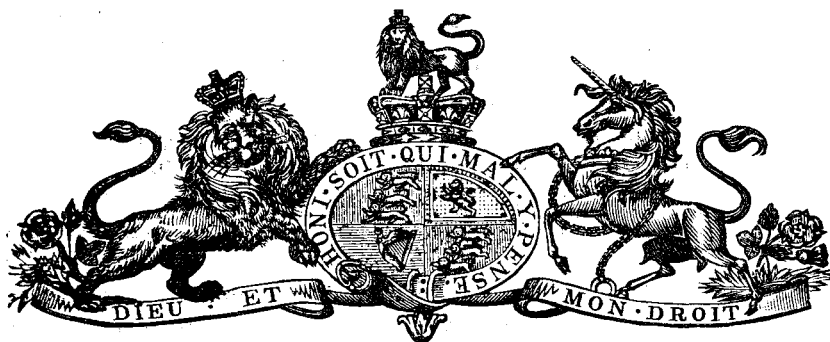


T A S M A N I A .

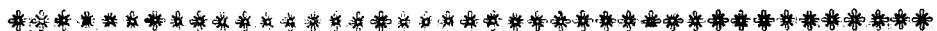


1890.

ANNO QUINQUAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 1.



AN ACT to authorise the Governor to purchase the Line of Railway known as “The *Tasmanian Main Line Railway.*”

A.D. 1890.

[8 August, 1890.]

WHEREAS it is deemed expedient that the Governor should be authorised, for and on behalf of the Colony of *Tasmania*, to purchase the *Tasmanian Main Line Railway* : **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 as “The Main Line Railway Purchase Act, 1890.” **Short title.**

2 In this Act, unless the context otherwise requires—

Interpretation.

“The Governor” means the Governor by and with the advice of the Executive Council :

“The Company” means “The *Tasmanian Main Line Railway Company, (Limited),*” and any person or persons claiming by, through, or under the Company :

“The Railway” means—

1. The Railway, so far as the same has been constructed by the Company, from *Hobart* to *Launceston*, including

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- the permanent way thereof, together with all works, buildings, stations, and erections erected or built on or connected with the said Railway; and
- ii. All land upon which the same are respectively constructed, erected, or built; all lands used in connection therewith; and all lands vested in or belonging to the Company; and all interests of the Company in any leasehold lands in *Tasmania*; and
 - iii. All plant, locomotives, tenders, carriages, trucks, rolling stock, steam engines, machinery, or any parts of the same, all furniture, tools, implements, and appliances of every kind whatsoever, and all stores and railway material, and all assets of the Company, including any balance to the credit of the working and maintenance account belonging to the Company on the date on which any agreement for the purchase of the Railway shall be made under the authority of this Act; together with the proceeds of any sale of any of the articles mentioned in this Sub-section between the Twenty-second day of *March*, One thousand eight hundred and ninety, and the date on which such agreement shall be made.

Governor may purchase Railway.

3 It shall be lawful for the Governor, if he shall see fit, for and on behalf of the Colony of *Tasmania*, to purchase, on or before the Thirtieth day of *June*, in the year of our Lord One thousand eight hundred and ninety-one, for the sum of One million one hundred and six thousand five hundred Pounds, the said Railway, together with all rights, privileges, powers, and advantages whatsoever affecting or appurtenant to the said Railway which are vested in, held, enjoyed, or possessed by or conferred on the said Company, or any person claiming by, through, or under the same. And such purchase shall constitute and be a final and complete settlement of all matters in dispute between the Colony and the said Company.

The undertaking of the Company vested in Her Majesty.

4 The Railway constructed by the Company, and all the right, title, and interest of the Company, and of any person or persons claiming by, through, or under the Company, in and to the same, and all the rights, privileges, powers, and advantages whatsoever affecting or appurtenant to the said Railway which are vested in, held, enjoyed, or possessed by or conferred on the said Company or such person or persons, shall, upon payment of the purchase price thereof by the Governor, without the necessity of any transfer or connecting title other than this Act, be transferred to and become vested in and be held, enjoyed, possessed, used, and exercised by Her Majesty the Queen, freed and discharged from all claims and demands by or on the part of the shareholders in the said Company or any other persons whomsoever, in all respects in the same manner as the said Company or such person or persons could have held, possessed, enjoyed, used, and exercised the same if this Act had not been passed.

Land not required for Railway may be disposed of as Waste Lands.

5 All land purchased by the Governor under this Act, except such part thereof as may be required for the purposes of the said Railway, shall be and become Waste Lands of the Crown, and shall be disposable by the Commissioner of Crown Lands under any Act

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now or hereafter to be in force relating to the sale and disposal of the Waste Lands of the Crown in this Colony : Provided, that the said land shall not be available for selection under *The Waste Lands Act*. A.D. 1890. 34 Vict. No. 10.

6 If the Railway shall be purchased by the Governor under the power hereinbefore conferred upon him, it shall be lawful for the Governor, if he shall see fit, to make such a settlement with the Company as he may deem expedient in regard to any contracts entered into by the Company in connection with the maintenance, construction, and working of the Railway. Power to make settlement as to Company's contracts.

7 In the event of the Governor purchasing the said Railway no sum of money shall be payable or paid by the Governor to any officer or servant of the Company by way of compensation for any loss of office or employment suffered by such officer or servant by reason of the purchase of such Railway. No compensation to officers of Company.

8 The payment for the purchase of the said Railway shall be made in *Tasmanian* Inscribed Stock, valued at par; and such Stock shall be issued to such person or persons as shall be duly authorised by the Company to receive the same. And the inscription of such Stock in the Register kept in *London* by the Bank which shall be authorised to inscribe such Stock shall be conclusive evidence of the completion of the purchase of the Railway and of the payment of the purchase price thereof by the Governor; and shall also be conclusive evidence that all matters in dispute between the Colony and the Company have been finally settled, and that all claims and demands on the part of the Company against the Colony, and on the part of the Colony against the Company, have been duly paid and satisfied. Defrayment of cost of purchase. Evidence of completion of purchase and payment in full of all demands.

Provided, that nothing in this Section contained shall affect or prevent the settlement of the usual current accounts of maintenance and working of the Railway during the four months immediately preceding the date of the purchase of the said Railway.

9 The Governor, on receipt of intelligence from the said Bank of the inscription of such Stock, shall, by Proclamation published in the *Hobart Gazette*, notify that such Stock has been inscribed in the Register kept in *London* as aforesaid. And such Proclamation shall be received in all Courts of the Colony as conclusive evidence of the inscription of such Stock in accordance with the provisions of the Act, and judicial notice shall be taken of such Proclamation. Proof of inscription of Stock.

10 The Governor is authorised, for the purposes of this Act, and in the manner provided by the "Inscribed Stock Act," to issue *Tasmanian* Stock, charged and secured on the Consolidated Revenue Fund, for the sum of One million one hundred and six thousand five hundred Pounds. Governor may issue Stock. 52 Vict. No. 55.

11 The Stock issued under the provisions of this Act shall be redeemable not later than the First day of *July* in the year 1940, and shall bear Interest at a rate not exceeding Three Pounds and Ten Shillings per centum per annum. Redemption of Loan. Rate of Interest.

12 The Interest on all Stock issued under the authority of this Act shall be payable on the First day of *January* and the First day of *July* in every year; and all such Interest shall be charged upon and be Payment of Interest.

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issued out of "The Consolidated Revenue Fund," and the principal moneys secured by such Stock shall be a charge upon such Fund until repaid. The first payment of Interest shall not exceed the amount which the Stock issued bears from the date of its inscription to the date of such first payment.

Governor may grant power to other persons to act.

13 It shall be lawful for the Governor from time to time to appoint any person or persons in his name, and for and on behalf of the Colony, to exercise any of the powers vested in the Governor by this Act, and for that purpose to enter into negotiations and to sign, seal, execute, and deliver all such agreements, contracts, and other documents as may be necessary or expedient in or about the sale and purchase of the said Railway under the provisions of this Act; and everything done by any such person or persons under such appointment shall be binding upon the Colony.

Governor not liable.

14 Nothing herein contained shall render the Governor personally liable for anything done or omitted to be done by him under this Act.