

T A S M A N I A.



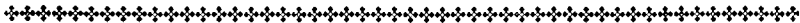
1939.

ANNO TERTIO ET QUARTO
GEORGII VI. REGIS.

No. 54.

ANALYSIS.

1. Short title.
2. Interpretation.
3. Power to operate railway.
4. Incorporation of Parts IX. and XVII. of 59 Vict.
5. Retrospective operation.



AN ACT to authorise the Emu Bay Railway Company Limited to Operate, Maintain, and Work that portion of the Railway between Burnie and Zeehan which lies between Burnie and Waratah, and the Railway Line between the Station-yards at Burnie and the Breakwater Pier at Burnie.

[21 December, 1939.]

A.D.
1939

WHEREAS the Emu Bay Railway Company Limited (in this Act referred to as "the Company") is the owner of a strip of land one chain in width commencing at the Town of Burnie and extending from thence through the station known as Guildford Junction to a point distant $45\frac{1}{2}$ miles or thereabouts situate at the western boundary of the land known as the Surrey Hills block:

Preamble.

Burnie to Waratah Railway.

A.D. 1939. And whereas the Company for some time past has been operating, maintaining, and working a railway on the said strip of land, and upon land leased from the Crown commencing at the said point at the western boundary of the Surrey Hills block and extending to the Town of Waratah, and upon land commencing at its station-yards at Burnie and extending to and on to the Breakwater Pier at Burnie, and has been operating passenger and goods trains and rail motors thereon without statutory authority to do so:

And whereas that portion of the said railway lying between Burnie and Guildford Junction forms part of the railway of the Company which extends from Burnie to Zeehan:

And whereas the Company is operating that portion of the railway between Waratah and Zeehan under the authority of the Van Diemen's Land Company's Waratah and Zeehan Railway Act:

And whereas it is desirable that the Company should have statutory authority to operate those portions of the railway between Burnie and the western boundary of the Surrey Hills block and between the western boundary of the Surrey Hills block and Waratah and between the station-yards at Burnie and the Breakwater Pier at **Burnie**:

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:—

Short titl .

1 This Act may be cited as the *Burnie to Waratah Railway Act 1939*.

Interpreta-
tion.

2 In this Act, unless the contrary intention appears, "the said railway" means the freehold portion of the railway belonging to the Company, commencing at the Town of Burnie and extending thence for a distance of 45½ miles or thereabouts through the station known as Guildford Junction to the western boundary of the land known as the Surrey Hills block; that portion of the railway commencing at the western boundary of the Surrey Hills block and extending to the Town of Waratah, and the railway as at present constructed which commences at the Company's station-yards at Burnie and extends to and includes the railway on the Breakwater Pier at Burnie along which the permanent way of, and used by, the Company is constructed, with all the stations, station-yards, buildings, approaches, bridges, viaducts, sidings, embankments, works, crossings, street-crossings, side cuttings, cuttings, spoil-banks, ballast, workshops, telegraphs, telephones, fixed plant, fixtures, equipments, appliances, and other conveniences in or about or used in connection therewith and all the lands along the entire length of the railway from Burnie to the western boundary of the Surrey Hills block and from thence to Waratah to the width of half a chain on either side of the centre line of the railway, and along the entire length of the railway, as at present constructed, commencing

Burnie to Waratah Railway.

at the Company's station-yards at Burnie and extending to and on to the Breakwater Pier at Burnie. A.D. 1939.

3 The Company is hereby authorised and empowered to operate, maintain, and work the said railway. Power to operate railway.

4 Parts IX. and XVII. of the Van Diemen's Land Company's Waratah and Zeehan Railway Act shall be incorporated with and shall form part of this Act. Incorporation of Parts IX. and XVII. of 59 Vict.

5 This Act shall be deemed to have commenced on the first day of December, one thousand eight hundred and ninety-nine, but shall not affect the rights of any persons who, at the date of the Royal Assent hereto, may have any claims against the Company by reason of any act or omission on the part of the Company, or any person for whose acts the Company is liable in relation to the operation of the said railway, and who, prior to that date, have given notice of such claims to the Company. Retrospective operation.

