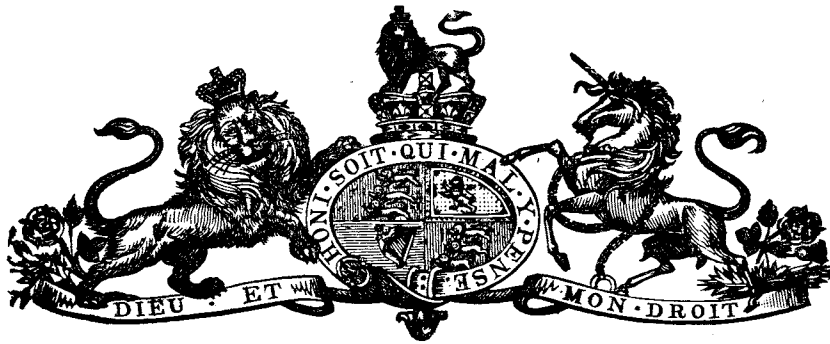


T A S M A N I A.



1889.

ANNO QUINQUAGESIMO-TERTIO

VICTORIÆ REGINÆ.



AN ACT to amend "The *Hobart* Tramway Company's Act, 1884." [19 August, 1889.] A.D. 1889.

WHEREAS it is expedient to amend "The *Hobart* Tramway Company's Act, 1884" : PREAMBLE.

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 :—

1 This Act may be cited for all purposes as "The *Hobart* Tramway Company's Act Amendment Act;" and in this Act the "said Act" shall mean and include "The *Hobart* Tramway Company's Act, 1884." Short title.

2 Sections Seven, Ten, Twelve, Twenty-seven, and Sections Fifty to Seventy-six, both inclusive, of the said Act are hereby repealed. Repeal.

3 Subject to the provisions of the said Act and of this Act, the Company may construct and maintain all or any of the Tramways described in the First Schedule hereto, or any part or parts of such Tramways respectively, with all proper rails, plates, sidings, turnouts, tunnels, turn-tables, crossings, junctions, buildings, erections, and other works and conveniences connected therewith, or necessary for the purposes thereof, and may work and use the same; and may from time to time make, maintain, alter, and remove, and, if necessary, replace all such rails, plates, sidings, turnouts, tunnels, turn-tables, crossings, junctions, buildings, erections, and other works as they may find Power to make Tramways.

Hobart *Tramway Company's Act Amendment.*

A.D. 1889.

necessary or convenient for the efficient working of the said Tramways, or for providing access to engine-houses, stables, sheds, or other buildings or works connected with such Tramways or any of them : Provided, that nothing in this Act contained shall in any way prejudice the right or affect the power of the Government of *Tasmania* to construct, and maintain and work and use, any Railway or Tramway which shall extend partly along or across any road along or across which any Tramway hereby authorised to be constructed may be laid or constructed, or shall prejudice the right or affect the power of the Government of *Tasmania* to obtain and exercise authority for any engines, carriages, or other vehicles to pass over and along, and to use any part of the Tramways hereby authorised to be constructed, upon payment to the Company of reasonable tolls and compensation for so doing.

Regulations as to construction of Tramways and sidings.

4 All or any of the Tramways hereby authorised to be constructed may consist of a single or double line, at the option of the Company, and shall be constructed and maintained as nearly as may be in the middle of the street or road, excepting in such streets or roads where the existing width of the same will render it compulsory that the Tramway should be kept altogether on one side, or to be placed in such a position on the street or road so that the greatest convenience may be allowed for passing traffic : Provided, that the Company may, with the consent of the Local Authority, make any alteration in the route along which any of the said Tramways are hereby authorised to be constructed, and may, with the like consent, construct any of the said Tramways elsewhere than in the middle of the street or road, and also lay down for a length not exceeding Five hundred feet a second line connected with the main line of any such Tramway for the purposes of a siding ; but in no case shall any part of any Tramway be so laid that a less space than Three feet shall intervene between the outside of the footpath on either side of the street or road and the nearest rail of the Tramway : Provided also, that the Company may at any time substitute a double line for a single line of Tramway, and for that purpose all the powers contained in the said Act and this Act with reference to the construction of Tramways shall be read and construed so as to include the substitution of a double line for a single line of Tramway under the powers for that purpose conferred by this Act or the said Act.

Company to lay down new mains for water, gas, &c., when necessary.

5 Notwithstanding anything contained in the said Act, if it shall appear to the person or persons possessing or having control of any main pipes or tubes, syphons, plugs, or wires, or other works or apparatus laid or hereafter to be laid in any street or road for the supply of water, gas, or light, or the maintenance of telegraphic or telephonic communication, that any Tramway proposed to be laid by the Company in such street or road will prevent or impede or in any way interfere with the supply or passage of such water or gas or light, or with the maintenance of such telegraphic or telephonic communication, so as to render necessary the provision and laying down of an additional main pipe or additional tubes or syphons or plugs or wires or other works or apparatus in such street or road in order to preserve or continue the supply or passage of such water or gas or light, or the maintenance of such telegraphic or telephonic communication, as effectually and conveniently as the same was supplied or maintained before such interference or impediment took place, and so

Hobart Tramway Company's Act Amendment.

that neither the person or persons possessing or having the control of such main pipes or tubes, syphons, plugs, or wires or apparatus, or the persons supplied or served thereby, will thereafter suffer any detriment or inconvenience, the Company shall not lay down any Tramway in any such street or road until such additional main pipes or tubes, syphons, plugs, or wires or other works or apparatus shall have been provided and laid down in such street or road at the expense of the Company ready for use, and to the satisfaction of such person or persons as first aforesaid, or his or their surveyor or engineer; and in case of disagreement between the Company and such person or persons, or his or their surveyor or engineer, then to the satisfaction of an engineer appointed by the Minister of Lands and Works. **A.D. 1889.**

6 The several Tramways hereby authorised to be constructed shall be commenced in a *bonâ fide* manner within Twelve months after the passing of this Act, and shall be completed fit for passenger traffic within Four years from the passing of this Act, or within such further time, if any, from the end of such Four years as the Governor in Council may see fit to allow. **Completion of Tramways.**

Upon the expiration of the said Four years, or of such further time (if any) as may be allowed as aforesaid, the powers by this Act granted to the Company for constructing such Tramways shall cease, except as regards such portion thereof as shall then be completed.

7 After the completion of any of the Tramways hereby authorised to be constructed, the Company may, with the consent of the Local Authority, extend the line of any such Tramway, or make such alteration in the route thereof as the Company from time to time deem necessary; and all the powers and privileges conferred upon the Company by the said Act and this Act with reference to the construction or maintenance or renewing or working of any Tramway, shall be read and construed so as to include and have reference to any such extension or alteration of route as aforesaid. **Company may extend Tramways.**

8 The Company may demand and take for the carriage and conveyance of passengers and goods travelling and carried upon any Tramway constructed under the authority of this Act or any part thereof fares not exceeding those specified in the Second Schedule hereto; and such fares shall include the total tolls and charges which the Company may demand and take for the use of the Tramway and the use of the carriages and motive power, and every other expense incidental to such carriage or conveyance. Provided that after the expiration of a period of Thirty years from the passing of this Act all such fares shall be subject to the approval of the Governor in Council. **Company may levy tolls.**

9 The Company may from time to time, by mortgage or bond or debenture, borrow for expenditure in the construction or maintenance or renewal of any of the Tramways hereby authorised to be constructed, such sum or sums as may be duly authorised by the shareholders of the said Company. **Company may borrow.**

10 This Act and the said Act shall be read and construed together as one Act. **Acts to be read together.**

Hobart Tramway Company's Act Amendment.

A.D. 1889.

SCHEDULES.

THE FIRST SCHEDULE.

Tramway No. 1.—Railway Station to Cascades.

Commencing at the junction of Park-street with Liverpool-street, thence along Park-street to Macquarie-street, thence along Macquarie-street and Cascades Road to the Cascades Brewery, the whole distance being 210 chains.

Tramway No. 2.—Post Office to Sandy Bay (Lipscombe's).

Commencing by branching off Tramway No. 1 at the junction of Murray-street and Macquarie-street, thence along Murray-street to Davey-street, thence along the latter street to Harrington-street, thence along the latter street and its deviation to Montpelier Road, thence along Montpelier Road to Sandy Bay Township, and thence along the Sandy Bay Road to a terminus at or about the third milestone, commonly known as Lipscombe's, the whole distance being 200 chains.

Tramway No. 3.—Railway Station to New Town.

Commencing by branching off Tramway No. 1 at the junction of Elizabeth-street and Macquarie-street, thence along Elizabeth-street and *via* the New Town Road to a terminus at or about the third milestone near *Cooley's Hotel*, the whole distance being 270 chains.

The terminus at Park-street to be connected with the Tasmanian Main Line Railway by a loop line passing through the Railway Reserve, and connecting with five-chain curves on the Tasmanian Main Line Railway at the back of the Police Offices known as the Engineers' Yard.

THE SECOND SCHEDULE.

TOLLS FOR PASSENGERS.

On the New Town Line.

For every passenger from the City Terminus to the junction of Elizabeth-street with Augusta Road, or *vice versa*, or for any portion of such distance—Threepence.

On the Macquarie-street Line.

For every passenger from the City Terminus to the junction of Macquarie-street with Congress-street, or *vice versa*, or for any portion of such distance—Threepence.

On the Sandy Bay Line.

For every passenger from the City Terminus to a point a short distance beyond the junction of the Sandy Bay Road with Lord-street (and which point is marked on the plan submitted to the Government as the proposed Terminus), or *vice versa*, or for any portion of such distance—Threepence.

The Company to be at liberty to charge the further sum of Threepence for every passenger carried on any extension of the Company's Lines beyond the above-mentioned distances.

TOLLS FOR GOODS.

For every ton or portion of a ton of goods, a rate equal to One Shilling per ton per mile or for any fractional part of a mile.