ANNO SEXAGESIMO ET SEXAGESIMO PRIMO

VICTORIÆ REGINÆ.

A.D. 1897.

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Private Act.

An Act to authorise and empower "The South Australian Electric Light and Motive Power Company, Limited," to carry on, at Adelaide and elsewhere in South Australia, the business of an Electric Light and Motive Power Company, and to generate, accumulate, distribute, and supply Electricity for motive power and lighting purposes, and, by means of Electricity, to light cities, towns, streets, docks, markets, public and private buildings and places.

[Assented to, December 11th, 1897.]

WHEREAS a Joint Stock Company, under the name of "The South Australian Electric Light and Motive Power Company, Limited," has been lately registered and incorporated under "The Companies Act, 1892," with the objects (amongst others) to carry on, at Adelaide and elsewhere within the province of South Australia, the business of an Electric Light and Motive Power Company in all its branches, and to generate, accumulate, distribute, and supply electricity for motive power and lighting purposes, and by means of electricity to light cities, towns, streets, docks, markets, public and private buildings and places: And whereas at a poll of the citizens of the City of Adelaide, taken for the purpose of deciding whether the electric lighting of the said city should be undertaken by the Corporation of Adelaide, the decision of such poll was adverse thereto: And whereas the lighting by means of electricity of cities, towns, streets, docks, markets, public and private buildings, and places, and other
other works provided by this Bill has not been undertaken by any other municipality or company: And whereas it is desirable that power should be given to any company desirous of undertaking such work, and the South Australian Electric Light and Motive Power Company, Limited, is desirous of undertaking such work: And whereas the authority of Parliament is requisite to enable the Company to carry out the objects for which it has been formed in such manner as will be most beneficial to the general public and to the Company, and it is therefore desirable to confer on the Company all rights, powers, privileges, and immunities necessary or convenient for the construction of the said works—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:

1. This Act may be cited for all purposes as "The South Australian Electric Light and Motive Power Company's Act, 1897."

2. The following words and expressions in this Act shall have the several meanings assigned to them unless there be something in the subject matter or context repugnant to or inconsistent with such construction, that is to say:

"The company." The expression "the Company" shall mean The South Australian Electric Light and Motive Power Company, Limited, its successors or assigns:

"The undertaking." The expression "the undertaking," as applied to the Company, shall mean the generating, storing, and supplying electricity within the limits within which the company is authorised by this Act to supply electricity, and the constructing of all works and doing of all other things necessary or convenient for that purpose, subject to the provisions of this Act:

"Commissioner." The expression "Commissioner" shall mean the Commissioner of Sewers and Waterworks for the time being:

"Minister." The expression "Minister" shall mean the Minister controlling the Telegraph Department for the time being:

"Inspector." The expression "Inspector" means any person appointed by the Government for the purposes of this Act:

"Local authority." The expression "local authority" shall mean the Municipal Corporation or other authority having the control or management of any street in respect to which the undertaking is applied, or in which the works of the Company are constructed:

"Electricity." The expression "electricity" means electricity, electric current, or any like agency:

"Electric line." The expression "electric line" means a wire, or wires, or conductor, or other means used for the purpose of conveying, transmitting, or distributing electricity with any casing, coating, covering,
covering, tube, pipe, pole, post, frame, bracket, or insulator, enclosing, surrounding, or supporting the same or any part thereof, or any apparatus connected therewith, for the purpose of conveying, transmitting, or distributing electricity or electric currents:

The expression "aerial conductor" means any wire or cable for the transmission of electrical energy for light or power purposes placed above ground in the open air:

The expression "mains" shall mean any continuous electric line which may be laid down by the Company in any street through which electricity may be supplied or intended to be supplied:

The expression "service line" shall mean any continuous electric line through which energy may be supplied or is intended to be supplied to any particular consumer:

The expression "service line or conductor" means any line or conductor used to connect any aerial or underground main conductor with consumer's premises:

The word "building" shall include places of worship, places of public amusement, public institutions, public and private offices, dwelling-houses, mills, manufactories, stores, shops, stables, sheds, and other similar erections, with any premises appurtenant thereto, and also public and private gardens, and enclosed courts and yards:

The word "street" shall include any public road and the carriage-way of any bridge forming part of or leading to the same, pavement, footpath, lane, court or passage, market-place, square, wharf, pier, or other thoroughfare or public place:

The expression "public purposes" means lighting any street or any place belonging to or subject to the control of any local authority or council, or any church, chapel, or place of public worship, or any hall or building belonging to or subject to the control of any local authority, council, or public body, or any licensed theatre, but shall not include any other purpose to which electricity may be applied:

The expression "private purposes" includes any purposes whatever to which electricity may for the time being be applicable, not being public purposes, except the transmission of any telegraphic message:

The expressions "telegraph" and "telegraphic" include "telephone" and "telephonic" respectively:

The expression "telegraphic line" means line of communication of electric telegraph constructed and maintained for or by the Government of South Australia for the purposes of "The Telegraph Act of 1857," or any Act amending the same, or any Act thereby repealed.

3. The
3. The operation of this Act shall extend to and include and be limited to the Corporation of the City of Adelaide, and all corporate towns within the Province of South Australia, all of which are hereinafter termed "the limits of this Act."

4. Subject to the provisions of this Act, and to any regulations for the control of electric light and power supply and the erection of electric light, power, and traction wires, approved by the Governor in Council, it shall be lawful for the Company from time to time to construct and maintain such electric works and apparatus, and such buildings, with approaches thereto upon the lands belonging to the Company, and to do all and such other acts and things as they shall think necessary for generating, accumulating, distributing, and supplying electricity for lighting purposes and motive power, and for supplying with electricity Government and local authorities, and the owners or occupiers of any building and all public or corporate bodies and companies, merchants, traders, and persons, the Municipal Council of the City of Adelaide, and all other municipal corporations within the said province, and to supply such electricity upon such terms as shall be agreed upon between the Company and the authorities or corporate towns, bodies, or companies, or persons supplied therewith.

5. The Company, under such superintendence as hereinafter specified and subject to the provisions hereinafter contained, may open and break up the soil and pavement of any streets within the limits of this Act, and lay down thereunder pipes, mains, service lines, wire conduits, and other works, and may also place along or across such streets, wire conduits, service lines, pipes, and other works, and from time to time renew, repair, alter, or remove the above works; and, for the purposes aforesaid, may remove and use all earth and materials in and under such streets; and they may, over, along, or across any such streets, stretch and maintain any wire or cord, and erect any masts or posts for supporting any such cord or wire, or erect any pillars, lamps, and other works, and do all other acts which the Company shall from time to time deem necessary for supplying electricity to the inhabitants within the limits of this Act; and it shall also be lawful for the Company to lay any main or branch wire into or against any building for the purpose of lighting the same or any other building, and to provide and set up against any building any apparatus necessary for securing to any other building a proper and complete supply of electricity, and for measuring and ascertaining the extent of such supply. Nothing herein shall authorise the Company to lay down or place any electric line or any works into, through, or against any building, or in any land not dedicated to public use, without the consent of the owners and occupiers thereof; except that the Company may at any time enter upon any land for the purpose of laying or placing, and may lay or place, any new electric line in the place of an existing electric line in any land wherein any electric line shall have been lawfully laid down or placed, and may repair or alter any electric line so laid down or placed.

6. Except
6. Except where otherwise approved by the Minister controlling the Telegraph Department, every aerial conductor shall be placed at least twenty feet from the ground, or thirty feet where it crosses a street, and not less than six feet from any building or erection other than a support for the conductor, except where brought into a building for the purpose of supply, and shall not hinder or obstruct the free use and enjoyment of any street over, along, across, or underneath which any such aerial conductor may pass, further than is absolutely necessary for the proper construction and repair of any such line of communication, and every aerial conductor affixed by the said Company above the surface of any street shall be fixed, guarded, protected, enclosed, cased, or insulated in such manner as the Minister for the time being controlling the Electric Telegraph Department of the said province may, by any regulation to be made by him, direct and prescribe.

7. Nothing herein contained shall authorise the Company, without the consent of the Commissioner of Sewers and Waterworks, to break open any sewer or underground drain, or break open, remove, or displace any water main; or remove or displace any gas main or gas pipe, being the property of the local authority or any gas company, without the consent of such local authority or gas company; or to erect any masts or posts, or stretch any wire or cord from any mast or post, without having previously obtained permission so to do from the Minister and from the local authority: And the Company shall, whenever requested so to do by an order in writing under the hand of the Minister, or any local authority, take down and remove any masts, posts, wire, or cord which they may have erected.

8. Before the Company proceed to open or break up any street, they shall give to the local authority notice in writing of their intention to open or break up the same, not less than seven clear days before beginning such work, except in cases of emergency arising from defects in or accident to any of the wires or other works, and then within twenty-four hours after the beginning of the work or the necessity for the same have arisen; and also except for the purpose of connecting service wires to mains which have been previously laid, and in such cases one clear day's notice shall be sufficient.

9. No such street shall, except in the cases of emergency aforesaid, be opened or broken up, except under the superintendence of the local authority, and according to such plan as shall be approved of by such local authority or its officer, and at the reasonable costs, charges, and expenses in all respects of the said Company; and in case of any difference respecting such plan, then such street may be opened or broken up according to such plan as shall be determined by two Justices; and such Justices may, on the application of the local authority, require the Company to make such temporary
or other works as such Justices may think necessary for guarding against any interruption of the drainage during the execution of any works: Provided always, that if the local authority fail to attend at the time fixed for the opening of such street, after having had such notice of the Company's intention as aforesaid, or shall not propose any plan for breaking up or opening the same, or shall refuse or neglect to superintend the operation, the Company may perform the work specified in such notice without the superintendence of such street authority.

10. When the Company open or break up the road or pavement of any street, or any sewer, drain, or tunnel, they shall, with all possible speed, complete the work for which the same shall be broken up, and fill in the ground and reinstate and make good, to the satisfaction of the Commissioner or local authority, the road or pavement so opened or broken up, and carry away the rubbish occasioned thereby, and deposit the same wherever the Commissioner or local authority may direct, and shall, at all times whilst any such sewer, drain, tunnel, road, or pavement shall be so opened or broken up, cause the same to be fenced and guarded, and shall cause a light sufficient for the warning of passengers to be set up and maintained against or near such sewer, drain, tunnel, road, or pavement, where the same shall be open or broken up, every night during which the same shall be continued open or broken up, and shall keep the sewer, drain, tunnel, road, or pavement which has been so opened or broken in good repair for three months after replacing and making good the same, and for such further time, if any, not being more than twelve months in the whole, as the soil so broken up shall continue to subside.

11. If the Company open or break up any sewer, drain, tunnel, or street without giving such notice as aforesaid, or in a manner different from that which shall have been approved of or determined as aforesaid, or without making such temporary or other works as aforesaid, when so required (except in the cases in which the Company are hereby authorised to perform such works without any superintendence or notice), or if the Company make any delay in completing any such work or in filling in the ground, or reinstating or making good the sewer, drain, tunnel, road, or pavement so opened or broken up, or in carrying away the rubbish occasioned thereby, or if they neglect to cause the place where such sewer, drain, tunnel, road, or pavement has been broken up to be fenced, guarded, and lighted, or neglect to keep the sewer, drain, tunnel, road, or pavement in repair for the space of three months next after the same is made good, or such further time as aforesaid, they shall forfeit to the Commissioner or local authority in respect of which such default is made a sum not exceeding Ten Pounds for every such offence; and they shall forfeit an additional sum of Five Pounds for each day during any such delay as aforesaid shall continue after they shall have received notice thereof.

12. If
12. If any such delay or omission as aforesaid take place, the Commissioner or local authority having the control or management of the sewer, drain, tunnel, or street in respect of which such delay or omission shall take place, may cause the work so delayed or omitted to be executed, and the expense of executing the same shall be repaid to such Commissioner or local authority by the Company, and such expense may be recovered in the same manner as a penalty is recoverable under this Act.

13. Nothing in this Act contained shall authorise the Company to remove, or displace, or interfere with any tramway or tramline, or other work or building, the property of any Tramway Company, without the consent of such Company previously obtained.

14. The Company shall do as little damage as may be in the execution of the powers by this Act granted, and shall make compensation for any damage which may be done in the execution of such powers; such compensation, in case of difference, to be determined by arbitration.

15. The Company may from time to time enter into any contract with any local authority, person, or other company for lighting or supplying with electricity any public or private building, or for providing wires, burners, meters, or lamps, and other electric fittings and things, and for the repairs thereof, and may also from time to time enter into any contract with any local authority within the limits of this Act, for lighting the streets of any city or corporate town with electricity, and for providing any such local authority, person, or other company with lamps, lamp-posts, burners, and wires, and other electric fittings and things for such purpose, and for the repairs thereof, and also for the supply to any such local authority, person, or other company of electricity for motive power, in such manner and upon such terms as shall be agreed upon between the Company and the said local authority, person, or other company: Provided that the Company, in making any agreement for a supply of electricity, shall not show any undue preference to any local authority, person, or other company.

16. Where a supply of electricity is provided in any part of an area (or part of a town) for private purposes, every company or person within that part of an area (part of a town) shall, on application, be entitled to a supply of electricity on the same terms on which any other company or person in such part of an area (part of a town) is entitled under similar circumstances to a corresponding supply.

17. The clerk, engineer, or other officer or servant, duly appointed for the purpose by the Company, may, at all reasonable times between the hours of eight a.m. and ten p.m., enter any building or place lighted with electricity supplied by the Company, in
in order to inspect the electric lines or wires, meters, accumulators, transformers, lamps, and all fittings, apparatus, and works connected therewith, for producing or regulating the supply of electricity, and for the purpose of ascertaining the quantity of electricity consumed or supplied, or where a supply of electricity is no longer required, or where the Company are authorised to take away and cut off the supply of electricity from any premises for the purpose of removing any electric lines or wires, meters, accumulators, transformers, lamps, and all fittings, apparatus, and works belonging to the Company, repairing all such damage caused by such entry, inspection, or removal. And if any person hinder such officer or servant as aforesaid from entering and making such inspection as aforesaid he shall, for every such offence, forfeit to the Company a sum not exceeding Two Pounds. In all cases in which the Company are authorised to stop the supply from any premises, the Company, their agents, or workmen, may enter such premises, between the hours of nine in the forenoon and four in the afternoon, and remove and carry away any machine, wire, fittings, or other works, the property of the Company: Provided that all damages to property, of whatever description, occasioned by such removal as aforesaid, shall be made good by and at the expense of the Company.

18. If any person supplied with electricity by virtue of this Act neglect to pay the money due to the Company for the same, the Company may, at the expiration of forty-eight hours after payment shall have been demanded, stop the supply from entering the premises of such person by cutting off the service-wire or other works, or by such means as the Company shall think fit.

19. Every person who shall lay or cause to be laid any service, line, wires, or other works to communicate with any wire or electrical works belonging to the Company without their consent, or shall use any lamp, burner, wire, or other work other than such as has been provided or approved of by the Company, or of larger dimensions than he has contracted to pay for, or shall keep the lights burning for a longer time than he has contracted to pay for, or shall otherwise improperly use or consume such electricity, or shall supply any other person with any part of the electricity supplied to him by the Company, shall forfeit to the Company the sum of Five Pounds for every such offence, and also the sum of Forty Shillings for every day such wire or other works shall so remain, or such works, lamps, or burners shall be so used, or such excess be so committed or continued, or such supply furnished; and the Company may stop the supply of electricity from the building and premises of the person so offending, notwithstanding any contract which may have been previously entered into.

20. Every person who shall wilfully remove, destroy, or damage any wire, pillar, post, lamp, or other work of the Company for supplying electricity, or who shall wilfully extinguish any of the public lamps...
lamps or lights, or waste or improperly use any of the electricity supplied by the Company, shall, for each such offence, forfeit to the Company any sum not exceeding Five Pounds, in addition to the amount of damage done.

21. Every person who shall wilfully or carelessly break, throw down, or damage any wire, pillar, lamp, lamp-post, lamp-iron, or other apparatus belonging to the Company, or under their control, shall pay such sum of money by way of satisfaction to the Company for the damage done as any two Justices shall think reasonable.

22. Any person who wilfully or fraudulently abstracts, causes to be wasted or diverted, consumes, or uses any electricity supplied by the Company, shall be guilty of simple larceny and punishable accordingly.

23. No person shall fit up any apparatus or fittings whereby electricity shall be obtained from any main, service, line, or wire, or circuit of the Company, without the consent in writing of the secretary or other officer first obtained for that purpose.

24. Nothing in this Act contained shall be deemed to affect any right, title, or interest of Her Majesty, Her heirs, or successors.

25. Subject to the provisions of "The Companies Act, 1892," the Company shall be governed by, and its affairs shall be administered in accordance with, the Articles of Association of the Company.

26. At any time within three months after the expiration of ten years after the passing of this Act, or at any time within three months after the expiration of every two years after the said ten years from the time of passing of this Act, it shall be lawful for any local authority to purchase the whole or such portions of such works as shall be within its municipality, at a price to be determined by two arbitrators or their umpire upon a submission to arbitration under the provisions of "The Arbitration Act, 1891": Provided that the local authority shall not be compelled to abide by the event of the award if the local authority shall give to the Company one month's notice in writing to that effect, and thereupon the Company shall be at liberty to carry on and work the said works and undertakings: And provided also that the local authority shall pay all costs of the reference and award (if any), and all costs and charges incidental thereto.

27. It shall be lawful for the Governor of the said province to make regulations under this Act for—

(a) Securing a regular and sufficient supply of electricity, and, by the erection of a suitable apparatus, or otherwise, a test of the normal strength and the electro motive force of electricity supplied:

(b) Securing
(b) Securing the safety of the persons and property of the public from injury from fire or otherwise:

(c) Authorising the inspection and inquiry, by any inspector or other person duly appointed by the Governor or Minister, of the said undertaking or any part thereof:

(d) Enforcing the due performance of the duties imposed upon the Company by this Act and the imposition of penalties for any offence, neglect, or omission:

(e) Protecting all gas and water pipes, valves, and fittings against damage by electrolysis or against damage from any of the Company’s undertakings, or against damage or injury to sewers, drains, pipes, and fittings belonging to or vested in the Commissioner, or the local authority, or any gas company, or against damage or injury to any tramway or tramline, or other work or building, the property of any tramway company:

(f) The protection of telegraph lines:

(g) Limiting the price to be charged in respect to the supply of electricity:

Provided that all such regulations shall be laid before Parliament within fourteen days after the publication thereof, if Parliament be then sitting, and, if Parliament be not then sitting, within fourteen days after the commencement of the next Session thereof.

28. In addition to any regulations which may, from time to time, be made by the Governor in Council for securing the safety of the persons and property of the public, any council within any part of whose municipal district electricity is authorised to be supplied under Proclamation may, in the manner provided by law for making by-laws, make by-laws for further securing such safety, and there may be annexed to any breach of such by-laws such penalties within the limits specified in the Act pursuant to which such by-law is made as such council may think necessary. No such by-law made for the purposes of this Act shall have any force or effect until approved by the Governor in Council.

29. (1) No alteration in any Government telegraph line shall be made by the Company except by the express written sanction of the Minister, and subject to the conditions imposed by him.

(2) The Company shall not, in the exercise of the powers conferred by this Act, lay down any electric line or do any other work for the supply of electricity whereby any Government telegraph line is or may be injuriously affected, and before any such electric line is laid down or work done within ten yards of any part of a Government telegraph line (other than repairs or the laying of connections with mains where the direction of the electric lines so laid down crosses
crosses the Government line at right angles at the point of shortest distance and continues the same for a distance of six feet on each side of such point, and where the connecting wires so crossing are not within three feet of any telegraph wire), the Company or its agents, not more than twenty-eight nor less than seven clear days before commencing such work, shall give written notice to the Minister specifying the course and nature of the work, including the gauge of any electric lines, and the Company and its agents shall conform with such reasonable requirements, either general or special, as may from time to time be made by the Minister, for the purpose of preventing any Government telegraph line from being injuriously affected by the said work.

(3) Any difference which arises between the Minister and the Company, or its agents, with respect to any requirements so made, shall be determined by such person as the Governor in Council may appoint for the purpose.

(4) In the event of any contravention of, or wilful non-compliance with, this section by the Company or its agents, the Company shall be liable on conviction to a fine not exceeding Ten Pounds for every day during which such contravention or non-compliance continues, or, if the telegraphic communication is wilfully interrupted, not exceeding Fifty Pounds for every day on which such interruption continues.

(5) Nothing in this section shall subject the Company to a fine if it satisfy the Court having cognizance of the case that the immediate execution of the work was required to avoid an accident, or otherwise was a work of emergency, and that it forthwith served on the person in charge of the Government telegraph office nearest to the place where the work was done, or left for him at such Government telegraph office a notice of the execution thereof, stating the reason for executing same without previous notice.

(6) For the purposes of this section a Government telegraph line shall be deemed to be injuriously affected by a work of telegraphic communication by means of such line is, whether through induction or otherwise, in any manner affected by such work or by any use made of such work.

(7) The Minister may make any contract or arrangement he may think proper with the Company for the use by him of its works or electric lines.

30. Nothing in this Act shall affect the exclusive privileges conferred upon the Minister controlling the Telegraph Department, the Postmaster-General, or the Superintendent of Telegraphs by any Act relating to the Post Office or Telegraphs, or authorise or enable the Company to transmit any telegraphic message, or to perform any of the incidental services of receiving, collecting, or delivering telegraphic messages
messages, or give to the Company any power, authority, or facility of any kind whatever in connection with the transmission of telegraphic messages, or the performance of any of the incidental services of receiving, collecting, or delivering telegraphic messages. Nor shall this Act be deemed to prevent or restrict the erection, construction, laying down, putting up, placing, removal, or alteration of any electric line by or for the use of the Minister or the South Australian Railways Commissioner.

Recovery of penalties. 31. All penalties imposed by this Act or by any regulation made in pursuance thereof may be recovered in a summary way before a Special Magistrate or two Justices of the Peace, under the provisions of Act No. 6 of 1850, "The Justices Procedure Act, 1883-4," or of any other Act amending the same or passed by the Parliament in lieu thereof.

Works to be performed within certain period. 32. If the Company shall fail to lay down within the city of Adelaide, within two years, at least five miles of mains, or shall fail to lay down within any other municipality, within seven years, such an installation as would, if applied, be reasonably sufficient for the public lighting of such municipality in the case where a contract has been entered into with the local authority, or for the private lighting of such municipality where no such contract has been entered into, then, if the local authority shall pass a resolution to that effect, the powers by this Act granted shall cease to be exercisable so far as regards any municipality within which such mains or installation are not laid down as aforesaid, save so far as the exercise of such powers may be necessary to enable the Company to take up, disconnect, remove, and take away any of its works or property: Provided always that the local authority may in any case, notwithstanding the time for the commencement of the undertaking shall have expired, by a resolution to that effect, extend the time for compliance by the Company with this section.

Limitation of powers. 33. The works authorised to be executed by the Company under this Act shall be completed within fifteen years from the passing thereof; and in case such works shall not be completed within such period all the powers and authorities given to the Company by this Act shall thereupon cease and determine, save only as to so much of such work as has been completed within the period aforesaid: Provided that nothing herein contained shall be deemed to prevent the Company from exercising the powers by this Act conferred after the expiration of the said period, so far as may be necessary to effect any repairs to their works or to supply electricity in terms of section 15 of this Act from any then existing main: And provided also that the Company may, at any time after the expiration of the period of fifteen years, with the consent of the local authority, extend their mains and continue their works within the limits of this Act.

34. All
34. All persons who shall have subscribed any money towards carrying on the works of the Company hereby authorised shall make payment to the Company of the sums severally subscribed by them.

35. Whenever, by reason of the execution of any works by the Company, or in the exercise of any of the powers conferred by this Act, any injury shall be occasioned to any person or his property, which would, but for this Act, entitle such person to compensation in money, the liability of the Company to make compensation, and the amount thereof, shall be determined by reference to arbitration under the "Arbitration Act, 1891."

36. Nothing in this Act contained shall be deemed to imply any agreement or undertaking on the part of the Parliament not to grant powers similar to those granted by this Act to any other person or Corporation.

37. This Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others within the said province, without being specially pleaded.

38. The Company shall not commence or undertake any work authorised by this Act in any municipality with the local authority, of which the Company shall not have previously entered into a contract for lighting streets or public places, until six months after the Company shall have given to the local authority notice in writing of the intention of the Company so to do, nor shall the Company commence or undertake any such work if within such period of six months the local authority shall have resolved to supply electricity for the lighting of streets and public places under the provisions of "The Gas and Electric Lighting Act, 1891": Provided that in the event of any such resolution being passed the local authority, or the person contracting with the local authority, shall commence the execution of the necessary works to give effect to such resolution within a further period of six months from the expiration of the notice to be given by the Company as aforesaid.

39. Except as to the Municipality of Port Adelaide, this Act shall only apply within the limits of such municipalities and districts the councils of which shall, by public notice, signed by the mayor and town clerk or chairman and district clerk, and published in the Government Gazette, notify that, as the result of a poll, the ratepayers have affirmed a resolution that it is desirable that this Act shall so apply.

40. Prior to this Bill being presented to the Governor for Her Majesty's assent the Company shall deposit with the Treasurer of the Province a sum of Five Thousand Pounds, or Government securities of equal value; and such sum or securities shall be returned
60° & 61° VICTORIÆ, PRIVATE ACT.

The South Australian Electric Light and Motive Power Company's Act.—1897.

to the Company, their successors or assigns, so soon as the said Company shall have expended the sum of Five Thousand Pounds in the execution of any work under contract with the municipal or local authority.

41. The Company shall not commence or undertake any work authorised by this Act until there shall be deposited with the Treasurer of the Province a sum, to be reckoned upon the estimate of the expense, as provided by the thirty-fifth Joint Standing Order of the Houses of Parliament relating to Private Bills; and such sum shall be returned to the Company, their successors or assigns, on the completion of the said work in respect of which the deposit has been made.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

T. F. BUXTON, Governor.