



ANNO TRICESIMO SECUNDO

# VICTORIÆ REGINÆ

A.D. 1868-9.

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## No. 15.

*An Act to authorize and provide for the construction of an Additional Reservoir and other Works for the purpose of procuring a further Supply of Water for the Adelaide Waterworks.*

[Assented to, 30th January, 1869.]

**W**HEREAS it is expedient to authorize and provide for the construction of an additional reservoir and other works for the purpose of procuring a further supply of water for the Adelaide Waterworks; and whereas plans and sections showing the source of supply, and the reservoir and works connected therewith, and the direction of the main and branch pipes, and the streets and grounds through which they are to be laid, and also books of reference containing the names of the owners or occupiers, or reputed owners or occupiers (so far as known) of any private lands on which the same works will be made, or through which the same will pass, have been deposited in the office of the Surveyor-General at Adelaide—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

Preamble.

1. This Act may be cited for all purposes as the “Waterworks Act, 1868.”

Short title.

2. This Act and “The Adelaide Waterworks Act, 1863,” shall be incorporated and read together as forming one Act.

Incorporation.

3. In the construction of this Act and of the said “The Adelaide Waterworks

Interpretation.

Waterworks

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Waterworks Act, 1863," when not inconsistent with the context the expression, "The undertaking," shall, in addition to the meaning assigned thereto by the said "The Adelaide Waterworks Act, 1863," be taken to mean and include the reservoir and works connected therewith hereby authorized to be constructed; and the expression, "Lands and streams," shall, in addition to the meaning assigned thereto by the said Act, be held to mean and include the lands and streams of water hereby authorized to be taken or used for the purposes hereof; and whenever in the said Act the expression, "The Waterworks," is used, the same shall also be taken to mean and include the reservoir and works connected therewith hereby authorized to be constructed.

Treasurer to raise  
£75,000.

4. It shall be lawful for the Treasurer, for the time being, of the said Province, from time to time, to issue bonds, not exceeding in the whole the sum of Seventy-five Thousand Pounds, for such amounts as he may deem expedient, and such bonds shall be in the form following, that is to say—

No.	£	No.	£
Adelaide Waterworks Extension Bond.			
I,		Treasurer of the Province of South Aus-	
		tralia, in consideration of the sum of	Pounds
		paid to me for the purposes of the Adelaide Waterworks	
		Extension, do hereby bind myself to pay to the holder,	
		for the time being, of this present obligation, the sum	
		of	Pounds, and interest thereon after the rate
		of six per cent. per annum; such interest to be payable	
		on the first day of January and the first day of July in	
		every year, and the principal to be paid on the first day	
		of	, in the year one thousand eight hundred
		and	
		Sealed with my seal. Dated the	day of
		one thousand eight hundred and	
		Signed, sealed, and delivered, in }	
		the presence of }	

NOTE.—*Interest*, payable at the Treasury in Adelaide, South Australia, or [in London or in any other agreed place], at such place as may be appointed, by notice to be given in the *South Australian Government Gazette* [and in the *London Gazette*].

Principal payable at the Treasury, in Adelaide, or, at the option of the holder [in London or other agreed place], if six months' notice of desire to that effect be given to the Treasurer in South Australia.

Bonds to bear interest  
at six per cent.

When payable.

5. The said bonds shall bear interest at the rate of Six Pounds per centum per annum, and the interest and principal upon such bonds shall be payable and paid to the holder thereof, at such place and time as may be specified or provided therein: Provided that the principal shall not be payable or paid before the expiration of twenty years, and the time appointed for payment thereof shall not extend beyond forty-five years.

6. The

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6. The Treasurer shall cause every bond issued under this Act to be sold for the best price, not being below par, that can be obtained for the same.

Bonds to be sold for best price obtainable, not being below par.

7. All sums of money raised and received by the Treasurer upon the security of the said bonds shall be carried by the said Treasurer to the credit of the Commissioner, for the construction, completion, and management of the said additional reservoir and other works connected therewith, according to the said plans and sections so deposited in the office of the Surveyor-General, as aforesaid, and shall be by him paid to the said Commissioner, in such amount and manner as the Governor, by any warrant under his hand, may from time to time authorize and direct.

Moneys raised by bonds, how applied.

8. The said Treasurer shall, and he is hereby required, in each and every year from the first raising of any sums of money under the authority hereof, until the whole of the amounts so raised, and all interest thereon, shall have been duly paid, to set apart such sum as shall suffice to pay the amount of bonds redeemable during such year, together with interest upon all bonds which shall then bear interest; and shall apply such sums in payment of such bonds and interest as aforesaid, in manner specified in such bonds.

Sum to be set apart annually for payment of principal and interest.

9. The Governor may, from time to time, by warrant under his hand, authorize the Treasurer to advance and pay to the said Commissioner, for the purposes of this Act, any sums of money not exceeding in the whole the sum herein authorized to be raised; and any sums of money so advanced and paid shall be retained by the Treasurer out of any moneys raised by him under authority hereof.

Governor may advance moneys to be repaid.

10. If any omission, misstatement, or wrong description shall have been made of any lands or streams, or of the owners, or occupiers of any lands or streams described in the plans or books of reference deposited as aforesaid, the Commissioner, after giving ten days' notice to the owners and occupiers of the lands and streams affected by such proposed correction, may apply to two Justices for the correction thereof; and if it shall appear to such Justices that such omission, misstatement, or wrong description arose from mistake, they shall certify the same accordingly, and shall in such certificate state the particulars of any such omission, misstatement or wrong description; and such certificate, with the other documents to which it relates, shall be deposited with the other documents to which they relate, in the office of the Surveyor-General, and thereupon such plan, or book of reference, shall be deemed to be corrected according to such certificate; and the Commissioner may make the works in accordance with such certificate, as if such omission, misstatement, or wrong description had not been made.

Errors and omissions in plans, &c., may be corrected by Justices, &c., who shall certify the same.

Certificates, deposited.

11. The said Surveyor-General shall keep the said plans, and sections, and books of reference, and all other documents deposited with him for the purposes of this Act, and shall allow all persons interested

Surveyor-General to receive plans of alterations, &c., and allow inspection.

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interested to inspect any of the documents aforesaid, and to make copies and extracts of and from the same.

Copies of plans and alterations, &c., to be evidence.

12. Copies of the said plans, and sections, and books of reference, or of any alteration or correction thereof, or of any other such documents as aforesaid, or extracts therefrom, certified by the Surveyor-General, which certificate such Surveyor-General shall give to all parties interested, when required, shall be received in all Courts or elsewhere in the said Province as evidence of the contents thereof.

Annual account to be made up by Commissioner and published in *Gazette*.

13. The Commissioner shall in each year cause an account in abstract to be prepared of the whole receipt and expenditure of all moneys advanced to him, for the year preceding, under the several distinct heads of receipt and expenditure, with a statement of the balance of such account, duly audited and certified by the Auditor-General; and a copy of such account shall, on or before the thirty-first day of December, in each year following, be published in the *Government Gazette*.

Waterworks not to vest in City till payment of £53,500, in addition to the sum of £200,000, prescribed by the Adelaide Waterworks Act, 1863.

14. Notwithstanding anything in clause 73 of the said "The Adelaide Waterworks Act, 1863," contained, the said undertaking therein mentioned, shall not vest in the Municipal authorities of the City of Adelaide until, in addition to the sum of Two Hundred Thousand Pounds, in such clause mentioned, and the interest thereon, the further sum of Fifty-three Thousand Five Hundred Pounds, together with interest thereon, shall have been paid by means of the rates by the said Act authorized; but as soon as such several sums of Two Hundred Thousand Pounds and Fifty-three Thousand Five Hundred Pounds, together with interest thereon, shall have been paid by means of the rates by such Act authorized, the said undertaking thereby authorized, and the undertaking by this Act authorized to be constructed, shall vest in the said Municipal authorities as in the said clause is mentioned.

Port Adelaide Waterworks not to vest in Municipal authorities of Town till payment of £21,500, in addition to sums prescribed by the Port Adelaide Waterworks, 1863.

15. Notwithstanding anything in clause 9 of "The Port Adelaide Waterworks Act, 1863," contained, the said undertaking therein mentioned shall not vest in the Municipal authorities of the Town of Port Adelaide until, in addition to the sums in such clause mentioned, and the interest thereon, the further sum of Twenty-one Thousand Five Hundred Pounds, together with the interest thereon, shall have been paid by means of the rates by the said Act authorized.

Proportionate charges, Adelaide and Port Adelaide.

16. If the said reservoir and other works cost more or less than the sum of Seventy-five Thousand Pounds, then the sums of Fifty-three Thousand Five Hundred Pounds, and Twenty-one Thousand Five Hundred Pounds respectively shall be proportionately increased or reduced.

In the name and on behalf of the Queen I hereby assent to this Act.

F. G. HAMLEY, Governor.