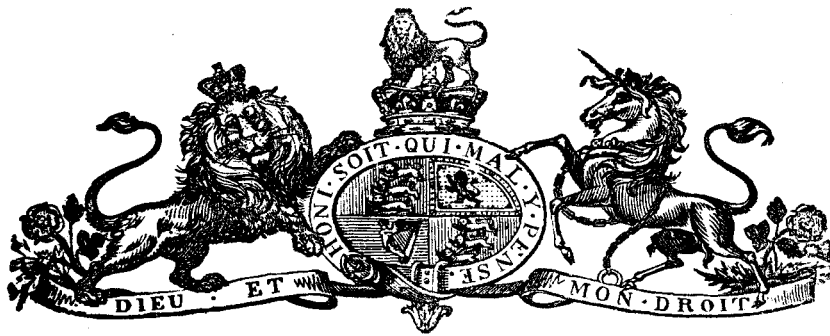


T A S M A N I A



1880.

ANNO QUADRAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 8.



AN ACT to further amend "The Main Line of Railway Act." A.D. 1880.
[20 October, 1880.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 In this Act—

Interpretation.

"The said Company" means "The *Tasmanian* Main Line Railway Company, (Limited):"

"The Manager" means the person for the time being resident in *Tasmania* having the general management of the affairs of the said Company in *Tasmania*.

2 Notwithstanding anything to the contrary contained in any former Act, the Governor in Council may grant a lease or leases of the several pieces of land in the Town of *Launceston*, the boundaries whereof are described and set forth in the Schedule, for any term not exceeding twenty-one years as the Governor in Council sees fit, which said several pieces of land are delineated upon duplicate charts or plans deposited in the office of the Minister of Lands and Works at *Hobart Town* and the office of the Municipal Council at *Launceston* respectively, such plans being signed by the Minister of Lands and Works and the Manager.

Certain pieces of land may be leased to Company.

Any lease or leases granted under this Act shall be for the purposes of the Main Line Railway, and shall contain such clauses, provisoes,

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and conditions as the Governor in Council sees fit to insert therein, and every such lease when once granted shall be renewable; but every such lease and renewal shall contain a condition for the forfeiture of such lease or renewal in case the land thereby leased ceases to be used for the purposes of the said Railway.

Company to repair
damage to streets,
&c.

3 The said Company shall, from time to time, make good, repair, and amend all damage which is done by the said Company, in contravention of this Act, or any lease or leases or any renewal thereof granted in pursuance of this Act, to or upon any highway or street in the Town of *Launceston* in, through, over, or along which the said Railway is constructed or shall pass; and in case of neglect or refusal so to do after having received from the Town Surveyor of the Town of *Launceston* Seven days' notice to make such repairs and amendment as may be requisite, such Surveyor shall have power to effect such repairs and amendments, and shall recover the expenses incurred in so doing from the said Company in a summary way upon complaint before Two Justices of the Peace.

If notice given to
Company of purchase of
Railway, land leased not to
be included in
compensation.

4 If at any time hereafter notice shall be given to the said Company, in pursuance of the Contract dated the Fifteenth day of *August*, 1871, and entered into between the Governor of *Tasmania*, on behalf of the Government of *Tasmania*, and the said Company, of the intention of the Governor to purchase the undertaking of the said Company, with all its incidents, benefits, and privileges, the value of any land vested in the said Company by any lease or leases or any renewal thereof granted to the said Company by virtue of this Act, shall not be included in the price to be fixed and paid to the said Company for the said undertaking, its incidents, benefits, and privileges.

Power to make
Bye-laws.

5 It shall be lawful for the said Company from time to time to make such Bye-laws for regulating their affairs and the management of the said Railway, and the buildings and works connected therewith, and for fixing the charges for the conveyance of passengers, goods, and other things thereon as they may think fit, and for all other purposes which are usually comprised in the Bye-laws of any Railway Company; and it shall be lawful for the said Company to repeal, alter, or amend any such Bye-laws from time to time; provided that such Bye-laws shall not be repugnant to the provisions of the Contract, dated the Fifteenth day of *August*, 1871, entered into between the Governor of *Tasmania*, on behalf of the Government of *Tasmania*, and the said Company, nor to the provisions of "The Main Line of Railway Act," or any Act amending the same, and the Acts respectively incorporated therewith; and such Bye-laws shall be in writing under the hand of the Manager of the said Company, and, if affecting other persons than their own officers and servants, shall be subject to the approval of the Governor in Council, and be published as hereinafter is provided.

Bye-laws may be
enforced by pen-
alties.

6 The said Company, by the Bye-laws so to be made by them, may, subject to the approval of the Governor in Council, impose such reasonable penalties as they may think fit not exceeding Twenty Pounds for each breach of such Bye-laws or any of them.

Bye-laws to be
published.

7 All such Bye-laws relating to other persons than the servants and officers employed upon the said Railway, not being tables of the charges

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for the conveyance of passengers, goods, and other things thereon, shall be published in the *Gazette*; and all such Bye-laws shall be printed in legible letters and exhibited in some conspicuous place in the principal office of the Railway, and at every Station on the said Railway, and be open to inspection without fee or reward; and in case any person wilfully obliterates any of the letters or figures thereon, or wilfully prevents the same being inspected at some reasonable time, he shall for every such offence be liable to a penalty not exceeding Five Pounds.

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8 All Bye-laws made according to the provisions of this Act, when so published and put up, shall be binding upon and observed by all parties, and shall be sufficient warrant for all persons acting under the same.

Bye-laws to be binding.

9 The production of a copy of the said Bye-laws purporting to have been made as aforesaid shall, in all proceedings against the officers and servants of the said Company, be accepted as proof thereof in any Court of Law or Equity.

Proof of Bye-laws.

10 All Bye-laws made by the Company under this Act shall be laid before both Houses of Parliament within Fourteen days of the making thereof if Parliament is in Session, and if not then within Fourteen days after the commencement of the next Session.

Bye-laws to be laid before Parliament.

11 All offences against this Act or any Bye-law made in pursuance of this Act shall be heard and determined, and all orders shall be made, and all penalties and sums of money imposed or made payable by this Act or any such Bye-law, shall be recovered in a summary way in the mode prescribed by *The Magistrates Summary Procedure Act*, and all penalties received by virtue of any such Bye-law shall be paid to the said Company.

Offences to be dealt with summarily.

19 Vict. No. 8.

12 Any person who thinks himself aggrieved by any penalty imposed under the authority of this Act or any such Bye-law, which is recoverable in a summary manner, may, unless otherwise expressly provided, appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

Appeal from penalties.

19 Vict. No. 10.

13 Nothing contained in this Act, or in any lease or renewal thereof, granted under this Act shall affect any right, title, or interest of Her Majesty, Her Heirs and Successors, or in any way limit the Royal Prerogative.

Act not to affect rights of the Crown.

14 This Act and "The Main Line of Railway Act," and every Act altering or amending the same, shall, save so far as the same may be altered by this Act, be read and construed together as one Act.

Acts to be read together.

15 This Act may be cited as "The Main Line of Railway Act, 1880."

Short title.

Main Line Railway.

A.D. 1880.

SCHEDULE.

ESPLANADE.

0A. 1R. 16P. OR THEREABOUTS.

Bounded on the south east by forty-five feet south-westerly along land occupied by or belonging to the *Tasmanian* Main Line Railway Company commencing at the angle of *Lawrence-street* with the Esplanade, on the north west by a north-easterly line following the course of the Railway at a distance of four feet and six inches from the rail (crossing two rights of way reserved for the use of the public each sixteen feet wide) to land granted to *Thomas Reibey*, *Edward Samuel Pickard Bedford*, and *William Stanley Sharland*, again on the north west by thirty feet north-easterly along the last-mentioned land, again on the south east by a south-westerly line of four hundred and eighty feet in several bearings along the Esplanade (recrossing one of the before-mentioned rights of way) to other land occupied by or belonging to the *Tasmanian* Main Line Railway Company, on the south west by eighteen feet north-westerly along that land, again on the south east by one hundred and twenty-four feet south-westerly also along that land, and thence again on the south east by sixty-six feet south-westerly along *Lawrence-street* (recrossing another of the before-mentioned rights of way) to the point of commencement.

WILLIS-STREET.

0A. 1R. 10P. OR THEREABOUTS.

Bounded on the north west by twenty-eight feet north-easterly along the Esplanade commencing at a point distant forty-three feet in a north-easterly direction from the west angle of *Willis-street* with the said Esplanade, on the north east by five hundred and twenty-eight feet south-easterly along land occupied by or belonging to the *Tasmanian* Main Line Railway Company, on the south east by twenty-eight feet south-westerly along *Cimitiere-street*, and thence on the south west by five hundred and twenty-three feet north-westerly along *Willis-street* aforesaid to the point of commencement.

LAWRENCE-STREET.

11 PERCHES OR THEREABOUTS.

Bounded on the south west by seventy-two feet south-easterly along land occupied by or belonging to the *Tasmanian* Main Line Railway Company commencing at the north angle thereof, on the east by seventy-seven feet in two bearings north-easterly along *Lawrence-street* (crossing a right of way reserved for the use of the public sixteen feet wide), on the north east by thirty feet north-westerly along other land occupied by or belonging to the *Tasmanian* Main Line Railway Company, and thence on the north west by a south-westerly line of sixty-six feet (recrossing the before-mentioned right of way) to the point of commencement.