, what amount of electrical energy would be required to give that many lights? I should think about 100 horse-power in Zeehan.

103. So that if the energy at Zeehan is what you said you thought it would be, there would be quite

250 horse-power left for other purposes besides lighting Zeehan? Yes.
250 horse-power left for other purposes besides lighting Zeehan? Yes.
104. Would that be sufficient for working the leading mines of the Mount Zeehan Field? Well, I don't know how many mines there are there; but if you have 250 horse-power to work on that area, it is a large horse-power, and would give a great amount of electrical energy.
105. That you say is a large horse-power? Yes, and I consider that the figures are under-estimated.
106. Have you gone into calculations as to the head of water. Assuming 450 feet effective fall, how many cubic feet of water per minute would be required to greate the borse-power necessary? No: I have

many cubic fect of water per minute would be required to create the horse-power necessary? No; I have not gone into the calculation, but I should say about 800 cubic feet per minute. With 250 cubic feet per

minute you would get 150 electrical horse-power with the fall that there is there. 107. We get this, then. There would be 350 electrical horse-power available at Zeehan for distribu-tion by our transformers; that 100 horse-power would be sufficient to light the electric lamps for the town, and that then there would be available for other purposes 250 electrical horse-power? Yes; but it is not necessary you should send the whole 350 horse-power to Zeehan in order to distribute it. Suppose you have a line to the south : you can put on 100 horse-power to Zeehan, and distribute the other 250 horsepower wherever vou like along your lines.

108. You are not bound to send it all in the same direction? Oh, no. 109. What machinery do you consider would be required? Well, you would want high tension generators.

110. On what system? Well, I should advise the alternating current system.

111. You have an idea, of course, of the physical features of the creek,—you know the Falls? No. 112. Suppose the Falls to be 450 feet high, with a dam on the top and the machinery under it, what machinery would be required to develop the power of the Falls? Well, you would want a turbine and an alternating current dynamo.

113. And an exciter? Well, that is a part of the dynamo machinery.

114. And what machinery would you require at the distributing station? You would want transformers, switches, and minor apparatus.

115. And what would be the output of electricity in volts or amperes-explain the terms, please? You mean to get a certain horse-power at Zeehan?

116. Yes? The voltage, that is the pressure, would be constant. At the Fall you may get 2600 volts, and 2000 at Zeehan.

117. And the amperes? Well, to get 360 horse-power you would require about 135 amperes at above voltage.

118. By the Chairman .- What is an ampere ! It is the quantity of current passing along the conductor per second.

119. By Mr. Watchorn.-The voltage would be about 2600? Yes.

120. And what the amperes ? Ah, that depends upon the number of horse-power you require in

Zeehan. You would want, to light the town, about 45 amperes. 121. But you would not take all the power to Zeehan? Not necessarily. If you had a line on the way, you would take it off and send it where you want it as you go along. You are not bound to go to Zeehan and then come back

122. Then I understand if Zeehan required 100 horse-power, and you have 250 horse-power left, you are not bound to go to Zeehan and then bring it back? Oh, no.

123. Have you perused Mr. Lee Murray's estimate of the machinery? Yes.
124. Do you consider that reasonable? Yes.
125. Would it be sufficient for the work? For lighting up Zeehan, yes, but not if you go in for other work. You could not supply power to a mine, but you could light up Zeehan on this estimate. Mr. Murray seems only to have quoted for lighting up Zeehan.
126. Mu Murray there has a given the cost of the machinery processory for 350 horse never affective.

126. Mr. Murray there has given the cost of the machinery necessary for 350 horse-power effective energy at Zeehan? Oh, no. From this estimate Mr. Murray concluded that you would get from 100 to 120 effective horse-power.

127. I ask if the rest of the energy would not be available for working and lighting the mines? It would be if the machinery were increased.

128. I understand that 350 effective horse-power would be produced available for working the mines? Oh, no.
129. Then that is the cost of machinery for lighting the town of Zeehan only? Yes.
130. What is the amount? £4500.

131. And what would be the cost of the machinery necessary to light up Zeehan and also to supply power to the mines? 1 could not tell you that now. That would depend on the number of mines and 1 could not tell you that now. power to be supplied.

132. By the Chairman.—What would be the cost of a plant suitable to distribute the whole 350 horse-power? I could not tell you that. That would depend on where it has to be distributed.

133. Would it be a benefit to the inhabitants of Zeehan to have the electric light? Oh, certainly.
134. Suppose the average cost of working the mines to be £65 per horse-power per annum, could not motive power be supplied by electricity at a much cheaper rate? I should say so, but I cannot give-

any figures now, because I have not the particulars to work from. 135. Could motive power be supplied by electricity at a cheaper rate than £65 per horse-power per annum? Yes, I could do it cheaper here.

136. How long would it take to construct the water machinery and the electric works for lighting the town of Zeehan? I can't tell you in regard to the water plant, but as for putting down the electrical plant itself, I could do it in two months.

137. By Mr. Mulcahy.-Electric energy is, I understand, very much used now for mining purposes ?"

Yes. 138. And economically used? Yes.

CHARLES WESTWOOD, called and examined.

139. By Mr. Watchorn.-What is your name? Charles Westwood.

140. What are you? I am a legal manager of mining companies. 141. Are you secretary and manager to the projectors of this company? I am.

142. Have you read the Bill? Yes, I have.
143. Do you know if the people of Zeehan want the electric light? Yes; I have seen several of them, and they all say they are anxious to have it. That is also evidenced by the petitions sent up, and I know there are a lot more to come which missed last mail. That was further instanced also when the scheme was first brought forward. I acted as one of the company who got people people to go into it, and over £100 was at once subscribed towards the money required to get the Bill through Parliament by the inhabitants of Zeehan. The amalgamated mining associations have also taken an interest. I have seen a large number of the inhabitants, and all are exceedingly anxious that the electric light should be established at Zeehan. I can also state that if this Bill had not gone on several establishments were going to combine together to find an electric plant to be driven by steam-power to light the place, but knowing that combine together to find an electric plant to be driven by steam-power to light the place, but knowing that this Bill was coming forward they agreed to do nothing in that way for the time being. The Town Board of Zeehan has also taken the matter up, and I think they passed a resolution, which was passed consequent upon this Bill being brought before the House, asking that the Town Board should have the power to light the town by electricity. That resolution has been forwarded to the Attorney-General to be incorporated in the Bill which is shortly coming before Parliament. I am almost certain of that, because I telephoned to the Attorney-General a few minutes ago and asked if he had received a copy of the resolution, and he him-ealf replied that he had and was considering it. It was consequent on this Bill being brought forward self replied that he had, and was considering it. It was consequent on this Bill being brought forward that they proposed the resolution.

144. From what quarters did the petitions come? The petitions came mainly from Zeehan, a good many were from Hobart, and some from Melbourne. Another petition is now on the way from Melbourne, and there is one signed by the Hobart Stock Exchange. In some of the companies I am connected with they are very anxious that the electric light should be brought in.

145. Have many of the Zeehan people intimated their intention to take shares? Yes, they are willing to take shares, because I have had to refuse money from persons who knew the Bill was going on. 146. And the amalgamated mining associations have taken shares? Yes, and also some of the

Secretaries have taken shares on their own account.

147. Do you know what prospects the projectors have of raising the capital required? From the promises received I don't think there is the least doubt about raising the capital; if it is not raised in Tasmania it can be easily obtained in Melbourne or Sydney; from Hobart I have received a great many applications asking if I could let them have a share in the original company. I had to refuse. I could

have floated the company over again. 148. You heard Mr. Mulcahy ask Mr. McLean whether, if the conditions in the Bill were altered in reference to the deposit, the projectors had sufficient confidence in the scheme or in the people raising money in that way—suppose they did not, do you think the projectors would raise the money amongst themselves if they could not float a company? From the men who have gone into it I have no doubt they could raise the money amongst themselves. As to paying up the $\pounds 500$ within a month, I think that could be done. I don't think there is a doubt that it could be done, but it is usual, I think, to give more time.

149. If the projectors failed to float the company would they find the money amongst themselves? I think so; at all events I am sure they could get it. I have been approached already by the Brush Electric Lighting Company and Siemens Brothers, offering to do certain things.

150. Do you think the electrical engineering companies would be likely to assist? I think so, nndoubtedly.

151. You are a manager of mining companies. Do you think it would be a saving to have electricity? Yes. I reckon that it would save 30 to 50 per cent. in the cost of lighting and firing if we could drive by electricity.

152. By Mr. Mulcahy .-- Is the resolution of the Zeehan Town Board in evidence? No, I think not.

153. Will you submit it in evidence? Mr. Watchorn said they had not got it, but it could be obtained through the Chairman of the Committee,

154. By the Chairman.—Has this Bill been'advocated by the Zeehan press? Yes. 155. There has been no resolution of the Town Board to object to it? None what

None whatever.

155. Incre has been no resolution of the Town Board to object to it? None whatever. 156. By Mr. Mulcahy,—Can you give us the words of the resolution of the Town Board? No, but I can get it for you. The Attorney-General has just said that he has received the resolution, and he has been asked that some clause to give effect to it should be inserted in a Bill, either to give them power to purchase or allow them to light the town by electricity. I believe a clause is being inserted in the Town Boards Act that would be consequent on the request of the Town Board of Zeehan. I believe that Mr. Morrisby moved a similar resolution at the Conference of the Town Boards held recently at the Town Hall.

157. But that is a general resolution to be inserted in the Town Boards Bill? Yes, but it is consequent on their action.

158. I wanted to bring out whether the Town Board, as an official body, has recognised or approved of

this Bill? I could not say that, I don't know. 159. By Mr. Watchorn.—The resolution you refer to is in favour of the use of electrical power being made general-it is not in favour of any particular company? It was passed, I think, consequent on the steps taken by this particular company.

160. By Mr. Mulcahy.—But you are not in a position to give evidence as to that? I can say that it was on our suggestion that the power was asked for : the resolution was passed on that.

161. Suppose the Committee think it advisable that the deposit money should be paid within three months, do you think it certain that could be done ? Oh, yes.

The Committee adjourned until 2 o'clock to-morrow.

THURSDAY, 13TH AUGUST.

CHARLES JAMES ATKINS, called and examined.

162. By Mr. Watchorn.—What is your name? Charles James Atkins.
163. What is your occupation? I am a financial agent and sharebroker.
164. Are you not one of the projectors of this Bill? Yes.
165. Have you read the Bill? Yes, I have.
166. What prospects have the promoters of being able to raise the capital necessary to carry out the works? The capital required, as told by three experts, is £10,000; I think that amount can be obtained within a macrophe time. within a reasonable time.

167. Do you think, on authority being given, it is likely the capital will be raised? Yes. I think so. I think the promoters will help to raise it here, and they also intend to apply for capital in Victoria. 168. Do you think the scheme feasible? Yes, I do. I think the company is so fair a thing that I

do not think there will be any difficulty in getting the money subscribed.

169. Do you think six months a reasonable time to allow for finding the £500 deposit? I think so. I think we ought to be able to get the whole thing arranged in six months. On the Stock Exchange we think matters are fairly good, but prospects are variable at all times, and you should give a few months to enable us to choose the best time for putting the company on the market.

170. By Mr. N. J. Brown.-With respect to Clause 77 of the Bill, you will observe that £500 as stated is a deposit as security for the due construction of part of the works authorised by the Act within two years from its passing : can you explain why that word should be used, or why only the construction of part of the works should be secured? I believe we shall be required by law to spend £2000 on the works up to that point. That means that when we have expended £2000 then the £500 guarantee money will be handed back to us.

171. Yes, but it is stated that on the completion of the works to the satisfaction of the Minister, &c. : should not the company be bound more strictly as to the completion of the works in a specified time. Do Do should not the company be bound more strictly as to the completion of the works in a specified time. Do you at the present time see any objection to the wording of the Act being so altered as to compel the company to wholly complete the works in a certain defined time? Personally I think we are giving a good deal in laying down £500. I don't see why the time should be defined, and I don't see why the words should be put in. It depends on the meaning of "completed." We never might get the works com-pleted, because we might keep putting works on to them from time to time. I don't think it would be fair to ask us to leave the deposit until the works are completed. If we spend £2000 on the works, surely that should be sufficient, and the security money might then be withdrawn. For our own interest we would go on with and finish the rest.

172. I want you to put a reasonable construction on my question. When I say completion I mean the completion of the works so far as the stage of actually supplying light and power to those who you expect to be your customers; otherwise the works might be allowed to lie partly completed for an indefinite time? Well, personally, I should not be inclined to allow the deposit money to be left beyond the time when the £2000 is expended.

173. By the Chairman.—I take it what Mr. Brown means is this: you expend the £2000 on only part of the works, and we want to know what limit of time you require to carry out the rest, that is, to carry out the purposes of the Act? I said I hoped by that period the works would be complete. 174. Would a limit of three years suit you? Oh, I am not an expert in such matters; you had better

ask someone else.

175. How long would it take you to place the plant up to 350 electrical horse-power at Zeehan? I don't know. I should prefer the clause to remain as it is. As soon as we have arranged for the capital we shall push on the works as rapidly as we can. Next winter we should be in a position to supply the light.

shall push on the works as rapidly as we can. Next winter we should be in a position to supply the light.
We shall lose no time in commencing operations with the dam, and other works, installation and so on, will go on simultaneously. The whole thing should be in working operation by next winter.
176. By Mr. N. J. Brown.—But you prefer not to be bound to time? Well, we might pay the deposit and not get the capital. It is a serious matter to have to lay down £500 and then to be bound to completion by a certain time. We might get £2000 worth of work done, and then from some unforeseen cause the scheme might be hindered on the way. We don't expect that, but it might be so.
177. I presume you see that security is to be required for the completion of the work—that is, the deposit of £500—and that security would cease and determine after you had expended £2000 in the part construction of the work: that is, the only security held by the Government would cease after they had handed over the £500 deposit? Yes, but by that time we shall have done four times that amount of work.
178. Yes, but there is then nothing to prevent the dangers of delay afterwards and the suspension of construction of the work: that is, the only security held by the Government would cease after they had handed over the £500 deposit? Yes, but by that time we shall have done four times that amount of work. 178. Yes, but there is then nothing to prevent the dangers of delay afterwards and the suspension of the work for an indefinite time? We should not be likely to do that after spending £2000. 179. But you might be delayed afterwards? We should not be likely to expend £2000 unless we got the capital, and if we did get the capital then we should certainly go on with the work. 180. By Mr. Mulcahy.—The promoters, I presume, all fully believe in the scheme? Yes, we believe the scheme will result in a modest profit.
181 But they don't intend to carry it out themselves? Well. £10,000 is a very large sum to risk.

181. But they don't intend to carry it out themselves? Well, $\pm 10,000$ is a very large sum to risk. 182. Then you don't intend to carry this out yourselves? No, we don't.

183. Then your going on will be contingent on your floating the company—you wont carry the work out if you don't? No, at least so far as I am informed at present.

184. And if you get these rights from Parliament you expect, of course, to make a little money out of it? I suppose that will be the intention ; we can't say it is a golden thing, but we think it may result in a modest profit.

185. You don't mean that out of the electric light and power you will derive a profit, but you hope to get a profit on the floating of the Company in the shape of paid-up shares : is that so? Yes, that is it.

186. And if the Promoters get these rights from Parliament, they will be of money value to them? Yes, I suppose so.

187. And under these circumstances will the Promoters be ready to pay the deposit when the Act is passed, say in a month or so? I could not say. I don't think we should be penalised in that way. I think if we set this going we should not be treated as if we had committed some offence. 188. I don't mean to penalise you. In what time would you pay? I don't think we should be made to forfeit until we get a fair time to carry the scheme out; until we get a fair chance.

189. I don't mean anything about forfeit. Would you pay the deposit in a month? A month is far

189. I don't mean anything about forfeit. Would you pay the deposit in a month? A month is far too short a time; there would be no time to look round.
190. Well say two months? Say six months.
191. That is what you are asking in the Bill? And it is little enough time.
192. I want to test the *bonâ fides* of the promoters, I want to see will they raise the money in a month or two months. I mean to pay the deposit in that time? I should like six months. We have to chance the best time for putting the thing on the market, and getting the money. Now I think November and December are about the best months for this sort of thing. I should not like to rush it on the market this month for instance. month, for instance.

193. Well, I will put it another way. Do you think it fair that the promoters should be put in the position of taking no risk at all except the risk of getting the Bill through Parliament? We all take risk. I intend to subscribe to the undertaking and the others will do so as well, in fact I shall do more than under ordinary circumstances I should wish to do to help this scheme forward. That sort of thing is more often done by promoters than the outside public are aware of often done by promoters than the outside public are aware of.

194. I suppose the promoters will have no objection to a reasonable price being paid to the Government for the water they require under the Bill? I might say there would be no objection. I am not aware but that the payment Mr. M'Lean makes now under the rights he holds would be continued. Of course we should pay under that. There is provision under Clause 81 of the Bill which secures the payment for water in the manner provided in the Mineral Lands Act. 195. Is there any official Chairman of Promoters who could give direct and definite information as to

the payment of the deposit ; each witness so far has only given his own opinion, and the Promoters could not be bound by such evidence? I don't think the Chairman could bind the Committee.

196. Could you not have a meeting and see whether you could agree to some term? If it came before the Committee I think the majority would be against shortening the time fixed in the scheme;

namely, six months. 197. They would practically like to have these rights accorded them without any risk to themselves beyond the cost of putting the Bill through Parliament? Well, yes, you may put it so. We have spent money outside the cost of getting the Bill through, and we shall have to spend money in trying to float the Company. We have already paid money down, and I don't think it should be asked that we should be fined £500 just because we undertake to get up this Company.

198. I don't mean that at all; you put a mistaken interpretation on my words, that is not my meaning? If we failed to get the capital we should forfeit the money; we should not go on if we did not think we could get the capital.

199. It is practically a tentative proposal then? Yes; I suppose so. 200. By Mr. W. T. H. Brown.—You say you have spent money already? Yes, in water-rights and in other ways.

201. And you are still spending money? Yes, money is still going out.

202. And what amount of money do you think you will put in the works in the next six months? I hope from £4000 to £5000.

203. In the next six months? Yes, I think so; we will push the thing on all we can.

204. Do you think the promoters would undertake to deposit the £500 in three months? I think six months is little enough.

205. The intentions of the Company are *bonû fide*? In every way, certainly. 206. And you intend to hurry on and have the works completed in five or six months if the Bill passes and becomes law? Yes, we intend to carry the thing through within five or six months, and we think we can do it.

207. By Mr. N. J. Brown.—Look at Clause 69, giving power to the projectors to assign the under-taking: I should like to ask whether they see any objection to provision being inserted, that in the event of a sale being made, say to a local authority, that the terms of such sale should be defined in the Bill as they are in other Bills of a similar character—that is that the purchase money shall not exceed a certain percentage over the actual cost of the works? I see no objection to that, but I think the works should be the them at one about a bound are to provide the terms of the terms of the terms are the terms at the terms at the terms are the terms at terms at the terms at terms at the terms at terms at the terms at terms at the terms at the terms at terms at the terms at terms at terms at the terms at ter

not be taken in that way at once, they should give us, say twenty-one years. 208. Well, if sufficient time were given there would be no objection to such a provision? No, not if you give us a good long time.

WILLIAM HENRY BURGESS, called and examined.

209. By Mr. Watchorn.—What is your name? William Henry Burgess. 210. And your occupation? A merchant of Hobart.

211. Are you one of the promoters of the Bill before the Committee? I am. 212. Are you well acquainted with Zeehan? Yes.

213. Do you know the object and purport of the Bill? I do. I have read the Bill, and I think I thoroughly understand it.

214. Have you been to Zeehan lately? Yes, recently, during the past month. 215. And you heard the merits of the Bill discussed? Yes, I made it my, business to discuss the matter with the business people of Zeehan.

216. And what is the feeling about the Bill? It is distinctly in favour of the Bill. It is recognised that it is desirable that the electric light should be established for the benefit and use of the people. It would also be a great benefit for motive power, on account of the certain reduction of the supplies of fuel and consequent high price in the immediate future. This is becoming a most important question already in regard to mining operations there. The expense of wood as a fuel is increasing greatly. 217. And the supplies of wood used as a fuel are decreasing? Yes, rapidly. 218. Then you consider the scheme as a whole is a valuable one? From my limited knowledge I

do; from a financial point of view I believe it is one which the promoters have every justification in coming to Parliament and asking for necessary powers. 219. Experts tell us that the cost of the works will be about £10,000: do you think difficulty in raising that amount likely, or do you think it can be done through companies? No, I do not; I have already been in communication with the representatives of firms who would be prepared to accept part payment for the works in debentures of the Company. 220. By Mr. Sutton.—That is, electric lighting firms? Yes, Sir. 221. By Mr. N. J. Brown.—You are aware there is now before Parliament a Bill to revive the

rights of a company known as the Australasian Rights Purchase Company? Yes.

222. Could you inform the Committee whether the granting of an extension or revival of these rights would be detrimental to the projected company in regard to the use of the light? I think it would

operate against them. 223. They would want to take some of their water power? Certainly not; the water power this

224. Then in what way would its operation be injurious to the company? I doubt at the present time whether it would not have the effect—if there were two companies before the public—of making people hesitate about taking up shares, which would not be the case if there were only one company with certain defined objects. I heard this matter spoken of at Zeehan, and it seemed to be the general feeling that this Australasian Rights Company having had the opportunity on more than one occasion to carry into effect their proposals, and failed to do so, that it looked as though they had come back now simply because others had stepped in to do the work.

225. That is, of course, partly a matter of sentiment. Would the fact of opposition be detrimental to the financial operations of this company? The question really is as to whether there is room for two I should hardly think, with the limited population at present, that there would be. companies.

226. It would, in fact, interfere with the market for their light and power? Yes, at the present time. 227. Then, as a partner in this company, you distinctly object to the renewal of the Australasian Rights Company's Bill? Yes, on the ground that the company has already had two opportunities to take advantage of their own plans and they have neglected to do so.

228. Then if they were refused an extension of their powers that would give you a monopoly? It would give us the opportunity of establishing the works we propose.

229. A monopoly? Yes, a monopoly, but a limited one. If the other Bill passed people would ask if there was room for the two companies.

230. But from a public point of view, would it not be an advantage to have the two companies both doing the same kind of work exactly? Well, they say competition is the soul of trade.
231. By the Chairman.—Do you know that the proposed area is to within five miles of the post office at Zeehan? Yes.

232. That would not reach Dundas by road? I suppose it would not.

233. It would not reach to the Comet mine? No, it would not reach the Comet mine.

Mr. Watchorn: Dundas is included in the circle marked on the plan, but we have no wish to include it.

234. By the Chairman.-There are a great many mines round Dundas? Yes, Sir.

235. And if they wanted to be supplied with power by this company could they do it? Yes, and I should think it would be better to do away with the limit.

236. But your company have not the power? With regard to power, that could easily be added to. 237. By W. T. H. Brown.—You could supply Dundas? Oh yes, we could. I thought Dundas would have been outside the limit, but as it is within the limit we could do it.

238. By Mr. Sutton.—You stated you have had conversations with the people of Zeehan about this company? I have.

239. Did you hear any expression of opposition? No, there was an unaminous expression of feeling in favour of the company? I did not meet with any objection to it at all.
240. By Mr. Mulcahy.—This is particularly a local company so far? Yes, Sir.
241. A Tasmanian company? Yes, Sir.

242. And you intend raising most of the capital in Tasmania? Yes, we shall try to raise it here. 243. The Australian Rights Company is not a local company? No,' Sir.

RICHARD FITZARTHUR WALLER, called and examined.

244. By Mr. Watchorn.—What is your name? Richard FitzArthur Waller. 245. What is your occupation? I am a Civil Engineer.

246. And you are in the practice of your profession at Zeehan? Yes.

247. You know the M'Lean Creek at Zeehan? Yes.
248. Have you recently surveyed any part of it? Yes.
249. For the promoters of the Bill now before the Committee—the Montagu Electric Light and Motive Power Bill? Yes.

250. You know the objects of the Bill? Yes. 251. Is the sheet you have in your hand a plan of the survey made by you? Yes, this is my plan. 252. What is the extent of the catchment area shown? About 22,000 acres, I believe, but I have not a copy of my report with me, so can't profess from memory to be strictly accurate where figures are

253. You know the proposed scheme for utilising the waters of the creek for electric lighting purposes? Yes.

254. Will you explain from the plan what power is available? Yes; this plan shows the main or M'Lean's Creek, and how it is fed by numerous smaller creeks which are connected with it. (The witness pointed out on the plan how it was proposed to conserve the water by a dam, and showed the proposed site of the same.) The dam would be sixty feet high, and the machinery would be connected with it. The of the same.) The dam would be sixty feet high, and the machinery would be connected with it. The witness explained the construction and dimensions of the dam, and said it would hold, when full, from 600,000,000 to 700,000,000 gallons of water, which would be sufficient for machinery purposes for two months, and a very large supply. Asked as to the supply to be derived from the catchment area, witness referred the Committee to his report, from which Mr. Watchorn read as follows :----"The average rainfall for this year per diem is '21 inches nearly over the catchment area of 22,000 acres; this will give 10,348,800 gallons of water total daily rainfall. The character of the area and the climate in my opinion fully justifies a factor of '7 in estimating the portion of this rainfall available for storage. This leaves 7,244,160 gallons of useful daily water supply. The fall available will be slightly more than I estimated in my last report, and will probably amount to 440 feet. This will give an available total theoretical theoretical theoretical to the construction of the storage. in my last report, and will probably amount to 440 feet. This will give an available total theoretical horse-power of 670."

255. That is a reasonable estimate of water power? Yes; the rainfall was calculated from the returns of the lowest year of any recorded. The coast records only go back from four to five years, and the figures I have taken are from those of the lowest year. The object of the proposed dam is to collect the water so

that in the winter months we may gather it for use when there comes a drought. The dam will hold sufficient water for about two months' supply at the horse-power stated. (The witness explained by the plan the method of conveying the water from the dam by means of wooden fluming to the Pelton wheels or turbines at the machinery site, which wheels created the power, which power was employed to operate the dynamos creating the electric current, which was carried by copper-conducting wires a distance of $4\frac{1}{2}$ miles to the town of Zeehan). 256. By Mr. Sutton.—What horse-power do you consider you will have available? The theoretical

horse-power would be 670, but that is not the average of the actual horse-power : the actual horse-power

horse-power would be 670, but that is not the average of the actual horse-power : the actual horse-power would be about 70 per cent., really about 345 horse-power. 257. Say from 350 to 400 horse-power actual? Yes, 400 would be a safe estimate. 258. By Mr. Watchorn.—Would it be possible to increase that horse-power by the use of improved machinery? I think not, to any large extent. 259. Then that provides for a full head? Yes. By careful management you might bring it up from 75 to 80 per cent., but you could not increase the average horse-power. Of course, as stated, by using more horse-power in the winter months when there is a greater demand for lighting—by using a larger horse-power in the winter that would increase the average, but it would only bring the average slightly above my estimate

above my estimate. 260. Then the dam would not increase the head of water, it merely regulates the flow? No, it would not.

261. With a larger amount of storage power could you not increase the head of water? The dam could be used for that, but it is not desirable or necessary in such a scheme at all. If you took the water from off the head of the dam instead of from the foot you might gain sixty feet of fall, but all below would be idle water; you would never use it; all the storage of the dam would be gone. The object of the dam is to hold water and regulate the supply.

262. The site is a valuable one for the construction of a dam? Yes, Sir.
263. Do you know the state of feeling in Zeehan in regard to the Bill? Yes, pretty well.
264. Is it favourable? Yes, I have spoken to no one who has expressed the slightest feeling against it.

All seemed pleased that they could have the electric light there. 265. By Mr. Sutton.—You know there is a Town Board? 266. Do you know the members? Yes.

Yes.

205. Do you know the members? Yes. 267. Have you had any conversation with them on the subject? No. 268. By Mr. Watchorn.—Would it be possible to light the town of Zeehan and also to supply light to mines and others within a radius of five miles? That would depend on the number of customers to be supplied. I am not an electrician, and cannot speak on that point. 269. So far as the country is at present developed, would that 470 break horse-power be capable of supplying electricity to the mines within a radius of five miles from Zeehan? That is a wide calculation. Do you would be upply upply to the mines found in the radius of an end with the radius of the radius.

Do you mean would it supply all the mines found in the radius, or only those who might wish it to be used? 270. There are not many mines altogether that would be likely to require electricity. How many mines are sufficiently prosperous to be in a position to take electricity for motive power? It is problematical how many. As far as mere lighting is concerned the power is ample, and it should leave a decided margin for use as power. There are many things in connection with mining that cannot be done by electricity such as heavy pumping, for instance. Electricity is now successfully used for winding power in England, and also in Germany and America. 470 horse-power would go a long way to supply electric light and power to the Zeehan district as it is at present.

271. Your report as to water is for the catchment area: are your figures the minimum record of the rainfall? I got all the records that were available at Zeehan, excepting for a year and a half; I got only the totals for that period. Otherwise I have the records of the rainfall for every day since 1890. Two years before that I believe there was a greater rainfall, but in making my report I took the lowest rainfall for five or six years.

272. And you allowed a considerable margin for safety? Yes.

273. You, in fact, took the disadvantages at the maximum, and the advantages at the minimum? Yes.

274. It would of course be a great disadvantage to be without water for a month or two? Yes.

275. And you took that consideration at the maximum? Yes. 276. You say the capacity of the dam is for two months' supply? Yes, if full at the beginning.

277. Since you have been to Zeehan have you known a drought at all? No; the longest period I have known the place without rain was for either fourteen days or thirteen.

278. Then it is very unlikely that the supply will run out? Using that amount of water, it is

very unlikely. 279. By Mr. Mulcahy.—You know the Zeehan locality very well, and you are acquainted with the

various streams there? Yes. 280. Do you think, should the Zeehan people ever desire to construct waterworks, that the taking of this river away would interfere with their having them? You mean with respect to supplying the town with water?

281. Yes? No, it is on the wrong fall. They could not use this except at a very large expense. It would have to be taken round the south end of Zeehan to what is known as Mount Zeehan. Besides, this water would not be suitable for a town supply because it would be polluted by the mines.

282. You know the quantity of water for which Mr. McLean has taken a lease? No. 283. The said ten heads,—does that amount of water exist according to your survey? Yes. I can't exactly say in heads at present what quantity we should deal with, but I know it is in excess of ten heads. I have not reckoned the water in sluice-heads.

284. Roughly speaking, how many sluice-heads would there be in the river to deal with? (Mr. Watchorn read from Mr. Lee Murray's report :--"The Pelton wheel would be capable of giving 170 break horse-power to the dynamo machinery, and if we assume the head to be 450 feet (effective), we will require about 250 cubic feet per minute.")

285. By Mr. Mulcahy.—How many sluice-heads? Mr. Murray says 250 cubic feet per minute; that would just exceed ten sluice-heads. I have reason to think Mr. Murray is dealing with a smaller power.

286. As an expert I ask you, from your knowledge of the water maximum required, if the quantity of water there is any greater than that which Mr. McLean now possesses under his leases, and, if so, how much greater? I don't know how much water will be utilised or what may remain. I don't know what proportion of my estimated available water-power they propose to make use of.

287. But, presuming that they used the lot, ten heads would practically comprise the whole stream? Oh well, ten heads will more than comprise the whole stream in its present state, but when you take and put a dam up and begin to conserve you make available a far greater quantity of water. At some times you might have nearly from 100 to 200 heads. That water is now absolutely wasted, but by putting in a dam it is rendered available, and, under those circumstances, you would make a greater average supply than ten heads.

288. I was anxious to ascertain whether giving this right would be likely to interfere with mining operations requiring the use of some of this water? Well, of course, it would stop anyone from using the water above the dam.

289. Would it interfere prejudicially with any one wanting to use the water? I can say certainly not, that is if the water was utilised. I can hardly conceive of a case of any one who could use that water being likely to be stopped by it. Such a thing might be possible, but it is extremely improbable.

likely to be stopped by it. Such a thing might be possible, but it is extremely improbable. 290. By Mr Sutton.—What is to be the cost of the dam? My estimate of the cost of the dam was roughly made, and the cost might be reduced to about two-thirds of the amount I estimated; mine was £5200 for the dam and works connected with it; it is probable the cost might be reduced to £3500.

±5200 for the dam and works connected with it; it is probable the cost might be reduced to £3500.
291. By Mr. Mulcahy.—Do you know that the promoters under this Bill as it is, ask not only to be allowed to appropriate the waters of McLean's Creek, but of all creeks within a radius of five miles of Zeehan: are you aware of that? I am not aware of it.

292. Would that not be giving the promoters very much larger rights than Mr. McLean now holds? Certainly it would, unless he holds other water-rights there.

293. They ask to use all the water within a radius of five miles; that would be a greatly increased water power to that which Mr. McLean now has a legal right to use? Well, there is only one other creek of any importance in the five miles radius,—that is a creek called the Comstock.

294. If we confined the operation of this Bill to such water as comes into McLean's Creek, or say to that creek and its tributaries, we would be giving them all that is wanted for the scheme as proposed? I should say so. I made a recommendation that one more creek should be put in, that is a creek near the Comstock, below the locality of present mining operations. That might be diverted and increase the amount of the available water.

295. Have you based your calculations on getting the water of McLean's Creek proper? Yes. 296. By the Chairman.—Are there any other creeks there that could be made available? Only the Comstock Creek. That is the only one outside the catchment area that would be of any use.

| The Committee adjo | ourned sine die. | | | the second |
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APPENDIX.

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

The humble Petition of Frederick James Salier, William Henry Burgess, William John Watchorn, and Leo Susman, all of Hobart, in Tasmania, Merchants, and Charles John Atkins and Richard Crosby, both of Hobart aforesaid, Sharebrokers, and Frederick Back, of Hobart aforesaid, Esquire, and William Alexander Finlay, Richard John Lucas, and Cecil Walker, all of Hobart aforesaid, Solicitors, and Samuel McCharles of Hobart aforesaid, Solicitors, and Samuel McCharles Description of Hobart aforesaid, Solicitors, and Samuel McCharles and Samuel McClean, of Hobart aforesaid, Mining Prospector, and Thomas Bennison, of Hobart aforesaid, Esquire, and John Armstrong, of Zeehan, in Tasmania, Ore Purchaser, and James C. Whitelaw, of Zeehan aforesaid, Commission Agent, all of whom are hereinafter called "the Promoters.

SHEWETH :

1. That within three months previously to the presentation of this Petition public notice of the inten-tion of your Petitioners to apply for a Private Bill was published, as is by the Standing Rules and Orders of your Honorable House prescribed as follows ; that is to say :-

In the Hobart Gazette on the ninth, sixteenth, twenty-third, and thirtieth days of June now last past; in the Mercury, being a public newspaper published at Hobart, on the tenth, seventeenth, and twenty-fourth days of June now last past, and on the first day of July instant; in the Zeehan and Dundas Herald, being a public newspaper published in the District affected by the Bill, on the eleventh, eighteenth, and twenty-fifth days of June now last past, and on the second day of July instant: which said notice contained a true statement of the general objects of the said Bill as hereinafter mentioned.

2. That the general objects of the Bill are :-

- To enable the Promoters to take over and use all the rights, powers, and privileges conferred upon Samuel McLean by virtue of Water Right No. 34w, granted under "The Mineral Lands Act, 1884," and by virtue of the Lease of machinery site granted to the said Samuel McLean, No. $\frac{1104}{91M}$.
- To enable the Promoters to use the waters of McLean's Creek, near Zeehan, in Tasmania, mentioned in the said Water Right No. ⁹⁵/_{91w}, and such other water from the said creek as may The intervalue of the said where fright No. $\frac{1}{91}$, and such other water from the said creek as may be necessary for generating electricity, and for all necessary purposes in connection therewith. And for all such purposes to select any dam or machinery site or sites in the vicinity of the said creek, and in particular to use the dam site referred to in the said Water Right No. $\frac{94}{91}$ and the machinery site referred to in the said Lease No. $\frac{1104}{9124}$. And to construct and erect suitable dams and reservoirs for the conservation of the said waters or any of them, and to cut and make all necessary channels and water races, and lay down all necessary conduits and pipes.
- make all necessary channels and water races, and lay down all necessary conduits and pipes. To enable the Promoters to lay down, construct, work, and maintain, in all or any public and private places or place in the Town or District of Zeehan, in Tasmania, 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 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 whatsoever to which electricity may for the time being be applicable, excepting the transmission of any telegraphic on telephonic or telephonic messages.
- To enable the Promoters to construct, maintain, and work through, over, along, under, and upon any streets, roads, or ways, and 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 purposes 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 Act," 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 casements for the purposes of the premises.
- To enable the Promoters 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 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, or Rules.
- To enable the Promoters to borrow money, if necessary, for the purposes of the said undertaking and works, either without security or upon security of the undertaking and works, or the assets
- of the said Company, 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 the Promoters to carry out the works and undertaking aforesaid.

Your Petitioners therefore humbly pray for leave to introduce the said Bill.

And your Petitioners will ever pray, &c.

Dated this seventh day of July, one thousand eight hundred and ninety-six.

WM. J. WATCHORN. S. McLEAN.

Witness-ARTHUR D. WATCHORN, Solicitor, Hobart.

[60 VICT.] [Montagu] (Zeehan) Electric Light and Motive Power.

As amended by the Select Committee.

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Enable Frederick James Salier, William Henry A.D. 1896. Burgess, William John Watchorn, Leo Susman, Charles James Atkins, Richard Crosby, William Alexander Finlay, Richard James Lucas, Cecil Walker, Samuel McClean, Thomas Bennison, John Armstrong, and James Whitelaw to utilise the Waters of *McClean's* Creek and other streams at or near Zeehan, in Tasmania, and 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,) in the County of Montagu, in Tasmania.

HEREAS Frederick James Salier, William Henry Burgess, PREAMBLE. William John Watchorn, Leo Susman, Charles James Atkins, Richard Crosby, William Alexander Finlay, Richard James Lucas, Cecil Walker, Samuel McClean, Thomas Bennison, John Armstrong, 5 and James Whitelaw, all of whom are hereinafter included in and designated by the expression "the Projectors," are by proper and valid instruments of transfer possessed of and entitled to the rights,

[Private.]

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

[Montagu] (Zeehan) Electric Light and Motive Power. [60 VICT.] 吃頭

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powers, and privileges conferred upon Samuel McClean, by Lease of Water Right No. 95 granted under "The Mineral Lands Act, 1884," and by Lease of Machinery Site No. $\frac{1104}{9134}$ granted under the same Act: And whereas the Projectors are desirous of acquiring the right to

utilise the waters of *McClean's* Creek and [other] (its tributary) 5 streams at or near Zeehan, in the County of *Montagu*, in *Tasmania*, ka j and 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,) in the 設商 County of Montagu, in Tasmania: 10

And whereas it would be conducive to the development of mining operations in the said County of *Montagu*, and for the benefit of the inhabitants [of the said County,] (of the Town of Zeehan and its vicinity,) that the Projectors should be authorised to utilise the said

waters for the purposes aforesaid : 15Be 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 :--

1 This Act may be cited for all purposes as "The [Montagu] (Zechan) Electric Light and Motive Power Act, 1896."

Interpretation.

Short title.

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 25 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):

> "Conductor" shall mean and include cable, wire, or other apparatus for transmitting electrical power: "Conduit" shall mean and include the canals, tunnels, 30

- aqueducts, cuttings, pipes, or wires by means of which the main supply of water, water-power, or electricity is supplied to any town, person, or building or property :
- "Crown land" shall mean and include any land or lands in 35 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: 40

"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 45 Colony of Tasmania, with the advice of the Executive Council:

"Local Authority" means the Board of Health, Municipal Council, Road Trust, Town Board, or body of persons or person having the control or management of the street in 50 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 Municipal Council or body corporate having the local government of any City, Town, or District in which 55 any of the works hereby authorised may be situate, or, in

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> default of any such local authority, the Commissioner of A.D. 1896. Crown Lands:

"Machinery" means any appliance for carrying into effect any of the objects authorised by this Act :

"Meter" means any instrument, apparatus, or appliance for measuring and ascertaining the quantity of water, waterpower, 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:

"Motive power" means the power derived from water passing through or acting upon machinery, or the electrical power derived therefrom :

"Owner" means the person for the time being in the actual receipt of or entitled to receive the rents and profits of any house, manufactory, or building of whatsoever kind, or any land:

"Person" includes corporation, company, association, syndicate,

partnership, and 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:

" Projectors" means the before-named persons or the survivors or survivor of them, or their or his 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, thorough-

fare, or public way, place, or passage :

"Town" means any settlement, camp, or collection of houses, whether proclaimed as a town or not, and situate within the area of supply :

"Works" or "Waterworks" means and includes all reservoirs, wells, cisterns, tanks, aqueducts, watercourses, tunnels, feeders, drains, channels, machinery, engines, cuts, floodgates, sluices, dams, weirs, flumes, races, conduit-pipes, pipe-breaks, buildings, pen-stocks, conduits, cables, poles for carrying cables and wires, and other works of what kind soever which are from time to time necessary or used for effecting the purposes of this Act.

3 It shall be lawful for the Projectors, and they are hereby em- Power to divert: 40 powered and authorised, to take, divert, and appropriate the waters of water. McClean's Creek, (and its tributary streams) situate at or near Zeehan,

in the County of Montagu, in Tasmania, [and the waters of all other streams within a radius of Five miles from the said Creek,] for any

45 of the purposes hereinafter mentioned, and from time to time to enter upon the said Creek and [other] (its tributary) streams, and upon the banks and beds thereof, and to construct and erect on and in any portion of the banks or beds of the said Creek and [other] (its tributary) streams any works for the purposes of such taking, diversion,

50 and appropriation of the waters thereof as aforesaid. Provided that nothing herein contained shall abrogate any existing rights vested in any person or persons to take, divert, and appropriate any of the said waters.

Provided further that, after the Projectors shall have so diverted or

55 taken away any of the said waters, they shall return the same to the creek or stream from which they were taken. (at a point to be approved . by the Minister.)

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Power to use water.

Purposes for which water may be taken.

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Projectors empowered to take and sell land.

21 Vict. No. 11 incorporated.

Lease of Crown Lands may be granted.

Effect of lease.

Protection to rights of first lessee. 4 It shall be lawful for the said Projectors to use all or any of the waters aforesaid for any of the purposes hereinafter specified—

To work any machinery that may be erected by the Projectors for generating, making, and transmitting electricity for the purpose of supplying light to the towns, streets, mines, and 5 buildings within the area of supply :

- To work any machinery that may be erected by the Projectors for generating, making, and transmitting electricity for the purpose of supplying the inhabitants of the area of supply with electricity for any purpose : 10
- To work any machinery that may be erected by the Projectors for drawing or propelling trams, [tramways,] 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 :
- To work any machinery that may be erected by the Projectors for 15 the purpose of executing or exercising any of the powers, functions, duties, or authorities now or hereinafter vested in or imposed on the Projectors :
- To supply any mines or batteries within the area of supply with electric-motive power for winding, pumping, working, 20 or any other purpose:
- 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.

5 The Projectors are hereby empowered to acquire, purchase, take 25 on lease, sell, or exchange any land which the Projectors may consider to be necessary for the purposes of this Act.

6 The Lands Clauses Act shall, except as hereby expressly varied, be incorporated with this Act; but

- 1. There shall not be incorporated with this Act Sections Eight 30 and Nine of the said Lands Clauses Act:
- II. In the construction of this Act and the said incorporated Act, this Act shall be deemed to be the special Act, and the said Projectors shall be deemed to be the Promoters of the undertaking, subject to the provisions of this Act. 35

7 It shall be lawful for the Minister, with the consent of the Governor in Council, to grant to the Projectors from time to time for any term not exceeding Thirty years at a [nominal] rental (to be fixed by the Minister) a lease of any Crown Lands that the Projectors may consider necessary for the purposes of this Act, subject to such covenants, 40 terms, and conditions as the Minister may think fit.

8 Every such lease as aforesaid shall, subject to the provisions of Section Fifteen, operate and take effect merely as a licence to the said Projectors to construct and maintain the works hereby contemplated, and shall not confer any right or title to any mines or minerals. 45

9 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, 50 that he shall not carry on any mining or other operations upon any

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land comprised in the said lease in such a way as to damage the A.D. 1896. works of the Projectors.

10 In case any such lease shall comprise any Crown land previously Notice to first leased, then the Projectors shall, not less than Seven days before com- lessee of intention 5 mencing any work, serve upon the first lessee a notice indicating with to construct all reasonable accuracy, by means of a plan or otherwise, the proposed works. course, direction, or situation of the said works.

11 The Projectors may, for the purpose merely of surveying and Projectors may taking levels, after giving not less than Twenty-four hours' nor more enter after notice. 10 than Seven days' notice to the first lessee, enter upon any Crown land of the first lessee which may be comprised in such lease, without the previous consent of any person.

12 Before any works shall be constructed or done by the Projectors Compensation to under or in pursuance of any lease granted to them under this Act, first lessee. 15 through, over, or upon any land previously leased, the first lessee shall be paid by the Projectors such compensation, if any, as shall be determined by agreement between the first lessee and the Projectors; and if such compensation shall not be fixed by agreement within One month after the service of the notice mentioned in Section Ten, then 20 such compensation, if any, shall be determined by arbitration in the

mode prescribed in The Lands Clauses Act.

13 It shall be lawful for the Projectors, and all persons by them Power to take authorised, after not less than Two nor more that Seven days' notice to temporary the occupier or occupiers, to enter upon any lands, not being a garden, possession of land. 25 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 30 for any of the following purposes ; that is to say :-

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

For the purpose of taking earth or soil by side-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

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

40 And, in exercise of such powers, it shall be lawful for the Projectors 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 45 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 50 machinery: Provided always, that nothing in this Act contained shall

exempt the Projectors from an action for nuisance or other injury, if any, done in the exercise of the powers hereby conferred to the lands

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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, 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, 5 shall be taken or used by the Projectors, either wholly or in part, for any of the purposes hereinbefore mentioned.

14 In any of the cases aforesaid, where the Projectors shall take temporary possession of lands by virtue of the powers herein granted, it shall be incumbent on them, within One month after their entry upon 10 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 Projectors so taking possession 15of his lands.

15 The Projectors may from time to time for the purposes of this Act fall timber, and use and carry away the same, and dig and use clay, stone, and other materials upon any Crown land, and carry away the same; and may fall and remove all timber which, in the opinion of the Projectors, it may be necessary to remove for the safety of the 20works hereby contemplated, notwithstanding anything contained in Section Eight 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 Section; and such compensation shall be settled by arbitration in the mode 25 prescribed by The Lands Clauses Act in cases of disputed compensation.

16 If in the exercise of the powers hereby granted it be found necessary to crosscut through, raise, sink, or use any part of any road, whether carriage-road, horse-road or tram-road or railway, either public or private, so as to render it impassable for, or dangerous, or more 30 than usually inconvenient to passengers or carriages, or to the persons entitled to the use thereof, the Projectors shall, before the commencement of any such operations, cause a road to be made, to the satisfaction of the Minister or local authority, instead of the road to be interfered with. 35

17 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 Projectors, or as near thereto as may be, and, if such road cannot be so restored, the Projectors shall 40 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 put into such condition as aforesaid, as the case may be, with all reason- 45 able expedition.

18 It shall be lawful for the Projectors from time to time to make, construct, erect, lay down, maintain, alter, repair, or discontinue upon any land purchased by the Projectors under the provisions of this Act, or upon any land now or hereafter to be vested in the Projectors, such 50 waterworks, machinery, steam-engines, water-wheels, and other works as the Projectors may think necessary for the purposes of this Act.

Compensation to be made for temporary occupation.

Materials from Crown Lands.

Compensation.

Before roads interfered with others to be substituted.

Period for restoration of roads interfered with.

Construction of waterworks.

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19 Prior to the first entry upon any private land by the Projectors A.D. 1896. for the purposes of this Act, not less than Seven days' notice of the intention of the Projectors to enter shall be given by the Projectors to give notice prior the owner and occupier, if any, but no notice shall be necessary to entering private 5 previous to any subsequent entry by the Projectors upon such land for land. the purposes of this Act.

20 In the exercise of the powers conferred by this Act, the Projectors To do as little shall do as little damage as possible or that can be consistent with a damage as due regard to the works authorised under this Act, and, in all cases possible. 10 where it can be done, shall provide other watering places, drains, and channels for the use of the adjoining lands in place of any such as are

taken or interrupted by the Projectors.

21 The Projectors shall make compensation in manner hereinafter Projectors to provided to all persons lawfully claiming any right to the use of any make compen-15 water taken or diverted or appropriated by the Projectors under the authority of this Act, or lawfully interested in any private land other than land purchased by the Projectors in or upon which any waterworks may hereafter be constructed, or which may be injuriously affected by the construction and maintenance of the waterworks under 20 this Act or otherwise by the exercise or execution by the Projectors of the powers hereby conferred, for all damage sustained by reason of the exercise or execution as to such land or water of the powers vested in the Projectors by this Act.

22 Any person claiming under this Act any compensation against Persons damaged 25 the Projectors shall prefer his claim by notice in writing addressed to to claim compenthe Projectors at their Registered Office in Tasmania, and served upon their Secretary or Manager for the time being, in which notice shall be specified the place of abode of the claimant, the particular act occasioning the damage for which compensation is claimed, the nature 30 and amount of such damage, and the nature of the title or interest of such claimant in or to the water or land or other property or possession, or anything in respect of which the claim is preferred : and if any such person and the Projectors do not agree as to the amount of such compensation, the same and the application thereof shall, except in the 35 cases hereinafter mentioned, be determined by arbitration in the manner provided by The Lands Clauses Act in cases of disputed compensation.

23 If the Projectors, by notice in writing, require any person to Persons not make claim for compensation for any damage occasioned by the exercise making claim of any of the powers conferred on the Projectors 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.

- 24 Every person who shall wilfully obstruct any person acting Penalty for 45 under the authority of the Projectors in setting out the line of any works obstructing undertaken under the authority of this Act, or pull up or remove any of works. poles or stakes driven into the ground for the purpose of setting out the line of such works, or destroy or injure any works undertaken as 50 aforesaid, shall incur a penalty not exceeding Five Pounds for every
- such offence.

Projectors to

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A.D. 1896.

Reservation of existing rights.

Act 8 Will. 4, No. 6, not to apply.

Power to open streets, &c.

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Reinstatement of streets, &c.

Streets, &c. broken up to be reinstated without delay. 25 Nothing in this Act contained shall prevent the owners and occupiers of land through or by which any stream shall flow from using the waters thereof in such manner and to such extent as they might have done before the passing of this Act, unless they shall have received compensation in respect of their right of so using such water. 5

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26 The provisions of the Act of Council of 8th William the 4th, No. 6, shall not apply to any waterworks and other works of the Projectors made, constituted, or acquired under the authority of this Act.

27 The Projectors may, upon giving Seven days' notice in writing 10 to the local authority of their intention so to do, open and break up, under the supervision of the local authority, the soil and pavement of any street, road, or bridge 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, road, or bridge, and lay down and place 15 within the said limits conduits, service-pipes, and other works and engines, and erect [telegraph] 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 20 and use all earth and materials in and under such streets, roads, and bridges, and do all other acts which the Projectors shall from time to time deem necessary for supplying light or motive power by electricity to the mines, persons, or inhabitants of the area of supply.

28 When the Projectors shall open or break up the road or pave-25 ment of any street or bridge, 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 road or pavement, or the sewer, drain, or tunnel so opened or broken up, and carry away the rubbish occasioned thereby; and shall at all 30 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. 35

29 No street or road outside any town within the area of supply or any road outside of any town shall, except in the case of emergency as aforesaid, be open 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 40 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 45 notice of the intention of the Projectors as aforesaid, or do not propose any plan for breaking up or opening the same, or refuse or neglect to superintend the operation, the Projectors may perform the work specified in such notice without the superintendence of such persons or their officer. 50

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(A The Projectors shall not, in the exercise of any of the powers A.D. 1896. 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 to injure any belonging to or under the control of the Government is or may be Government line. 5 injuriously affected.

B The Projectors 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 General to be previously obtained as hereinafter provided; and if the said Post- obtained. 10 master-General is at any time of opinion, that any telegraphic or

telephone 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 public nuisance, the said Postmaster-General may, by notice in writing,

15 require the Projectors to remove such wire, conductor, communicator, distributor, electric line, or other apparatus or any portion thereof; and if the Projectors do not within Ten days after service on them of such written notice remove the same, the said Postmaster-General may remove the same, and recover the expense of such removal from the 20 Corporation in a summary manner.

C One month before commencing the execution of any works Notice to be under the authority of this Act (not being the repairs, renewals, or given to Post-amendments of existing works of which the character and position are of intention to not altered), the Projectors shall serve a notice upon the Postmaster-execute works.

- 25 General describing the proposed works, together with a plan of the works showing the mode and 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 thereto as he may desire.
- 30 D The Postmaster-General may in his discretion approve of any Postmastersuch works or plan, subject to such amendments or conditions as may General may seem fit, or may disapprove of the same, and may give notice of such approve. approval or disapproval to the Projectors.

E If the Postmaster-General fail to give any such notice of If Postmaster-35 approval or disapproval to the Projectors within One month after the service of the notice upon him he shall be deemed to have approved One month works such works and plan.

F Notwithstanding anything in this Act contained, the Projectors Works to be in shall not be entitled to execute any such works as above specified, accordance with 40 except so far as the same may be of a description and in accordance plans. 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 to be approved, the Projectors may cause such works to be executed in 45 accordance with such description and plan, subject in all respects to the provisions of this Act.

G If the Projectors make default in complying with any of the Projectors liable requirements or restrictions of this Act, they shall make full compensation to the Postmaster-General for any loss or damage which he 50 may incur by reason thereof.

[Private.]

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Projectors not of telegraphic or telephonic communication. Consent of Postmaster-

General does not disapprove within may be executed.

in damages.

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Wires, &c. to be erected in accordance with Rules of Board of Trade.

Penalty.

Penalty not to be cases.

When line to be deemed to be injuriously affected.

Projectors may appeal to Judge of the Supreme Court.

Testing.

Projectors may let meters.

III The Postmaster-General may require the Projectors to erect their wires, conductors, communicators, distributors, electric lines, or 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 5 by the Governor in Council.

I In the event of any contravention of or wilful non-compliance by the Projectors or their agents with any of the provisions of this Part of this Act, the Company shall be liable on conviction to a penalty not exceeding Ten Pounds for every day during which such 10 contravention or non-compliance continues, or, if the telegraphic communication is wilfully interrupted, not exceeding Fifty Pounds for every day on which such interruption continues.

J Nothing in this part of this Act shall subject the Projectors incurred in certain or their agents to a penalty if they satisfy the Court having cognizance 15 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 they 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 20 same without previous notice.

> K 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 25 otherwise, in any manner affected by such work or by any use made of such work.

> **1** If at any time the Projectors are dissatisfied with anything done by the Postmaster-General under the alleged authority of this Act, the Company may appeal to a Judge of the Supreme Court, who shall 30 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.) 35

Projectors may **30** The Projectors may generate and supply, let, hire, and sell to supply electricity. any person, mine, or building within the area of supply electric power or electricity for lighing purposes or for motive power, upon such terms and conditions as in this Act contained.

> 31 The Projectors shall, before supplying any person, mine, or 40 building with electric power or electricity, put up and erect suitable apparatus at some testing-place for the purpose of testing the normal strength and electric power and motive force of the power supplied by them; and the Minister or Local Authority may from time to time appoint a person to test the strength and electric power of the motive 45 force to be supplied by the Projectors.

32 The Projectors may let for hire to any consumer of electricity supplied by measure, any meter or instrument for measuring the quantity of electricity supplied and consumed, and any conduits and

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apparatus for the conveyance, reception, and storage of the electricity, A.D. 1896. for such remuneration in money as may be agreed upon between the Projectors and the consumer, which shall be recoverable in the manner hereinafter mentioned.

5 33 Such meters, instruments, conduits, and apparatus shall not be Meters not subject to distress for rent or rates or taxes of the premises where the distrainable, &c. 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 adjudication, sequestration, or order in bankruptcy or other legal 10 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.

34 Every person who shall have agreed with the Projectors for a Meter to be supply of electricity by measure shall, at his own expense, unless he supplied and 15 hire a meter from the Projectors, in which case such meter must be maintained by 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 Projectors; and in the event of any repairs being required to such meter, notice in writing shall be 20 immediately given by such person to the projectors, and a registration of the quantity used shall be taken before such repairs are effected.

35 Every person requiring to remove or alter the position of any Notice of meter shall give Six days' notice in writing to that effect to the Pro- removal, &c. jectors, and a registration of the quantity of electricity shall be taken of meter. 25 before such removal or alteration is made.

36 If any person who under the provisions hereinbefore contained Penalty for ought to provide any meter, neglect or refuse to provide such meter, neglect to after having been required by the Projectors so to do, he shall, for every provide meter. such day during which such neglect or refusal continues, forfeit a sum 30 not exceeding Two Pounds.

37 If any person who has provided any meter as aforesaid fail to Penalty for give the notice hereinbefore required of any repairs required for such neglect to meter, he shall forfeit a sum not exceeding Ten Pounds, and a further give notice of repairs of meters. sum not exceeding Five Pounds for each day (if more than one) that 35 such meter remains unrepaired.

38 If any person refuse or delay to have such meter properly Electricity repaired and put in correct working order after having been required may be shut off if meter not in by any officer of the Projectors so to do, the Projectors may shut off meter not in order the supply of electricity from the premises of such person, either by 40 cutting the conduits or service-pipe, or otherwise, until such meter shall have been properly repaired and certified by some officer of the Projectors to be in proper working order.

39 If any plumber or other person fix or refix any meter upon any Penalty for fixing premises supplied with electric power by the Projectors without having uncertified meter. 45 first obtained a certificate from the Projectors that the said meter has been examined and found in correct working order, he shall forfeit a sum not exceeding Ten Pounds. .

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A.D. 1896.

Penalty for removing meter without notice.

Power to officers of Projectors to inspect meters.

Notice that conduits laid.

Conduits laid by owner or occupiers.

Communication with pipes of Projectors to be made under the superintendence of surveyor.

Service conduits may be removed after giving notice. **40** 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 each such offence forfeit a sum not exceeding Ten Pounds over and above the damage which he may be found liable to pay in any action at law at the suit of the Projectors. 5

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41 The officers of the Projectors may enter any house, building, or lands to, through, or into which electricity is supplied by the Projectors 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 10 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 Projectors; and if any person hinders any such officer from entering or making such inspection, or effecting such removal, he shall for each such offence be liable to a 15 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.

42 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 20 light to any street or part thereof, the Projectors shall cause a notice thereof to be published in a newspaper circulating in any town within the area of supply.

43 Any owner or occupier of any dwelling-house or part of a dwelling-house, mine, building, or property within the area of supply, 25 who shall wish to have electricity brought into his premises, and shall have paid in advance or tendered to the Projectors the charge in respect of such electricity by this Act directed to be paid, may, with the consent of the Projectors first had and obtained, open the ground between the conduits of the Projectors, or erect poles and put wires and 30 conductors thereon between and to communicate with the conduit, poles, and wires of the Projectors, and carry and run electricity therein and thereon, having first obtained the consent of the owners and occupiers of such ground.

44 Before any conduit or wire is made to communicate with the 35 conduit or wires of the Projectors, the person intending to lay such conduit, or put up poles and wires, shall give 'Two days' notice to the Projectors of the day and hour when such conduit or wire is intended to be made to communicate with the conduits or wires of the Projectors; and every such conduit or wire shall be so made to 40 communicate under the superintendence and according to the directions of the surveyor, or other officer appointed for that purpose by the Projectors, 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 45 Projectors shall be supplied by the Projectors at cost price to any person requiring the same, at his request and costs.

45 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 50 the Projectors of his intention to do so, and of the time of such

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proposed removal; and every such person shall make compensation to A.D. 1896. the Projectors for any injury or damage to their conduits, wires, or works which may be caused by such removal.

- 46 Any such owner or occupier may open or break up so much of Power to break 5 the street or pavement (if any) as shall be between the conduits of the up pavements. Projectors and his house, building, or premises, or any sewer or drain therein, for any such purpose 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).
- 10 Provided always, that every such owner or occupier desiring to break up any street or pavement, or any sewer or drain therein, shall 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 the same,
- 15 and to the same penalties for any delay in regard thereto, as the Projectors are subject to under the provisions of this Act.

47 If any person supplied with electricity by the Projectors wrong- Protection of the fully does, or causes or permits to be done, anything in contravention motive power: of any of the provisions of this Act, or wrongfully fails to do anything 20 which under any of those provisions ought to be done for the preven-tion of the waste, misuse, or undue consumption of electricity, the motive power Projectors may (without prejudice to any remedy against him in respect may be cut off. 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 25 him with electricity as long as the cause of injury remains or is not

remedied.

48 If any person supplied with electricity by the Projectors wilfully Penalty for waste or negligently causes or suffers any conduit or other apparatus to be out of motive power. of repair, or to be so used or contrived that the electricity supplied to 30 him by the Projectors is or is likely to be wasted, misused, or unduly consumed, he shall for every such offence be liable to a penalty not exceeding Fifty Pounds, and a further sum not exceeding Five Pounds

49 If any person shall wilfully and maliciously destroy, injure, Penalty for 35 or damage, or attempt to destroy, injure, or damage, any conduit, pipe, destroying works, wire, or apparatus, or any of the works constituted under the authority of this Act, or wilfully and maliciously do any act calculated to render any part or parts of the machinery or works of the Projectors or their assigns unworkable or defective, or whereby any electricity is 40 or may be lost, wasted, misused, destroyed, or interrupted in any way, he shall be deemed guilty of a Felony, and liable to imprisonment, with

or without hard labour, for any term not exceeding Two years.

for each day (if more than one) that such offence continues.

50 It shall not be lawful for the owner or occupier of any premises No [pipe] (con-supplied with electricity by the Projectors, or any consumer of the duit, &c.) to be 45 electricity of the Projectors, or any other person, to affix, or cause or sumer's [pipe] permit to be affixed, any conduit, wire, or apparatus to a conduit or (conduit, &c.) wire belonging to or used by such owner or occupier, consumer, or any without other person, or to make any alteration in any such communication, or permission of projectors. conduit, or wire, or in any apparatus connected therewith, without the 50 consent in every such case of the Projectors. And if any person acts

in any respect in contravention of the provisions of this Section he shall

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for every such offence be liable to a penalty not exceeding Five Pounds, and the Projectors may recover damages in respect of any injury done to their property, and without prejudice to their right to recover from him the value of any electricity wasted, misused, or unduly

A.D. 1896.

Electric conductors, photometers, and meters.

51 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 Projectors, unless the said main, conductor, photometer, and meter respectively 10 shall be of a pattern approved in writing by the Superintendent of Telegraphs.

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Potential of current.

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No form of lamp or burner to be prescribed.

52 No continuous electric cnrrent shall be supplied by the Projectors (beyond the transformer or point of distribution) to any electric line, main, or cable having an electro-motive force of more than [Two] 15 (Three) hundred volts from the secondary terminals of the transformer; and no alternating current shall be so supplied having an electromotive force of more than One hundred (and fifty) volts from such terminals.

Provided, that if in the opinion of the Projectors it is deemed necessary 20 for the purpose of carrying into effect the provisions of this Act to employ a higher tension of electricity than the said [Two] (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 25 of electro-motive force, shall be served on the Superintendent of Telegraphs, who may, within Fourteen days from the receipt of such notice, give to the Projectors notice in writing of the necessary precautions to be taken and things to be done by the said Projectors in order to secure the safety of the public, which said precautions (if any) shall 30 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 Projectors before they shall supply a continuous electric current of higher electro-motive force than [Two] (Three) hundred volts, or an alternating electric current of higher electro-motive force than One 35 hundred (and fifty) volts.

For every breach of any of the provisions of this Section the Projectors shall be liable to a penalty not exceeding Two hundred and fifty Pounds and not less than than One hundred Pounds, to be recovered in a summary manner before any Two Justices of the Peace; 40 and every agent or workman of the Projectors 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.

53 It shall not be lawful for the Projectors to prescribe any special form of lamp or burner to be used by any person, or in any way to 45 control or interfere with the manner in which electricity supplied by the Projectors 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 Projectors for any purpose, or to deal with it in any manner, so as to unduly and improperly interfere with the supply of electricity sup-50 plied to any other person by the Projectors.

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54. If any person, to the injury of the Projectors, wrongfully takes or A.D. 1896. uses any water from any reservoir, watercourse, or conduit, or any waterpower from any pipe or conduit belonging to the Projectors, or from any pipe or conduit leading to or from any such reservoir, watercourse, con- taking water from 5 duit, or pipe, or from any cistern or other like place containing water reservoirs. or water-power belonging to the Projectors, or supplied by them for the use of any purchaser of the electricity of the Projectors, he shall for every such offence be liable to a penalty not exceeding Five Pounds.

55 The surveyor or other person appointed for that purpose by the Inspection of 10 Projectors may, between the hours of Nine o'clock in the forenoon and premises supplied Four o'clock in the afternoon, enter into any house or premises supplied with electricity by the Projectors 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-15 house or premises for the purpose aforesaid, or be prevented from making such examination as aforesaid, the Projectors may turn off the electricity supplied by them from such house or other premises.

56 If any person cause tailings belonging to him or under his Penalty for control to run or be brought into any of the waterworks belonging letting tailings 20 to the Projectors, whereby the water of the Projectors shall be fouled, flow into waterhe shall for each such offence forfeit a sum not exceeding Twenty Pounds, and a further sum of Twenty Shillings for each day (if more than one) that such offence continues, unless he has once previously given Three days' notice to the Projectors to make proper provision 25 for receiving the tailings.

57 Where several houses or parts of houses, buildings, or mines in Where several the separate occupation of several persons are supplied by one common houses supplied conduit or wire, or where electricity is supplied to courts, alleys, and by one conduit rights-of-ways by conduit or otherwise, the several owners or occupiers 30 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 35 electricity from the works of the Projectors by a separate pipe.

58 The Projectors are hereby authorised to make such charges Projectors may for the supply of electricity as may be agreed upon by them and the make charges. -persons to whom such electricity is supplied by the Projectors : Provided that in no case will the charge exceed One Shilling and Sixpence 40 per unit.

59 The charges for electricity, and all sums due to the Projectors Rates to be under this Act, shall be paid by and be recoverable summarily before recoverable from any Two Justices of the Peace, or as a debt in any other Court of occupier. competent jurisdiction, from the occupier of the premises, or the person 45 requiring, receiving, or using the supply of electricity.

60 If any person refuse or neglect to pay on demand to the Recovery of rates Projectors any charge or sum due to the Projectors under this and charges. Act, the Projectors may stop the electricity from flowing or going into or on the premises in respect of which such charge or sum is 50 payable by cutting off the conduit or wire to such premises by such

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Penalty for unlawfully

with electricity.

works.

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means as the Projectors shall think fit; and the Projectors may sue for and recover the charge or sum due from such person with costs, and with the expenses of cutting off the electricity.

(M It shall be lawful for the Minister, with the approval of Parliament, or for the Town Board or other local governing body for the 5 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 Projectors to sell at the expiration of Six months from the giving of such notice, and the Projectors shall accordingly sell, to the Crown, or to the Town Board or other local governing body aforesaid, 10 the whole or aný part of the lands, machinery, and works then belonging to the Projectors, 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.

IN The amount of compensation to be paid to the Projectors upon 15 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 *bonå fide* construction of such machinery and works, with an amount added equal to Twenty Pounds per centum on such cost. 20

• If the parties cannot agree upon the sum to be paid as the purchase money of the said lands, machinery, and works, the question shall be referred to two or more arbitrators to be mutually agreed upon, or failing such agreement the reference shall be made in the manner hereinafter provided.

P If the parties do not agree upon the arbitrators as aforesaid, the reference shall be made to Four arbitrators, Two of whom shall be appointed by each party.

Q Upon the appointment of Arbitrators under this Act, whether by mutual agreement or otherwise, they shall, before entering on the 30 business of the reference, appoint by writing under their hands an impartial and qualified person to be their umpire.)

61 Wherever by this Act authority is conferred on the Projectors to enter upon any land for the purposes of this Act, or to do any act in or relating to the construction or maintenance of any work, the 35 same authority shall extend to all persons acting by direction of the Projectors, and to all necessary agents, assistants, servants, workmen, means, and appliances whatsoever.

62 All offences against this Act or any By-law made hereunder, and all penalties and sums of money imposed or made payable by this 40 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 any such By-law shall be paid to the Projectors.

63 Any person summarily convicted of any offence against this 45 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 mode prescribed by *The Appeals Regulation Act.*

Entry by agents.

Penalties, &c., to be summarily recovered before Two Justices.

Appeal.

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[60 VICT.] [Montagu] (Zeehan) Electric Light and Motive Power.

64 In all proceedings whatever for the recovery of any charges or A.D. 1896. sums of money under this Act, and in all other proceedings before Power to award. Justices of the Peace in pursuance of this Act, it shall be lawful for the costs. Justice or Justices in his or their discretion to award and order that the 5 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 defendant such 10 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 15 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 20 of any money or charges due to the Projectors shall be imposed.)

65 No action shall lie against any person for anything done in Persons under pursuance of this Act unless notice in writing of such action, and of Act entitled to retire of satisfiest the cause thereof, is given to the defendant One month at least before notice of action. the commencement of the action, and such action is commenced within 25 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 30 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 non-suit 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 35 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 40 thereupon.

66 If through any act, neglect, or default on account whereof any Damage to beperson shall have incurred any penalty imposed by this Act, any made good in addition to any conduit, main, pipe, wire, or other property of the Projectors shall have been committed by such person, he shall be 45 liable to make good such damage in addition to any penalty that may. be imposed upon him under this Act.

67 Any notice required by this Act, or any By-law or Regulation Notices. made hereunder, to be served on or given to any owner or occupier of any building, land, mine, or premises, or to any person, may be in writing or

50 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

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B

[Montagu] (Zeehan) Electric Light and Motive Power. [60 VICT.]

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Signature of

Rights, powers, &c. under this

Act may be assigned, &c. to

incorporated

company, &c.

notices.

building, land, 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, land, mine, or premises ; and any notice required to be served or given in respect of any public street, road, 5 or lane 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, road, or lane, or the portion thereof affected by the notice.

68 Any notice required to be given by the Projectors under this Act shall be sufficient if signed by the Projectors or by their solicitors. 10

69 It shall be lawful for the Projectors, at any time after the passing hereof, to assign, transfer, convey, and release to any company duly incorporated for that purpose, or to any local authority, association, syndicate, partnership, person, or persons, all or any of the rights, powers, authorities, privileges, liabilities, and obligations conferred and 15 imposed upon them by this Act, together with all or any of the lands, tenements, and hereditaments, estates, chattels, and effects of every kind acquired by them 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 com- 20 pletion of such assignment, transfer, conveyance, and release, the said company, local authority, association, syndicate, partnership, 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 for-25 feitures to which the Projectors or their 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, 30 or forfeitures incurred by the Projectors before the completion of the said assignment, transfer, conveyance, and release.

70 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 "Projectors" occurs it shall be omitted and 35 the name of the company, local authority, association, syndicate, partnership, person or persons who shall be the assignee or transferee shall be read and taken to be inserted in its stead.

71 Subject to the provisions of this Act, the Projectors may from time to time make, alter, and repeal By-laws— 40

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

As to supplying electricity:

For determining the time at which any charge for electricity shall 45 be payable, and whether in advance or not :

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 Projectors to adjacent premises, the time of executing and 50 the notices to be given for such works, the superintendence thereof, the making good and replacing ground which may be

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

Projectors may make By-laws. [60 VICT.] [Montagu] (Zeehan) Electric Light and Motive Power.

displaced in the course of such works, and for inspecting all A.D. 1896. works or appliances at reasonable times, whether situate within any building or otherwise:

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

For preventing the waste or misuse of electricity supplied by the **Projectors**:

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

For preventing persons from wilfully breaking, injuring, or interfering with any conduit, lock, cock, valve, engine, or work belonging to the Projectors, and from doing any other wilful act whereby the electricity supplied by the Projectors may be wasted.

_{~ 15} 72 Every such By-law shall, after approval by the Governor, and By-laws to be after such approval has been signified to the Projectors, be by them approved and published at least once in the Gazette; and no such By-law shall have published. 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 20 by all persons, and shall be sufficient to justify all persons acting under

the same.

73 All By-laws made by the Projectors under this Act shall be laid By-laws to be before both Houses of Parliament within Fourteen days of the making thereof if Parliament is in Session, and if not, then within Fourteen 25 days after the commencement of the next Session.

74. Every such By-law shall state a maximum penalty for the breach Penalties in thereof, not in any case exceeding Ten Pounds.

75 The production of the Gazette containing any such By-law Evidence of shall in any action at law or suit in Equity, or any arbitration, or any By-law. 30 proceeding in any Court, be primâ facie evidence that such By-law as it is printed in such Gazette has been duly made and published as hereinbefore provided.

76-(1.) Before commencing to construct any works authorised by Promoter to this Act, the Projectors shall register with the Registrar under "The have Registered 35 Companies Act, 1869," and shall publish in the Hobart Gazette the Office. name and place of abode or business of the person who for the time being carries on the business of the Projectors in Tasmania, and also the situation of the Office in Tasmania of the Projectors, and shall in like

manner upon any change of such person, or in the situation of such 40 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 Projectors.

(2.) The name of the style or firm under which the Projectors are carrying on business, and that such Office is their Registered Office 45 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 matter herein mentioned, or to the privileges or liabilities of the 50 Projectors hereunder, may be served upon the Projectors by delivering

the same to their Agent, or by leaving the same at their Registered

laid before Parliament.

By-laws.

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Office, or by sending the same in a prepaid and registered letter addressed to the Projectors at such Office.

(4.) If the Projectors shall at any time transfer or assign their rights, privileges, and authorities under this Act, or any of them, to a Com-pany incorporated and registered in *Tasmania* under "The Companies 5 Act, 1869," the preceding provisions of this Section shall not extend or apply to such Company.

77 The Projectors shall, within Six months after the passing of this Act, place on fixed deposit in some Bank in *Hobart* to be approved of by the Minister, in the name of the Treasurer of the Colony, the 10 sum of Five hundred Pounds as a security for the due construction of part of the works authorised by this Act within Two years from the passing of this Act; and if the Projectors do not commence the construction of the said works in a bona fide manner, and continue the construction of such works to the satisfaction of the Minister, before 15 (the First day of July, One thousand eight hundred and ninety-seven,) and expend upon the said works not less than Two thousand Pounds before the (First day of July, One thousand eight hundred and . ninety-eight) the said sum of Five hundred Pounds and the interest accrued thereon shall be forfeited to Her Majesty, and shall become 20 part of the Consolidated Revenue Fund of the Colony.

78 On the completion of the said works, or part of the said works, and the expenditure of the sum of Two thousand Pounds to the satisfaction of the Minister, the said sum of Five hundred Pounds shall be repaid to the Projectors; and until such sum is repaid to the Projectors 25 they shall be entitled to receive, unless such sum is forfeited as aforesaid, interest thereon half-yearly as from the day of deposit.

79 If the said works authorised by this Act, or some part thereof, are not commenced, and the construction thereof continued according to the provisions of this Act, and the sum of Two thousand Pounds is 30 not expended upon the said works, or a part thereof, or if the Projectors shall fail to carry out the objects and purposes of this Act to the satisfaction of the Minister certified under his hand, then the powers, authorities, and privileges conferred by this Act upon the Projectors, and any lease granted by the Crown or any person to the Projectors, 35 shall cease and be void.

80 Notwithstanding anything in this Act contained, it shall be làwful for the Governor, with the advice of the Executive Council, on the Address of both Houses of Parliament, to extend the time for the completion of the works authorised by this Act. 40

81 The rent and compensation to be paid by the Projectors to the Minister for the use of any water taken under the authority of this Act, shall be estimated and calculated in the manner provided in "The Mineral Lands Act" for the use of water.

82 If the Projectors should at any time assign and transfer all the 45 have a Registered rights, powers, privileges, benefits, concessions, and advantages conferred upon them by this Act to any Company formed or incorporated in any country or place beyond this Colony, and which is not registered in Tasmania under The Companies Act, 1869, then such Company shall register with the Registrar of Companies under The Companies 50

Security to be given for completion of work.

Deposit to be repaid.

Forfeiture.

Extension.

Rent of water.

Projectors to Office in Tasmania.

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Act, 1869, the name and place of abode or business of the person A.D. 1826. appointed by such Company to carry on the business of the Company in Tasmania, and also the situation of the Office of such Company; and the person so registered shall be deemed to be the Agent of such

5 Company, and such Office shall for all purposes be the Registered Office of such Company.

83 Upon such registration the said Company may sue and be Projectors sued in their corporate name in *Tasmania*, and the liability of such may sue. Company and all proceedings against such Company shall be the same 10 and shall be taken and pursued in the same manner as if such Com-pany had been duly registered in *Tasmania* under the provisions of *The Companies Act*, 1869.

84 Sections Forty-three, Forty-four, Forty-five, and Forty-six of Sections of The Companies Act, 1869, shall be incorporated with this Act, and Companies Act 15 shall apply to the Projectors aforesaid in the same manner and to the incorporated. like effect as if the Projectors had been duly registered under the said Act.

[Private.]

WILLIAM GRAHAME, JUN., GOVERNMENT PRINTER, TASMANIA.