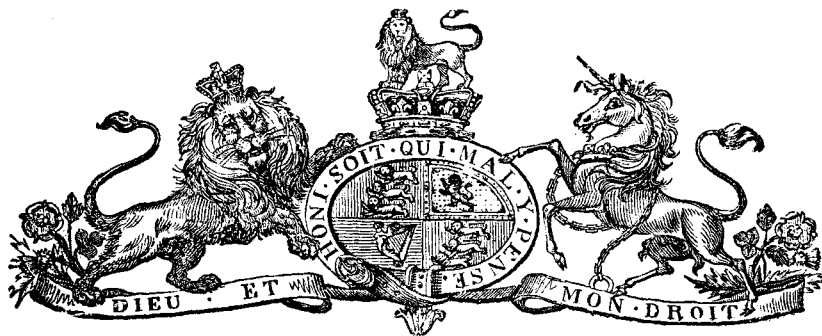


T A S M A N I A.



1861.

ANNO VICESIMO-QUINTO

VICTORIÆ REGINÆ,

No. 18.



AN ACT further to amend the Laws regulating the Supply of Water to the Town and Port of *Launceston*, and to correct a clerical Error.

[1 *February*, 1862.]

BE it 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1 The words “in the day time,” wherever they occur in the 3rd Section of the Act 16 *Victoria* No. 19, are hereby repealed, and the words “at all hours either by day or night” substituted throughout in lieu thereof. Certain words in 16 Vict. No. 19 repealed, and others substituted.

2 The words “save and except from any public or common pump, pipe, cistern, or place expressly made or set apart for general and public use,” in the 16th Section of the said last mentioned Act, are hereby repealed. Certain words in same Act repealed.

3 The words “Five Pounds” being the extreme Rate mentioned in the 3rd Section of *The Launceston Water Act* are hereby repealed, and the words “Six Pounds” substituted in lieu thereof. The words “Five Pounds” in 19 Vict. No. 12 repealed, and others substituted.

4 Instead of a Rate being required to be demanded Ten days before the same can be levied by distress, as specified in the 4th Section of the last-mentioned Act, such distress may be levied after a demand of Three days. Reduction of days required for demand of Rate.

Clerical error corrected.

5 The words "*An Act to amend An Act passed in the Sixteenth Year of the Reign of Her Majesty Queen Victoria, intituled,*" being, by mistake, repeated in the Form of Mortgage prescribed by the 7th Section of the last-mentioned Act, such repeated words are hereby struck out and cancelled.

Power to cut off supplies in case of non-payment of Rate in advance.

6 In case any Rate shall at any time be in arrear for the space of Fourteen days or upwards, it shall be lawful for the Mayor and Aldermen for the time being of the Town of *Launceston*, or any person acting under their authority in that behalf, to stop the supply of Water to the house, building, or other premises, the owner or occupier whereof shall be so in arrear as aforesaid, by cutting off and removing, or taking up the service pipe or pipes supplying the same; and in such event, no action, suit, prosecution, or proceedings shall be had or taken against such Mayor or Aldermen, or person as aforesaid, for or in respect of such cutting off, removing, or taking up such service pipe or pipes as aforesaid, by any person or persons whomsoever; and the cost of cutting off, removing, or taking up such service pipe or pipes as aforesaid shall be paid by the person or persons so in arrear as aforesaid to such Mayor, or to any person by him authorised in writing to receive the same, and in case of non-payment on demand by such Mayor or person last aforesaid, such cost shall and may, upon complaint made by such Mayor or person last aforesaid, be assessed and determined by and before any Justice of the Peace, and shall be recoverable and recovered by distress and sale of the goods and chattels (together with the expenses of such distress) of the person or persons so in arrear as aforesaid and refusing or neglecting to pay the same, wheresoever any such goods and chattels may be found; Provided always, that nothing in this Section contained shall be a bar to or prevent the said Mayor and Aldermen of the said Town from recovering, by distress or otherwise, from such person in arrear as aforesaid, the amount of Rate so in arrear.

Costs, how paid.

Parties in arrear not discharged from payment of Rates owing.

Mayor and Aldermen may take and purchase land in mode prescribed by *The Lands Clauses Act*.

7 The Mayor and Aldermen for the time being of the said Town of *Launceston* are hereby authorised to purchase and take, in the mode prescribed by *The Lands Clauses Act*, such land as they may from time to time deem necessary, for the purpose of making and constructing, or continuing, and to make, construct, or continue, repair, lay down, improve, amend, alter, or inspect, any Water-course, tunnel, conduit, pipe, trough, dam, reservoir, tank, basin, building, erection, or other work or thing necessary for or in connection with the obtaining or continuing to obtain from the *Saint Patrick's River*, or any other river or stream as to them shall seem desirable, a sufficient supply of Water for the use of the Inhabitants of the said Town and the shipping in the harbour thereof, and also for the purpose of making, constructing, continuing, repairing, altering, or improving any road or roads in connection with the said Works, or leading thereto or along the same, provided no such road exceeds in width twenty-five feet; and for the purpose of purchasing and taking such land, *The Lands Clauses Act* shall be and is incorporated with this Act; and for the purpose of incorporation, the Mayor and Aldermen for the time being of the said Town shall be deemed to be the promoters of the undertaking.

Land used in connection with Water Works not subject to *Cross and Bye Roads Act*, 1860.

8 No land, the property of the said Mayor and Aldermen, or held by them, or in which they are in any way interested, and used or to be used in connection with the supplying of the said Town with Water, shall, unless with the consent of the Governor in Council be subject to the operation of the 29th, 30th, 31st, or 32nd Sections of *The Cross and Bye Roads Act*, 1860, any-

thing in the same Act contained to the contrary thereof notwithstanding ; and if any proceedings have been taken by the Trustees of any Road District within Three calendar Months preceding the date of the passing of this Act in respect of any such land as aforesaid, by virtue of the said Sections, or any or either of them, such proceedings are hereby declared to be null, void, and of no effect ; but in any such case the said Mayor and Aldermen shall bear and pay any cost or outlay which may have been actually incurred by such Trustees in relation to the premises.

9 All persons committing any or either of the offences mentioned and set forth in the 17th Section of the Act of Council 16 *Victoria*, No. 19, as being wilfully or maliciously done, may be immediately apprehended by any Constable or other person or persons who shall see any such offence committed, and detained in safe custody until the matter of complaint shall, with all convenient speed, be heard and determined in the manner provided by the same Act. Certain offenders may be apprehended.

10 If any person or persons shall do any wilful act, matter, or thing, whereby the pipes used or to be used in supplying the said Town of *Launceston* with Water shall be in any manner injured, every person so offending shall, upon conviction, forfeit and pay for every such offence a penalty or sum not exceeding Fifty Pounds ; and every such person shall and may be apprehended and detained in the manner set forth in the preceding Section. Penalty for doing any act to endanger pipes.

11 In referring to this Act it shall be sufficient to use the expression *Short Title*.
The Launceston Water Act, No. 4.

