ANNO VICESIMO QUINTO ET VICESIMO SEXTO

VICTORIAE REGINAE.

A.D. 1862.

No. 23.

An Act to provide for the completion of certain Works at Victor Harbor, and for the extension thereto of the Goolwa and Port Elliot Tramway.

[Assented to, 21st October, 1862.]

WHEREAS a tramway has been constructed between Goolwa and Port Elliot, and whereas certain works have been commenced for the improvement of Victor Harbor, and it is desirable to provide for the completion of such works, and for the construction of a tramway from the said Goolwa and Port Elliot tramway to Victor Harbor aforesaid—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. It shall be lawful for the Treasurer for the time being of the said Province from time to time to issue bonds not exceeding in the whole the sum of Fourteen Thousand Pounds for such amounts as he may deem expedient, and such bonds shall be in the form following, that is to say—

No. £ No. Form of bond.

South Australian Government Revenue Securities. (Harbor and Tramway.)

I, the Treasurer of the Province of South Australia, in consideration of the sum of Pounds, paid to me for the purposes of the Victor Harbor Works and Tramway, do hereby bind myself to pay
to the holder, for the time being, of this present obligation, the sum of Pounds, and interest thereon after the rate of six per centum per annum; such interest to be payable on the first day of January and the first day of July in every year, and the principal to be paid on the first day of , in the year one thousand eight hundred and Sealed with my seal. Dated the day of , one thousand eight hundred and Signed, sealed, and delivered, in the presence of

Note.—Interest and principal, payable at the Treasury, in Adelaide, South Australia, or [in London or in any other agreed place, to be declared at the time of issue] at such place as may be appointed, by notice to be given in the South Australian Government Gazette [and in the London Gazette.]

And every holder of any such bond, for the time being, shall be entitled to all rights and remedies, under and in respect of the same, in the like manner as though he had been named therein as the obligee thereof.

2. The said bonds shall bear interest at the rate of Six Pounds per centum per annum; and the interest and principal upon such bonds shall be payable and paid to the holder thereof, at such place and at such time as may be specified or provided therein: Provided that the principal shall not be payable or paid before the expiration of twenty years, and the period fixed for payment of the principal shall not exceed forty-five years.

3. All sums of money raised and received by the Treasurer upon the security of the said bonds, shall be carried by the said Treasurer to the credit of the Commissioner of Railways, for the purposes of this Act, and shall be by him paid to the said Commissioner, in such amount and manner as the Governor, by any warrant under his hand, may, from time to time, authorize and direct.

4. It shall be lawful for the said Treasurer, and he is hereby required, in each and every year from the first raising of any sums of money under the authority hereof, until the whole amounts so raised and all interest thereon shall have been duly paid, to set apart such sum as shall suffice to pay the amount of bonds redeemable during such year, together with interest upon all bonds which shall then bear interest; and shall apply such sum in payment of such bonds, and interest as aforesaid, in manner specified in such bonds.

5. The Commissioner of Railways shall forthwith prepare, or cause to be prepared, plans and sections of the works necessary for the completion of the jetty at Victor Harbor; and also plans and sections
sections of a tramway, to be worked by horse-power, from some point on the present Goolwa and Port Elliot Tramway, to the works at Victor Harbor aforesaid; and such plans shall show all lands which shall be deemed necessary to be entered upon, used, or taken for the purposes of such jetty and tramway, and the same shall be deposited in the office of the Surveyor-General.

6. Copies of the said plans and sections shall be laid before both Houses of Parliament as soon as completed, or if Parliament be not then sitting, within fourteen days after the then next sitting thereof for the dispatch of business.

7. The Lands Clauses Consolidation Act shall be incorporated with and form part of this Act.

8. As soon as such plans and sections shall be deposited in the office of the Surveyor-General, it shall be lawful for the Commissioner of Railways to make and maintain the said line of tramway, branches, extensions, roads, and works, in and upon the lands delineated in the said plans, and to enter upon, use and take such of the lands delineated and referred to in such plans, as shall be or be deemed necessary for such purposes, or either of them.

9. It shall be lawful for the said Commissioner of Railways, in the construction of the tramway and branches by this Act authorized to be made, to carry the same on the level across any roads.

10. It shall be lawful for the said Commissioner to stop and close, either wholly or in part, such of the roads shown upon the said plans, at the point of intersection by the said proposed tramway, as he may from time to time deem expedient: Provided that the owners and occupiers of all lands which shall abut upon any road so stopped, shall be entitled to receive full compensation in respect of any loss or damage to be occasioned by such stoppage; and the amount and application of any such compensation shall be determined in manner provided by the Lands Clauses Consolidation Act, for determining the amount and application of the compensation to be paid for lands taken under the provisions thereof.

11. When any road shall have been stopped or closed, in whole or in part, by virtue of the power so hereinbefore given, it shall be lawful for the said Commissioner to convey such road, so far as the same may be stopped or closed, or any part thereof, to the owner of the land upon which such road, or part of a road may abut.

12. The said Commissioner shall, with respect to all roads shown upon the said plans, have all the rights, authorities, and powers of Commissioners of Roads under an Act, No. 17, of 1852, "For the making and improving of Roads in South Australia."

13. It shall be lawful for the Governor, from time to time, by warrant to be repaid.
warrant under his hand, to authorize the Treasurer to advance and pay to the said Commissioner, for the purposes of this Act, any sums of money not exceeding in the whole the sum of Fourteen Thousand Pounds; and any sums of money so advanced and paid shall be retained by the Treasurer out of any moneys authorized to be raised or applied by him under authority hereof.

14. The tramway and branches by this Act authorized to be constructed, shall be, and are hereby declared to be, exempt from sewers, highway, municipal, police, improvement, and all other local rates and taxes.

15. In citing this Act, in other Acts and legal instruments, it shall be sufficient to describe it as “The Victor Harbor Works and Tramway Act, 1862.”

In Her Majesty's name I assent to this Bill.

D. DALY, Governor.