

T A S M A N I A.

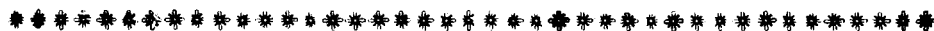


1903.

ANNO TERTIO

EDWARDI VII. REGIS,

No. 44.



AN ACT to make provision for Lighting the *Longford* Light District by Electricity. A.D. 1903.  
[6 *January*, 1904.]

**B**E 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** This Act is divided into Fourteen Parts, as follows :—

Division of Act.

Part I.—Preliminary.

Part II.—Appointment and Election of Trustees.

Part III.—Incorporation and Vesting.

Part IV.—Power of Trustees in Construction of Works.

Part V.—Compensation for Damage done by Execution of Work.

Part VI.—Supply of Electricity,

Part VII.—Lighting Rate.

Part VIII.—Power to Borrow.

Part IX.—Officers and their Accountability.

Part X.—Accounts.

Part XI.—Waste and Misuse of Electricity.

Part XII.—Offences.

Part XIII.—By-Laws.

Part XIV.—Miscellaneous,

3s.]

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## PART I.

## PRELIMINARY.

- Short title.           **2** This Act may be cited as “The *Longford* Lighting Act, 1903.”
- Commencement of Act.   **3** This Act shall commence and take effect on the First day of *January*, One thousand nine hundred and four.
- Interpretation.       **4** In this Act and in any By-laws or rules made thereunder, unless the context otherwise determines—
- “Light District” means the *Longford* Light District as hereafter defined, or any altered or increased area which may be defined as “The *Longford* Light District” in manner hereafter provided :
- “Trusrees” shall mean the Trustees for the time being appointed, elected, or acting under this Act, including, while acting as Trustees, the Councillors of the Municipal District of *Longford* :
- “Chairman” shall mean the Chairman of such Trustees, or the Warden of the Municipal Council of *Longford* while such Council is acting as Trustees under this Act :
- “Street” extends to and includes any public and common highway, road, main road, lane, footway, bridge, square, court, passage, alley, thoroughfare, and public way and place :
- “Works,” when used in reference to the generation, transmission, or supply of electricity, shall mean and include all water-races, watercourses, water powers, turbines, or other motive power, and all wires, pipes, lamps, posts, piers, supports, generators, conductors, communicators, accumulators, distributors, and all other machinery and apparatus which the Board shall from time to time use or deem to be necessary for the generation, transmission, and supply of electricity in accordance with the provisions of this Act :
- “Landholder” extends to and includes any person whose name appears as the owner or occupier of any property situate within the district as the same is defined on the Assessment Roll :
- “Person” shall include any corporate body or association :
- “Assessment Roll” means so much of the Assessment Roll of the Municipality of *Longford* for the time being in force as comprises the property in the Light District as above defined :
- “Property” means land or buildings and land and buildings :
- “Rate” means a rate duly made under and for the purpose of this Act :

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“Local Authority,” when used in reference to any Municipality, or Town, or Road District, shall mean the Municipal Council, or Board, or Trustees, of such Municipality, or Town, or Road District. A.D. 1903.

**5** The area of land included within the limits defined and set forth in Schedule (5.) shall be and form the Light District in the first instance, but the Governor in Council may by Proclamation in the *Gazette* from time to time redefine, extend, or alter, the Light District, and upon such notice being published the Light District shall be forthwith the District so redefined, extended, or altered, as set forth in such notice. Light District.

## PART II.

## APPOINTMENT AND ELECTION OF TRUSTEES.

**6** The Municipal Council of *Longford* shall be the Trustees of the Light District until the publication in the *Gazette* pursuant to Section Seven of the names of the Trustees appointed, or pursuant to Section Ten of the Trustees elected at the first election of Trustees under this Act, and upon such publication the Municipal Council of *Longford* shall forthwith cease to be the Trustees of the Light District. Municipal Council to be Trustees till Trustees appointed or elected.

**7** The Trustees may at any time hereafter publish a Notice in the *Gazette* and in a *Launceston* newspaper in manner hereinafter provided stating that it is intended to request the Governor in Council to increase the area of the District and make it the same in size and area as the *Longford* Water District, and to appoint the Trustees of the *Longford* Water District to be the Trustees under this Act, and that a poll of the ratepayers in the *Longford* Water District will be held at a time and place to be specified in such Notice, and such poll shall be held at the time and place mentioned, and if Two-thirds of the votes of those of the ratepayers in the *Longford* Water District who vote at such poll shall at such poll be cast in favour of such request being granted, the Governor in Council shall publish a proclamation in the *Gazette* extending the Light District and making it the same as the *Longford* Water District, and appointing the Trustees of the *Longford* Water District to be the Trustees under this Act, and the Trustees of the *Longford* Water District shall forthwith become and be the Trustees under this Act. Trustees may hold poll to decide whether District and Trustees shall be same District and Trustees as for Water District.

**8** Such Notice shall be signed by the Warden of the *Longford* Municipality, or by the Chairman of the Trustees of the Light District Form of Notice of holding of Poll.

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as the case may be, and such Notice shall be published once in the *Gazette* and twice in a newspaper published in *Launceston* and such Notice shall be inserted in the *Gazette* and newspaper within fourteen days of, and not less than Seven days before the day fixed for such poll, and shall specify the day, and time, and place, at which such poll will be held.

Manner of taking Poll.

**9** The poll shall be taken in the same manner, so far as practicable, as a poll is taken for the election of Trustees for the Water District, and every ratepayer shall be entitled to the same number of votes as the number which he would be entitled to use at an election of Trustees for the Water District, and the ballot papers to be used in the taking of such poll shall be in the form set forth in the Schedule (1.) to this Act, and the Warden of the *Longford* Municipality or Chairman of the Trustees shall preside at and conduct such poll with the same power and authority as a returning officer at such election as aforesaid.

Election of Trustees.

**10** The Governor in Council may at any time after the passing of this Act, prior to the appointment of the Trustees of the *Longford* Water District as Trustees under this Act, by proclamation in the *Gazette*, direct that on a day and at an hour and place therein named, there shall be held within the Light District an election of Seven Landholders of such District to be the Trustees of the Light District for the purposes of this Act; and such election shall be held accordingly, and the Trustees then elected shall hold office until they retire from office in the manner hereinafter provided.

Election to be before person appointed.

**11**—(1.) Such Notice shall be published in the *Gazette*, and twice in a newspaper circulating in the Light District, and shall direct that the election to be held thereunder shall be held before the person therein appointed Returning Officer for the purpose of such election; and nominations of persons for election as Trustees shall be forwarded to and be received by such Returning Officer Seven clear days before the day appointed for holding the election pursuant to such Notice, and the Returning Officer shall thereupon provide and do all things necessary for holding such election pursuant to this Act.

Period within which election to be held.

(2.) The date fixed by such Notice for holding the Election therein directed to be held shall not be less than Fifteen nor more than Thirty days after the date of the first publication of the Notice.

Expenses of first election.

(3.) All expenses of and incidental to the first election of the Trustees of the Light District shall be certified under the hand of the Returning Officer, and shall be paid by the Trustees out of the moneys at the disposal of the Trustees within Six months after the Election.

Returning Officer to notify result to Minister.

**12**—(1.) At the election of Trustees held in pursuance of any such Notice as aforesaid, the person therein appointed Returning Officer for the purposes of the election to be held thereunder shall preside at such election, and shall have a casting vote in addition to his vote as a landholder; and such Returning Officer shall, within Three days

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after such election, prepare, or cause to be prepared, and sign, and forward to the Minister of Lands and Works for *Tasmania*, a notification in writing of the names and places of residence of every person elected at such election as a Trustee of the Light District. A.D. 1903.

(2.) The Minister of Lands and Works for *Tasmania* upon receipt of such notification shall cause to be published in the *Gazette* the names of the persons elected at such election as Trustees of the Light District, and shall also cause written notice of his election, and of the time and place of the first meeting of the Trustees, to be served personally upon every person so elected, or to be left at his usual place of abode, or transmitted to him by post.

**13** Subject to the provisions hereinafter contained, every Trustee shall hold office for a period of Two years, and shall retire in rotation as hereinafter provided, except while under the control of the Municipal Council. Trustees to hold office for Two years.

**14** Subject to and until the appointment of the Trustees of the *Longford Water District* to be Trustees under this Act, an Election of Trustees shall be held within the Light District in the month of *December* in the second year after the year in which the first Election of Trustees shall be held under this Act, and in the same month in every subsequent year, for the purpose of electing the requisite number of persons, being Landholders of the Light District, to fill the vacancies caused by the retirement of Trustees in accordance with the provisions of this Act; and the Trustees shall fix a day in the month of *December* in every such subsequent year as aforesaid, and shall also fix an hour of the day between Ten of the clock in the forenoon and Four of the clock in the afternoon, and a place within such Water District, for holding such Annual Election of Trustees, and shall publish notice of the date and time and place of such Election once in the *Gazette* and twice in a public newspaper published or circulated in the Light District, and the first publication of such notice shall be not less than Ten clear days before the day on which the poll is to be taken, and the last publication of such notice shall be made, whenever practicable, on the day on which the poll is taken, and shall also cause to be posted up in the Office of the Trustees and at every Police Office, Police Station, and Post Office in such Light District, Five clear days at least before the day of holding the Election. Annual Election to be held in District.

**15** At every Election of Trustees held under this Act every Landholder shall have a number of votes proportioned to the annual value as ascertained by the Assessment Roll of the property within the Light District owned or occupied by him, according to the scale mentioned and set forth in "The Rural Voting Act, 1884," or any Amendment thereto, and the word "Elector" as used in the said Act shall, for the purposes of this Act, mean and include a landholder under this Act; and the provisions of "The Rural Voting Act, 1884" and any Amendment thereto, shall apply to any election held under this Act. Scale of votes. 48 Vict. No. 26.

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Qualification for voting.

**16** Every person, whether male or female, of the age of Twenty-one years, whose name appears on the Assessment Roll comprising the property within the said Light District, as the owner or occupier of any property situate within the Light District shall, except as hereinafter provided, be entitled to vote at any Election of Trustees held under this Act.

Retirement of Trustees.

**17**—(1.) On the day fixed for holding the first Annual Election of Trustees after the first Election of Trustees, the Two Trustees who had the smallest number of votes at the first Election shall retire from office; and on the day fixed for holding the second Annual Election of Trustees, the Two other Trustees who were elected at the first Election having the smallest number of votes of the remaining Trustees at the First Election shall retire from office; and on the day fixed for the holding of the third Annual Election, the other Three Trustees who were elected at the First Annual Election shall retire from office; and on the day fixed for holding the Annual Election of Trustees in every subsequent year, every Trustee who was elected at the Annual Election of Trustees held in the Second preceding year shall retire from office.

(2.) In case at the first or second Election of Trustees any Two or more Trustees are elected by an equality of votes, or, the Election is had without a Poll, it shall be determined by lot within One week, and published in the *Gazette* within One month after the Election, in what rotation, as between themselves, such Trustees having an equality of votes shall retire, or in what rotation the whole body of Trustees shall retire as aforesaid, as the case may be; and in any such case the Trustees shall retire according to the rotation so determined.

(3.) The retiring Trustees shall hold office until their successors are duly elected.

(4.) Every Trustee retiring from office shall, if qualified, be eligible for re-election.

Time prescribed for election may be extended.

**18**—(1.) In case the Trustees neglect or omit in any year to fix the day, place, and hour for holding any Annual Election of Trustees, or in case any such Election is not held upon any day appointed for that purpose in the month of *December* in any year in pursuance of this Act, the Governor in Council may extend the time for the Election of Trustees to any day to be fixed in manner hereinbefore provided before the Twenty-eighth day of *February* in any year.

(2.) In case no Election of Trustees is held in any year in manner hereinbefore directed, the Trustees then in office shall continue in office until the day which may be fixed in the month of *December* in the succeeding year for the Annual Election of Trustees, or until the Election of new Trustees, and so from time to time.

(3.) If no Election of Trustees shall be held in such succeeding year, it shall be lawful for the Governor in Council, upon the petition of any number of Landholders not less than Seven, to fix a day, hour, and place for holding an Election of Trustees, and notice thereof shall be

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published by the Minister of Lands and Works for *Tasmania* in the manner hereinbefore provided in respect of the Annual Election of Trustees. A.D. 1903.

**19** The Trustees shall, in and by the notice of the time and place fixed for the Annual Election of Trustees, appoint a day for the reception of nominations as hereinafter mentioned, not less than Five days nor more than Seven days before the day fixed for such Annual Election; and the Chairman of the Trustees shall during the Three days immediately preceding the day so appointed, and up to Four of the clock in the afternoon of such day, receive nominations of Landholders qualified to be elected as Trustees for election at such Annual Election, which shall be opened by the Chairman at Four o'clock of the last day for receiving nominations at the place of nomination, and declared in the presence of such electors as may be present. Nomination of Candidates for election.

**20** In the event of more candidates being nominated for election than the number of Trustees required to be elected, the Chairman shall cause a list of candidates nominated for election to be published in at least Two numbers of a public newspaper circulating in the Light District, and shall also cause such list to be posted up in the Office of the Trustees and at every Police Office, Police Station, and Post Office in the Light District, not less than Three clear days before the day fixed for such Annual Election; and none but persons so nominated shall be capable of being elected. List of candidates to be published.

**21** Every nomination of a candidate for election as a Trustee shall be in writing, and shall be signed by at least Two Landholders entitled to vote at such election of Trustees, and no such nomination shall contain the names of more candidates than the number of Trustees to be elected; and with such nomination there shall be delivered to the Chairman the written consent of such candidate or candidates to such nomination, and no nomination shall be received or recognised in the absence of such written consent; and every such nomination and consent may be written or printed, or partly written and partly printed, in the form of Schedule (2.); but no female shall be nominated or eligible to sit or act as a Trustee. Form of nomination.

**22** Every election of Trustees shall be by ballot, and the Chairman of the Trustees shall, except as hereinafter provided, preside at every such election; and in the event of the Chairman being a candidate at any such election, or being unable from any cause to preside at such election, the Trustees shall appoint another Trustee to preside at such election; and all Ballot-papers used at any election shall be signed or stamped on the back thereof by the Chairman or the Trustee presiding thereat. Election to be by ballot and held before Chairman.

**23** If no greater number of persons are nominated for election as provided in this Act than the number of Trustees to be elected, the Mode of proceeding if no more

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persons nominated  
than Trustees to  
be elected.

Chairman shall, after the expiration of the time fixed for receiving nominations of candidates without any Poll being had, declare the persons so nominated to be elected as Trustees, and the persons so declared to be elected shall thenceforth be Trustees of the Light District.

Election of  
Trustees.

**24** Whenever a Polling-place is appointed as hereinafter provided, the Trustees, previously to the day fixed for the Annual Election, shall fix a time for commencing and closing the Poll, if any, for such election; and every such Poll shall remain open for Two hours at least; and every Landholder is hereby empowered to give, and shall, if he votes, give the number of votes to which he is entitled to any number of persons not exceeding the numbers of Trustees then to be elected, and every such election of Trustees shall be finished in one day, without any adjournment whatsoever. If the number of votes at an election are equal for any Two or more persons, the Chairman shall have a casting vote in addition to his vote as an Elector, and shall thereby decide which of the said persons is or are elected.

Chairman's  
casting vote.

Polling-places.

**25** It shall be lawful for the Trustees to appoint a Polling-place in the Light District, and also to appoint any Officers requisite for the purpose of the Annual Election of Trustees, and to do all other necessary things preliminary or incidental to every such Annual Election.

Election and  
appointment of  
Trustees to be  
published.

**26** Forthwith after every Annual Election of Trustees, the Chairman presiding at the Meeting at which such election took place shall cause to be published in the *Gazette* the names and places of residence respectively of every Trustee elected, and shall also cause notice in writing of his election to be served personally on, or left at the usual place of abode of, or transmitted by post to, every person elected.

Trustees to accept  
office or pay a  
fine.

**27** Every person duly qualified and duly elected or appointed to the office of Trustee shall accept office by making and subscribing before a Justice of the Peace a declaration in the form in the Schedule (3.) within One month after notice of his election or appointment has been served on him personally, or left at his usual place of abode, or been transmitted to him by post, or shall in lieu thereof pay to the Trustees a penalty of Twenty Pounds: Provided that, with the consent of the Trustees, the penalty may be reduced to any sum not less than Five Pounds. And every declaration shall be delivered by the Trustee who has made the same at the First Meeting of the Trustees thereafter at which he is present, to the Chairman of the Trustees.

Certain persons  
exempted from  
fines on refusal to  
accept office,

**28** No Member of the Parliament of *Tasmania*, and no person disabled by deafness, blindness, or other permanent infirmity of body, or who is above the age of Sixty years, or who has already served the office of Trustee for the period of One year, or paid the penalty



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for not occupying such office, or for resigning such office within Three years next before the day on which he is re-elected or appointed, nor any person whose usual place of abode is not situate within the Light District, or who is absent from the State at the time of the election or appointment, or who, in the unanimous opinion of the other Members of the Trust, ought to be excused, shall be liable to any penalty for refusing or neglecting to accept the office of Trustee.

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**29** If any person so elected or appointed a Trustee under this Act refuses or fails to accept such office, the same shall thereupon be deemed vacant, and shall be filled up by a fresh election or appointment.

Refusal or failure to accept office.

**30** If at any time during his continuance in office any Trustee dies, departs from *Tasmania* and remains absent therefrom for the space of Three months, ceases to be a Landholder, or resigns, or refuses, or from any cause whatsoever becomes incapable or unfit to act as a Trustee, or if his office be declared vacant, it shall be lawful for the surviving or continuing Trustees, and they are hereby required, within Thirty days, to appoint some fit and proper person, being a Landholder, to act in conjunction with such surviving or continuing Trustees in the place and stead of such first-mentioned Trustee: Provided, nevertheless, that whenever the office of any Trustee becomes vacant from any cause herein mentioned, the Chairman of the Trustees shall forthwith give notice thereof in two numbers of a public newspaper circulating in the Light District; and the Trustees shall not for a period of Seven days after the last publication of such notice proceed to fill up such vacancy; and if before the expiration of such period of Seven days a requisition in writing, signed by any number of Landholders not less than Fourteen, is presented to the Trustees requiring an election to be held to supply such vacancy, the Trustees shall not appoint a new Trustee, but an election shall be held to supply the vacancy aforesaid; and every such election shall be conducted in the same manner in every respect as the Annual Election of Trustees; and every Trustee appointed or elected to fill any such vacancy shall retain his office so long only as the vacating Trustee would have retained the same as if no vacancy had occurred.

Provides for death &amp;c., of Trustees during period of office.

**31** If any person holding the office of Trustee, having had notice of the intention to hold such Meetings, is absent from Three consecutive Meetings of Trustees, extending over a period not less than Three months, without leave of absence granted by the Trustees, unless in case of illness, such person shall cease to hold such office, and the Trustees shall in any such case declare such office to be vacant, and the same shall be vacant accordingly.

Trustees absent from Three consecutive Meetings to vacate office.

**32** All acts and proceedings relating to this Act which are directed to be had or done by the Trustees, and all the powers and authorities vested in them generally, shall and may be had, done, and exercised by the major part of the Trustees present at any Meetings of the Trustees,

Quorum of Trustees.

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the whole number present not being less than Four; and any such Four Trustees shall form a quorum.

Election of  
Chairman of  
Trustees.

**33**—(1.) The Trustees shall, at their first Meeting held after the first election of Trustees, and at their first Meeting held after each Annual Election of Trustees, by a majority of votes of the Trustees present, elect one of their body to be Chairman for the ensuing year; and if at any such Meeting there be an equality of votes in the election of Chairman, it shall be decided by lot which of the Trustees having an equal number of votes shall be Chairman. And such Chairman shall preside at all Meetings of the Trustees at which he is present; and if at any Meeting of Trustees the Chairman is not present, one of the Trustees present shall be elected Chairman of such Meeting by the majority of votes of the Trustees present thereat.

(2.) In case the Chairman shall die, or by writing under his hand delivered by him to the Trustees at any Meeting of Trustees, or to the Secretary of the Trustees, resign his office, or cease to be a Trustee, the Trustees present at the Meeting next after the occurrence of such vacancy shall choose one of their body to be Chairman, and the Chairman so chosen shall continue in office until the next Annual Meeting for the election of Trustees.

Equal division  
of votes.

**34** At all Meetings of Trustees all the Trustees present shall vote, save where it is herein otherwise provided, and the questions there considered shall be decided by open voting and by the majority present; and if there is an equal division of votes upon any question it shall be considered lost.

Trustee not to  
vote where he is  
pecuniarily  
interested.

**35** No Trustee shall vote upon any matter in which such Trustee directly, by himself or his partners, has any pecuniary interest; and any Trustee who knowingly offends against this Section shall on conviction forfeit and pay for every such offence a sum not exceeding Fifty Pounds.

Orders and  
proceedings of  
Trustees to be  
recorded.

**36** All orders and proceedings of the Trustees, together with the names of the Trustees present at every Meeting, shall be entered in a book to be kept by the Trustees for that purpose, and be signed by the Chairman of the Meeting at which such orders or proceedings are from time to time confirmed; and such orders and proceedings so entered and signed by the Chairman of such Meeting shall be deemed to be original orders and proceedings.

Landholder may  
inspect minutes.

**37** Any Landholder shall be at liberty at all reasonable times, on payment of the sum of One Shilling, to inspect the Minute Book of the Trustees.

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## PART III.

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## INCORPORATION AND VESTING OF PROPERTY.

**38** The Trustees elected under this Act and their successors shall be a Corporation by the name of the *Longford Light Trust*, with power to hold land and have a Common Seal, and if the Trustees of the *Longford Water District* be at any time appointed Trustees under this Act, they shall be a Corporation for the purposes of this Act by the name of the *Longford Water Trust*, and immediately upon the publication in the *Gazette*, pursuant to Section Ten of this Act, of the names of the Trustees elected at the first election under this Act, all property, works, goods, rights, and effects whatsoever vested in or belonging to the Municipal Council of *Longford* as Trustees of the *Longford Light District*, shall forthwith, by virtue of this Act and without the necessity of any Conveyance or Transfer, vest in and belong to the *Longford Light Trust* for the purposes of this Act; and immediately upon the publication in the *Gazette*, pursuant to Section Seven of this Act, of the Proclamation that the Trustees of the *Longford Water District* shall be Trustees under this Act, then all property, works, goods, rights, and effects whatsoever, whether vested in or belonging to the *Longford Municipal Council* as Trustees of the *Longford Light Trust*, shall forthwith and without the necessity of any Conveyance or Transfer, vest in and belong to the *Longford Water Trust* for the purposes of this Act.

Incorporation.

## PART IV.

## POWER OF TRUSTEES IN THE CONSTRUCTION OF WORKS.

**39** The Trustees are hereby empowered to purchase, lease, or acquire, upon any terms or conditions they deem advisable, any land, or any corporeal or incorporeal hereditaments, or any chattel or interest whatsoever which they deem advisable, for the purpose of this Act, and which they may think proper to purchase, lease, or acquire, including any water power, and power-producing machinery, and any rights and privileges accessory to the same; and the Trustees are also empowered to dispose of the same, or any part thereof, by sale, lease, or otherwise, to any person or persons for any purpose whatsoever.

Construction of works.

**40** The Trustees are also hereby empowered to compulsorily purchase any land, and to compulsorily acquire any easements, which the Board may consider necessary for the purpose of this Act, and the Trustees are also empowered to dispose of the same, or any part thereof, by sale, lease, or otherwise, to any person or persons, for any purpose whatsoever.

Purchase of land and acquisition of easements.

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Entry upon land.

**41** For the purposes of this Act, it shall be lawful for the Trustees to enter upon any land, and to take levels of the same, and to set out such parts of such land as the Trustees may think necessary, and to cut down trees, 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 maintenance of the works authorised by this Act.

Construction of works and buildings, &amp;c.

**42** It shall be lawful for the Trustees, from time to time, to make, erect, construct, lay down, maintain, alter, or discontinue, upon any land as the Trustees think necessary for the purposes of this Act, such works, and such buildings, machinery, and other works, apparatus and appliances, as the Trustees may think necessary for the purposes of this Act; and also to enter into any contract concerning the same that they may deem advisable; and also, with the consent of the Governor in Council, to dispose of any such works, buildings, machinery, and other works, apparatus, or appliances by sale, lease, or otherwise, whenever they shall deem it advantageous so to do.

Board to give notice prior to first entry upon land.

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

21 Victoria No. 11 incorporated.

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

- i. There shall not be incorporated with this Act the Sections and provisions of the said Act hereinafter mentioned; that is to say:—Section Eight, whereby it is provided that the Capital is to be subscribed before the compulsory provisions are to be put in force; Section Nine, whereby it is provided that the Certificate of the Justices shall be evidence that the Capital has been subscribed:
- ii. In the construction of this Act, and of the said incorporated Act, this Act shall be deemed to be the Special Act, and the Trustees shall be deemed to be the Promoters of the undertaking.

If compensation excessive Trustees may give up land.

**45** Where the Trustees give notice of their intention to take land for any of the purposes hereinbefore set forth, and the compensation in respect thereof is determined as in cases of disputed compensation, if the Trustees deem it inexpedient to pay the amount of compensation so determined, they may, within Twenty-one days after notice of the amount of the compensation so determined on, withdraw the first-mentioned notice on payment of all costs of references and award.

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**46** The Trustees may, from time to time, open and break up the soil and pavement of any street within the Light District, or any Municipality, or Road District, or Town, and erect in and upon such streets, and may maintain, and from time to time alter and discontinue such machinery, lamps, posts, pipes, piers, supports, conductors, communicators, distributors, electric lines, buildings, apparatus, engines, and things, and all other works necessary and convenient for any of the purposes of this Act.

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Power to break up streets, &c., and to open drains.

**47** The Trustees shall, before opening or breaking up any street without the Light District, give to the persons, if any, under whose control or management the same may be, or to their clerk, surveyor, or other officer, notice in writing of the intention of the Trustees 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, conductors, or other works, and then as soon as possible after the beginning of the work or the necessity for the same has arisen.

Notice to be served on persons, if any, having control of streets without the Town.

**48** No street without the Light District 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 Trustees as aforesaid, or do not propose any plan for breaking up or opening the same, or refuse or neglect to superintend the operation, the Trustees 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 superintendence of persons having control of same.

**49** Whenever the Trustees open or break 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.

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

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## PART V.

## COMPENSATION FOR DAMAGE DONE BY EXECUTION OF WORKS.

Board to do as little damage as may be.

**50** In the exercise of the powers conferred by this Act, the Trustees shall do as little damage as can be, and in all cases where it can be done, shall make good such damage.

Board to make compensation for damage done by execution of works.

**51** The Trustees shall make compensation, in manner hereinafter provided, to all parties lawfully interested in any land, other than land purchased by the Trustees, in or upon which any works may hereafter be constructed, or which may be injuriously affected by the construction and maintenance of the works under this Act, or otherwise by the execution by the Trustees 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 Trustees by this Act.

Persons damaged to make claim for compensation.

**52** Any person claiming such compensation shall prefer his claim by notice in writing addressed to the Trustees, and served upon the Secretary thereof 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 land or water in respect to which the claim is preferred; and if any such person and the Trustees 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 for by *The Lands Clauses Act, 1857*, in cases of disputed compensation, or, at the option of either the Trustees or Claimant, by a Judge of the Supreme Court, upon either party giving Seven days' notice to the other after the delivery of such claim; and the amount of such compensation to be paid in such case shall be ascertained by the Judge in such manner as he deems advisable, and subject to such conditions as such Judge sees fit to impose. And all costs of all proceedings taken under this Act before a Judge shall be in his discretion as to the party by whom such costs shall be borne, and payment thereof may be enforced and recoverable by the party to whom such costs shall be payable, as in Equity.

Compensation how to be ascertained.

Regard to be had to any benefit which may accrue.

**53** 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.

Persons not making claim when required to be barred.

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

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**55** 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 Trustees, the dissatisfied party, when the amount of compensation awarded by the Arbitrators or the Umpire exceeds Fifty 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.

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

**56** 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 cases 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 cost 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.

Appeal to be prosecuted within One month; notice to be given.

36 Vict. No. 19.

**57** 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.

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

**58** No land acquired or held by the Trustees 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 *Lands Clauses Act*.

**59** Before commencing or undertaking any of the works authorised by this Act, the Trustees shall lay before the Governor in Council detailed plans, sections, and specifications of such works, and it shall be lawful for the Governor in Council thereupon to refer such plans, sections, and specifications to the Director of Public Works, or other

Before commencing work plans to be submitted for approval.

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competent person, who is hereby required to examine and consider the same, and fully report thereupon to the Governor in Council with reference to the probable expense, practicability, and nature of such works, and no such works shall be undertaken until the same have been approved of by the Governor in Council, and notice in writing of such approval received by the Trustees.

## PART VI.

## SUPPLY OF ELECTRICITY.

Supply of electric light inside area at such charges as may be agreed.

**60** If after the Trustees shall have constructed and erected the necessary works for the generation and transmission of electricity for lighting the area, any owner or occupier of any house, building, or other premises in the said area, within One hundred feet of any work for distributing the light or power, shall require a supply of electricity for producing light, such supply shall in every case be furnished by the Trustees at such charges as shall from time to time be fixed by the Trustees, in accordance with the provisions of this Act.

Trustees may supply electricity for motive power, &c.

**61** If the owner or occupier of any land or building in the said area, or in any other place at which the Trustees have erected the necessary works for supplying electricity, under the provisions of this Act, shall require a supply of electricity for motive power or for any purpose other than the production of light, the Trustees may from time to time, as they think fit, furnish such supply of electricity to such owner or occupier at such charges and upon such terms and conditions as the Trustees shall from time to time prescribe.

Trustees may make a rebatement of charges.

**62** It shall be lawful for the Trustees from time to time to make such a rebatement as the Trustees shall think fit upon all moneys due and owing to the Trustees for electricity supplied under the provisions of this Act, and which shall be paid to the Trustees not later than Fourteen days after demand has been made for payment thereof.

Provision for testing.

**63** The Trustees shall, before supplying any person with electricity, test the normal strength and electric motive force of the electricity supplied to him if requested.

No form of lamp or burner to be prescribed, but contractor or workmen to be approved by Trustees.

**64** It shall not be lawful for the Trustees to prescribe any special form of lamp or burner to be used by any persons to whom the Trustees shall supply electricity for lighting purposes, but only such contractors, builders, artisans, workmen, and other persons as are approved by the Trustees, shall be employed by any person for the purpose of erecting or repairing any machinery, lamps, wires, pipes, conductors, apparatus, or appliance whatsoever to be used in supplying or producing light from electricity supplied by the Trustees.



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**65** Where several buildings are supplied with electricity by one common conductor, the respective owners or occupiers of such buildings shall be severally liable to the payment of the same charges for the supply of electric light as they would have been liable to if each of such several buildings had been supplied with electricity or gas by a separate conductor.

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Where several premises supplied by one conductor each to pay.

**66** The Trustees may from time to time let for hire to any consumer of motive power or electricity supplied by measure, any meter or instrument for measuring the quantity of energy or of electricity supplied and consumed, at such rent in money as shall from time to time be fixed by the Trustees in accordance with the provisions of this Act; also, any conductors, fittings, and apparatus for the conveyance, reception, transformation, storage, or otherwise utilising electricity for lighting, motive power, or any other purpose.

Trustees may provide meters.

**67** Any person acting under the authority of the Trustees may at all reasonable times enter any house, buildings, or lands to, through, or into which electricity is supplied by the Trustees by measure, in order to inspect the meters, instruments, wires, and apparatus for the measuring, conveyance, reception, or storage of electricity, or for the purpose of ascertaining the quantity of electricity supplied or consumed, and may from time to time enter any house, buildings, or lands for the purpose of removing any meter, instrument, wire, or apparatus, the property of the Trustees; and if any one hinders such person from entering or making such inspection, or effecting such removal, or if any one, not being an Officer or in the employ of the Trustees, in any manner injures or interferes with any meter placed for the purpose herein named, he shall for every such offence be liable to a penalty not exceeding Five Pounds, in addition to the amount of damage or injury done.

Officers of the Trustees may inspect meters.

**68** Every person requiring to remove or alter the position of any meter shall give Two days' notice in writing to that effect to the Trustees, who will cause a registration of the quantity of electricity used to be taken and such removal or alteration to be made; and the expense of so doing shall be paid by such person; and no alteration shall be made but by or under the direction of an Officer of the Trustees, nor until the permission of the Trustees has been obtained.

Notice of removal of or change in meter.

**69** Such meters, instruments, conductors, fittings, and apparatus shall not be subject to distress for rent of the premises where the same are used, and shall not 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 proceedings against or affecting the consumer of the electricity, or the occupier of the premises or other person in whose possession the meters, conductors, fittings, instruments, and apparatus may be.

Meters, &amp;c., not liable to seizure.

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Supply of electricity to places beyond the Town.

*Supply of Electricity to Districts beyond the Light District.*

**70** The Trustees may, at the request of the Local Authority of any Municipality or Town, or Road District adjoining the *Longford Light District*, erect in such Municipality, or Town, or Road District such works and machinery as may be necessary for supplying the inhabitants thereof with electricity for producing light or for other purposes, and if the Trustees shall at any time, at such request as aforesaid, construct and erect the necessary works for supplying electricity to any place outside the Light District, and the owner or occupier of any house, or building, or other premises in such other place as aforesaid shall require a supply of electricity for producing light, such supply shall in every case be furnished by the Trustees at such charges as shall from time to time be fixed by the Trustees in accordance with the provisions of this Act.

Boards may make contracts with Local Authority.

**71** The Trustees may from time to time make and enter into contracts with the Local Authority of any Municipality, or Town, or Road District for erecting, and maintaining electric lamps in such Municipality, or Town, or Road District, and supplying the same with light at such rate per lamp, and upon such other terms and conditions as may be mutually agreed upon.

Interpretation of the term Municipality.

**72** Any Municipality, or Town, or Road District adjoining a Municipality, or Town, or Road District in which the Trustees shall erect works for supplying electricity to the inhabitants thereof under the provisions of this Act, shall be deemed to be a Municipality, or Town, or Road District adjoining the Light District within the meaning of this Act.

Supply of light outside area boundaries.

**73** The Trustees may cause a supply of electricity for producing light or for other purposes to be brought to such places and Districts beyond the area as the Trustees see fit, upon the application of any owners or occupiers of houses, buildings, or other premises in any such place or District.

**PART VII.****LIGHTING RATE.**

Trustees to fix Light Rate.

**74** The Trustees shall, once or oftener in every year, make and levy a Light Rate or Light Rates to be paid by the respective owners or occupiers of all lands or houses or buildings within the Light District for the purposes of this Act; and such Rates in any one year may be of an amount not exceeding the sum of Ten Pounds per centum per annum, inclusive of any special Rate for interest on the assessed annual value of such property, according to the Assessment Roll in force for the time being.

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- 75** Upon the making of any Light Rate under this Act, a notice, signed by the Chairman and not less than Two other Trustees, specifying the amount of such Rate, the period for which the same is made, and at what times the same is payable, shall be published in the *Gazette* and also in at least Two numbers of a public newspaper circulating in the Light District; 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 Assessment Roll then in force for the purposes of this Act, 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 are hereinbefore mentioned.
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Upon making  
Rate notice of  
same to be given.
- 76** If any person liable as herein provided to pay any amount of Light Rate neglects to pay the same within due time after the same has been lawfully demanded, the Trustees, after giving Twenty-four hours' written notice of their intention so to do, may cut off or stop the supply of electricity to such person, by cutting off or discontinuing any electric wire or other motive by which electricity is supplied to the premises in respect of which such Rate is payable, or by such means as the Trustees think fit, and may recover the amount due from such person, with the expense of cutting off or stopping the supply of electricity, in the same manner as any Municipal Rate is recoverable.
- Rate how to be  
recovered.
- 77** All such Rates shall be payable in advance at such periods as the Trustees from time to time appoint, and shall be payable in the first instance by the occupier of the property at the time when the same is made payable by such notice as aforesaid.
- Rates payable,  
and occupiers  
liable for Rate in  
first instance.
- 78** In case at the time when any Rate is made payable by such notice as aforesaid there is no occupier of any property, or the occupier cannot be found or is not known, the Rate in respect of such property shall be payable by and recoverable from the owner in the first instance, who shall be entitled to recover the same from the tenant, if any, if not paid on demand, by distress as for rent in arrear, or as money paid to his use. But nothing herein shall affect as between themselves any agreement made between the landlord and tenant as to the payment of the Rate.
- If no occupier,  
owner liable in  
first instance.
- 79** In case any change of occupation of any property takes place after the time when any Rate is made payable by such notice as aforesaid, and before the Rate due in respect of such property is paid or recovered, it shall be lawful for the Trustees to recover such Rate in arrear from the person who is the occupier of such property at the time of demand or levy, as the case may be, or, if there is no such occupier, then from the owner of such property, and any such occupier, if tenant, shall be entitled to recover the same Rate so paid from the person who was occupier when the Rate became payable as money paid to his use; and any owner who has paid or from whom has been
- Provides for  
change of occu-  
pation.

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recovered any amount of Rate in any such case where there is an occupier at the time of demand or levy, may recover such amount of Rate from the tenant, if any, at the time when such amount of Rate was made payable.

Provides for  
change of owner  
ship.

**80** In case any change of ownership of any property takes place after the time when any Rate is made payable by such notice as aforesaid, and before the Rate due in respect of such property is paid or recovered, any amount of Rate in arrear paid by or recovered from the owner for the time being of such property shall be recoverable by him from the person who was the owner of such property when such amount of Rate became payable as money paid to his use.

Recovery of Rate  
in case of sub-  
division of pro-  
perty.

**81** Every owner or lessor of property in the Light District shall, upon request in writing, to be left at or posted to his usual residence, from the Chairman of the Trustees, deliver or cause to be delivered to such Chairman forthwith a statement in writing setting forth the names of the tenants or occupiers of his property or any part thereof, also the rent payable by each such tenant or occupier, and the area of their respective holdings; and if any owner or occupier neglects so to deliver or cause to be delivered such statement, he shall be liable to pay to the Trustees the Rate payable in respect of such property.

Recovery of Rate.

**82** Every such Rate shall be paid by the persons liable to pay the same to the Trustees or a Collector of Light Rate appointed by the Trustees; and in case any such person fails to pay the amount of any such Rate for which he is liable for the space of Fourteen days after the same has been demanded by any such Collector, it shall be lawful for any Justice of the Peace, and he is hereby authorised and required, to summon the defaulter to appear before him or any other Justice of the Peace, at a time and place to be mentioned in the summons, to show cause why the Rate in arrear should not be paid; and in case the defaulter fail to appear according to the exigency of the summons, or no sufficient cause for non-payment be shown, the Justice may, and he is hereby authorised and required, to grant a warrant under his hand authorising and directing any such Collector or some other fit person to distrain the goods and chattels of such person, whether the same are on the property in respect of which the Rate is payable or elsewhere, and to cause such goods and chattels when distrained to be sold, and out of the moneys to arise by such sale to pay all costs, charges, and expenses attendant upon such distress and sale, and in the next place to pay the amount of the Rate for which such distress and sale are made, and to pay over the surplus, if any, on demand, to the person whose goods and chattels have been so distrained and sold as aforesaid.

Demand of Rate.

**83** Any Rate may be demanded by any Collector of Light Rate by written or printed, or partly written and partly printed, notice, specifying the amount of Rate demanded, the date of making the Rate,

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and the property in respect of which the Rate is demanded, left at, or posted to the usual or last known place of abode of the person from whom the Rate is sought to be recovered, if such place can after diligent inquiry be discovered, but if not, then affixed to some conspicuous part of the property in respect of which the Rate is demanded.

**84** All goods and chattels whatsoever found upon the property in respect of which any such Rate is payable, to whomsoever the same may belong, shall be liable to be taken under Warrant of Distress issued for the recovery of such Rate : Provided, that in case of change of occupation as hereinbefore mentioned, the same shall not be liable after the expiration of Three months from the time when such Rate is made payable ; and such Warrant of Distress may be in the form in Schedule (4.).

All goods found on property liable to Rate.

**85** In event of any distress so made as aforesaid not realising sufficient to pay such Rates, costs, charges, and expenses as aforesaid, it shall be lawful from time to time to make further and other distress in manner aforesaid until the whole amount of such Rate, costs, charges, and expenses has been fully paid.

Further distress in case first is insufficient.

**86** The goods and chattels distrained under any such Warrant of Distress shall be sold and disposed of within any time, not being less than Four days, after the making of the distress.

Time of sale of goods distrained.

**87** Any person deeming himself aggrieved by the amount of the costs, charges, and expenses with which he is charged as attendant upon any such distress and sale, may forthwith apply to the Justice issuing the Warrant of Distress, and such Justice is hereby authorised and empowered, after proper investigation by taking any evidence the disputing parties may have to lay before him, to make such Order in the matter as to him seems just ; and any person who disobeys or fails to comply with such Order shall incur a penalty not exceeding Five Pounds.

Appeal to Justices against costs of Distress.

**88** No distress made under the authority of this Act shall be deemed unlawful, or the person making the same be deemed a trespasser, on account of any defect or want of form in the warrant of distress, or in any other proceeding relating to such distress ; nor shall the person distraining be deemed a trespasser *ab initio* on account of any irregularity which he may afterwards commit, but the person aggrieved by such irregularity may recover full satisfaction for special damage in an action on the case.

Distress not unlawful for want of form.

**89** The provisions of "An Act to facilitate the Collection and Recovery of Rates," and every Amendment thereof, shall be applicable to the collection and recovery of Rates under this Act.

Provisions of 22 Vict. No. 27 applied.

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Charges for light  
how recovered.

**90** 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 Trustees, and also of any charge for the supply of light by the Trustees under this Act, other than Light Rate, as in the case of any Light Rate.

Unpaid Rate  
shall be a charge  
upon property.

**91** Any unpaid Rate, with interest thereon at the rate of Four Pounds per centum per annum, shall be and remain a charge upon the property in respect of which such Rate is payable, and may be recovered at any future time as if the then occupier had himself been liable to the payment of the Rate so remaining unpaid; and the production of the receipt for such overdue Rate paid by or recovered from any tenant for any Rate due before the commencement of his tenancy shall be a discharge for the amount so paid or recovered in payment of rent to the landlord, and such landlord shall be entitled to recover from the person who was tenant when the Rate became payable the Rate to which such tenant was liable as money paid to his use.

Notice of inten-  
tion to let or sell.

**92** Whenever the Rate payable in respect of any property shall have been in arrear for the space of Five years and upwards, it shall be lawful for the Trustees to cause to be published for Three consecutive weeks in the *Gazette* and twice in a newspaper circulating in the Light District, a notice, specifying the property and the amount of Rate due in respect thereof, and stating that if the same be not paid within Six months from the first publication of such notice the Trustees will let the property from year to year as provided by this Act, or will apply to the Supreme Court for a sale thereof in the manner described in this Act.

Trustees may let  
from year to  
year.

**93** If after Six months from the first publication of such notice the said Rate due at the time of such first publication is still unpaid, the Trustees may let such property, or any part thereof, from year to year, and may receive the rents and profits thereof and apply the same towards the payment of the said Rate or part thereof, and of the interest payable thereon at the rate of Four Pounds per centum per annum as aforesaid, and of costs, charges, and expenses, and hold any surplus in trust for the rightful owner of such property.

Trustees may  
apply to Supreme  
Court for sale.

**94** If after Six months from the first publication of such notice the said Rate due at the time of such first publication is still unpaid, the Trustees, instead of letting such property, may, by petition to the Supreme Court, or a Judge thereof, apply for a sale of the property described in such notice, or of so much thereof as may be necessary to produce the amount of Rate due in respect thereof, and of the interest payable; thereon and the Court or Judge, on being satisfied by affidavit or otherwise that Six calendar months' notice of such petition has been served on the owner of such land, or left at his usual or last known place of abode in *Tasmania*, or, in case no owner can be found, then

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that such notice has been affixed and has constantly been kept affixed in a conspicuous place upon such property, and has also been inserted for Three weeks in the *Gazette* and twice in a newspaper circulating in the Light District, and that the Rate alleged to be in arrear is lawfully due and was in arrear at the time of the first publication of such notice in the *Gazette*, and that all things required by this Act to be done by the Trustees have been done, shall order the sale of the said property or so much thereof as shall be sufficient to pay all Rates due or accrued due in respect of such property up to the time of sale, and the interest payable thereon, together with all costs, charges, and expenses of and attending the application, and of and attending the sale of such property, and that the proceeds be paid into Court.

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**95** The Supreme Court or a Judge thereof shall order payment of the said Rate and interest thereon, costs, charges, and expenses to be first made out of the proceeds of the sale, and the conveyance or transfer, as the case may be, shall be executed by the Registrar or such other officer of the Court as the Court may direct, to the purchaser, his heirs and assigns, in such form as shall be approved by the Court or a Judge; and such conveyance or transfer shall vest the property sold in the purchaser for an estate in fee simple free from encumbrances, and in cases where the land is under *The Real Property Act* the purchaser shall be entitled to receive a Certificate of Title to the property purchased; and the balance arising from the proceeds of such sale shall be subject to any Orders of the Court for the benefit of the parties interested therein.

Application of proceeds of sale.

**96** It shall be lawful for the Trustees, upon the complaint of any person liable to the payment of any Rate, to remit or excuse the payment thereof, or any part thereof, on account of the poverty of such person; and the Trustees shall also remit payment of half the Rate whenever the house in respect of which such Rate is levied has been unoccupied for the unbroken period of Six calendar months or upwards during the year for which such Rate is levied: Provided application in writing be made, and the applicant satisfy the Chairman of Trustees that such house has been so unoccupied.

Power to remit Rates on account of poverty.

**PART VIII.****POWER TO BORROW.**

**97** It shall and may be lawful for the Trustees to borrow as herein provided any sum or sums of money not exceeding in the whole Three thousand Pounds (£3000), for carrying out the objects of this Act under and subject to the provisions of "The Local Public Works Loans Act, 1890," or any Amendment thereof: Provided, that it shall not be necessary to lay before both Houses of Parliament plans or specifications

Governor in Council may grant loan.

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of any proposed work, nor the report of the Engineer-in-Chief thereon, as provided in Section Two of the said Act ; but before any part of the said sums is advanced to the Trustees, plans and specifications of the proposed works for which such sums are required so to be used shall be submitted to and approved by the Governor in Council.

Powers of  
45 Vict. No. 16  
to be exercised by  
Trustees.

**98** The power to borrow money hereinbefore conferred upon the Trustees shall be exercised in accordance with and subject to the provisions of "The Local Bodies Loans Act," and whenever in that Act the terms "Local Bodies," or "Municipal Council," or "Municipality" are used, the same shall, for the purposes of this Act, be deemed to mean the Trustees of the Light District of *Longford* ; and the terms "Warden" and "Council Clerk" shall, for the purposes of this Act, respectively be deemed to mean the Chairman of the Trustees and the Secretary to the said Trustees : Provided, that Sections Five, Seven, Eight, Nine, and Twenty-eight of "The Local Bodies Loans Act" shall not apply to this Act.

## PART IX.

## OFFICERS AND THEIR ACCOUNTABILITY.

Power to appoint  
Officers.

**99**—(1.) The Trustees shall, from time to time, appoint a Treasurer, who may be one of the Trustees, and a Secretary, and may, from time to time, appoint and employ a Solicitor, Clerk, and such Inspectors, Engineers, Surveyors, Collectors of Light Rate, and other officers as the Trustees think necessary and proper ; and from time to time may remove any of such officers, and appoint others in the room of such as are so removed, or as may die, resign, or discontinue their offices ; and may, out of the moneys at the disposal of the Trustees under this Act, pay such salaries and allowances to the said officers respectively as the Trustees think reasonable.

(2.) Nothing herein contained shall prevent the same person from being appointed to hold more than one of such offices at the same time, if the Trustees so think fit, except as hereinafter provided.

(3.) It shall not be lawful for the Trustees to appoint the same person to be a Collector and also Treasurer of the Trustees.

Trustees not to  
be Officers.

**100** Every person holding any office or place of profit in the gift or disposal of the Trustees, other than that of Treasurer, shall be disqualified from being a Trustee, and if any Trustee is appointed to any such office or place of profit he shall thereupon cease to be a Trustee : Provided, that any Trustee who is appointed Treasurer shall be liable to all the provisions of this Act relating to such officer in the same manner as if he were not a Trustee.



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**101** Before any person, whether Treasurer, Clerk, Collector, or other officer, who is entrusted by the Trustees with the custody or control of moneys by virtue of his office, enters upon such office, the Chairman of Trustees shall take sufficient security for the faithful execution thereof.

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Security from  
Officers.

**102** Every officer or person employed by the Trustees shall, in books to be provided by the Trustees for that purpose, enter true accounts of all sums of money by him received and paid, and of the several matters for which such sums have been received and paid, and of all acts done by him by direction of the Trustees; and such books shall at all times be open to the inspection of any Trustee.

Officers to keep  
account books.

**103** Every Collector or other officer appointed or employed by the Trustees to collect money shall, within Seven days after he has received any moneys on behalf of the Trustees, pay over the same to their Treasurer, and the receipt of such Treasurer for the moneys so paid shall be a sufficient discharge to such Collector or other Officer; and every such Collector or officer shall, in such time and in such manner as the Trustees direct, deliver to the Trustees true and perfect accounts in writing under his hand of all moneys received by him, and of all moneys paid by him to the said Treasurer, and also a list of the names of all persons who have neglected or refused to pay any moneys owing by them, with a statement of the moneys due from them respectively.

Payment over of  
moneys by  
Officers.

**104** Every Collector and other officer appointed or employed by the Trustees shall, from time to time, when required by the Trustees, make out and deliver to the Trustees, or to any person appointed by the Trustees for that purpose, a true and perfect account in writing under his hand of all moneys received by him on behalf of the Trustees; and such account shall state how, and to whom, and for what purpose such moneys have been disposed of; and together with such account such officer shall deliver the vouchers and receipts for such payments; and every such officer shall pay to the Trustees or to any person appointed by the Trustees to receive the same, all moneys which appear to be owing from him upon the balance of such accounts.

Officers to  
account.

**105** If any such Collector or other officer fails to render such accounts as aforesaid, or to produce and deliver up all books, vouchers, and receipts relating to the same in his possession or power, or to pay the balance thereof when thereunto required, or if for Five days after being thereunto required he fails to deliver up to the Trustees, or to any person appointed by the Trustees to receive the same, all books, papers, and writings, property, effects, matters, and things in his possession or power relating to the execution of his office or belonging to the Trustees, then, on complaint thereof being made to a Justice, such Justice shall summon such officer to appear before Two or more Justices at a time and place to be set forth in such summons, to answer such charge; and

Summary pro-  
ceedings against  
Officers failing to  
account.

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upon the appearance of such officer, or upon proof that such summons was personally served upon him, or left at his last known place of abode, such Justices may hear and determine the matter in a summary way, and may adjust and declare the balance owing by such officer; and if it appears, either upon confession of such officer, or upon evidence, or upon inspection of the accounts, that any moneys of the Trustees are in the hands of such officer, or owing by him to the Trustees, such Justices may order such officer to pay the same; and if he fails to pay the amount, it shall be lawful for such Justice to grant a warrant to levy the same by distress, and in default of sufficient distress to commit the offender to gaol, there to remain without bail for a period not exceeding Three months, unless the same is sooner paid.

Proceedings on refusal to give up books.

**106** If any officer summoned as aforesaid refuses to make out such account in writing, or to produce and deliver to the Justices the several vouchers and receipts relating thereto, or to deliver up any books, papers, or writings, property, effects, matters, or things in his possession or power belonging to the Trustees, such Justices may commit such offender to gaol, there to remain until he has delivered up all the vouchers and receipts in his possession or power relating to such accounts, and all the books, papers, writings, property, effects, matters, and things in his possession or power belonging to the Trustees.

If Officer about to abscond warrant may be issued.

**107** If any Trustee, or other person acting on behalf of the Trustees, makes oath that he has good reason to believe, upon grounds to be stated in his deposition, and does believe, that it is the intention of any such officer as aforesaid to abscond, the Justice before whom the complaint is made may, instead of issuing his summons, issue his warrant, for bringing such officer before Two such Justices as aforesaid; but no person executing such warrant shall keep such officer in custody longer than Twenty-four hours without bringing him before Two or more Justices; and the Justices before whom such officer is brought may either discharge such officer if they think there is no sufficient ground for his detention, or order for such officer to be detained in custody so as to be brought before Two or more Justices, at a time and place to be named in such Order, unless such officer gives bail to the satisfaction of such Justices for his appearance before Two or more Justices to answer the complaint of the Trustees.

Proceedings against Officers not to discharge sureties.

**108** No such proceeding against or dealing with any such officer as aforesaid shall deprive the Trustees of any remedy which they would otherwise have had against such officer or any surety or such officer.

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## PART X.

## ACCOUNTS.

**109** The Trustees shall cause books to be provided and kept, and true and regular accounts to be entered therein, of all sums of money received and paid under the authority of this Act, and of the several purposes for which such sums of money have been received and paid, which books shall at all reasonable times be open to the inspection of any Trustee or creditor of the Trustees, without fee or reward, and the persons aforesaid, or any of them, may make copies of or extracts from the said books without paying anything for the same; and any person having the custody of the said books who does not, on the reasonable demand of any Trustee, permit him to inspect the said books, or to take such copies or extracts as aforesaid, shall for every such offence incur a penalty not exceeding Five Pounds.

Trustees to keep accounts of receipts and disbursements.

**110** The Trustees shall, before the end of the second week in the month of *January* in each year, cause the accounts of the Trustees up to and including the last day of *December* next preceding to be balanced, and also cause full and true statements and accounts to be drawn out of the amount of all rates made and levied, and of all moneys received and expended during the preceding year, and also of all debts then owing by and to the Trustees, and such statement and account shall be signed by the Chairman and not less than Two Trustees.

Statement and account to be annually prepared.

**111** The accounts of the Trustees mentioned in the Two preceding Sections of this Act shall be subject and liable to all the provisions of "The Audit Act 1888," in the same manner as the accounts of Trustees of Road Districts are now subject and liable; and the statements and accounts mentioned in Section One hundred and ten of this Act shall be forwarded to the Auditor-General during the month of *February* in every year; and the statement and account of all moneys received and expended, with the report of the said Auditor-General thereon, shall be published in the *Gazette* as soon as may be after the same have been audited; and a copy of such *Gazette* shall be affixed by the Trustees on or near the door of the Municipal Chambers at *Longford*.

Audit of accounts.  
52 Vict. No. 43.

**112** All moneys whatsoever levied, received, or recovered under the authority of this Act shall be at the sole and absolute disposal of the Trustees, to be by them applied in such manner as they see fit in carrying out and effectuating the purposes of this Act, and to no other purpose.

Appropriation.

**113** As soon as the moneys at any time in the hands of the Collector or the Treasurer of the Trustees shall amount to Five Pounds he shall forthwith pay the same into some public bank in this State to the account of the Trustees; and no part of such moneys shall be drawn

Moneys received to be paid into bank.

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out of such bank except by cheque signed by the Treasurer and One of the Trustees. The Treasurer shall cause the Trustees' Bank Pass-book to be laid upon the table at every meeting of the Trustees.

**PART XI.****WASTE OR MISUSE OF ELECTRICITY.**

Electric service works to be kept in repair.

**114** If any person when required by the Trustees neglects to keep in repair any of the works by which his premises are supplied with electricity under the authority of this Act, the Trustees may cut off the supply of electricity from such premises until such works are sufficiently repaired; and the Trustees may repair such works, and the cost of repairing the same shall be repaid to the Trustees by the person neglecting to repair the same, and may be recovered by the Trustees from such person in a summary way.

Penalty for obstructing Trustees.

**115** The inspector or any other person acting under the authority of the Trustees may, at any time by night or by day, enter into any house or premises supplied with electricity under the authority of this Act, in order to examine if there is any waste or misuse of such electricity, and the condition or state of repair of wires or works by which such electricity is supplied to such house or premises; and if such inspector or other person is at any such time refused admittance into such house or premises for the purposes aforesaid, the Trustees may cut off the supply of electricity from such house or premises.

**PART XII.****OFFENCES.**

Power to enter premises to inspect.

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

Allowing persons not supplied to use the electricity.

**117** Every owner or occupier of any premises supplied with electricity under this Act who supplies to any other person, or wilfully permits him to take any of such electricity from any conductor or pipe or service in or on such premises, shall, for every such offence incur a penalty not exceeding Twenty Pounds.

Taking electricity, &c., without authority.

**118** Every person, who, without due authority, takes any electricity from any wire or conductor, or service or other work belonging to the Trustees, shall, for every such offence, incur a penalty not exceeding Twenty Pounds.

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- 119** Any person who makes any wire or conductor to communicate with any wire or conductor, or service wires, or other work belonging to the Trustees, without the authority of the Trustees in that behalf, shall incur a penalty not exceeding Twenty Pounds.
- 120** Any person who carelessly or accidentally breaks, throws down, or damages any electric line or service, or any pillar, post, lamp, or other works belonging to the Trustees or under their control, shall forfeit and pay to the Trustees for the damage so done by way of satisfaction, such sum of money as will compensate the Trustees therefor.
- 121** Any person who breaks, throws down, or damages any electric line or service, or any pillar, post, lamp, or other works belonging to the Trustees or under their control, and fails to forthwith report the same to be Trustees' Electrical Engineer, Inspector, or Secretary, shall be liable to forfeit and pay to the Trustees a sum not exceeding Ten Pounds, in addition to the amount of damage.
- 122** 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.
- 123** All penalties for offences against this Act shall be applied to the use of the Trustees and shall be paid to the Treasurer of the Trustees, and shall be carried to the credit of the Electric Light Account.
- 124** Where no other mode is provided in this Act, all fines and penalties 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 Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.
- 125** 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*.
- 126** Every person convicted of any of the offences hereinbefore mentioned may be ordered to pay, in addition to the penalty attached to the offence, a sum equal to the value of the properly damaged or destroyed by him in the act of committing the offence.

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Attaching any conductor, &amp;c., without authority.

Persons damaging any electric line or service, &amp;c., to pay compensation.

Persons failing to report damage.

Accessories to offences liable as principals.

Appropriation of penalties.

Recovery of fines, penalties, &amp;c.

19 Vict. No. 8.

Appeal.

Persons convicted of offence may be ordered to pay sum of money equal to value of property damaged.

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## PART XIII.

## BY-LAWS.

By-laws.

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

For regulating the charges, terms, and conditions upon which electricity shall be applied to any person under the authority of this Act:

For regulating the description of conductors, wires, pipes, service, and other apparatus by means of which electricity may be laid on, distributed or supplied by the Trustees, and for prohibiting the use of any other description of conductors, wires, apparatus, pipes, or service:—

For regulating all other matters and things which may be found to be necessary or proper in connection with the supply of electricity under this Act:

For preventing injury to any of the works, or machinery, or apparatus erected by or belonging to the Trustees for the generation or transmission of electricity, 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 service, or by such pecuniary penalty, not exceeding in any case the sum of Twenty Pounds, as the Trustees think proper.

By-law to be certified by Attorney-General or Solicitor-General.

**128** No By-law to be made by the Trustees shall be of any force and effect until it has been certified by the Attorney-General or Solicitor-General not to be repugnant to this Act, or to the general spirit or intendment of the laws in force in *Tasmania*, and published in the *Gazette*.

## PART XIV.

## MISCELLANEOUS.

Interest in execution of Act not to be a disqualification.

**129** 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 ratepayer of the Light District, or by reason of his being liable to any rate or charge for electricity supplied, under this Act or of his premises being supplied or being so situated as to be capable of being supplied with electricity or electric light under this Act.

Trustees may sue and be sued.

**130** The Trustees may sue and be sued, and all proceedings before any Court, or a Judge of any Court, and all proceedings taken or adopted in pursuance of the provisions of this Act may be taken or adopted

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by or against them by the name of the Trustees of the *Longford* Light District, or if the Trustees of the *Longford* Water District be appointed Trustees under this Act as the Trustees of the *Longford* Water District, without otherwise naming such Trustees, and service of any legal process on the Chairman or Secretary shall be deemed and taken as good service on the said Trustees.

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**131** The property in all land vested in, taken, or purchased by the Trustees, and in all moneys at their disposal for the purposes of this Act, and in all works, with the several appliances and appurtenances thereto belonging, and the materials of which the same consist, and all materials, tools, implements, and things furnished and provided by the Trustees for the purposes of this Act, shall, for the purposes of this Act, be vested in the Trustees; and in any proceedings, civil or criminal, relating to such land, works, money, or property so vested in the Trustees for the purposes of this Act, it shall be sufficient to describe such property, works, or money as "the property, works, or money of the Trustees of the *Longford* Light District;" or if the Trustees of the *Longford* Water District be appointed Trustees under this Act, it shall be sufficient to describe such property, works, or money as the property, works, or money of the Trustees of the *Longford* Water District.

Property may be laid in the Trustees.

**132** All sums of money payable by any person for electricity supplied by the Trustees under the provisions of this Act shall be a debt due by such person to the Trustees, and shall be recoverable by the Trustees from such person in any Court of competent jurisdiction, as well as by any other mode provided by this Act.

Moneys payable for electricity to be recoverable in any court of competent jurisdiction.

**133** In any proceedings under "The Bankruptcy Act, 1870," or any other Act regulating the distribution of the estate or assets of any bankrupt or insolvent debtor, any sum of money owing to the Trustees for electricity, or light, or energy, or motive power, or any other purpose, supplied to any person by the Trustees, by measure or under any contract authorised by the said Act, shall rank as taxes and rates within the meaning of Section Thirty-one of "The Bankruptcy Act, 1870," and shall have the like priority in the order of payment of the debts of the bankrupt or insolvent debtor.

Moneys owing to Board under this Act to be preferential claims in bankruptcy.

**134** Whenever by this Act authority is conferred on the Trustees 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 Trustees, and to all necessary agents, assistants, servants, workmen, means and appliances whatsoever.

Powers conferred on Trustees to extend to Officers duly authorised.

**135** Every book in which orders and proceedings are entered under the provisions of this Act shall be received as *prima facie* evidence in all Courts, and before all Judges, Justices of the Peace and others, that

Books containing records to be evidence in Courts of Justice, &c.

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such orders and proceedings were duly made and had ; and the onus of proving that such orders and proceedings respectively were not duly made and had shall in all cases rest upon the defendant or the party disputing the validity thereof.

Power to award costs.

**136** In all proceedings whatever for the recovery of any rates or charges for the supply of Light under this Act, and in all other proceedings before Justices in pursuance of this Act, it shall be lawful for the Justice or Justices in his or their discretion to award and order that the defendant shall pay such costs as to such Justice or Justices shall seem just and reasonable in that behalf ; and in cases where such Justice or Justices, 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 or order to the defendant such costs as to such Justice or Justices shall seem just and reasonable, and the sum so allowed for costs shall in all cases be specified in the order or orders of dismissal as aforesaid, and the same shall be recoverable in the same manner and under the same Warrants as any penalty or sum of money adjudged to be paid in and by such Order is to be 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, and in default of such distress by imprisonment, with or without hard labour, for any time not exceeding One month, unless such costs shall be sooner paid.

Persons acting under Act entitled to notice of action, &c.

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

Contracts, &c., entered into to be continued.

**138** All contracts, rights, privileges, obligations, or liabilities entered into, acquired, accrued, or incurred by the Trustees for the time being under this Act shall be binding, both for and against, and belong to any Trustees subsequently appointed or elected under this Act, and any



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proceedings commenced by or against such firstnamed Trustees may be continued by or against such Trustees subsequently appointed or elected without it being necessary in such proceedings to alter or amend the pleadings or other Court records by inserting the names of such Trustees subsequently appointed instead of the names of the Trustees by whom such proceedings were commenced, but any Judgment order or award shall be made against the Trustees at the time of such Judgment order or award acting or being the Trustees under this Act. A.D. 1903.

**139** If after any rate be made or levied under this Act the Light District be subsequently altered or increased before such rate is made payable, such rate shall be paid by the owners or occupiers within the Light District (as altered or increased) on the date when such rate is made payable, and may be levied and recovered from such owners and occupiers in the same manner as if they were the owners and occupiers within the Light District at the time of the making or levying of the rate, and also at the time when the same was made payable. Rates made to be paid by occupiers in district when rate payable.

**140** Upon the alteration or increasing of the Light District as hereinbefore provided, if no new Trustees be appointed, it shall not be necessary thereupon to hold any fresh election of Trustees, but the Trustees of the Light District for the time being acting under this Act shall be the Trustees for such altered or increased district, but subject to the provisions hereinbefore contained as to the retirement and re-election of Trustees. If district altered, no new trustees to be appointed.

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SCHEDULES.

(1.)

BALLOT PAPER.

FOR.

AGAINST.

If you are in favour of the request to the Governor in Council to extend the Longford Light District and make it the same in size and area as the Longford Water District, and to appoint the Trustees of the Longford Water District to be the Trustees under this Act being granted, you will strike out the word "Against." If you are opposed to such request being granted you will strike out the word "For."

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(2.)

The                      day of                      1903.

We, the undersigned Landholders of the Light District of Longford do hereby nominate [stating Christian name and Surname] of                      , [and state occupation], as a fit and proper person for election as Trustee of the said Light District.  
[Here are to follow the signatures in the following form] :--

Surname and Christian name of Landowner.	Place of Residence.

I, the above-named                      consent to become a candidate at the Election of Trustees [*or* Trustee] of the Light District of Longford.

(3.)

I *A.B.*, having been elected [*or* appointed] a Trustee of the Light District of Longford, do hereby solemnly declare that I take the said office upon myself, and will duly and faithfully fulfil the duties thereof according to the best of my judgment and ability.

Taken and declared before me, at                      in }  
Tasmania, this                      day of                      , One }  
thousand nine hundred and three.

A Justice of the Peace.

(4.)

## DISTRESS WARRANT FOR LIGHT RATE.

*Tasmania to Wit.*

To *X.Y.*, a Collector of the Light Rate for the Light District of Longford,  
"or some other fit person."

WHEREAS complaint has been made before [*me*] a Justice of the Peace that *A.B.* of                      has not paid the sum of                      payable by him in respect of certain property situate [describe property fully] by virtue of the Light Rate for the Light District of Longford, made on or about the                      day of                      , 19                      , although the same has been duly demanded of him : And whereas it appears to me upon the oath of [the said *X.Y.*] a Collector of Light Rate for the said Light District, that the said sum of                      has been duly demanded by him from the said *A.B.*, and that the said *A.B.* has failed to pay the same for the space of                      days after such demand made, and has not paid the same : And whereas the said *A.B.* having appeared before me in pursuance of a Summons issued by [*me*] for that purpose has not shown sufficient cause why the said sum of                      should not be paid : [*or*, And whereas it has been proved to me upon oath that the said *A.B.* has been summoned to appear before [*me*] or such other Justice of the Peace as might now be here, to show cause why the said

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sum of            should not be paid, and the said *A.B.* has neglected to appear according to such Summons, and has not shown any sufficient cause why the said sum of            has not been paid:] These are therefore to command you to forthwith to make Distress of the Goods and Chattels of the said *A.B.* wheresoever the same may be found, and also of all Goods and Chattels found by you upon the said property to whomsoever the same may belong; and unless at any time within the space of [*four*] days after such Distress by you made the said sum of £           , and the sum of £            for costs, making together the sum of £            together with all costs, charges, and expenses attending upon such Distress and Sale, be paid to you, that you cause the said goods and chattels so by you distrained to be sold, and out of the money arising by such sale that you detain the said sum of £           , and also all costs, charges, and expenses attending upon such distress and sale, rendering to the said *A.B.* or other person whose Goods and Chattels are so distrained by you, as the case may be, the overplus, if any, on demand, [in case the Warrant is directed to some other person than the Collector, and the said sum of            you are hereby commanded to pay to (the said *X.X.* the said Collector of Light Rate)], and if no sufficient Distress can be made of the Goods and Chattels of the said *A.B.*, or otherwise as aforesaid, that then you certify the same to me, together with this Warrant.

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Given under my hand this            day of            19 .

*J.P.**Justice of the Peace.*

(5.)

## LONGFORD LIGHTING AREA.

Commencing at the iron Railway bridge at the north-west corner on the South Esk River in a westerly direction along the southern boundary of the Western Railway line to George-street thence along George-street in a southerly direction to its intersection with Gay-street thence by the northern boundary of Gay-street in a westerly direction to Herbert's Road thence by Herbert's Road to its intersection with High-street thence by the south boundary of High-street in an easterly direction to William-street thence by William-street in a north-easterly direction to the south-west boundary of Catherine-street thence by the western boundary of Catherine-street in a southerly direction to its intersection with the southern boundary of Bulwer-street thence by Bulwer-street in a straight line in an easterly direction to a point 19 chains east of Wellington-street from thence in a straight line northerly to the angle of Littleton-street adjoining Lake River thence by that river to point of commencement.

