

T A S M A N I A.



1900.

ANNO SEXAGESIMO-QUARTO

VICTORIÆ REGINÆ,

No. 62.



AN ACT to authorise the Construction of a certain Line of Railway from *Railton* to *Wilmot*. A.D. 1900.
[15 December, 1900.]

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 This Act may be cited for all purposes as “The *Railton-Wilmot* Railway Construction Act, 1900.” Short title.

2 In this Act, unless the context otherwise determines— Interpretation.
“The Minister” means the Minister of Lands and Works for the time being, and includes any Contractor or other person appointed or employed by him :
“The Railway” and “the said Railway” includes all works, buildings, stations, and erections erected or built on or connected with the Railway to be constructed under this Act, the land upon which the same is or may be respectively erected or built, all land used in connection therewith, and all plant, rolling-stock, steam engines, machinery, and carriages used with the same :
“The purposes of this Act” means the execution of all works necessary to construct, uphold, and maintain the Railway to be constructed under this Act.

Railton-Wilmot Railway Construction.

A.D. 1900.

Minister to cause
Railway to be
constructed.

3 It shall be lawful for the Minister to cause to be constructed and completed a Line of Railway from the *Railton* Station on the North-Western Railway to *Wilmot*, to be called the *Wilmot* Railway.

Provided that it shall not be lawful for the Minister to commence to construct the said line of railway until all the land deemed necessary for the construction of such railway has been surrendered to or vested in Her Majesty the Queen.

Limit of Expendi-
ture and defray-
ment of cost.

4 The expenditure for the construction and completion of the said Line of Railway shall not exceed the sum of Two hundred thousand Pounds, and the whole of the moneys to be expended under and for the purposes of this Act shall be defrayed out of moneys to be provided by Parliament for that purpose.

Provisions of
49 Vict. No. 41
incorporated.

5 All the provisions contained in Sections Five to Thirty-three, both inclusive, of "The Railway Construction Act, 1885," save and except as is herein otherwise provided, are hereby incorporated with this Act, and where in any of the said incorporated Sections the said Act is referred to, it shall be deemed to mean this Act.

If compensation
excessive, Minis-
ter may give up
land.

6 Where the Minister gives notice of his intention to take land for any of the purposes of this Act, and the compensation in respect thereof is determined as in cases of disputed compensation, if the Minister deems it inexpedient to pay the amount of compensation so determined, he may, within Twenty-one days after notice of the amount of compensation so determined on, withdraw the first-mentioned notice on payment of all the costs of reference and award.

Arbitrations to be
held before single
Arbitrator.

7 Notwithstanding anything contained in any Act incorporated herewith, or in any Act under which land is acquired for the purposes of the said railway, whenever it is required that the amount of compensation to be paid to any person for any purposes shall be settled by arbitration the reference shall be to a single arbitrator, and shall be subject to and in all respects conform to the provisions in that behalf contained in "The Arbitration Act, 1892."

Application of
48 Vict. No. 41.

8 The provisions of "The Land for Public Purposes Act, 1884," shall extend and apply to any land which may be entered upon, taken, or injuriously affected under the provisions of this Act.

Minimum
Charges.

9 In any By-laws or Regulations fixing the rates to be charged upon the said Railway, separate rates for the carriage of goods over the said Railway shall be levied, and a minimum charge made of not less than Five Shillings per ton on all goods carried under the Agricultural Produce Classification, including potatoes, and also on goods of the First Class of the Railway Tariff. The minimum on all other descriptions of goods and merchandise shall be the rates now in force for the distance of Sixteen miles upon the Western Line of the Government Railways: Provided that where goods are carried upon the said Railway for distances over Sixteen miles, a charge for each mile additional to Sixteen miles shall be made *pro rata*.