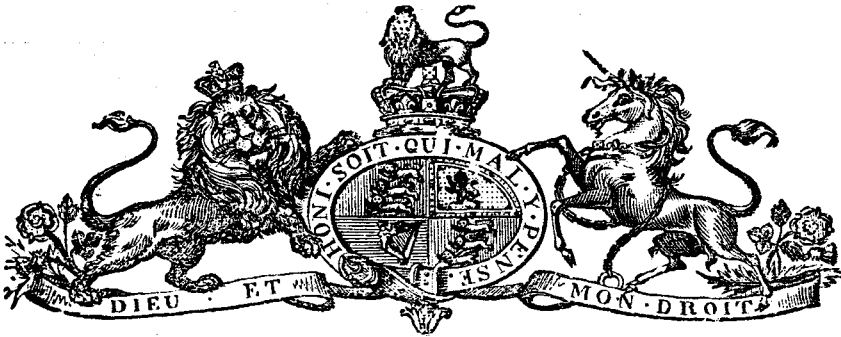


T A S M A N I A.

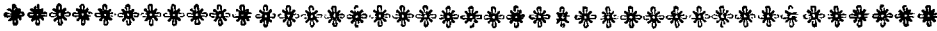


1869.

ANNO TRICESIMO-TERTIO

VICTORIÆ REGINÆ,

No. 33.



AN ACT to amend and declare the Terms upon which certain Waste Lands of the Crown shall vest in "The Mersey and Deloraine Tramway Company, Limited."

[22 October, 1869.]

WHEREAS it is expedient to declare the conditions upon which certain Waste Lands of the Crown shall vest in "The Mersey and Deloraine Tramway Company, Limited :—" Be it therefore 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 :—

PREAMBLE.

1 If "The Mersey and Deloraine Tramway Company, Limited," shall, on or before the Thirty-first day of *December* in the year 1870, complete the Tramroad and Works in *The Mersey and Deloraine Tramroad Act* mentioned between *Gilbert-street* in the Town of *La Trobe* and the point fixed by the Governor in Council Three miles to the South of *Kimberley's Ford* in the River *Mersey*, then and in such case all Waste Lands of the Crown on which the said Tramroad is constructed, and for the breadth of One hundred and four feet and six inches on each side of the centre of the said Tramroad, shall be and the same is hereby vested in the said Company for the purposes of the said Tramroad and Works.

Waste Lands along Tramroad to vest in Company.

2 If the Company shall take for any of the purposes mentioned in the said Act any Land, not being Waste Land of the Crown, between

Company to separate the Lands before using them.

*Mersey and Deloraine Tramway.*

the said point fixed by the Governor in Council and the Township of *Deloraine*, then the Company shall, before they use any such Land for any of the purposes mentioned in the said Act, if required so to do by the Owner or Occupier of any adjoining Land, separate the Land so taken by a sufficient fence from the Lands adjoining thereto, with such gates, ascents, descents, and other convenient approaches as may be required by the said Owner or Occupier for the convenient occupation of such adjoining Lands; and shall also, to all private roads used by them as in the said Act mentioned, put up fences, with such gates, ascents, and descents, and other convenient approaches in like manner in all cases where the same may be necessary to prevent the straying of cattle from or upon the Lands traversed by such roads; and in case of any difference between the Owners or Occupiers of such roads and Lands and the Company as to the necessity for such fences, gates, ascents, descents, and other convenient approaches, such fences, gates, ascents, descents, and other convenient approaches as any Two Justices, not being Shareholders of the said Company, shall deem necessary for the purposes aforesaid, on application being made to them by either party.

*Works for Protection and Accommodation of Lands.*

Protection and accommodation works.

**3** The Fifty-eighth, Fifty-ninth, Sixtieth, Sixty-first, Sixty-second, Sixty-third, Sixty-fourth, and Sixty-fifth Sections contained in the 29 *Victoria*, No. 24, *The Launceston and Western Railway Act*, relating to the works for protection and accommodation of Lands, shall extend and be applicable to all purchases of Land and hereditaments taken for the purposes of *The Mersey and Deloraine Tramroad Act*, at any place between the said point fixed by the Governor in Council and the Township of *Deloraine*.

*Penalty for obstructing Construction.*

Penalty for obstructing construction of Tramroad.

**4** If any person wilfully obstructs any person acting under the authority of the Company in the lawful exercise of their power in surveying or setting out the line of the Tramroad, or pulls up or removes any poles or stakes driven into the ground for the purpose of so setting out the line of the Tramroad, or defaces or destroys any marks made for the same purpose, he shall forfeit and pay to the Company a sum not exceeding Five Pounds for every such offence.