



ANNO TRICESIMO TERTIO ET TRICESIMO QUARTO

# VICTORIÆ REGINÆ.

A.D. 1870-71.

## No. 15.

*An Act to provide for the Water Supply of the Suburbs of Port Adelaide.*

[Assented to, 13th January, 1871.]

**W**HEREAS it is expedient that provisions should be made for introducing a supply of pure water for the use of the inhabitants of the Suburbs of Port Adelaide, and for raising the necessary funds for the said purpose in manner hereinafter mentioned: And whereas a plan, showing the Districts which it is proposed to supply, has been deposited in the office of the Surveyor-General—Be it therefore Enacted by the Governor of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows: Preamble.

1. This Act may be cited and referred to for all purposes, as "The Port Adelaide Suburban Waterworks Act, 1870-71." Short title of Act.

2. Clause 9 of "The Port Adelaide Waterworks Act, 1863," is hereby repealed. Repeal.

3. This Act and "The Port Adelaide Waterworks Act, 1863," shall be incorporated and read together as forming one Act. Incorporation.

4. In the construction of this Act and of the said "The Port Adelaide Waterworks Act, 1863," when not inconsistent with the context, the expression "The undertaking" shall, in addition to the meaning assigned thereto by the said "The Port Adelaide Waterworks Act, 1863," be taken to mean and include the Waterworks and the works connected therewith hereby authorized to be constructed; and the expression "Lands and streams" shall, in addition Interpretation.

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to the meaning assigned thereto by the said Act, be held to mean and include the lands and streams of water hereby authorized to be taken or used for the purposes hereof; and whenever in the said Act the expression "The Waterworks" is used, the same shall also be taken to mean and include the waterworks and works connected therewith hereby authorized to be constructed.

Treasurer to raise  
£26,000.

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

Form of bond.

No.

£

No.

South Australian Government Securities.

I, the Treasurer of the Province of South Australia, in consideration of the sum of \_\_\_\_\_ Pounds paid to me for public purposes, do hereby bind myself to pay to the holder for the time being of this present obligation the sum of \_\_\_\_\_ Pounds, and interest thereon after the rate of five per cent. per annum; such interest to be payable on the first day of January and the first day of July in every year, and the principal to be paid on the first day of \_\_\_\_\_, in the year one thousand \_\_\_\_\_ hundred and \_\_\_\_\_.

Sealed with my seal. Dated the \_\_\_\_\_ day of \_\_\_\_\_ one thousand eight hundred and \_\_\_\_\_.

Signed, sealed and delivered, in }  
the presence of }

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

Bonds to bear interest  
at five per cent.

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

When payable.

Money raised by  
bonds, how applied.

7. All sums of money raised and received by the Treasurer upon the security of the said bonds shall be carried by the said Treasurer to the credit of the Commissioner, for the construction, completion, and

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and management of the said suburban waterworks, and other works connected therewith, for the supply of water to the districts delineated in the said plan so deposited in the office of the Surveyor-General, and described in the Schedule hereto marked A, and shall be by him paid to the said Commissioner, in such amount and manner as the Governor, by any warrant under his hand, may from time to time authorize and direct.

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

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

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

Governor may advance moneys, to be repaid.

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

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

11. A full and sufficient supply of water shall be afforded to the Corporation of the Town of Port Adelaide, for the purpose of watering the streets of the said Town, and to all the buildings and establishments of the said Corporation, free of charge.

Water for streets and Corporation buildings free of charge.

12. The said "The Port Adelaide Waterworks Act, 1863" shall be read as if the works hereby authorized to be constructed had been thereby authorized to be constructed, and all powers, authorities, and discretions thereby given to the Commissioner, or other person, shall extend to the works hereby authorized to be constructed.

Port Adelaide Waterworks Act to be construed herewith.

13. The Commissioner shall, on such days as shall be respectively fixed in that behalf, by notice in the *South Australian Government Gazette*, and every year thereafter, make and bring into force an assessment of any lands within the districts in the said Schedule hereto, marked A, described, not being the property of the Crown, according to the full, fair, and average estimated annual value of the same, clear of all outgoings, and the assessment shall be written in a book, specifying in different columns the names of the respective

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spective occupiers and owners, or agents of owners, so far as the same can be ascertained, the estimated annual value of the several lands, and a description of the same, showing which of the said lands are vacant lands, and all the provisions in the said "The Port Adelaide Waterworks Act, 1863," in relation to the assessment thereby authorized to be made, shall apply to the assessment hereby authorized to be made (so far as the same are applicable thereto), as fully and effectually as if the assessment hereby authorized to be made had been authorized to be made by the said Act.

Provisions of Port Adelaide Waterworks Act, 1863, to extend to this Act.

14. All the provisions of the said "The Port Adelaide Waterworks Act, 1863," in reference to rates, procedure, accounts of receipt and expenditure, penalties, fire plugs, and all other provisions of the said Act (and the form in the Schedules to the said, altered as may be required) shall apply to the undertaking hereby authorized (so far as the same are applicable thereto) as fully and effectually as if the said undertaking had been authorized by the said Act.

Governor in Council may make by-laws.

15. For the better enforcing the observance of all or any of the provisions of this Act, or of "The Port Adelaide Waterworks Act, 1863," it shall be lawful for the Governor, with the advice and consent of the Executive Council, from time to time, to make by-laws, and from time to time to repeal or alter such by-laws; and every person offending against any such by-laws shall forfeit and pay for every such offence such sum, not exceeding Ten Pounds, as may be by any such by-laws imposed; and any such fine or penalty may be recovered in a summary way, by and before two Justices of the Peace for the said Province, in the same manner as if the same had been imposed by this Act or by "The Port Adelaide Waterworks Act, 1863."

Proof of by-laws.

16. The production of a printed paper, purporting to be a *South Australian Government Gazette*, shall be *prima facie* evidence that any such by-laws printed therein, purporting to be made under the provisions hereof, have been so made.

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

JAMES FERGUSSON, Governor.

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## SCHEDULE A.

*Port Road.*

Bounded on the north-east by the south-western boundaries of Preliminary Sections 370, 371, 374, 375, 376, 387, 388, 397, 398, 405, 406, 407, 419, 420, 423, Sections 454A, 2300A, 699, Hundred of Yatala, and Section 704 Hundred of Port Adelaide; and on the south-west by the north-eastern boundaries of Preliminary Sections 353, 372, 373, 389, 394, 395, 396, 408, 409, 417, 418, 424, 443, eastern boundary of Section 1129, Hundred of Yatala, and eastern and north-eastern boundary of Section 1130, Hundreds of Yatala and Port Adelaide.

*Township of Alberton.*

Commencing at the south corner of Preliminary Section 423, Hundred of Yatala; thence north-easterly, along the south-eastern boundary of said Section and its production, across the road to the south-western boundary of Preliminary Section 422; thence north-westerly along said boundary to a point opposite the north corner of Section 454; thence south-westerly and south-easterly, along the north-western and south-western boundaries of said Section to its south corner; thence south-westerly and south-easterly, along the south-eastern boundary of Section 454A, and south-western boundary of Preliminary Section 423, to the south corner of said Section, the point of commencement.

*Queenstown.*

Bounded, on the north-east, by the south-west side of the Port Road; on the south-west, by the north-eastern side of the Old Port Road; and, on the north-west, by the north-western boundary of Preliminary Section 443.

*Port Land Estate.*

Commencing at the south-eastern corner of Section 1128; thence, northerly, along the eastern boundaries of Section 1128 and 1131 to the north corner of the latter Section; thence, north-easterly, along the north-western boundary of 1130, to the western side of the Port Road; thence, southerly, along the west side of said road to the north-corner of Queenstown; thence, south-westerly, along the north-western boundary of Queenstown to the south-eastern corner of Section 1128, the point of commencement.

*District of Glanville and Township of Semaphore.*

Bounded on western side by sea-coast; on eastern side by western side of the Port Adelaide Creek; on southern side by the northern boundary line of Section 1006; on northern side by the northern boundary lines of Sections 1055, 1114, 1111, 1105, and 1107.

*District of Kingston-on-Hill and Rosewater.*

Bounded on the northern side by the Port Adelaide and Dry Creek Railway; on western side and south-west by the Adelaide and Port Adelaide Railway; on east by eastern boundary lines of Sections 1185, 1189, 422, and 423.