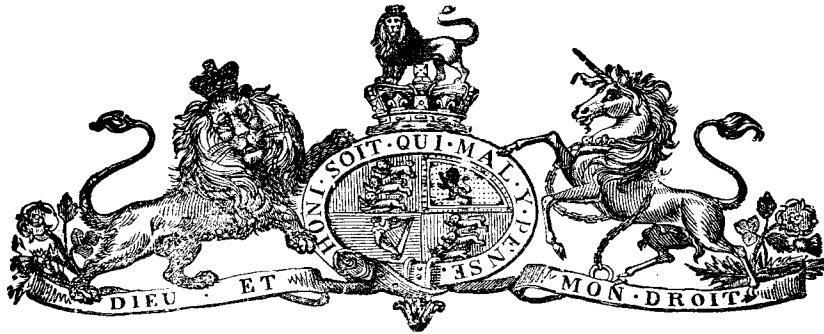


T A S M A N I A .



1887.

ANNO QUINQUAGESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 43.



AN ACT to enable the Municipal Council A.D. 1887.  
of the Town of *Launceston* to take Water  
from the *South Esk* River for use as a  
Motive Power and other purposes.

[20 December, 1887.]

**W**HEREAS it is expedient to confer upon the Municipal Council PREAMBLE.  
of the Town of *Launceston* the right to take water from the *South Esk*  
River for the purposes hereinafter mentioned :

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

- 1** In this Act, unless the context otherwise determines :— Interpretation.
- “Council” means the Municipal Council of the Town of *Launceston* :
  - “The Corporation” means the Corporation of the Mayor, Aldermen, and Burgesses of the Town of *Launceston* :
  - “Street” extends to and includes any public and common highway, road, footway, bridge, square, court, passage, alley, thoroughfare, and public way and place :
  - “Persons” includes Corporations :

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“Waterworks” extends to and includes all reservoirs, wells, cisterns, tanks, aqueducts, tunnels, feeders, drains, channels, cuts, floodgates, sluices, conduits, filters, troughs, dams, embankments, pumps, culverts, pipes, pipe-breaks, engines, buildings, and other works of what kind soever which are from time to time necessary or used for effecting the purposes of this Act.

Council empowered to divert water of *South Esk River* and to erect waterworks.

**2** The Council is hereby empowered and authorised from time to time to take, divert, and appropriate such quantity of the water of the *South Esk River*, at a point not exceeding Three miles from the present *South Esk Bridge*, not exceeding Two-thirds of the quantity or volume of water flowing at such time, as shall be required by the Council for any of the purposes hereinafter mentioned; and from time to time to enter upon the said river, and upon the banks and bed thereof, and to construct and erect on and in any portion of the banks and bed of the said river such works as shall be necessary for the purposes of such taking and diversion and appropriation of so much of the said water of the said river as aforesaid: Provided that nothing herein contained shall abrogate any existing rights vested in any person or persons to take, divert, and appropriate any water from the said river.

Purposes for which water so taken may be used.

**3** It shall be lawful for the Council to use all or any portion of such water as aforesaid for any of the purposes hereinafter specified; viz. :—

- (1.) To work any machinery that may be erected by the Council for generating and transmitting electricity for the purpose of lighting the Town of *Launceston* and the buildings therein with Electric Light.
- (2.) To work any machinery that may be erected by the Council for generating and transmitting electricity for the purpose of supplying the inhabitants of the Town of *Launceston* and the vicinity thereof with electricity, for producing light, or for motive power, or for any other purpose.
- (3.) To work any machinery that may be erected by the Council for drawing or propelling tramways in and upon and along the streets of the Town of *Launceston*.
- (4.) To work any machinery that may be erected by the Council for the purpose of exercising or executing any of the powers, functions, duties, or authorities now vested in or imposed by Law upon the Council.
- (5.) To supply the inhabitants of the Town of *Launceston* with water for domestic purposes or for motive power.

*Construction of Works.*

**4** The Council is hereby empowered to purchase any Land which the Council may consider to be necessary for the purposes of this Act, and which the Council may think proper to purchase; and for the purpose of facilitating and effectuating any such purchase *The Lands Clauses Act* shall be incorporated with this Act.

**5** For the purposes of this Act it shall be lawful for the Council to enter upon any land, and to take levels of the same, and to set out such

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parts of such land as the Council thinks necessary, and to dig, cut, trench, and break up the soil of such land, and to remove all earth, stone, trees, or other things dug or obtained out of the same, and to use such materials in the construction and upholding of the works authorised by this Act. A.D. 1887.

**6** It shall be lawful for the Council, from time to time, to make, construct, lay down, maintain, alter, or discontinue upon any land purchased by the Council under the provisions of this Act, or upon any land now vested in the Council, such waterworks as the Council may think necessary for the purposes of this Act. Construction of waterworks.

**7** Prior to the first entry upon any land by the Council for the purposes of this Act, not less than Seven days' notice of the intention of the Council to enter shall be given by the Council to the owner and occupier, if any; but no notice shall be necessary previous to any subsequent entry by the Council upon such land for the purposes of this Act. Council to give notice prior to first entry upon land.

**8** The Council is hereby empowered to maintain, alter, or discontinue for the purposes of this Act any existing waterworks now under the control and management of the Council, as the Council may from time to time think proper, in the same manner as any waterworks constructed under the authority of this Act; and all the powers and provisions of this Act relating to waterworks shall equally apply to such existing waterworks. Provisions of Act to apply to existing waterworks.

**9** In the exercise of the powers conferred by this Act the Council shall do as little damage as can be, and, in all cases where it can be done, shall provide other watering-places, drains, and channels for the use of adjoining lands, in place of any such as are taken away or interrupted by the Council. Council to do as little damage as may be.

**10** The Corporation shall make compensation, in manner hereinafter provided, to all parties lawfully claiming any right to the use of any water taken or diverted or appropriated by the Council under the authority of this Act, or lawfully interested in any land, other than land purchased by the Council, 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 this Act, or otherwise by the execution by the Council of the powers hereby conferred, for all damage sustained by reason of the exercise as to such land or water of the powers vested in the Council by this Act. Council to make compensation for damage done by execution of works.

**11** Any person claiming such compensation shall prefer his claim by notice in writing addressed to the Council, and served upon the Town Clerk, 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 and amount of such damage, and the nature of the title or interest of such claimant in or to the water or land in respect of which the claim is preferred; and if any such person and the Council do not agree as to the amount of such compensation, the same, and the application thereof, shall, except in the cases hereinafter mentioned, be determined by arbitration in the manner provided by *The Lands Clauses Act* in cases of disputed compensation. Persons damaged to make claim for compensation.

Compensation how to be ascertained.

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Regard to be had to any benefit which may accrue.

Persons not making claim when required to be barred.

**12** In determining such claims, regard shall be had to any benefit which may be done or accrue to the claimant, by or as the result of the provisions in this Act contained.

**13** If the Council, by notice in writing, requires any person to make claim for compensation for any damage occasioned by the exercise of any of the powers conferred on the Council by this Act previously 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 manner aforesaid, within Three months after service of such notice.

Dissatisfied party may appeal to a Judge of the Supreme Court.

**14** If either party is dissatisfied with the award of the arbitrators or the umpire appointed to determine the amount of compensation to be paid to the owner or occupier of any land taken or occupied under the authority of this Act, or with the decision of the arbitrator or umpire appointed to determine the amount of compensation to be paid to any person claiming the right to use any of the water diverted or appropriated by the Council, the dissatisfied party, when the amount of compensation awarded by the arbitrators or the umpire exceeds One hundred Pounds, may appeal from the award of the arbitrators or the umpire, as the case may be, to a Judge of the Supreme Court, and may have the amount of compensation fixed by a Judge of the said Court, in the manner hereinafter provided.

Procedure upon appeal.

36 Vict. No. 19.

**15** If the dissatisfied party desires to appeal from the award of the arbitrators or umpire as aforesaid, he shall, within Fourteen days after the delivery to him of such award or a copy thereof, give notice in writing to the other party of his intention to appeal, and shall, within One month after the service of such notice upon the opposite party, prosecute such appeal in accordance with the Rules made by the Judges for conducting appeals under "The Main Line Railway Amendment Act, No. 2," so far as such Rules are applicable; and the amount of compensation to be paid in such case shall be ascertained by a Judge of the Supreme Court in such manner as he deems advisable, and subject to such conditions as such Judge sees fit to impose, and the Judge may also, in his discretion, make any Order as to the party by whom the costs of the appeal shall be borne: Provided that a Judge of the Supreme Court may, upon what he shall deem sufficient cause, allow an appeal under this Act to be prosecuted after the expiration of the time hereinbefore allowed for that purpose; but no appeal shall be allowed after the expiration of Three months after the service of notice of intention to appeal.

Award not to be made a Rule of Court until Judge determines matter in dispute.

**16** Where the dissatisfied party gives such notice of appeal as aforesaid, then the award given by the arbitrators or the umpire shall not be made a Rule of Court until a Judge of the Supreme Court, by an Order in writing under his hand, determines the matter in dispute, or the time hereinbefore allowed for prosecuting the appeal has expired.

Compensation for diverting water to be ascertained by action in the Supreme Court.

**17** Where any claim for compensation involves damage alleged to have been sustained by reason of the taking or diversion or appropriation of any water and the right of the claimant in or to such water is disputed by the Council, if the Council within Fourteen days

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after the service of the notice of the claim gives notice to the claimant that his right in or to such water is disputed, then such claim shall not be determined by arbitration, but shall be determined by an action in the Supreme Court to be brought by the claimant against the Corporation for damages or upon an issue agreed to between the claimant and the Council. A.D. 1887.

**18** Every such action shall be commenced within Three months after the service on the claimant of such notice as aforesaid that his right is disputed, and not afterwards. Action to be commenced within Three months.

**19** The Corporation may from time to time and at all times for ever hereafter pay and make good to the owners and occupiers of all lands and buildings, and to every person whomsoever, all loss, costs, and charges, sums of money, damages, and expenses whatsoever, and for all injury of what nature or kind soever, as well immediate as consequential, which such owners or occupiers or other persons may suffer, incur, pay, expend, or be put to by reason or in consequence of the failure or giving way of any of the waterworks of the Corporation under this Act. Compensation for damage done by failure of the works.

**20** No land acquired or held by the Corporation under the authority of this Act and used for the purposes of this Act shall, unless with the consent of the Governor in Council, be subject to the operation of *The Lands Clauses Act* or any Act incorporating the whole or any portion of that Act. Land acquired under this Act not subject to *The Lands Clauses Act*.

**21** The Council may, from time to time, open and break up the soil and pavement of any streets within the Town of *Launceston* and the suburbs thereof, and may open and break up any sewers, drains, or tunnels within or under such streets, and erect or lay down in and upon or under such streets, and may maintain and from time to time alter and discontinue such pipes, machinery, lamps, posts, piers, wires, supports, conductors, communicators, distributors, electric lines, buildings, apparatus, engines and things, and all other works necessary and convenient for supplying the inhabitants of *Launceston* and the vicinity thereof, within such radius therefrom as the Council may from time to time determine, with electricity for lighting and motive power and other purposes: provided, that when any wire, conductor, communicator, distributor, electric line, or other electric apparatus is placed above ground, the same shall be done with the consent in writing of the Superintendent of Telegraphs and not otherwise; but if the said Superintendent is 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 Superintendent may by notice in writing require the Council to remove such wire, conductor, communicator, distributor, electric line, or other apparatus or any portion thereof; and if the Council do not within Eight days after service on them of such written notice remove the same, the said Superintendent may remove the same, and recover the expenses of such removal from the Council in a summary manner. Power to break up streets, &c., and to open drains.

**22** The Council shall, before opening or breaking up any street without the Town, give to the persons, if any, under whose control or Consent of Superintendent of Telegraphs to be obtained.

**22** The Council shall, before opening or breaking up any street without the Town, give to the persons, if any, under whose control or Notice to be served on persons,

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if any, having  
control of streets,  
without the Town.

management the same may be, or to their clerk, surveyor, or other officer, notice in writing of the intention of the Council to open or break up the same not less than Three clear days before beginning such work, except in cases of emergency arising from defects in any of the pipes or other works, and then so soon as possible after the beginning of the work or the necessity for the same has arisen.

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

**23** No street without the Town shall, except in the cases of emergency aforesaid, be opened or broken up except under the superintendence of the persons, if any, having the control or management thereof, or of their officer, and according to such plan as is approved of by such persons or their officer, or in case of any difference respecting such plan then according to such plan as may be determined by Two Justices; provided, that if the persons having such control or management as aforesaid and their officer fail to attend at the time fixed for the opening of any such street after having had such notice of the intention of the Council as aforesaid, or do not propose any plan for breaking up or opening the same, or refuse or neglect to superintend the operation, the Council may perform the work specified in such notice without the superintendence of such persons or their officer.

Streets not to be  
broken up except  
under superin-  
tendence of  
persons having  
control of same.

**24** Whenever the Council opens or breaks up any street, sewer, drain, or tunnel under the authority of this Act, it shall with all convenient speed complete the work for which the same was broken up, and fill in the ground and reinstate and make good the street, sewer, drain, or tunnel so opened or broken up, and carry away the rubbish occasioned thereby; and shall at all times whilst any such street is so opened or broken up cause the same to be fenced and guarded, and a light sufficient for the warning of passengers to be set up and kept against the same every night.

*Poll to be taken.*

Poll of burgesses  
to be taken.

**25** Notwithstanding anything hereinbefore contained, the Council shall not proceed to construct or perform any of the works aforesaid until and after the burgesses of the Town of *Launceston* have, by a majority of Two-thirds of the votes at a poll to be taken for that purpose as hereinafter provided, consented to the Council carrying out the said works; and at the taking of such poll every burgess who desires to vote shall be entitled to as many votes as the number of votes to which such burgess appears by the Roll to be entitled to exercise at an election of Aldermen for the Town of *Launceston*.

Notice of poll to  
be published.

**26** When the Council shall decide to take a poll of the burgesses as aforesaid, they shall cause a notice of such poll to be inserted not less than Twelve times in the newspapers published daily in the Town of *Launceston*, and in two consecutive numbers of the *Gazette*; and such notice shall contain the following particulars:—

- (1.) The time and place of such election:
- (2.) The works proposed to be constructed or performed by the Council:
- (3.) The estimated cost of such works.

Proceedings to be  
had as upon  
election of  
Aldermen.

**27** Subject to the foregoing provisions, upon the taking of any poll as aforesaid, all proceedings shall be had and taken as nearly as may be as upon an election of Aldermen as the case may require.

*Launceston Electric Light.**Borrowing Money.*

A.D. 1887.

**28** It shall be lawful for the Council, for the purposes of this Act, to borrow on mortgage any sums not exceeding Fifty thousand Pounds sterling, and to make and grant mortgages of the several rates and charges to be levied and paid under the authority of this Act in security of the payment of the money so borrowed and interest thereon; and if after having borrowed the said sums or any part thereof the Council pays off the same, it shall be lawful for the Council again to borrow the amount so paid off, and from time to time as often as the amount so borrowed is paid off to borrow the same again; and the provisions of *The Launceston Corporation Act* relating to mortgages of rates shall, subject to the provisions of this Act, be applicable to mortgages to be granted under the authority of this Act.

Power to borrow money.

22 Vict. No. 12.

**29** It shall be lawful for the Trustees for the time being of any Bank for Savings in Tasmania now established, or hereafter to be established, to advance and lend to the Council, upon the security aforesaid, any part of the sum, not exceeding Ten thousand Pounds sterling, which the Council is authorised to borrow under this Act, anything in the Act of Council of the 12th *Victoria*, No. 1, to the contrary notwithstanding.

Savings Banks may invest in such loans.

*Sinking Fund.*

**30** It shall be lawful for the Council, and it is hereby required, annually to set apart as a Sinking Fund a sum not less than One Pound nor exceeding Five Pounds per centum per annum on the amount raised and borrowed under the authority of this Act; and such Sinking Fund shall be from time to time applicable to the redemption of mortgages and the restoration and improvement of the Waterworks, and to no other purpose whatsoever.

Sinking Fund to be established.

*Launceston Electric Light Account.*

**31** The Treasurer of the Corporation shall keep a separate and distinct account, to be called "*The Launceston Electric Light Account.*" of all moneys received and paid under the powers and provisions of this Act; and all rates and moneys received by the Council or the Treasurer under the powers and provisions of this Act shall be carried to the credit of the said account, and, subject to the provisions hereinafter contained authorising the appropriation to other purposes of the balance of any surplus moneys standing to the credit of the said account, shall be appropriated and applied to the purposes of this Act, including the purchase of any land taken under the provisions of this Act, and the payment of any compensation payable under this Act, and to no other purpose whatsoever.

Electric Light Account to be kept.

*Rating.*

**32** The Council shall once in every year make and levy a Lighting Rate to be paid by the respective owners or occupiers of all houses, buildings, or other premises within the Town, and the proceeds of such rate shall be applied to the payment of the interest from time to time accruing due upon any moneys borrowed under the authority of this Act, and to defray the costs of the works hereinbefore mentioned.

Council to fix Lighting Rate in respect of buildings within the Town.

Launceston *Electric Light.*

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Rate not to exceed  
£7 per centum.

**33** Such Rate shall be deemed to be a Municipal Rate, and may be of an amount not exceeding the sum of Seven Pounds per centum per annum on the assessed annual value of every house, building, or other premises owned or occupied as aforesaid according to the Assessment Roll in force for the time being.

One-fourth only  
of rate to be levied  
unless premises  
are supplied with  
Electric Light.

**34** No such occupiers or owners as aforesaid shall be liable to the payment of the said Lighting Rate in a greater proportion than according to One-fourth part only of the assessed annual value of the houses or buildings or other premises in respect of which the rate is levied, unless the same are actually supplied with Electricity or Electric Light by the Council at the request of such occupiers or owners.

Supply of Electric  
Light outside  
Town at such  
charges as may  
be agreed.

**35** If any of the owners or occupiers of any of the houses, buildings, or other premises in the Town of *Launceston* or the Suburbs thereof shall require a supply of Electricity for motive power, or of Electric Light for domestic or other purposes, such several supplies shall and may in any case be furnished by the Council at such charges as shall from time to time be fixed by the Council.

Rate and charges  
for Electricity to  
be so regulated as  
not to exceed  
annual expenditure.

**36** Notwithstanding anything contained to the contrary in Section 118 of *The Launceston Corporation Act*, the Council shall, from time to time, so regulate the Lighting Rate and Charges to be levied and made for the supply of Electricity under the provisions of this Act that the amount of such Rate and Charges shall be sufficient to pay the interest upon any money borrowed by the Council for the purposes of this Act, together with the costs of managing and conducting the waterworks, and all machinery, apparatus, buildings, engines, and appliances constructed or erected under the authority of this Act; and the Council may from time to time, as it sees fit, appropriate the balance of any surplus moneys standing to the credit of the *Launceston Electric Light Account*, after payment of all expenses, costs, and charges payable thereout or chargeable thereon, or hereinbefore directed to be annually set apart therefrom as a Sinking Fund, in and towards the general purposes of the said Town.

Upon making  
Rate notice of  
same to be given.

**37** Upon the making of any Lighting Rate under this Act, a notice signed by the Mayor and not less than Five Aldermen, specifying the amount in the pound of the rate, the period for which the same is made, and at what times the same is payable, shall be published in the *Gazette*; and upon any such notice being so published, the rate therein mentioned shall be payable and paid at the times specified in such notice by the persons liable to pay the same, according to the annual value of such property as ascertained and determined by the Assessment Roll then in force for the Town; and it shall not be necessary in any such notice to set forth the names of the persons liable to the payment of the rate, or the sums which according to such rate such persons are liable to pay, or any other particulars than hereinbefore in that behalf mentioned.

Where several  
premises supplied  
by one conductor  
each to pay.

**38** When several buildings are supplied with Electricity by one common conductor, the several owners or occupiers of such buildings shall be liable to the payment of the same Rate for the supply of Electric Light as they would have been liable to if each of such several buildings had been supplied with Electricity by a separate conductor.



Launceston *Electric Light*.

**39** If any person liable as herein provided to pay any amount of Lighting Rate neglects to pay the same within due time after the same has been lawfully demanded, the Council may stop the current of Electricity supplying the premises in respect of which such rate is payable, by cutting off the wires to such premises, or by such means as the Council thinks fit, and may recover the amount due from such person, with the expense of cutting off the Electricity, in the same manner as any Municipal Rate is recoverable.

A.D. 1887.

Rate how to be recovered.

**40** The like proceedings may be had for recovering and enforcing the payment of any expenses incurred in the execution of this Act which may become payable by any person to the Council, and also of any charge for the supply of Electricity by the Council under this Act, other than Lighting Rate, as in the case of any Lighting Rate.

Charges for lighting how to be recovered.

**41** No person shall be liable to be imprisoned for non-payment of any expenses or Lighting Rate or charge for Electricity supplied under the provisions of this Act.

No imprisonment for non-payment of rate or charges.

**42** Subject to the provisions of this Act, so much of *The Launceston Corporation Act* as relates to rates shall be applicable to all rates to be made and levied under this Act.

Applies provisions of 22 V. No. 12, relating to rates.

*Offences.*

**43** Every person who wilfully obstructs, hinders, or interrupts the Council, or any person acting under the authority of the Council, in doing or performing any work by this Act authorised to be done or performed by the Council, or in the exercise of any power or authority by this Act conferred on the Council, shall for every such offence incur a penalty of not less than Ten Pounds nor more than Fifty Pounds.

Penalty for obstructing Council.

**44** Every person who commits any of the following offences shall, for every such offence, incur a penalty of not less than Five Pounds and not exceeding Fifty Pounds:—

Injuring waterworks or preventing flow of water.

- (1.) Destroys or injures any of the waterworks constructed under the authority of this Act:
- (2.) In any manner wilfully prevents or obstructs the flow of water in the *South Esk* River, or in or through any watercourse, tunnel, or other waterwork constructed under the authority of this Act:
- (3.) Molests or destroys, or permits to be injured or molested any machinery, lamps, wires, posts, piers, supports, conductors, communicators, distributors, or machinery of any kind erected by the Council under the authority of this Act.

**45** Every owner or occupier of any premises supplied with Electricity or Water under this Act who supplies to any other person, or wilfully permits him to take any of such Electricity or Water from any conductor or cistern or pipe in or on such premises, unless for the purpose of extinguishing any fire, or unless he is a person supplied with Electricity or Water by the Council from the waterworks, and the pipes or conductors belonging to him are, without his default, out of repair, shall for every such offence incur a penalty not exceeding Twenty Pounds.

Allowing persons not supplied to use the water.

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Taking water  
without authority.

**46** Every person who, without due authority, takes any Electricity or Water from any reservoir, watercourse, conduit or wire or conductor belonging to the Corporation, or any pipe leading to any such reservoir, watercourse, or conduit, or from any cistern or other like place containing water belonging to the Corporation, other than such as may have been provided for the gratuitous use of the public, shall for every such offence incur a penalty not exceeding Twenty Pounds.

Attaching any  
pipe, &c. without  
authority.

**47** Any person who makes any pipe or wire or conductor to communicate with any waterwork or pipe or wire or conductor of the Corporation, without the authority of the Council in that behalf, shall incur a penalty not exceeding Twenty Pounds.

Suffering any  
pipe to be out of  
repair.

**48** Every person supplied with water by the Council who suffers any pipe or other apparatus by means of which his premises are supplied with water to be out of repair, so that the water supplied to him by the Council is wasted, shall for every such offence incur a penalty not exceeding Five Pounds.

Destroying  
valves, &c.

**49** Every person who wilfully or carelessly breaks, injures, or opens any lock, cock, valve, pipe, work, or engine belonging to the Corporation, or flushes or draws off the water from the reservoirs or other waterworks of the Corporation, or does any other wilful act whereby such water is wasted, shall for every such offence incur a penalty not exceeding Twenty Pounds.

Accessories to  
offences liable as  
principals.

**50** Where the doing of any act or thing is made punishable by this Act, or by any by-law in force under the authority of this Act, with any penalty, fine, or forfeiture, the causing, procuring, permitting, or suffering such act or thing to be done shall be punishable in like manner.

Recovery of  
tolls, penalties,  
&c.

**51** Where no other mode is provided in this Act, all fines, penalties, and charges under this Act or under any by-law made in pursuance of this Act may be recovered and enforced before any Police or Stipendiary Magistrate, or before any two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

19 Vict. No. 8.

Appeal.

**52** Any person who thinks himself aggrieved by any penalty imposed under the authority of this Act, or any Act incorporated herewith, or any by-law as aforesaid, which is recoverable in a summary way, may appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

Appropriation of  
penalties.

**53** All penalties for offences against this Act shall be applied to the use of the Corporation, or, at the discretion of the convicting Justice or Justices, any portion not exceeding a moiety thereof shall be applied to the use of the informer or person prosecuting, and the remainder to the use of the Corporation; and all penalties or portions of penalties to be applied to the use of the Corporation shall be paid to the Treasurer of the Corporation, and shall be carried to the credit of the Electric Light Account.

*Officers.*Appointment of  
officers.

**54** The Council may from time to time appoint and employ such Officers and other persons as the Council thinks necessary and proper

Launceston *Electric Light*.

for the execution of the powers vested in the Council by this Act; **A.D. 1887.**  
 and, subject to the provisions of this Act, the provisions of *The Launceston Corporation Act* relating to officers and their accountability shall be applicable to all officers and other persons appointed or employed under this Act, and shall be incorporated with this Act.

**55** Wherever by this Act authority is conferred on the Council 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 same authority shall equally extend to all persons acting by the direction of the Council, and to all necessary agents, assistants, servants, workmen, means, and appliances whatsoever. **Powers conferred on Council to extend to officers duly authorised.**

**56** The Council shall have power from time to time to make, alter, modify, amend, or repeal by-laws for the following purposes:— **By-laws.**

For regulating the description of pipes, conductors, wires, and other apparatus by means of which Water or Electricity may be laid on, distributed, or supplied by the Council, and for prohibiting the use of any other description of pipes, conductors, wires, or apparatus:

For preventing injury to the waterworks or any of the works or machinery or apparatus erected by the Council for the generation or transmission of Electricity:

For regulating all or any matters and things whatsoever connected with the supply of Electricity or Water under this Act:

And otherwise for the better effectuating any of the purposes of this Act in any matter not otherwise sufficiently provided for.

And to provide that any such by-law may be enforced by cutting off the wire or conductor or pipe or turning off the water, or by such pecuniary penalty, not exceeding in any case the sum of Twenty Pounds, as the Council thinks proper.

Subject to the provisions of this Act, the provisions of Section One hundred and thirty-eight of *The Launceston Corporation Act* shall be applicable to the by-laws made under this Act.

**57** No person shall be disqualified from acting as a Judge, Justice of the Peace, Juror, or otherwise in any proceeding under this Act, or any Act incorporated therewith, by reason only of his being a Burgess of the Town of *Launceston*, or by reason of his being liable to any rate or charge for Electricity or Water supplied under this Act, or of his premises being supplied, or being so situated as to be capable of being supplied, with water under this Act. **Interest in execution of Act not to be a disqualification.**

**58** The provisions of the Act of Council of the 8th *William* the 4th, No. 6, shall not apply to the waterworks and other works of the Corporation under this Act. **8 W. 4, No. 6, not to apply to works.**

**59** If the Council does not commence operations in a *bond fide* manner under the powers conferred upon it by this Act within the period of Three years from the First day of *January*, 1888, this Act shall cease and determine. **Commencement of operations.**

**60** This Act may be cited as “The *Launceston* Electric Light Act, 1887.” **Short title.**

