

(No. 25.)



1870.

T A S M A N I A.

LAUNCESTON AND WESTERN RAILWAY.

CORRESPONDENCE.

Laid upon the Table by the Colonial Treasurer, and ordered by the House to be printed, August 23, 1870.

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LAUNCESTON AND WESTERN RAILWAY CORRESPONDENCE.

CUTTING No. 38. Nos. 317 to 335.

317.

*Launceston and Western Railway Company, Limited,
Launceston, 24th August, 1869.*

SIR,

I HAVE the honor to acknowledge receipt of your letter dated yesterday, informing me that the Governor in Council has been pleased to sanction the expenditure of £2548 6s. 11d., as requested by me on the 21st ultimo.

I note that Mr. Kemp has stated that he is still awaiting further information "before he can furnish his report to the Government" on the application I had the honor to make with reference to the expenditure of £350 at cutting an embankment, No. 38; and I much regret that the contractors should be subjected to such a delay, when Mr. Kemp has received all the information he has asked for, excepting the approximate price of about a quarter of acre of ground additional, which will have to be taken from Dr. Ozaune, the proprietor, at a cost of about £5, against the "lands' claims" account of the Company, and which item should have nothing whatever to do with the work the Contractors have agreed to perform for only £350, in addition to schedule amount for 38 cutting and embankment.

I referred Mr. Kemp to the proper officer, the lands' valuator, a week ago; and as Mr. Bartley and himself are in almost daily intercourse as Commissioners, I must express my regret that Mr. Kemp should not have seen it to be his duty to avoid any further delay and annoyance to the Contractors; the application with reference to this paltry sum having been before the Government beyond a month; and the only matter to be settled being between Mr. Bartley and himself, so far as the Directors are concerned.

I have, &c.,
(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

318.

Railway Commissioners' Office, Launceston, 27th August, 1869.

SIR,

I HAVE now the honor to report upon the alterations of the gradient at what is known as the great "Ravine Embankment," and "Cameron's Cutting," No. 38. The Engineers reported to the Directory on the 19th ultimo, that, in consequence of the badness of the stratum, and a serious slip having occurred in the said cutting, they deemed it expedient to alter the gradient at this spot from 1 in 70 to 1 in 50 for a distance of 22 chains. These recommendations were adopted by the Directory on the 20th ultimo, and the works connected with such alterations are advancing towards completion, and will cost £1492. A saving of £1137 will be effected by not taking the said cutting to the specified depth, which saving will have to be deducted from the bulk sum of Messrs. Overend & Robb's contract.

Should the Governor in Council be pleased to assent to these alterations, which are now unavoidable, I would respectfully suggest that authority be given to expend £1492, as the sum asked for by the Directory (viz. £350) does not represent the actual cost; and that the adjustment of the accounts for such expenditure should be left to the discretion of the Commissioners; otherwise a bad precedent will be established by giving the Engineers and Directory power to use amounts varied at one portion of the line to pay for excesses carried out at another portion of the line.

I have, &c.,
(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

P.S.—I have already attended to these alterations in a former communication addressed to you on the 20th instant, to which I beg to call your attention, and to request that such communication may be read in conjunction with this.—S.V.K.

319.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 28th August, 1869.

SUBMITTED,

That the Commissioners of the Launceston and Western Railway having signified their approval of the alteration in the gradient of Cutting No. 38 from 1 in 70 to 1 in 50 for a distance of 22 chains, stated to be necessary by the Engineers on account of the nature of the ground and approved by the Directors, the expenditure of a sum not exceeding £1492 upon this work be authorised.

The professional Commissioner, Mr. Kemp, reports that "a saving of £1137 will be effected by not taking the said cutting to the specified depth;" thus the net increase on the original expense estimated for this cutting will amount to £355.

While the saving above mentioned is to be deducted from the bulk sum of Messrs. Overend & Robb's Contract, and made to appear as a credit in the general account, the specific work included in the designation "Cutting No. 38" must be debited with the total additional cost involved in the alteration of the gradient.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves,

The Hon. the Colonial Secretary. E. C. NOWELL.
30. 8. 69.

320.

Colonial Secretary's Office, 31st August, 1869.

SIR,

WITH reference to the alteration in the gradient of Cutting No. 38, recommended by the Engineers and approved by the Board of Directors, I have now the honor to inform you that the professional Commissioner having reported that the alteration is unavoidable, the Governor in Council has been pleased to approve of the expenditure of the amount stated as the cost of such alteration, namely, one thousand four hundred and ninety-two pounds (£1492).

The saving effected by not taking the cutting to its full depth, according to specification, to the amount of one thousand one hundred and thirty-seven pounds (£1137) will, I presume, appear in the Accounts when examined by the Colonial Auditor as a deduction from the total amount of Messrs. Overend & Robb's Contract.

I have, &c.,
(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary Launceston and Western Railway Company.

321.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd September, 1869.*

SIR,

I HAVE the honor to acknowledge your letter of the 31st ultimo, with reference to alterations in the 38th item of the Contract with Messrs. Overend & Robb.

I beg to ask your reference to my letters of the 14th and 21st July, the former promising to send you a report from the Engineers with reference to the alterations required, the latter advising this to have been done through the office of the Commissioners.

I adopted this irregular mode of proceeding to facilitate the consideration of the question submitted; but I regret having done so, as it appears to me the case has not been properly put before you, as I think must be seen by perusing the Engineer's report, herein enclosed.

The full cost of the alteration is not £1492, as stated in your letters, but £1932; the deduction being £1137 for earth not removed, and a contribution towards the whole alteration of £445 by the Contractors; namely,—

	£
22,453 cubic yards of earth are estimated to be taken from "spoil banks" and carried to embankment 38, at a cost of 1s. 6d. per cubic yard.....	1684
The culvert has to be lengthened 8 yards, at £18 10s.....	148
1335 cubic yards earth to be carried into the Cutting 38, at 1s. 6d. cubic yard....	100
	<hr/>
	1932
11,375 cubic yards earth of original contract left unexcavated.....	1137
	<hr/>
Total difference.....	795
But Overend & Robb offer an allowance to the Company of	445
	<hr/>
Balance.....	£350

(Three hundred and fifty pounds)—

which amount the Directors have asked may be authorised, as an "extra," in addition to and precisely on the same footing as the Governor authorised the sums £6614 5s., £145 16s., and £2548 6s. 11d. respectively.

If the question be treated in any other manner a serious complication may arise with the Contractors, and this ought to be avoided, as well as any interference with the original contract—the amount of £350, as you will observe, arising out of operations on the one item, No. 38, and not at all coming within the category of general alterations,—some in increase, others in decrease, of the original schedule, to be finally settled at the measuring up and balancing of the entire Railway works.

The work at 38 is special; its character has been clearly ascertained and reported: it can be done for £350 more—by the special arrangement entered into—than the original contract, *i.e.*, for £5509 19s. 1d., in lieu of £5159 19s. 1d., without any new contract between the letter given by Overend & Robb, without any kind of new certificate, excepting for £350, and without any explanation offered to or required by the Auditor; and I trust this arrangement may have the sanction of the Government, and at as early a day as convenient.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, Tasmania, 19th July, 1869.*

DEAR SIR,

WE have to report that in Cutting No. 38 we have entered a stratum of wet shaly clay, which proves on exposure to be of the worst possible description; and although the excavation is still several feet above the level shown on the section, and the slopes have been removed to a ratio of 1½ horizontal to 1 vertical, a serious slip has already occurred, and it is to be feared that more will follow, as we get deeper into the stratum—the full depth of which is unknown.

Under these circumstances we have considered the desirability of raising the gradient from 9 m. 2 c. to 9 m. 23 c. to 1 in 50, by which means we shall save about 12 feet of excavation in the cutting, and the future trouble and expense of maintaining the sides of it will undoubtedly be greatly diminished, although they will probably require attention from time to time for some years before their permanent stability can be assured. Against this we have to set the disadvantage of working a gradient of 1 in 50; but for so short a length we do not consider this a serious objection, and it is well within the power of the engines ordered for the line.

We have taken careful sections and measurements of the cutting in its present state, and we enclose a sketch-tracing to assist in explaining the alteration we propose. We find that the cost of the alteration, which will involve filling in the west end of the cutting, raising embankment 38 to the new gradient, and lengthening the culvert under the latter, will be nearly £800, after deducting the value of the earthwork left in the cutting. It is clear, however, that the alteration will benefit the Contractors—in point of maintenance—as well as the Company; and we therefore made proposals to them to meet the Company in the matter. To this we have received the following reply:—

(Copy.)

*“Launceston and Western Railway Contractors’ Office, Railway Wharf,
William-street, Launceston, 9th July, 1869.”*

“GENTLEMEN,

“Having taken into our serious consideration the proposed alterations to Cutting No. 38, Bank No. 38, and the lengthening of the culvert underneath the bank, in accordance with the Plan submitted to us, we find that, calculating the cost upon the lowest basis, it would amount to at least seven hundred pounds sterling. But, looking upon the alteration as a mutual benefit to the Railway Company and ourselves, we have the honor to say that we are prepared to execute the works on condition that the Company pay us one-half the cost, viz., three hundred and fifty pounds.

“We have, &c.,
(Signed)

“OVEREND & ROBB,
“Per ROBERT AIKMAN.

*“Messrs. DOYNE, MAJOR, & WILLETT, Engineers,
“Launceston and Western Railway.”*

After due consideration of all these circumstances we recommend that the alteration be made, and that Messrs. Overend & Robb’s offer be accepted.

We have, &c.,
(Signed)

DOYNE, MAJOR, & WILLETT, *Engineers.*

322.

Colonial Secretary’s Office, 10th September, 1869.

GENTLEMEN,

I HAVE the honor to forward for your perusal and remarks the accompanying letter from the Secretary of the Launceston and Western Railway Company, dated the 2nd instant, having reference to the authority given by the Governor in Council for the payment of the excess upon the estimate for the Cutting No. 38, which was stated by Mr. Kemp as £1492, but which, by Mr. Dowling’s letter, appears to be £1932.

In accordance with the views of the Commissioners the authority issued by the Governor in Council was for the sum as stated by Mr. Kemp to be the total excess, but the Secretary calls attention to the fact that the amount for which the Directors desire authority is only £350, as certain savings have been effected by the alteration in this cutting for which credit being taken the increased expenditure is reduced from £1932 to £350.

I also forward copy of my letter of the 31st ultimo to the Secretary of the Company, to which Mr. Dowling’s letter of the 2nd instant is a reply.

I have, &c.,
(Signed)

JAMES MILNE WILSON.

The Commissioners Launceston and Western Railway Company.

323.

Railway Commissioners’ Office, Launceston, 14th September, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your communication dated the 10th instant, with enclosures to and from the Secretary of the Launceston and Western Railway Company dated 31st ultimo and 2nd instant respectively,—and in reply to the views propounded by Mr. Dowling, I beg to say that no extra cost will be incurred to the Company by having the accounts adjusted as I have recommended. The Contractors have agreed by letter to execute £795 worth of work for

£350 (for certain considerations), to which sum add the value of the material left in the Cutting No. 38 (viz., £1137), and the cost of the extra land (viz., £5), the total will amount to £1492,—being the actual cost of the alteration of the incline.

By the system of adjustment desired by the Engineers their Certificates will show a greater value of work executed than is *actually* performed; for instance, take their last Certificate, No. 13, Item 174, Cutting No. 38, opposite to which is £5159 19s. 1d. as the "Contract price of work to be executed," against which price "the total value of work done to date of such Certificate" is set down at £4950; whereas the *actual* value of work taken out of this Cutting, No. 38, is only £4022 19s. 1d., showing, therefore, that £927 0s. 11d. is disguised as payment for another work.

The earth that has been taken out of this Cutting, No. 38, has been deposited outside the fence line in spoil heaps, and has been paid for at the Schedule rates, viz., 1s. 11d. per cubic yard. An alteration is now proposed, and to effect this it is necessary not to take any more earth out of such cutting, but to take the earth so deposited in spoil heaps, and already paid for, to raise the embankment higher than was originally contemplated or provided for in Messrs. Overend and Robb's Contract. To do this, a special arrangement has been made between the Contractors and the Engineers, and a special rate made outside the Schedule,—viz., 1s. 6d. per cubic yard,—for removing the earth from such spoil heaps into the embankment, and raising the same to the altered inclination. The Engineers now desire that this alteration shall be paid for out of the saving effected by leaving £1137 worth of material in the cutting, as they consider that the cutting and embankment form one item. This is granted to a certain extent; but this embankment was made up to the contract level by material taken from the slopes, and if the material that they now propose leaving in the cutting had to be taken out, and the alteration of the incline abandoned, the whole of the material would have to be run to spoil; and, supposing the earthwork in the cutting proved to be insufficient to form the embankment, would the Engineers feel themselves justified in increasing the contract amount for such cutting?

If the adjustment of these alterations is carried out in any other way than as suggested by me, it will be beyond the power of the Colonial Auditor to audit the accounts as they should be done; and the Certificates will show the cost of a work that has not been executed, and a mischievous precedent will be established with future accounts, whereby the actual cost of substitutions to or from the original Contract will be disguised.

Each Certificate should be thoroughly explanatory in itself without the assistance of another document, and nothing should be allowed to be inserted in such Certificate that would have the effect of misleading the Colonial Auditor.

I herewith have the honor of returning the enclosure from Mr. Dowling, dated 2nd instant.

The Hon. the Colonial Secretary, Hobart Town.

I have, &c.,

(Signed) SAML. V. KEMP.

My Estimate of the cost of alterations to incline at 38 Cutting,—

	£	s.	d.
As per detailed Statements furnished by the Company's Engineers	795	0	0
Messrs. Overend & Robb agree to allow in consideration of their being relieved from the responsibility of maintaining the Slopes of 38 Cutting	445	0	0
Balance	£350	0	0
Saving effected by not taking the Cutting to the proposed depth, but proposed to be spent in taking the material from the spoil banks and putting it into the Embankment	1137	0	0
Extra land taken for seat of increased width of Embankment	5	0	0
	£1492	0	0

EXTRACT FROM CERTIFICATE No. 13.

Launceston and Western Railway Certificate No. 13.

No. of Item in this Schedule.	Description of Work.	Price of Work as per Contract.	Total value of work done to date of this Certificate.
		£ s. d.	£ s. d.
174	Earthwork Cutting, 38	5159 19 1	4950 0 0
Price of work as per Contract			5159 19 1
Value of work left in the Cutting, occasioned by the alteration of the incline			1137 0 0
The actual value of work taken out of the cutting, and which ought to be shown in the Certificate			£4022 19 1

324.

*Launceston and Western Railway Company, Limited,
Launceston, 15th September, 1869.*

SIR,

I HAVE the honor to remind you that on the 2nd instant I acknowledged your communication of the 31st ultimo, on the question of the proposed extra of £350 at No. 38 Cutting, Item 174, of the Contract with Overend & Robb, and that I then asked the re-consideration of the form in which His Excellency the Governor had sanctioned this extra work.

It then became my duty to point out that if this "extra" were treated in the manner proposed, or in any other manner than "extras" already authorised by the Governor in Council, serious complications might arise.

Although the full amounts of the Engineers' Certificates, Nos. 12 and 13, were passed by the Directors and one Commissioner, and notwithstanding no extras were included in either of them, Mr. Kemp has arbitrarily deducted £500 from No. 12, £100 from No. 13, on account of Item No. 174, and from the latter Certificate a further sum of £365 12s. 7d., for which deduction not a shadow of an excuse seems to me to exist, making together £965 12s. 7d., which Messrs. Overend & Robb, whilst protesting against the deduction as illegal, submit to rather than suffer the greater inconvenience of waiting for the whole sum of £13,287 7s. 11d., the total due under the two Certificates.

The Contractors are now urging upon the Directory the payment of their overdue sum of £965 12s. 7d., which, however, Mr. Kemp states he will withhold until "Certificates and Accounts are rendered in conformity with the authority granted by the Honorable the Colonial Secretary, on the 31st ultimo."

It therefore again becomes my duty to urge upon your attention an early consideration of, and reply to, my letter of the 2nd instant, and most respectfully to ask that His Excellency may be advised to direct the payment of £350 as an extra, whenever a proper extra Certificate has been given to the Contractors,—in addition to the Contract price of £5159 19s. 1d., Item 174, earthwork Cutting No. 38,—in the same manner as he authorised the expenditure of the respective sums of £6614 5s., £145 16s., and £2548 6s. 11d.

I have especially to invite your attention to the inconvenience and annoyance experienced by the Contractors, and to the probability, if delay much longer continues, of their withdrawing their offer in respect to this item,—a course which has already been hinted at,—and thus involving the funds in a much larger contribution than the amount asked by them; viz., £350.

I beg to enclose a letter from the Engineers to the Company for the information of the Government in respect to this question.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, Tasmania, 14th September, 1869.*

DEAR SIR,

WE have to acknowledge your letter of the 10th instant, informing us that Mr. Kemp had declined to sign the cheque due to Messrs. Overend and Robb on the 12th Certificate without the deduction being made of £500 from the sum passed by the Board of Directors; and that, "under the same circumstances," a further sum of £465 12s. 7d. has been deducted from No. 13 Certificate. For an explanation of these "circumstances" you refer us to a letter from Mr. Kemp to the Hon. Colonial Secretary, printed at page 187 of the Parliamentary Correspondence, "where he seems to regard the work at Item 174 of the Contract in the light of alterations made in various items."

Mr. Kemp deprecates the system of using the saving of a work at one portion of the Line as a set-off against an excess at another portion of the Line. But, while we hold a different opinion on this point,—regarding it as a perfectly legitimate and convenient course,—it cannot be said that this has been done in the present case, because the "saving" and "excess" both occur in one and the same item. In accordance with universal practice, there is no separate price given for any of the embankments on the line,—they are included in the prices of adjacent cuttings, from which they are chiefly made. This Embankment 38 and Cutting 38 together constitute one item—No. 174—in the Schedule, and this item has been altered from the original design to this extent:—In place of lowering one end of it, it was thought expedient to raise the other; and the cost of making this alteration was fixed by special agreement with the Contractors at £350 beyond the contract price. As the work has proceeded we have advanced a progress payment from time to time upon the contract price of the item (No. 174), and on its completion we have simply to pay up the item in full and issue an extra Certificate for the extra £350.

In the letter already quoted (No. 313, Printed Correspondence) Mr. Kemp observes, "It will be my duty to point out to the Government that the alterations as proposed in the cutting and embankment will not be properly represented as costing only £350, but in addition thereto the sum saved by the alteration." Here there is a manifest confusion of ideas, which further reflection may rectify. The "saving" referred to is purely imaginary: the item as first designed was contracted for at £5159 19s. 1d., and the cost of the same item as actually executed is £5159 19s. 1d., plus £350 as already explained. From this it is clear that the alteration is properly represented as costing only £350.

We notice several letters from Messrs. Kemp and Innes to the Government containing statements to which we take decided objection; but we have had no chance of replying to them as we were unaware of their existence until we obtained a copy of the printed Correspondence. We may just instance Letter No. 310, signed by Messrs. Kemp and Innes, in which our report to the Board that the slopes of No. 38 Cutting will require "attention from time to time for some years" is distorted into a mere trick on our part to "postpone" expenditure. They say, "by the method they (the Engineers) propose, what they call 'attention' will be necessary from time to time, &c." The attention referred to is not at all a result of the method (meaning the alteration) we propose, but would be necessary in *any* case, and much more so had the original design been carried out; neither is it a "postponement" in any sense, inasmuch as we have done all that can be done at present, and no amount of money (within reasonable limits) expended *now* would avert the necessity of attention from time to time for some years, as anyone who has had even a slight experience of such works will tell you; and the amount of such attention and the consequent expense will entirely depend upon the behaviour of the slopes under the influence of *time* and exposure.

We should be glad to think that this statement was more the result of inexperience of works of this character than any intentional misrepresentation of our meaning, but we see that Mr. Kemp repeats the statement in his Letter, No. 313, in the same strain, and we notice with regret that both letters bear *prima facie* evidence of a desire if possible to throw discredit upon us, and to place our statements in the most unfavourable light.

We have, &c.,

DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

325.

Launceston, 15th September, 1869.

SIR,

As one of the Commissioners of the Launceston and Western Railway, I have the honor to acknowledge the receipt of your letter of the 10th instant, enclosing for the Report of the Commissioners a letter from the Secretary of the Company, soliciting the sanction of the Governor in Council to the expenditure of the sum of £350 in full for "extra work" executed by the Contractors on "Earthwork, No. 38 Cutting," in compliance with orders of the Engineers under the Conditions of the Contract 6 and 6A, the Contractors having agreed to accept such sum in full for such extra work involved in the alteration in the gradients in the said cutting,—the consequent increase in the height of the embankment adjoining to and formed by the earth taken from the cutting, and the lengthening of the culvert. Such extra work would, as represented in the Secretary's letter, have entitled the Contractors to the sum of £795, had they not, under the attendant circumstances stated in the letter from the Engineers reporting the alteration in the gradient, consented to make an allowance of £445, in which allowance the extra cost of lengthening the culvert is included, so that no extra payment is claimed upon that item.

Upon this application of the Directors contained in the letter of the Secretary referred to, I beg respectfully to submit for the consideration of the Government the following observations:—

Mr. Kemp, in his letter to you of the 24th ultimo, says,—“It will be my duty to point out to the Government that the alterations proposed in the cutting and embankment will not be properly represented as costing only £350, but in addition thereto the sum saved by such alteration; and I deprecate the system proposed, whereby the saving of a work at one portion of the line is used as a set off against an excess upon another portion of the line.”

Upon this statement I would respectfully remark that Cutting No. 38 and the said adjoining embankment represent *only one and the same portion of the line*. They are both embraced in the term "Earthwork, Cutting No. 38," and together constitute *one item*, No. 174, in the Schedule of Prices attached to the Contract, and in the Monthly Certificates of the Engineers. *They are, in fact, one and the same work*, and the alteration so ordered by the Engineers and so executed by the Contractors in such work involves an extra cost of £795, including the lengthening of the culvert,

but the Contractors have, under the attendant circumstances, agreed to accept the sum of £350 in full, and the Directors, anxious to avail themselves of so very favourable an arrangement, have solicited, as I conceive most correctly, the sanction of the Government to the payment to the Contractors of the said sum of £350 as the total sum to be paid for "extra work" performed upon "Earthwork, Cutting No. 38," so constituting the one item No. 174 in the Schedule of Prices and in the Monthly Certificates.

These are the conclusions at which I have arrived after a careful and impartial examination of the question at issue between the Company's Engineers and the Directors and Mr. Kemp as to the alterations and extra work executed upon "Earthwork, Cutting No. 38, Item 174," which conclusions are entertained by the Directors as set forth in the Secretary's letter referred to, and I believe are precisely in accordance with those expressed by the Engineers to the Directors, and acted upon by them in furnishing Certificates to the Contractors *on account* of such alterations.

In No. 12 Monthly Certificate the Engineers certified for a payment to the Contractors of £500, and in No. 13 for a further payment of £100, together £600, as due to them on account of work—not "extra work"—executed upon "Earthwork, Cutting No. 38, Item No. 174." Cheques for such amounts have been duly signed by the Directors, the Secretary, and by myself as one of the Commissioners; but I much regret that Mr. Kemp, influenced by and acting upon the views he entertains upon this question as stated in his said letter of the 24th ultimo, has refused to sign such cheques, thereby preventing the Company from making those payments to the Contractors to which, under the express terms of the Contract, they are both legally and equitably entitled, and which bear interest at 10 per cent. per annum until paid.

The price of "Work as per Contract" comprised in "Item No. 174, Earthwork, Cutting No. 38," is set down in the Schedule of Prices and in the Monthly Certificates at £5159 19s. 1d. The Engineers have reported that the "extra work" executed upon this item will amount, under the very favourable arrangements made with the Contractors, to the sum of £350. The Directors solicit the sanction of the Governor in Council to the expenditure of such sum for such "extra work" upon Item No. 174, in addition to the said Contract price of £5159 19s. 1d. I would most respectfully strongly recommend that the Government should promptly sanction such payment upon this basis, which I submit is in every respect a legitimate and correct one, and thereby avoid the serious and vexatious complications which must otherwise inevitably accrue. I advisedly say "inevitably," because the matter now stands thus:—The Engineers, in strict accordance with the 27th Condition of the Contract, have certified that there is a sum of £600 due to the Contractors for work executed upon Item 174. The Directors, as legally bound, passed the accounts of the Contractors founded upon such Certificates, and cheques for the amount of same, £600, have been duly signed by the Directors, the Secretary, and by myself as one of the Commissioners, the signature of another of the Commissioners which is necessary to make such cheques available to the Contractors being refused, unless another form of Certificate is furnished by the Engineers in accordance with the views of Mr. Kemp, which are in direct opposition to those entertained and acted upon by them in furnishing the Certificates upon which the said payments are now overdue to the Contractors.

The Engineers, as I think might reasonably be expected, positively refuse, for the reasons assigned by them, to furnish any other Certificate for such payments, or in any way to alter those already furnished. The Company, therefore, though legally and equitably bound and most anxious to pay these their just obligations to the Contractors, are altogether prevented from doing so, and it is altogether out of the power of the Contractors to obtain such payments in any other way than by instituting legal proceedings against the Company and Commissioners, a procedure which must be necessarily attended with serious inconvenience and delay to the Contractors, which must eventuate in a very heavy loss to the Company, and must be not only destructive to their credit but damaging to the credit of the community. Such a procedure is, I believe, merely deferred by the Contractors pending the decision of the Government upon the question which has now induced this communication; and I would further state, that I have also good reason to believe that unless their just claim is promptly paid they will withdraw their offer to make the said deduction of £445 upon the alterations executed by them in Cutting No. 38, upon which the said sum of £600 is now overdue.

I have, &c.,

(Signed) THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

326.

Launceston and Western Railway Company, Limited, 8th October, 1869.

SIR,

I HAVE failed in inducing Mr. Kemp to adopt the form of arrangement I proposed in accordance with your suggestions; and I have the honor now to ask that I may place the whole question in

difference before the Auditor, that he may report on the proposal I have to make for the settlement of this matter to you; and, if possible, finally arrange the manner in which the account shall be submitted.

I have, &c.,

(Signed) H. DOWLING, *Secretary*.

The Hon. the Colonial Secretary.

WITH a view to the proper adjustment of the matter in dispute, the Colonial Secretary has no objection to the Auditor examining the course proposed to be adopted by the Secretary to the Launceston and Western Railway Company.

JAMES MILNE WILSON.
12th October, 1869.

ASSUMING the simple meaning of the authority of 31st August addressed to Mr. Dowling to be that the Contractors shall receive, for making certain alterations in the particular works provided for by Item No. 174, Cutting No. 38, of the Contract Schedule, the sum of £350 over and above the stipulated amount in the Contract of £5159 19s. 1d., it appears to me that as a matter of account the easier and more clear way of settling the transaction would be to adopt Mr. Dowling's suggested mode of settlement upon Certificate No. 14, in preference to altering all the back Certificates from No. 11 upon Mr. Kemp's plan, which would involve a good deal of trouble. I would beg, however, to be distinctly understood that in offering this opinion I am dealing with the figures *pro* and *con* [£1487 plus and £1137 minus] as *one* transaction resulting in a balance of £350. If the additional payment of £1487 had been authorised for extra work on No. 174 Item of Contract, and the deduction of £1137 had been agreed to for a saving of work on another item (say for instance No 178), I could not then have advised the setting off the sum minus on the one item against the sum plus on the other, as such an arrangement would be contrary to the authorised system of the Public Accounts; but seeing that the operation in this case is all upon one and the same Item of Contract, I feel no hesitation in offering the opinion above expressed, and as Colonial Auditor I shall be quite satisfied with this arrangement of the account when it comes before me for audit.

E. J. MANLEY,
12th October, 1869.

The Hon. the Colonial Secretary.

P.S.—I would take the liberty to suggest that copies of all authorities for extra expenditure on the Railway should be furnished to this department for its guidance in auditing the Railway Accounts.

E. J. M.
12th October, 1869.

MEMO.

ON behalf of the Launceston and Western Railway Company (Limited), I propose that the settlement of the question of the works at Item 174, Earthwork, Cutting 38, be effected in the following manner:—

	£	s.	d.
Taking the total of 14 Certificate.....	9385	8	9
Deducting the earthwork left in the cutting	1137	0	0
	8248	8	9
And adding the extra Certificate as proposed by the Colonial Secretary	1487	0	0
	£9735	8	9
<hr/>			
	£	s.	d.
Which forms the original total of.....	9385	8	9
And the	350	0	0
	£9735	8	9

That these corrections be made by me at the foot of the Certificate No. 14 in red ink.

H. DOWLING, *Secretary*.

Hobart Town, 8th October, 1869.

327.

Colonial Secretary's Office, 18th October, 1869.

MY DEAR SIR,

IN accordance with your request (by telegram) I now send you a copy of your letter and enclosure of the 8th instant.

You should have had them sooner but I anticipated receiving them from Mr. Innes, to whom the matter, with the Auditor's Report, had been referred as Commissioner.

As yet Mr. Innes has not officially returned them to the Colonial Secretary, but I borrowed them this afternoon for the purpose of sending you a copy.

I have, &c.,
(Signed) B. T. SOLLY.

H. DOWLING, Esq., Secretary Launceston and Western Railway Company.

328.

Launceston and Western Railway Company, Limited,
Launceston, 19th October, 1869.

SIR,

I HAVE the honor to forward, for the information of the Government, copy of a letter received from the Railway Contractors, with reference to the amount of money still withheld from them; and of a memorandum supplied by me to the Board, in pursuance of a resolution of a late meeting of the Directors, showing the amounts and dates when such payments were ordered by the Directory.

In connexion with these papers I beg to ask your attention to my letter of the 8th instant, as to proposed mode of adjustment of the account for extra, at Item 174, Cutting 38.

I also beg to remind you that under the terms of the Contract Messrs. Overend & Robb will be entitled to claim 10 per cent. interest on the amount thus withheld from them; but that even this amount of interest cannot compensate those gentlemen for the annoyance and loss connected with delays of this nature; and that, therefore, it is most important a decision should be arrived at, on the whole question submitted to the Government; and especially on the form of adjustment proposed by me on the 8th instant.

I have, &c.,
(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary.

(Copy.)

Launceston and Western Railway Contractors' Office,
Launceston, 19th October, 1869.

SIR,

WE beg leave most respectfully to call your attention to the fact that on Engineers' Certificates Nos. 12, 13, and 14, a balance still remains unpaid, the amounts of which, taken together, amount to a considerable sum, and to request that you will at your earliest convenience have the account settled.

We are sorry to have to call your attention again to matters of this kind, and would not do so now but that we feel it a duty we owe to ourselves and the Board to call their attention to the very unsatisfactory mode in which our payments are made.

We are, &c.,
(Signed) OVEREND & ROBB.

H. DOWLING, Esq., Secretary Launceston and Western Railway Company.

(Copy.)

Launceston and Western Railway Company, Limited,
Launceston, 19th October, 1869.

MEMO.

DATES at which payments to Overend & Robb were passed by the Board, and the amounts now remaining unpaid:—

	£	s.	d.		£	s.	d.
Passed, 10th August—No. 12 Certificate	7821	15	4	Overdue.....	500	0	0
„ 7th September—No. 13 „	5465	12	7	„	465	12	7
„ 5th October—No. 14 „	9385	8	9	„	1385	8	9
„ 5th „ Extra „	350	0	0	„	350	0	0
				Overdue.....	£2701	1	4

H. DOWLING, Secretary.

329.

Railway Commissioners' Office, Launceston, 4th November, 1869.

SIR,

I BEG to bring under your notice, and to remind you, that when I was in Hobart Town, by order of the Joint Committee of both Houses of Parliament, I had the honor of laying before you, and of explaining, the disputed adjustment of the Accounts connected with the alterations of the incline at Cutting No. 38; and you were pleased, after examining my Accounts and the system of adjustment as proposed by me, to say that such system was the only correct method of showing the actual amount of work executed to date.

I have now the honor to acquaint you that one of my colleagues, Mr. Innes, who has on more than one occasion, both verbally and in writing to you, expressed the same views as entertained by me respecting the proper mode of adjustment of the Accounts connected with this extra work, has now altered his views, and, in conjunction with Mr. Bartley, signed the cheques for the amount in dispute, thereby relieving me from all responsibility in this matter.

I must beg again to refer you to our interview at Hobart Town, at which you stated that the Government held me responsible for all professional matters connected with the adjustment of the Accounts, and in reply I stated that I would accept the responsibility, provided all such Accounts were rendered in conformity with my approval; and I think it but fair and reasonable that, if I am to be held responsible, I should have the right to dictate the adjustment or be relieved from the responsibility.

The present course adopted by my colleagues is no final solution of the difficulty, as No. 15 Certificate, which has just been presented for payment, contains the same objectionable items of adjustment. I must, therefore, respectfully solicit the Government to decide this dispute, so as to prevent any further trouble and loss to the Contractors.

I have, &c.,

(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Hon. F. M. Innes for his observations.

J. M. WILSON.
10th Nov. 1869.

11th November, 1869.

As the Colonial Secretary is aware, from the frequent communications I have held with him, I would have preferred an adjustment of accounts in respect to the expenditure on cutting No. 38, which would have exhibited separately the cost arising out of the alteration of slopes; but the principle involved is not so decidedly applicable to the facts of this case as Mr. Kemp contends, and after the opinion elicited in reference to the Colonial Auditor, and weighing the inconvenience of postponed payments to the Contractors, and duly considering that the issue in no way affected the pecuniary integrity of transactions, I deemed it my duty to sign the cheque on No. 14 Certificate.

Mr. Kemp, I perceive, refers to some interview with you, at which (as he represents) you stated that the Government hold him responsible for all professional matters connected with the adjustment of accounts; when (as he further represents) he stated that he would accept the responsibility, provided all such accounts were rendered in conformity with his approval, to which he adds, that he thinks it fair and reasonable, if he is to be held responsible, that he should have the right to dictate the adjustment or be relieved from the responsibility.

I take leave to object to the position seemingly assumed by Mr. Kemp. The law has determined the position and duties of the Commissioners, making no distinction in these respects of one from another. Mr. Kemp has, indeed, professional or more arduous duties expected of him than are required of his colleagues, for which he receives a special rate of remuneration, but this executive arrangement cannot be interpreted in contravention of the law by which the majority of the Commissioners decide questions whoever may compose the majority.

Naturally, on professional matters, Mr. Kemp's colleagues will defer to his views, but even in these they are not bound to accept his dicta; and it would be a very extravagant definition of "professional matters" that would embrace the mode of framing accounts, while the right assumed by Mr. Kemp to require the Company to render accounts in conformity with his approval, or, as he further expresses himself, the "right to dictate the adjustment of accounts," is one which the law has not conferred upon the Commissioners, still less upon any single Commissioner, one also which the Company would not submit to, and any attempt to enforce which could only result in renewed misunderstandings, vexatious to the Government and injurious to the progress of the Railway.

But Mr. Kemp intimates that he has accepted responsibility provided the views propounded by him are acceded to by the Executive. What this means is not quite clear to me. I am persuaded that there is no compact specially entered into with Mr. Kemp, as distinguished from Mr. Bartley or myself, in respect to his performance of his duties. Perhaps no more is intended, however, by Mr. Kemp than that he should not be saddled with the responsibility of acts on the part of his colleagues from which he has dissented—which is a thing of course. But it appears to me as if Mr. Kemp intended more than this,—that he conditions in fact, that if his right to "dictate the adjustment" of accounts is not affirmed by the Government or submitted to by Mr. Bartley and myself, he shall be liberated from all responsibility in regard to the periodical accounts. And against this

aut Caesar aut nullus view of his position, and to its being conceded, I enter my protest, submitting to the Government that the specialities of Mr. Kemp's position, which are pecuniary and not legal, entitle his colleagues to the benefit of his professional knowledge in satisfying himself or them, as to the integrity of the claim they are required to recognise, in signing cheques from time to time, without laying them under the obligation of surrendering their judgment altogether to his.

With a view to a practical settlement of this difference, or obviating the recurrence of similar misunderstandings, I submit to the Executive the propriety of affirming the following course of proceeding:—That, as hitherto, the accounts, certified by the Company's Engineers as passed by the Directory, be referred for examination and adjustment, between Mr. Kemp and Messrs. Doyne & Company, to Mr. Kemp; and that if, after such examination and adjustment, Mr. Kemp sees fit to refuse to sign cheques, that he set forth in a written form the items or grounds on which he bases his objection so that the question shall be intelligible to his unprofessional colleagues; when Mr. Bartley and I would, on our own responsibility, either sign, or refuse to sign, cheques, and Mr. Kemp to the extent he has any right to claim, would be liberated from responsibility.

The necessity of the unprofessional Commissioners being fortified by written opinions from their colleague was submitted to the Executive so long since as 12th May, 1868, but no reply has been received.—(See Letter 66, Par. Papers, Launceston and Western Railway, 1868, p. 24.)

(Signed) F. M. INNES.

The Hon. the Colonial Secretary.

PARTICULARS connected with Alterations of Incline.

	£	s.	d.
Contract amount for 38 Cutting as per Schedule of Messrs. Overend and Robb	5159	19	1
Amount of earthwork left in the cutting by not taking the line down to the Contract level, as per particulars furnished by the Engineers	1137	0	0
Actual value of work taking out of the cutting	£4022	19	1
In the last Certificate, No. 13, the Engineers have certified that the total value of work done to date, 3. 9. 69.....	4950	0	0
Less the actual value of cutting	4022	0	0
Total amount over certified, which is disguised as a payment for another work.....	£928	0	0

See my letter and recommendations to the Colonial Secretary, 14th September, 1869. See Contractors' letter, wherein they offer to execute the alteration for £350.

The results of Mr. Kemp's and the Engineers' adjustment of the accounts are identical, but the principles are different.

This is a special Contract, and has no relation to the original Contract, and it must be treated as a separate and distinct work, the same as the flattening of the slopes.

ESTIMATED Cost of altering the Incline at 38 Cutting from 1 in 70 to 1 in 50.

Particulars furnished by the Engineers—	£	s.	d.
22,453 cubic yards of earthwork removed from spoil heaps and deposited into the embankment to altered height, at 1s. 6d. per cubic yard (special rate)	1684	0	0
To lengthening culvert under embankment, 8 yards (cubic) at £18 10s.	148	0	0
1335 cubic yards of filling in the cutting as shown upon tracing, special rate, 1s. 6d. per yard	100	0	0
	1932	0	0
The Contractors agree to deduct, in consideration of their being allowed to effect these alterations, which will relieve them from the responsibility of maintaining the slopes of the cutting, and will prevent them from incurring delay, which must inevitably have followed, had they been compelled to take out the cutting to the Contract depth.....	445	0	0
Total	1487	0	0
Amount of material left in the cutting	1137	0	0
Actual cost.....	£350	0	0
Mr. Kemp's estimate—			
Total cost of alterations as above.....	1487	0	0
Extra land required and omitted in the Engineers' estimate	5	0	0
Total cost of alteration of incline.....	£1492	0	0

*Contractors' Office, Railway Wharf, William-street, Launceston,
9th July, 1869.*

(Copy.)

GENTLEMEN,

HAVING taken into our serious consideration the proposed alterations to Cutting No. 38, Bank No. 38, and the lengthening of the culverts underneath the bank in accordance with the plan submitted to us, we find that, calculating the cost upon the lowest basis, it would amount to at least (£700) seven hundred pounds sterling. But looking upon the alterations as a mutual benefit to the Railway Company and ourselves, we have the honor to say that we are prepared to execute the works in consideration that the Company pay us one-half of the cost, say three hundred and fifty pounds (£350).

We have, &c.,

(Signed)

OVEREND & ROBB.

*Messrs. DOYNE, MAJOR, & WILLETT, Engineers Launceston
and Western Railway Company.*

The method by which they must have arrived at their estimate is as follows:—

	£	s.	d.
Say total cost of alterations	1832	0	0
Amount of work left in Cutting 38	1132	0	0
	<u>£700</u>	<u>0</u>	<u>0</u>
Say one-half of £700	£350	0	0

Thereby assuming that they are to be paid in full for the work left in the cutting.

330.

Colonial Secretary's Office, 15th November, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 4th instant, referring to the fact that Mr. Innes and Mr. Bartley had signed cheques for the amount in dispute between yourself, as Commissioner, and the Board of Directors of the Launceston and Western Railway Company, connected with the alterations of the incline at Cutting No. 38, and you request to be relieved from all responsibility in respect to payments made upon accounts rendered unless they are made out in conformity with your views.

I cannot undertake to acquiesce in the position you desire to assume, as regards your right to claim entire control over the adjustment of the accounts on the one hand, or your exemption from responsibility on the other.

The law has made no distinction in the extent of authority vested in the respective Commissioners, and has provided that the consent of two out of three shall be sufficient warranty for the payment of moneys alleged to be due for work performed; I am, therefore, not in a position to assign to you a power separate from and in excess of that enjoyed by your Co-commissioners as regards the adjustment of questions that may arise between the Board of Directors and Commissioners. At the same time it is evident, from the nature of your appointment, that certain responsibilities must devolve upon you as a Professional Engineer, from which your fellow Commissioners are exempt, and they would naturally defer to your opinion in professional matters both as regards the execution of the works and the due preparation of the accounts; but cases may arise, as in the present instance, where after due consideration of your views they may differ from your conclusions, and the Government, while still holding you responsible for the course you may deem it your duty to follow, cannot interfere to curtail the legal powers conferred upon any two of the Commissioners.

In order to obviate for the future the possibility of any feeling of antagonism between the Members of the Commission, which in its growth might operate injuriously to the interests of the undertaking, I would desire that all accounts certified by the Company's Engineer, and passed by the Board of Directors, be referred in the first instance for examination and, if necessary, adjustment to you; and that if, after examination and such adjustment as may be proposed by you, you feel called upon to refuse your signature to the cheques for payment, that you should state in writing to your colleagues the grounds of your refusal, so that they may be in a position to arrive at definite views on the subject, being at the time in possession of your professional opinion.

Should their ultimate decision not accord with the action taken by you, your responsibility would to that extent unquestionably cease.

I trust that by the adoption of the course now proposed the difficulties likely to arise from the absence of unanimity in the views of yourself and your Co-commissioners may be avoided, and the thorough examination and consideration of all points at issue more fully ensured.

I have, &c.,
(Signed)

JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

331.

Railway Commissioners' Office, Launceston, 22nd November, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your communication dated the 15th instant; and, in reply, beg to state that I have no desire to assume a right of control over the accounts or to possess a separate power in excess of that enjoyed by my Co-commissioners, provided the powers and the responsibilities of each of the Commissioners are equal.

I can have no personal object in the adjustment of the different accounts,—my sole desire is to secure a careful and a proper adjustment of all matters connected with the works, so as to avoid any difficulties or legal proceedings which may arise upon the completion of the Line. Past experience in connection with this undertaking must have impressed all concerned with the necessity that exists for great caution and prudence in having all the questions relating to accounts clearly and distinctly understood and settled upon a proper basis.

Circumstances are developing themselves relative to this substituted work which will in all probability lead to legal difficulties, and if my colleagues by their acts set aside my professional advice, they alone must be held responsible: I think, however, it my duty to respectfully protest against the adjustment of the accounts connected with the alteration of the incline at Cutting No. 38 as now arranged by my colleagues; nor can I be a party to an item in a Certificate that represents the total value of work done to date as £5159 19s. 1d., when the actual value of work executed under such item amounts to only £4022 19s. 1d.

I have, &c.,
(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

332.

Colonial Secretary's Office, 26th November, 1869.

SIR,

IN reply to your letter of the 22nd instant, in which you inform me that you have no desire to assume a right of control over the accounts or to possess a separate power in excess of that enjoyed by your Co-commissioners, provided the powers and responsibilities of each of the Commissioners are equal, I would desire to call your attention to the fact that, as I mentioned in my letter of the 15th instant, the nature of your appointment and the remuneration received by you involves the necessity of your accepting responsibilities which it was never intended should devolve upon your Co-commissioners.

I fully recognise the anxiety you have always evinced to secure a careful adjustment of the accounts, and the necessity which exists for the exercise of great caution and prudence in having all questions relating to accounts clearly and distinctly understood, and settled upon a proper basis; and I rely upon your continuing the same watchful supervision and foresight in relation to all subjects connected with the undertaking, while at the same time I feel assured that your fellow Commissioners are actuated by an equally laudable desire; nor can I doubt that in all professional matters, especially those relating to the estimated cost of the works, and the satisfactory construction of the line, they would doubtless defer to your professional opinion.

I have, &c.,
(Signed)

JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

333.

Colonial Secretary's Office, 6th December, 1869.

MY DEAR SIR,

By direction of the Colonial Secretary, I now beg to forward the enclosed copy of a letter addressed to Mr. Kemp, under date the 15th ultimo, in which you will observe that the Colonial Secretary has expressed to Mr. Kemp his wish that in cases where he may feel called upon to refuse his signature to cheques for payments on account of the Launceston and Western Railway he should state in writing to you the grounds of his refusal, so as to place you in possession of his professional opinion before you are called upon to decide what course you should pursue in reference to signing or withholding your signature from such cheques.

The Hon. F. M. INNES, Esq., M.L.C.

I remain, &c.,

(Signed)

B. T. SOLLY.

[Similar to Mr. Bartley.]

334.

Railway Commissioners' Office, Launceston, 2nd December, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your communication addressed to me of the 26th ultimo, and respectfully venture to intimate that your precept is somewhat inconsistent, in desiring to impose upon me increased responsibilities, without giving me powers in proportion to such increased obligations. My coadjutors might, with the best of motives, set aside my professional advice, and thereby possibly involve the undertaking in legal difficulties, which I am so anxious to avoid; but, whichever way you may be pleased to decide, you may rely upon my continued watchful supervision and foresight in relation to all subjects connected with the Launceston and Western Railway.

I have, &c.,

(Signed)

SAML. V. KEMP.

To the Hon. the Colonial Secretary, Hobart Town.

335.

Colonial Secretary's Office, 11th December, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 2nd instant, and in reply would desire to remind you that the decision of the Government has already been given on the matters in question.

As regards your responsibility, I would call your attention to a passage in my letter to you of the 15th ultimo, in which, when speaking on this subject, I stated "should their" (referring to your Co-commissioners) "ultimate decision not accord with the action taken by you, your responsibility would to that extent unquestionably cease;" but I would point out, as I did before, that certain duties and responsibilities rest with you as a professional man from which Mr. Innes and Mr. Bartley are exempt, though in the event of their deliberate judgment differing from yours you would be exonerated from any consequences.

The Government have full confidence in all the members of the Commission, and are satisfied that they will fulfil their duties by the exercise of a sound discretion; but, whatever differences of opinion may arise, their legal powers are co-ordinate and could not be disturbed by any action on the part of the Executive Government.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

PROPOSED CONSTRUCTION OF A JETTY BELOW THE BAR, AND THE
EXTENSION OF THE LINE TO IT.—Nos. 336 to 350.

336.

Launceston and Western Railway Company, Limited, 9th October, 1869.

SIR,

I HAVE the honor to enclose, for the information of the Government, a Report from the Engineers, made in pursuance of instructions from the Board of Directors, with reference to the required provision for landing the locomotives and bridge work, with other heavy rolling stock, at this port.

If landed on the present wharf the cartage to the station ground will be very heavy ; and it is therefore proposed to erect a jetty on the land allotted to the Company for the purpose on the Western Swamp. The saving effected out of the items in the estimates for cartage, it is believed, will enable the Company to construct this permanent work, by means of which these heavy shipments may be at once taken to the station ground and along the line as required, without any extra cost to the funds.

I am therefore requested to ask the consent of the Government to this appropriation of funds by the Company and Commissioners as early as possible, as the shipments are shortly expected to arrive.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED for the consideration and report of the Commissioners.

JAMES MILNE WILSON.

11th October, 1869.

S. V. KEMP, *Esquire, Launceston.*

REPORT accompanying dated 29th October, 1869.

S. V. KEMP.

29. 10. 69.

(Copy.)

Launceston and Western Railway, Engineers' Office, 7th October, 1869.

DEAR SIR,

WE have to acknowledge the receipt of your letter of the 5th instant.

We have been for some time past carefully considering the most advantageous means by which to transfer the locomotives from the wharf to the station ground, and also the transport of the South Esk Bridge to Longford. In addition to the above, there is the cartage of the carriages and wagons from the wharf to the station ground to be taken into consideration.

The construction of a jetty below the "bar," and to connect the jetty with the present station ground by means of a tramway, appears to us the most permanently advantageous plan for the Company to adopt. We have every reason to expect that Messrs. Overend and Robb will have so far completed the line to Longford as to enable the Company to take up the South Esk Bridge by the train on the arrival of the *Talca*. (By Clause 6 of Specification the Company have the right to run trains.)

By adopting the plan proposed, the Company would be enabled to devote a considerable portion of the money estimated for the carriage of the bridge to Longford to the construction of a permanent work.

We have made an examination of the river at the proposed site of jetty, and find that we shall be able to obtain 8 feet of water at low water spring tide (7. 10. '69.)

We approximately estimate the cost of proposed jetty and tramway at (£800) eight hundred pounds.

Yours truly,

(Signed)

DOYNE, MAJOR, & WILLETT, *Engineers.*

337.

Railway Commissioners' Office, Launceston, 29th October, 1869.

SIR,

I BEG to inform you that the Secretary of the Launceston and Western Railway Company forwarded to the Commissioners a copy of a communication addressed to you having reference to obtaining authority for the construction of a wharf, and the extension of the present line leading thereto, on the Western Swamp below the bar at Launceston.

In reply to this matter, I have the honor to inform you that the requirements for this work for the future economical working of the line will develop itself.

Before the first shipment of rails had arrived I brought this matter before the Directory, who failed at that period to notice the importance of it; and I beg to be allowed to say that I am at a loss to understand how such a serviceable adjunct was omitted from the original Railway scheme. But in thus speaking of its necessity, I must not be understood to recommend its immediate construction: on the contrary, I must respectfully decline the responsibility of such recommendation if the amount necessary for its construction is to be taken out of the (£100,000) one hundred thousand pounds recently voted by Parliament for the completion of the line.

You will perceive, on referring to the estimates laid before Parliament, that no provision is therein made for this new work; consequently, I cannot recommend its immediate construction, having in view the limited means at our disposal: but should it be found after the line has been completed and opened for traffic that a sufficient surplus is left out of the present rate to construct the proposed wharf, &c., I shall then be glad to recommend that authority be given for its construction.

The ship *Araunah*, with the two locomotives on board, has arrived, and will be discharged long before the proposed wharf, &c. can be of any practical utility; and the ship *Talca*, with the ironwork for the Longford viaduct on board, is hourly expected, she having sailed some eight or nine days before the *Araunah*.

Accompanying this, I forward the correspondence that has passed upon this subject, and from which correspondence you will perceive that this work was at first approximately estimated at £800, afterwards at £1410, and lastly at £2518 15s. 2d., which amounts do not include the necessary rail fastenings, &c., and which will cost an additional £1000 (one thousand pounds). Upon this point the Secretary of the Company intimates that the Engineers say that they "can very well spare the rails and fastenings out of the present stock without ordering more, until the prospect of increased traffic requires more sidings." This, I consider, is a strong recommendation for allowing the work to stand over, which will admit of the verification of these remarks.

I have no desire to mislead or to oppose the views of the majority of the Directory, but, judging from the information now before me, I must confess that I entertain different views; and I do not think it will be safe to enter upon this work upon any estimate under £4000 (four thousand pounds).

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

Railway Commissioners' Office, Launceston, 21st October, 1869.

(Copy.)

SIR,

WE have the honor to acknowledge your communication of yesterday's date, received by us this morning, and we beg to inform you that, if the Directory are prepared to give us the information in a complete and definite manner, showing the whole cost, including rails, fastenings, &c. for the permanent way, also the cranes and lifting gear necessary at the Wharf at Launceston and on the ground at Longford, also the Engineering cost of making plans and supervising the works, as we notice that such Engineering is considered outside the Contract between Messrs. Doyne, Major, and Willett and the Directory, no time shall be lost on our parts in reporting upon the same to the Government, as we cannot recognise any data that are supplied to us in a fragmentary or imperfect shape from time to time.

We regret that the Engineers did not furnish the required information sooner, in accordance with the resolution of the Directory of the 12th instant; and we trust that we shall be held blameless if the ships arrive and demurrage has to be paid in consequence of the non-completion of the Company's scheme, as now proposed.

We beg to point out that the Engineers' estimate of the 18th instant considerably exceeds that of the 7th instant, which enforces the request we have preferred, to have a matured and definite proposal as to cost, Plans, &c. submitted to us before we address the Governor in Council thereon.

We have, &c.,

(Signed) SAML. V. KEMP.
F. M. INNES.

The Secretary of the Launceston and Western Railway Company, Launceston.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, Tasmania, 7th October, 1869.*

DEAR SIR,

WE have to acknowledge the receipt of your letter of the 5th instant.

We have been for some time past carefully considering the most advantageous means by which to transfer the Locomotives from the wharf to the station-ground, and also the transport of the South Esk Bridge to Longford. In addition to the above, there is the cartage of the carriages and wagons from the wharf to the station-ground to be taken into consideration.

The construction of a jetty below the "bar," and to connect this jetty with the present station-ground by means of a tramway, appears to us the most permanently advantageous plan for the Company to adopt. We have every reason to expect that Messrs. Overend & Robb will have so far completed the line to Longford as to enable the Company to take up the South Esk Bridge by the train on the arrival of the *Talca*, (by clause 6 of the specification the Company have the *run* to run trains).

By adopting the plan proposed the Company would be enabled to devote a considerable portion of the money estimated for the carriage of the Bridge to Longford to the construction of a permanent work.

We have made an examination of the river at the proposed site of jetty, and find that we shall be able to obtain 8 feet depth of water at low water spring-tide (7. 10. 69).

We approximately estimate that the cost of the proposed jetty and the tramway would be eight hundred pounds (£800).

We have, &c.,
(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

(Copy.)

*Launceston and Western Railway Engineers' Office, Launceston,
Tasmania, 13th October, 1869.*

DEAR SIR,

WE have to acknowledge the receipt of Mr. Norwood's letter of this date, enclosing copy of a resolution passed by the Board meeting.

We have to point out that the estimate given in our letter of the 7th instant only contemplated laying down a temporary road of the same kind as Messrs. Overend and Robb have laid to their ballast pits, and the construction of a jetty of about 60 feet long and 18 feet wide, the jetty being constructed as a part of a permanent wharf. Our estimate was based on the cost of the timber work already constructed on this line, and we have not any reason to suppose that we have under-estimated the work. If your Board should determine to lay in a permanent line from the station ground to the wharf or jetty, this work will cost the same per chain as the permanent way on our present line. Your Board ask us to prepare two sets of plans and their estimates: these, you must be aware, will take a considerable length of time in preparation. Your Board also requests us "to ascertain from Messrs. Overend and Robb what they will construct such respective works for." This we must respectfully decline doing until we can inform them that the Board is in a position to accept their tender. As requested, we shall proceed with the preparations of the plans and estimates as soon as possible.

Yours very truly,

H. DOWLING, *Esq., Secretary.*

(Signed) DOYNE, MAJOR, & WILLETT.

(Copy.)

*Launceston and Western Railway Engineers' Office, Launceston,
Tasmania, 18th October, 1869.*

DEAR SIR,

REFERRING to our conversation with the Chairman and Mr. Green and yourself to-day on the subject of the information required by the Board in respect of the proposed jetty below "bar" and the Railway to connect it with the station ground, we now add to our former communications the following remarks.

To prepare detailed drawings, specifications, and estimates, and to obtain tenders on them would occupy several days.

We understand that Messrs. Overend and Robb are willing to carry out the work and to be paid for it by measurement under the schedule attached to the present Contract, the price per cubic foot for the jetty to be the same as that paid for the bridges on the line. The price for a *permanent* road between the station and the jetty will be the same as the present line.

	£	s.	d.
We estimate that the jetty will cost	300	0	0
65 chains of permanent way	1010	0	0
Contingencies	100	0	0
	£1410	0	0

Proposed jetty to be 45 feet long and 30 feet wide.

The above estimate does not include rails, spikes, fish-plates, &c.

If the Board should determine to let Messrs. Overend and Robb execute the work on the above terms, we shall submit a memo. of agreement for its approval.

We think it right here to remind the Board that the designing and supervision of these works do not constitute any portion of our present agreement; nevertheless, we shall proceed with the preparation of the necessary plans as stated in our letter to you dated 12th October, 1869.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

HENRY DOWLING, *Esq., Secretary.*

Launceston and Western Railway Engineers' Office, 22nd October, 1869.

DEAR SIR,

WE have to acknowledge receipt of your letter of the 22nd instant, requesting us to include the cost of preparing the plans for the proposed extension of the line from the present station-ground to the proposed wharf in our estimate, and also the cost of the supervision of the same. As Messrs. Overend & Robb have offered to execute the works at the same rates named in their present contract, we have no objection to accept the same terms, and to make the providing of all the necessary plans, &c. an extension of Mr. Doyme's present Contract with your Company.

In the meantime we are proceeding with the preparation of the necessary plans, &c., to enable the Company to apply to the Government for the money required.

As the sum of £100,000 has now been voted by the Parliament for the use of this line, we propose suggesting the construction of a wharf of a much more permanent character than that which we proposed in our former letters.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

H. DOWLING, *Esq., Secretary.*

Launceston and Western Railway Engineers' Office, 27th October, 1869.

DEAR SIR,

WE beg to hand you, for the information of the Board, the plans for the proposed wharf and extension line, and also an estimate for the same.

These, with a copy of our present specifications and general conditions, are all that is necessary to enable your Board to let a Contract for the work. You will see, on examining the plans, that we are now proposing a much more extensive work than we did at first.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

H. DOWLING, *Esq., Secretary.*

ESTIMATE for proposed Wharf and connecting Railway.

<i>Description.</i>	<i>Quantities.</i>		<i>Rate.</i>	<i>Amount.</i>
			£ s. d.	£ s. d.
Timber in piles, &c.	4144	c. f.	0 2 9	569 16 0
Ironwork in bolts, &c.	1730	lbs.	0 0 5	36 0 10
Earthwork	4280	c. y.	0 1 6	321 0 0
Ballast, laying sleepers, and all labour, as per Overend & Robb.	1430	l. y.	0 14 2	1012 18 4
Level crossing, gate, &c., George Town Road.	1	No.	..	107 0 0
Fencing	1	mile.	..	112 0 0
Two mooring buoys.	2	No.	20 0 0	40 0 0
Engineering at same rate per mile as the Launceston and Western Railway. ....	..	..	..	320 0 0
				<u>£2518 15 2</u>

Add cost of rails, spikes, &c. £624 16 0

338.

Railway Commissioners' Office, Launceston, 12th October, 1869.

SIR,

REFERRING to your minute attached to Mr. Dowling's letter of the 9th instant, asking for the appropriation of certain funds to construct a jetty, &c. on the banks of the Tamar River at the Western Swamp for the purpose of landing engines, &c. from the ships shortly to arrive from England, I beg to inform you that the following Resolution was adopted by the Directory at a Board meeting held this day; viz.—

Moved by Mr. Kemp, and seconded by Mr. Crookes, and carried,—“That the Engineers be requested to prepare plans and sections, and to show the estimated cost of building a permanent wharf or jetty as proposed by them in their Report of the 7th instant; also to prepare plans and cost of a tramway as proposed by them in such report; also to furnish the estimated cost of laying down a permanent line of way leading from the station ground to such wharf or jetty; and further, to ascertain from Messrs. Overend and Robb what they will construct such respective works for, with as little delay as possible.”

And as soon as the information sought is furnished, no longer delay will occur in complying with the request contained in such minute.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

339.

*Launceston and Western Railway Company, Limited,
Launceston, 13th October, 1869.*

MY DEAR SIR,

THE Board yesterday adopted the following Resolution:—

That the Engineers be requested to prepare plans and sections, and to show the estimated cost of building a permanent wharf or jetty as proposed in their Report of 7th instant; also to prepare plans and cost of a tramway as proposed by them in such report; also to furnish the estimated cost of laying down a permanent line leading from the station ground to such wharf; and further, to obtain from Messrs. Overend and Robb what they will construct such respective works for.

Mr. Doyne has called on me to point out the inevitable loss of time that must result from deferring to make a direct application to the Government for permission to appropriate £1000, the estimated amount for transit of bridge and material to Longford, to the erection of a jetty below the Bar in the Tamar, and laying a permanent line of rails connecting it with general line which will greatly facilitate the landing of the locomotives and other heavy material,—in fact, Mr. Doyne says that the proposed work is absolutely necessary for the landing and delivery of the engines at the station ground, as, owing to their great weight, his firm would not undertake the responsibility of carrying them over the present Tamar Bridge, which is in bad repair.

The Engineers are quite confident that £1000 will be sufficient for the necessary work to be executed in a permanent and effective manner.

For these reasons it is highly desirable that the Board should be authorised to—simply by this mode of transport—expend the cost of cartage originally estimated, and at the same time obtain the execution of a work that must eventually prove of great value to the Company.

As so little time remains before the vessels freighted with rolling stock and bridge material ought to arrive, the object contemplated may be altogether defeated unless the work can be entered upon forthwith. I have therefore to request that you will endeavour to see the Hon. the Colonial Secretary, and urge him to sanction the proceeding.

Telegraph at once, and I will call a special meeting directly.

HENRY DOWLING, *Esq.*

Yours truly,
(Signed) W. S. BUTTON.

P.S.—I enclose Engineers' reply to the letter accompanying Resolutions sent yesterday to them.

THIS copy of a letter from Mr. Button to Mr. Dowling is forwarded for the consideration of the Commissioners of the Launceston and Western Railway Company, with the request that they will favour the Colonial Secretary with their views upon the immediate appropriation of the amount provided for cartage of the material for the construction of the bridge over the South Esk to the erection of a landing jetty and formation of a railway to the station ground without waiting for plans and specifications from the Engineers.

For the Colonial Secretary,

B. TRAVERS SOLLY.
15th October, 1869.

S. V. KEMP, *Esq.*, *Launceston.*

MEMO.

It is impossible for me to give the Government any further information upon this subject until the Resolution of the Directory has been complied with, and the scheme determined upon by them, which they cannot do until they have the information asked for, which need not take more than two days in its preparation. The proposed saving represented by the Engineers and Directory is, in my opinion, doubtful. The greater portion of the ironwork will, I believe, arrive and be discharged before the arrival of the engines and wagons; and in that case arrangements will have to be made with Messrs. Overend and Robb for the transit of such ironwork, or carriers will have to be employed to cart it on the public road to Longford. This matter has been left over till nearly the last minute, and the Directory now seek the authority of the Government to expend a sum of money upon an approximate estimate which is open to uncertain results; and from past experience I am not disposed to accept an estimate without having more reliable data before me.

SAML. V. KEMP..
16. 10. 69.

Colonial Secretary's Office, 19th October, 1869.

SIR,

I HAVE the honor to return the enclosed letter from Mr. Button to yourself, under date 13th instant, requesting you to urge the Colonial Secretary to sanction the expenditure of £1000 for the construction of a jetty and permanent way for the landing and transport of the iron work for the bridge over the South Esk, and the Railway engines and carriages, &c. to the station ground, and stating that the cost would be defrayed from the amount estimated for the cartage of the bridge.

A copy of the letter was forwarded to Mr. Kemp for the consideration of the Commissioners and the expression of their views, and that gentleman states that it is impossible for him to give the Government any further information upon the subject until the resolution of the Directory has been complied with, and the scheme determined upon by them, which they cannot do until they have the information asked for from the Engineers, and which he states need not take more than two days in its preparation.

Mr. Kemp awaits fuller information and more reliable data than the approximate Estimate of the cost as stated by the Engineers, and the Government decline to sanction the appropriation of the sum named to the object in view without the expressed concurrence of the Commissioners.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

*Launceston and Western Railway Company, Limited,
Launceston, 20th October, 1869.*

SIR,

I HAVE the honor to acknowledge your communication of yesterday, with reference to the Chairman's letter of the 13th instant.

At the Board meeting yesterday the Directors had before them a new proposal from the Engineers, which I enclose for the information of the Government.

It provides for a 45 feet jetty, and not 60 feet as proposed before, as it had been intimated that the Marine Board were not likely to allow the greater length, and also for the road itself being permanent and duly connected with the Railway works at the station ground on the George Town Road.

The Directors adopted this recommendation, and directed me to transmit the papers to the Government and Commissioners, and to make an urgent appeal for immediate consent.

The estimate for this work, exclusive of rails and fastenings, is £1410; and I understand that these will be £1000, making a total of £2410. There are most important reasons for this work, and which I presume the Government will deem conclusive in favour of its immediate completion.

The facility it will offer for placing the very heavy machinery and rolling stock directly from the ship on the line cannot be overrated.

A large expense will be saved in removing the iron girders from the wharf to Longford, besides the risk attendant on the cartage by ordinary conveyances, and lifting the iron work from the valley to the top of the piers.

The Company will avoid the expense and risk of removing the locomotives and carriages from the Queen's Wharf to the Station over the Tamar Bridge, the condition of which is so bad that the Engineers to the Company decline any responsibility of such removal across the bridge: and to repair would involve the Company in a large amount of money; and, what is more serious just now, in view of the early arrival of the rolling stock, a considerable loss of time.

The road and wharf being permanent will be of great value in the future working of the line itself, not only in the saving of cost of future as well as present landing of locomotives and other stock of the Company, but in facilitating goods and passenger traffic seaward.

These, and very many other advantages, will have to be credited to the expenditure now sought.

The ships with bridge girders, locomotives, and wagons, and carriages, left on 20th and 28th July, and are therefore expected here in, say, from two to three weeks.

I have, therefore, respectfully, but at the same time most urgently, to ask immediate attention to this request.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

Engineers' Office, Launceston, 18th October, 1869.

DEAR SIR,

REFERRING to our conversation with the Chairman and Mr. Green (Master Warden) and yourself to-day, on the subject of the information required by the Board in respect of the proposed jetty below "bar," and the Railway to connect it with the station ground, we now add to our former communications the following remarks:—

To prepare detailed drawings, specification, and estimates, and to obtain tenders on them, would occupy several days.

We understand that Messrs. Overend & Robb are willing to carry out the work, and to be paid for it by measurement under the Schedule attached to the present Contract; the price per cubic foot for the jetty to be the same as that paid for the bridges on the line. The price paid for a *permanent* road between the station and the jetty will be the same as on the present line.

We estimate that the jetty will cost (say)	£ 300
65 chains permanent way	1010
Contingencies	100
	<u>£1410</u>

Proposed jetty 45 feet long and 30 feet wide.

The above estimate does not include rails, spikes, fish-plates, &c.

If the Board should determine to let Messrs. Overend & Robb execute the work on the above terms, we shall submit a memo. of agreement for its approval.

We think it right here to remind the Board that the designing and supervision of these works do not constitute any portion of our present agreement, nevertheless we shall proceed with the preparation of the necessary plans, as stated in our letter to you, dated 12th October, 1869.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

H. DOWLING, *Esq., Secretary.*

20th October, 1869.

GENTLEMEN,

THE Board of Directors had under their consideration, at the weekly meeting held yesterday, the question of the construction of the wharf or jetty below the bar, and a further recommendation from the Engineers to the effect that the road from this to the Station should be a permanent Railway, properly connected with the line. It was resolved unanimously to adopt this recommendation, and to forward an application for the approval of the Governor in Council.

In order to facilitate your consideration of the question, I transmit herewith copies of this letter to the Government, and enclosure, as the question requires prompt attention, for the reasons submitted to the Government: and I need scarcely add that if some general conclusion could be arrived at between the Company and Commissioners that the work shall be done conditionally, on the plans and estimates showing that the work can be satisfactorily completed within a fixed sum to be named, then the Contractors may be induced to order piles necessary for the work, and so far prepare, on their own responsibility, for the prompt execution of the main work.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Railway Commissioners, Launceston.

342.

*Launceston and Western Railway Company, Limited,
Launceston, 28th October, 1869.*

SIR,

REFERRING you to my letter of the 20th on the subject of wharf accommodation below bar, and enclosures, I have the honor to inform you that the Engineers have prepared plans and specifications for a more permanent wharf and road, with a view to the large sea-board traffic which will eventually come by rail; and I am instructed by the Board of Directors to ask the consent of the Governor in Council to this work being immediately proceeded with, in order to its being ready for the bridge girders and other shipments shortly expected. I enclose copies of the papers, duplicates of which with the drawings have gone to the Commissioners, in order to save time and avoid the trouble of your transmitting to Launceston.

Since the Board meeting yesterday I have seen the Engineers, who state that a part of the wharf, say from 18 to 20 feet, will be sufficient at first, and the remainder can be added another time. They have also reported that they can very well spare the rails and fastenings out of the present stock without ordering more, until the prospect of increased traffic requires more sidings at stations, &c.

The actual money requirement is therefore placed at £2518 15s. 2d., and this sum is the amount I have the honor to ask the consent of the Governor in Council.

If the wharf be not proceeded with beyond the extent intimated above, a lesser sum by about £300 will have to be expended.

I respectfully ask your attention to the facts which I submit in the form of a credit against this expenditure in my letter of the 20th instant.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

Launceston and Western Railway Engineers' Office, Launceston, 27th October, 1869.

DEAR SIR,

WE beg to hand you for the information of the Board the plans for the proposed wharf and extension line, and also an estimate for the same. These, with a copy of our present specification and general conditions, are all that is necessary to enable your Board to let a contract for the work. You will see on examining the plans that we are now proposing a much more extensive work than we did at first.

We have, &c.,

(Signed)

DOYNE, MAJOR, & WILLETT.

HENRY DOWLING, *Esq., Launceston.*

ESTIMATE for proposed Wharf and connecting Railway.

<i>Description.</i>	<i>Quantities.</i>	<i>Rate.</i>	<i>Amount.</i>
		£ s. d.	£ s. d.
Timber in piles, &c.	4144 c. f.	0 2 9	569 16 0
Ironwork in bolts, spikes, &c.	1730 lbs.	0 0 5	36 0 10
Earthwork	4280 c. y.	0 1 6	321 0 0
Ballast, laying sleepers, and all labour, as per Messrs. Overend and Robb (say)	1430 l. y.	0 14 2	1012 18 4
Level crossing gate at the George Town Road	1 No.	107 0 0	107 0 0
Fencing	1 mile	112 0 0	112 0 0
Two mooring buoys	2 No.	20 0 0	40 0 0
Engineering at same rate per mile as the Launceston and Western Railway .....	..	..	320 0 0
			<u>£2518 15 2</u>

343.

Launceston, 28th October, 1869.

SIR,

REFERRING to communications from the Secretary of the Launceston and Western Railway Company, which I learn will be transmitted to you by this day's post, in reference to "the proposed wharf and extension line," I have the honor to represent to you that in my opinion the projected work is one that would eminently promote the financial and general success of the Railway. Indeed, it is with surprise that one views the omission of a feature so undeniably advantageous from the original proposals of the Company.

But, leaving professional questions affecting this proposal to my professional colleague, Mr. Kemp, I have to point out that it was not embraced either in the estimates of the Company or those of Mr. Kemp, recently submitted to the Joint Committee; and I must decline the responsibility of advising as to whether the outlay should be sanctioned or otherwise.

It is clearly beyond the province of the Commissioners to do more than submit the question to the determination of the Governor in Council.

I have, &c.,

(Signed)

F. M. INNES.

The Secretary Launceston and Western Railway Company.

344.

Colonial Secretary's Office, 2nd November, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 20th ultimo, enclosing a new proposal from the Engineers for the construction of a 40 feet Jetty below the bar, and the laying of a Permanent Way from the Jetty to the Station Ground on the George Town Road.

The question has been under consideration by the Commissioners; and it is now my duty to inform you that these gentlemen, while appreciating the value and importance of the work, have reported that they are not prepared to approve of the expenditure at the present time, as no provision has been made for such new work. Under these circumstances it would be unavailing to submit the proposal to the Governor in Council.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

345.

By ELECTRIC TELEGRAPH.

Launceston, 3rd November, 1869.

WHARF below bar. Question one to be decided by reference under Section 9, new Bill. To enable the case to be properly put, have honor to ask loan of Commissioners' Reports by return.

H. DOWLING, *Secretary.**The Hon. Colonial Secretary, or in his absence Hon. Colonial Treasurer.*

346.

Colonial Secretary's Office, 3rd November, 1869.

SIR,

I HAVE the honor, by direction of the Colonial Secretary, to transmit herewith Mr. Commissioner Kemp's Report upon the proposed construction of a Jetty below the Bar, and the laying of a Permanent Way to the Station Ground on the George Town Road, as requested by you in the Telegram of this day's date.

I am further desired to request that you will return these documents at your early convenience.

I have, &c.,

(Signed) B. T. SOLLY.

H. DOWLING, *Esq., Secretary.*

347.

*Launceston and Western Railway Company, Limited,
Launceston, 10th November, 1869.*

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 2nd instant, relating to the Jetty below the Bar, with Mr. Kemp's report of the 29th ultimo and enclosures.

I have carefully considered these papers, and have submitted them to the Board; and have the honor to return them herewith, as requested, along with copies of letters from the Engineers dated 22nd and 27th October, which complete the series.

I am glad to observe that the professional Commissioner recognises the importance of the work concluded upon by the Directors, although recommending delay in its commencement, until "the line has been completed and opened for traffic," when "if a sufficient surplus is left out of the present vote," (he adds) "I shall then be glad to recommend that authority be given for its construction."

I most respectfully submit that such a postponement would be undesirable. By the delay the Company will lose the earnings which could be credited against the cost. And, further, there being

no means of getting side-cutting near the work itself; the Contractors can now execute the earthworks lower than they will be able to do after they have removed their present tramway from the ballast pits; from which they could now procure the requisite earth for filling in and for ballasting.

I am in a position to say that Overend and Robb would now undertake the Contract for all but supply of rails, within the Engineers' estimate—namely £2518 0 0

The rails and all necessary fastenings the Engineers put down at the sum of.. 624 16 0

Being total of..... £3142 16 0

Of which sum a present cash expenditure of only £2518 will be needed, as we can spare rails for the present. The Commissioners having reported favourably as to the necessity for the work, the point of reference seems to be limited to the question of the time when it shall be done; whether at once, as resolved by the Board, or at a future time.

The Parliament having voted a sum beyond the extra Estimates of the Company, I beg most respectfully to submit that the Directors and Commissioners may fairly be authorised to take this sum of £2518 out of such extra vote; although I think it can be fairly taken out of the £67,613.

It is possible that now this work may not be available for the freight per *Talca*, but the *Fugitive*, which has one-third the bridge-work and 100 tons rails and 20 wagons, did not leave until September 1st, besides which we have 10 carriages, 22 wagons and rails, in subsequent vessels; from all which we could earn a considerable sum of money, as well as save much labour and inconvenience. I calculate these earnings, at least, at £1000.

To this has to be added the great future value of this work to the traffic of the line; and for all these reasons I trust that the Government will at once sanction the Contract being let.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

P.S.—I desire to mention in reply to Mr. Kemp's remarks, "I am at a loss to understand how such serviceable adjunct was omitted from the original railway scheme," that whilst, from want of funds, it was not included in the contract, it will be clear that Mr. Doyne and the promoters from the first understood its importance, as can be seen from the correspondence with the Government, which led to the reserve of the land on the Swamp (Western) from sale, and to its being included within the "limits of deviation" in the Parliamentary Plans of 1861.

H. D.

348.

*Launceston and Western Railway Company, Limited,
Launceston, 11th November, 1869.*

SIR,

In my letter of yesterday on the subject of the wharf, or jetty, below bar, in giving the cost of rails, &c., furnished by the Engineers, I overlooked adding freight and charges, say 95 tons at 60s.

This item, however, simply increases the cost out of future revenues of replacing the rails now proposed to be taken, temporarily, for this work, when required for the Line, and does not, as you will see, add anything to the sum of money asked for.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

349.

Colonial Secretary's Office, 22nd November, 1869.

SIR,

THE original plan and section of the Launceston and Western Railway being deposited with you, according to law, I have the honor to request that you will, after examination, report to me whether by such plan it is contemplated to construct the Railway from the water side below the bar, or from some point on the Swamp nearer the first bridge over the North Esk.

I have, &c.,

(Signed) JAMES MILNE WILSON.

R. C. GUNN, *Esq., Dep. Commissioner Crown Lands, Launceston.*

Launceston, 29th November, 1869.

I BEG to forward tracing from the original plan deposited in my office, which will convey more accurate information than any written description.

RONALD C. GUNN.

The Hon. the Colonial Secretary.

350.

Colonial Secretary's Office, 6th January, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 10th November last, respecting the construction of the proposed jetty on the bank of the Tamar, and the extension of the Line of Railway thereto; and in reply to inform you that the Government are not prepared to sanction the additional expenditure at present, but when the total cost of the Railway shall have been finally ascertained, should any surplus funds remain, they would then be willing to give every consideration to the suggested extension.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

HENRY DOWLING, *Esq.*, Secretary.

OVER-BRIDGE AT CUTTING No. 63. Nos. 351 to 355.

351.

*Launceston and Western Railway Company, Limited,
28th October, 1869.*

SIR,

IN the arrangements for taking land from Mr. Alexander Clerke it has become necessary, to avoid frequent and expensive crossings and gates, to construct an over-bridge across Cutting No. 63, at an expense of £189 15s. 6d.; and I am instructed to ask the sanction of the Government for this expenditure. Towards this amount the Company will get some £40 out of item 34 of the Contract, besides one or two level crossings which Mr. Clerke would claim as equivalent to the bridge.

I will forward the report of Engineers and plan through the Commissioners.

I have, &c.,

(Signed)

H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

352.

Railway Commissioners' Office, Launceston, 30th October, 1869.

SIR,

I BEG to inform you that the Secretary of the Launceston and Western Railway having intimated by letter that he had addressed a communication to you, dated 28th instant, asking for authority to expend the sum of £189 15s. 6d. for the construction of an over-bridge across the Line at Cutting No. 63, near Longford, upon Mr. Clerke's land, I beg to recommend that authority be at once given for the construction of this work.

I have, &c.,

(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

353.

Colonial Secretary's Office, 2nd November, 1869.

SIR,

IN reply to your letter of the 28th ultimo, I have the honor to inform you that, having received the Report of the Professional Commissioner upon the construction of an over-bridge across Cutting No. 63, at an expense of £189 15s. 6d., the Government approve of the work being proceeded with.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

H. DOWLING, *Esq.*, Secretary.

354.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 2nd November, 1869.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the concurrence of the Professional Commissioner, the expenditure of the sum of £189 15s. 6d. be authorised for the construction of an over-bridge across Cutting No. 63 on the said Line of Railway.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves,

E. C. NOWELL.

19. 11. 69.

The Honorable the Colonial Secretary.

355.

Colonial Secretary's Office, 19th November, 1869.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to sanction the expenditure of the sum of £189 15s. 6d. for the construction of an over-bridge across Cutting No. 63 on the Launceston and Western Line of Railway.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

APPOINTMENT OF TRAFFIC MANAGER AND SUPERINTENDENT OF ROLLING STOCK. Nos. 356 to 367.

356.

Launceston and Western Railway Company, Limited, Launceston, 28th October, 1869.

SIR,

I HAVE the honor to inform you that the Board of Directors have under their consideration the question of appointments, which the arrival of machinery and other rolling stock renders necessary at an early day.

I am instructed, therefore, to request that the Company may receive the sanction of the Governor in Council, as provided by the 14th Section of 33 Victoria, No. 21, to proceed to the appointment of a gentleman to act in the united capacity of Locomotive Superintendent and Traffic Manager, at a salary not exceeding £600 per annum; and of a Mechanical Engineer, as a workman on the locomotives and other carriages now about to be landed from the *Aurauah* at this port. The latter officer will be at once required, but if the Directors make the former appointment I take it there will be some arrangement to bring the commencement of the salary somewhat nearer to the opening of the line.

The salary of the Mechanical Engineer will be somewhere about £25 per month.

As some time will be necessarily occupied in seeking the proper class of men, and the machinery will begin to be landed about Monday next, I shall be glad if you can give this consent by telegram.

I have, &c.,

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary.

357.

*Launceston and Western Railway Company, Limited,
Launceston, 3rd November, 1869.*

SIR,

I AM directed to ask your attention to my letter of the 28th ultimo, conveying the request that the sanction of the Government may be given to the Board of Directors making certain appointments, rendered necessary by the arrival of valuable plant, under circumstances which claim prompt attention at the hands of the Directors, but about which they cannot proceed without the sanction in the S. 14, 33 Vict. 21, provided. The question is very urgent, and, therefore, I am to ask prompt allowance of the request conveyed by my letter of the 28th ultimo.

I am, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

THE Letter of the 28 Oct. herein referred to is forwarded for the consideration and report of the Commissioners.

J. M. WILSON.
6 Nov., 1869.

REPORT forwarded herewith.

SAML. V. KEMP.
11. 11. 69.

358.

Railway Commissioners' Office, Launceston, 11th November, 1869.

SIR,

REFERRING to your minute of the 6th instant, requesting the Commissioners to consider and report upon the application of the Secretary of the Launceston and Western Railway Company for permission to appoint a Locomotive Superintendent and Traffic Manager at a salary of £600 per annum, and a Working Foreman of Locomotives at a salary of £25 per month, I have the honor to advise you that, in my opinion, the time has not arrived for the necessity of making the former appointment.

The accompanying correspondence will explain to the Government how an application for the appointment has been brought about, and of the action the Engineers and Secretary have taken in the matter, without the consent or authority of the Directory. I think it is also my duty to point out to the Government that if this anticipatory system of filling up important offices is allowed, that it will have a very damaging effect upon all future appointments in the Railway, and consequent thereon a certain amount of discredit will be thrown upon the whole Colony.

To make the Railway a commercial success it is absolutely necessary that the services of the best Traffic Manager available should be secured, and that at a moderate salary. I look upon the appointment of a Locomotive Superintendent upon this line as only secondary in importance to the Traffic Manager. I believe that a good Working Foreman of Locomotives at a salary of £20 to £25 per month will meet all the requirements of the locomotive branch and the carriage department, while the salary of the Traffic Manager should not exceed £400 per annum.

Without a desire to differ from any of the recommendations of the Directors, or to interfere with the dispensation of their patronage, but as the appointments in question have been referred to the Commissioners, I have to make the following observations, and in doing so it must not be considered that I am impugning the qualifications of Mr. Jetter, the gentleman alluded to in the correspondence, who, I doubt not, is, in his own particular branch (Superintendent of Locomotives), a gentleman of first-class attainments. It has to be borne in mind that the situation desired by Mr. Jetter is one involving great annual expense which only offers in a railway of magnitude, and cannot be afforded on that of the Launceston and Western Railway. Here efficiency, economy, and prudence must be combined in a Traffic Manager to make the Railway pay, and secure the Districts against taxation; and to effect this object I would respectfully suggest that it should be made known throughout the neighbouring Colonies that the services of a Traffic Manager will be required in some months hence, with the view of securing the services of the best man available for that office, and that all appointments should be made in the most open and business-like manner: the system as disclosed in the annexed correspondence should be discarded, as it excites suspicion, when there is no occasion for such.

I have also to point out that if the present applicant be appointed at the salary named, viz., £600 per annum, to perform the duties of Traffic Manager and Superintendent of Locomotives, to

enable him to perform his duties efficiently in the former capacity it will be necessary for him to be assisted by a Working Foreman of Locomotives to take charge of that branch during his absence on traffic duties at the other end of the line.

Your minute has been shown to my colleagues, who will, I believe, address you separately upon the subject.

I have, &c.,

(Signed) SAML. V. KEMP.

The Honorable the Colonial Secretary, Hobart Town.

HAVING had the question of the appointment of a Traffic Manager and Locomotive Engineer fully considered at the Board, I recommend that the sanction of the Government be given to this appointment being filled up, but that the salary to be given should not exceed £500 per annum. Mr. Bartley concurs in this view.

F. M. INNES.
15th November, 1869.

*Launceston and Western Railway Engineers' Office, Launceston,
Tasmania, 18th October, 1869.*

LOCOMOTIVE AND TRAFFIC MANAGER.

DEAR SIR,

ON the 31st August last we addressed a letter to you with reference to the appointment of a Locomotive and Traffic Manager, but on consideration you deemed it advisable, before submitting it to the Board, that we should further write to Mr. Jetter, the gentleman therein referred to.

The correspondence being now complete we beg to forward it to you, and request that you will place it before the Board for its immediate consideration.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

H. DOWLING, Esq., Secretary.

*Launceston and Western Railway Engineers' Office, Launceston,
Tasmania, 31st August, 1869.*

DEAR SIR,

It is time that we should draw the attention of the Board to the necessity of considering the appointment of a Locomotive Superintendent; the Engines and some of the rolling stock will be here in about three months, and it is essential that this officer should be appointed some time before their arrival in order to make his own arrangements about receiving, housing, and fitting the Engines and carriages. We some time ago received a communication from one or two gentlemen on the subject, one was from Mr. J. F. L. Jetter, the present Locomotive Superintendent of the Queensland Railways, who, we understand, is anxious to move to a milder climate on account of the delicate health of a member of his family. If terms can be arranged with this gentleman, we do not think it is possible to obtain a more thoroughly efficient or competent officer. Mr. Doyme, on the occasion of two visits to Queensland, had an opportunity of inspecting Mr. Jetter's shops and observing his system of management, and he has the highest opinion of Mr. Jetter's ability, which is corroborated by the testimony of Mr. Fitzgibbon, the late Engineer-in-chief of the Great Southern Railway, Queensland; and the way in which the low estimates were passed in the last session of Parliament—when Mr. Jetter's salary was voluntarily increased by the House £100 per annum, without any application from him—is perhaps the best testimonial that could be given.

We understand that Mr. Jetter's present salary is £500 per annum, to which is added a house and land, &c. free of cost, and we believe he would be willing to discharge the same duties as his present ones, here, for an annual salary of £600.

We strongly recommend the Board to consider and decide upon this matter without delay, as the time is very short and the matter urgent.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

H. DOWLING, Esq., Secretary.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, Tasmania, 9th September, 1869.*

DEAR SIR,

WE have drawn the attention of the Board to the question of appointing a Locomotive Superintendent as early as possible, and we have laid your name before them, and shall urge a decision without loss of time. In the meantime, however, we should be glad to learn from you privately, when you could come, and on what terms—definitely—you would do so. We have mentioned £600 a year, but we have done so from memory only as your letter on that point is at Melbourne.

There seems to be a desire to amalgamate the offices of Locomotive Superintendent and General Manager, at first—one candidate for the appointment having expressed his willingness to undertake the double duty—as it is thought that with only two engines, there will scarcely be sufficient employment as Locomotive Superintendent only, and we should be glad to know your views on this point. The stock at present ordered is 2 locomotives, 10 passenger carriages, and 45 mixed wagons, and these will be all here probably by the 1st December. We expect shortly to be in a position to order 2 more locomotives and some additional rolling stock. The engines are tank engines, 4 feet driving wheels, 4 wheels coupled, and a 4 wheeled bogie leading. Weight loaded 34½ tons.

You will understand that we cannot—for fear of misleading you—at present say which course the Board may take, but the time is so short that we are anxious to learn as soon as possible when you could be here, if appointed, and if not in time to receive the engines, &c., whether you could send down a foreman in advance competent to receive and take charge of the stock, and commence fitting the engines.

We are, &c.,
(Signed) DOYNE, MAJOR, & WILLETT.

J. F. L. JETTER, *Esq.*, Ipswich, Queensland.

Correct copy.—J.M.

(Copy.)

Southern and Western Railway, Ipswich, 28th September, 1869.

DEAR SIR,

I AM obliged by your favour of the 9th instant, requesting me to inform you on what terms definitely I would undertake the duties of a General Manager to the Launceston and Western Railway, if my appointment should be approved by the Board.

Your letter was laid before the Honorable A. M'Alister, our Commissioner for Railways, yesterday, and he at once approved of my applying for the post, and has written to your Mr. Doyme on the subject.

The salary I ask is £600 (six hundred pounds) per annum, to be paid either monthly or quarterly, with reasonable travelling expenses when absent from home on Railway business; either 3 or 6 months notice to be given, on either side (as may be agreed upon) before terminating the arrangement.

The three resident engineers on this Railway are paid £600 per annum each with ordinary travelling expenses.

My engagement with the Queensland Government expires at the end of October next; my successor has already arrived, but the Commissioner wishes me to remain here during next month to initiate him into his duties. I shall therefore be able to leave Queensland at the commencement of November, and shall be able to send you an excellent locomotive foreman; he is a married man, and will expect a free passage to Tasmania; wages £18 or £20 per month.

I would not advise you to appoint any carriage foreman at present; several of the workmen here will be likely to follow me to Tasmania as our rolling stock is now completed.

I shall be able to give you a design for a workshop on an economical and yet efficient scale.

In the event of no engagement offering in the neighbouring colonies and of my returning to England, the Queensland Government have offered me a post in connection with the Hon. John Douglas, who is now going home as Agent-General; it would, however, suit me better to remove to Tasmania, and I believe the climate would suit Mrs. Jetter's delicate health.

As my future movements depend upon your reply, may I ask you to send me a telegram as early as possible after receipt of this letter, giving the decision of the Board.

Thanking you for the kind way in which you have interested yourself in my behalf.

I am, &c.,
(Signed) J. F. L. JETTER.

Messrs. DOYNE, MAJOR, & WILLETT, *Launceston and Western Railway, Tasmania.*

Correct copy.—J. M.

(Copy.)

Department of Public Works, Brisbane, 27th September, 1869.

DEAR SIR,

Mr. Jetter has just shown me your Firm's letter to him on the subject of becoming Locomotive Superintendent and General Manager of the Tasmanian Railway.

I should not have written but for the fact that, as the head of the Department to which Mr. Jetter has belonged since his arrival in the Colony, I have seen more of him than any other individual and I am probably the best able to speak of his many excellent qualities.

Having given as I know the utmost satisfaction to the several Ministers who have presided over this Department, it was with feelings of regret that every member of the present Government received the announcement six months ago that Mr. Jetter would at the end of six months thereafter resign his office as Locomotive Superintendent, consequent on his wife's state of health.

His successor has just arrived from England, but had the Government at a date early enough to have prevented any serious injury being sustained been in a position to have cancelled the last appointment in order to retain Mr. Jenner's services, such a course would have been adopted. As it is we have no alternative but to allow him to go: at the same time so anxious are we to retain his services in England in connection with our plant, that I have offered Mr. Jetter an appointment on the staff of our Agent-General, who proceeds to England by the outgoing mail.

I understand, however, that Mr. Jetter would now prefer remaining in the Colonies, believing as he does that the climate of Tasmania will sufficiently meet the requirements of his wife's health. I shall be glad therefore to know that he obtains the appointment of General Manager and Superintendent on your Lines, for both of which offices I know of no one, at least in this Colony, so well fit.

I am, &c.,
(Signed) A. M'ALISTER.

W. T. DOYNE, *Esq.*, &c., *Launceston.*

Correct copy.—J.M.

33.

359.

Railway Commissioners' Office, Launceston, 4th November, 1869.

Sir,

I HAVE the honor to mention that at a Board Meeting of the Directory of the Launceston and Western Railway Company, held on the 2nd instant, a letter was read asking permission from the Governor in Council to make certain appointments.

I respectfully venture to hope that, before any such permission is given, the Commissioners will have an opportunity of expressing their views upon the necessity, or otherwise, of making such appointments.

I have, &c.,

(Signed)

SAML. V. KEMP.

To the Honorable the Colonial Secretary, Hobart Town.

360.

By ELECTRIC TELEGRAPH.

15th November, 1869.

I HAVE had under consideration your application for authority to appoint a Locomotive and Traffic Manager, and also the Report of the Commissioners thereon.

You will receive by post my written approval. The salary of such Officer not to exceed £500.

(Signed) J. M. WILSON.

H. DOWLING, Esq., Launceston.

361.

By ELECTRIC TELEGRAPH.

Launceston, 15th November, 1869.

THE Directors cannot secure the Officer required under £50 or £60 for house allowance, in addition to £500 salary,—at which they get a union of two important offices.

H. DOWLING.

The Honorable the Colonial Secretary.

362.

Colonial Secretary's Office, 15th November, 1869.

Sir,

I HAVE the honor to reply to your letters of the 28th ultimo and 3rd instant requesting the sanction of the Government to the Board of Directors making certain appointments on the staff of the Launceston and Western Railway Company, rendered necessary by the arrival of a portion of the plant; and to inform you that, having received the Report of the Commissioners, I am prepared to submit for the approval of the Governor in Council the appointment by the Board of Directors of an Officer, to combine the duties of "Locomotive Superintendent and Traffic Manager," at a salary not exceeding £500 per annum.

I have, &c.,

(Signed)

J. M. WILSON.

H. DOWLING, Esq., Secretary.

363.

Launceston and Western Railway Company, Limited,
Launceston, 15th November, 1869.

Sir,

I HAVE the honor to inform you that an offer has been made from a very desirable officer to accept £500 per annum for the united offices of Traffic Manager and Rolling Stock Superintendent, provided house allowance is added,—a question which will be considered by the Board of Directors to-morrow. Your Telegram limits the expenditure to £500, and therefore, if adhered

to, is likely to prevent the engagement of a most desirable officer, whose services may be secured for some £60 a year house allowance in addition to £500. Mr. Jetter, the gentleman recommended by the Queensland Government, has been in the receipt of £600 and a house for the one office of Locomotive Superintendent on the Queensland Lines, where a Traffic Manager is employed at a high salary in addition.

The engineering mechanic is earning from 12s. to 20s. a day; and you will see therefore, that, supposing the Board to be satisfied to appoint Mr. Jetter, it may be deserving the consideration of the Government whether his services should be lost when £50 or £60 more will secure them, and subject, at the same time, at his request, to "six months' notice" on either side.

No other highly paid officer will be required for some years, should these offices be given, as proposed by the Directory, to Mr. Jetter; and I beg leave to add that it is absolutely essential to the economical working of the line that they should be filled by a thoroughly experienced man.

I have, therefore, to request that you will authorise the Board of Directors and Commissioners to expend, if necessary, a further sum of £60.

It is proposed to give half salary only from the arrival of the officer here until the 1st of March next; and he is willing to accept this arrangement.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Hon. Mr. Innes.

J. M. WILSON.
16th Nov., 1869.

I HAVE already recommended that the salary of £500 should be agreed to for the offices which it is proposed that Mr. Jetter should fill,—such salary to take effect from the date of his entering on his duties, which will be fully equal in advantage to him to the arrangement proposed by Mr. Dowling; and, as the agreement contemplated with Mr. Jetter is terminable at six months' notice on either side, he will sustain no loss meantime, while the Directory will be at liberty to reconsider the terms after they have had some experience.

F. M. INNES.

364.

Colonial Secretary's Office, 18th November, 1869.

SIR,

IN your letter of the 15th instant, in reply to my telegram, you inform me that Mr. Jetter's services might be secured as Traffic Manager and Superintendent of Rolling Stock for the sum of £500 per annum and House Allowance; and you further state that "it is proposed to give half salary only from the arrival of the officer here until the 1st March next," and that "he is willing to accept this arrangement."

Your communication has been referred to Mr. Commissioner Innes, and that gentleman states that he is prepared to recommend a compliance with the terms proposed so far as to concur in the payment of full salary to Mr. Jetter from the date he enters upon his duties in Launceston, instead of paying him only half salary till March.

This arrangement will not involve any material diminution in the emoluments of the office, as suggested; and, as the agreement contemplated with Mr. Jetter is terminable at six months' notice on either side, that gentleman will sustain little loss in the meantime, while the Directory will be in a position to reconsider the terms after they have had some experience.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

35

365.

*Launceston and Western Railway Company, Limited,
Launceston, 19th November, 1869.*

SIR,

I HAVE the honor to acknowledge your letter of yesterday, from which I gather that the Government will be prepared to concur in the proposal made by the Directors to Mr. Jetter to pay full salary from the date he enters upon his duties at Launceston.

It will be my duty at next meeting to submit this decision to the Directors; by whom, I have no doubt, it will be deemed quite satisfactory.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

366.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

SUBMITTED,

THAT whereas in November last it was considered desirable to appoint an Officer on the staff of the Launceston and Western Railway Company as "Locomotive Superintendent and Traffic Manager," and the Commissioners having concurred, Mr. Jetter was appointed at a salary of Five hundred Pounds per annum (£500) from the date he entered upon the duties of his office, the appointment upon the terms above stated be now confirmed: the engagement to be terminable on either side by giving six months' notice.

J. A. DUNN.

THE Governor in Council approves.

E. C. NOWELL.

27 June, 1870.

The Hon. the Colonial Secretary.

367.

Colonial Secretary's Office, 27th June, 1870.

SIR,

ON the 19th of November last, when writing in reference to Mr. Jetter's appointment as Traffic Manager and Superintendent of Rolling Stock, you say, "It will be my duty at next meeting to submit this decision to the Directory; by whom, I have no doubt, it will be deemed quite satisfactory." The terms referred to were the payment to Mr. Jetter of a salary of £500 per annum from the date he entered upon his duties.

Awaiting the notification of the concurrence of the Directory, no further steps were taken at the time to obtain the requisite authority of the Governor in Council; but the Auditor having called attention to the fact, the appointment was this day submitted to, and approved by, the Governor in Council on the terms above quoted.

I have, &c.,

(Signed) J. A. DUNN,
for the Colonial Secretary (absent).

H. DOWLING, *Esq., Secretary.*

APPOINTMENT OF MR. R. W. LORD AS ACCOUNTANT IN SUCCESSION TO
MR. NORWOOD. Nos. 368 to 372.

368.

*Launceston and Western Railway Company, Limited,
Launceston, 1st December, 1869.*

SIR,

THE Accountant to this Company having resigned the appointment the Directors require a successor, and propose to offer the same amount of salary, namely, £250 per annum. The strict interpretation of Clause 14, 33 Vict. No. 21, seems to imply that, although not a newly created office, nor one involving an increase of existing salary, the sanction of the Governor in Council is required. If you take this view of the provision in question, will you please arrange that His Excellency may be moved to give such sanction at earliest convenience.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

369.

Colonial Secretary's Office, 4th December, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 1st instant, and in reply to inform you that the Act contemplates every appointment, the salary of which amounts to or exceeds two hundred pounds per annum, being submitted to the approval of the Governor in Council. It will therefore be necessary that the Board should nominate some gentleman for the appointment, and state the specific salary to be attached to the office, in order that I may lay the same before the Governor in Council.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq.*, *Secretary.*

370.

*Launceston and Western Railway Company, Limited,
Launceston, 6th December, 1869.*

SIR,

IN reply to your letter of the 4th instant, I have the honor to inform you that, under the impression respecting the terms of the Act of Council advised by my communication of the 1st instant, the Board of Directors have elected Mr. Lord as Accountant, in the room of Mr. Norwood resigned, and at the same salary of £250 per annum; and I have respectfully to ask that you will submit this appointment for the approval of His Excellency the Governor.

I enclose a printed copy of Mr. Lord's application and testimonials. I beg to add that he is about 28 years of age, and that the election was by ballot, the applications numbering ten in all.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

FORWARDED to the Commissioners for any remarks they may desire to make with reference to the proposed appointment.

JAMES MILNE WILSON.
7th December, 1869.

WE are agreeable to the appointment of Mr. Lord.

S. V. KEMP.

F. M. INNES.

8. 12. 69.

[MR. R. W. LORD—Copy of Application to Directors of Launceston and Western Railway Co., Limited.]

Launceston, 1st December, 1869.

GENTLEMEN,

I BEG to offer myself to your notice for the position of Accountant to the Launceston and Western Railway Company.

I have had upwards of ten years experience in the Audit, Accountant's, Secretary's, and General Manager's Offices, on several large Railways in England,—viz., from 1859 until 1864 in the Audit and General Manager's Offices of the Manchester, Sheffield and Lincolnshire Railway Company; after which I became Private Secretary or Corresponding Clerk to the General Manager of the Great Western Railway Company, and subsequently Assistant or Chief Clerk to the Secretary and Manager of a short line of Railway in the North of England, viz., the Manchester South Junction and Altrincham Railway Company. I am, therefore, thoroughly conversant with Railway accounts in every detail, from the rendering of station returns to the compilation of a general balance sheet.

I have also had considerable experience in the Working, or Superintendent's department, and am practically acquainted with Book-keeping by double entry.

I submit several English testimonials, and take the opportunity of reminding you, that it is not customary on the large Railways in England to furnish certificates of competency, but to rely upon personal reference; and the Mr. F. C. Wharton, from whom I submit one testimonial, was the Shareholders' or Public Auditor of the last Company with which I was associated.

Soliciting your kind consideration of this application,

I have, &c.,

(Signed) RICHARD W. LORD.

To the Chairman and Directors of the Launceston and Western Railway.

TESTIMONIALS.

(As Private Secretary to General Manager, Great Western Railway.)

*Great Western Railway, General Manager's Office, Paddington Station W.
London; 26th March, 1869.*

MR. R. W. Lord was for a period of about twelve months in the service of the Great Western Railway Company, as Private Secretary and Shorthand Writer to the General Manager, during which time he proved himself to be a thoroughly efficient and trustworthy officer. He left the service of this Company for a more lucrative position on another line; but had he remained with this Company, he would have rapidly advanced to a superior position, as his attainments are of a high character, and his business knowledge would qualify him to fill almost any position in the management of a Railway.

Personally Mr. Lord has been known to me for years, and I can bear testimony to his unfailing courtesy and unimpeachable character; and I am sure that in whatever position he may be placed he will do his duty.

(Signed) L. H. CUZNER.

(As Chief Clerk and Assistant, Manchester South Junction and Altrincham Railway.)

*Manchester South Junction and Altrincham Railway, Secretary and Manager's Office,
Manchester, March, 1869.*

THE bearer of this, Mr. R. W. Lord, has served as my Chief Clerk and Assistant for a period of a little more than three years, during which time he has given the Directors and myself entire satisfaction in the discharge of the duties allotted to him.

He is thoroughly acquainted with Railway Accounts, and leaves at his own desire, for the purpose of going abroad.

(Signed) JAMES KIRKMAN, *Secretary and Manager.*

(As Accountant.)

Manchester, 22nd March, 1869.

THIS is to certify that I have known the bearer, Mr. R. W. Lord, for several years, and have had, during that period, many business transactions with him, from which I am enabled to say that he is a competent and thoroughly experienced accountant, and well qualified to take charge of books, and to transact all the business of an accountant.

(Signed) FREDERICK COX WHARTON, *Solicitor.*

P.S.—I shall be glad to reply to any communication respecting Mr. Lord's business capabilities and respectability.

Draycott Villa, Clevedon, Somerset, 24th March, 1869.

UNDERSTANDING that Mr. Richard Lord intends seeking employment and a new home in Australia, it gives me great pleasure ere he leaves this country to bear testimony to his general business aptitude, and particularly to his talents as an accountant. I have known him from childhood upwards, and his parents and friends for nearly forty years.

Trusting that success will attend his laudable endeavours to improve his position, and not doubting his readiness and ability faithfully to discharge the new duties that will devolve upon him.

(Signed) JAMES V. STAPLES, *Late Director of Great Western Railway.*

371.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 7th December, 1869.

SUBMITTED,

THAT, upon the nomination of the Board of Directors of the Launceston and Western Railway Company, Mr. R. W. Lord be appointed Accountant to the Company with salary at the rate of £250 per annum, in the room of Mr. Norwood, resigned: the appointment to take effect from the date to which the Chairman of the Board of Directors may certify.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
13. 12. 69.*The Hon. the Colonial Secretary.*

372.

Colonial Secretary's Office, 13th December, 1869.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the appointment of Mr. R. W. Lord as Accountant to the Launceston and Western Railway Company with salary at the rate of £250 per annum, in the room of Mr. Norwood, resigned: the appointment to take effect from the date to which the Chairman of the Board of Directors may certify.

H. DOWLING, *Esq.*, Secretary.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

EXPENSES INCURRED IN FORMING THE COMPANY NOT TO BE PAID FOR
OUT OF THE £50,000 SUBSCRIBED. Nos. 373 to 377.

373.

Railway Commissioners' Office, Launceston, 10th November, 1869.

SIR,

I HAVE the honor herewith to forward a copy of a letter addressed by me to the Secretary of the Launceston and Western Railway Company, protesting against certain payments which, in my opinion, contravene the Launceston and Western Railway Act, No. 2.

May I solicit the favour of your forwarding these documents to the Colonial Auditor for his notification.

I have, &c.,

(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

Railway Commissioners' Office, Launceston, 8th November, 1869.

SIR,

I BEG to call your attention to Messrs. Douglas & Collins' account for law charges which was passed by the Directory at their last Board Meeting on the 2nd instant; and to deprecate the precipitancy in which my colleagues, Messrs. Bartley and Innes, were called upon to sign a cheque for the amount of such charges, and to mention that, if the usual course had been adopted with reference to the signing of cheques, the detection of the items now challenged by me would have come under my observation. I therefore protest against the payment of the following items in the account which are hereunto annexed, on the ground that such items are in contravention of the Launceston and Western Railway Act, No. 2.

I have, &c.,

(Signed)

SAML. V. KEMP.

To the Secretary of the Launceston & Western Railway Company, Launceston.

		£	s.	d.
1869.				
July 14.	Attending Mr. Dowling and Mr. Bartley in reference to case to be prepared for opinion of Counsel in Melbourne when particulars promised, and attending Mr. Rocher producing Houghton's conveyance for his perusal, in reference to accommodation works.....	0	6	8
NOTE.—There is no objection to the latter portion of the charge.				
July 24.	Very long attendance on Mr. Dowling, consulting and advising on case to be submitted to Counsel for opinion.....	1	1	0
„ 28.	Instructions for, and drawing case for the opinions of Messrs. Fellowes & Stephens (very long)	4	4	0
Aug. 5.	Long attendance upon Mr. Dowling, going through draft case for opinion of Messrs. Fellowes & Stephens.....	0	13	4
„ 6.	Engrossing case for opinion of Mr. Fellowes.....	1	11	6
„	„ Ditto of Mr. Stephens.....	1	11	6
„ 11.	Attending Secretary for papers to accompany case, and endeavouring to obtain same.....	0	6	8
„ 13.	Attending Mr. Dowling, obtaining papers to accompany case, and conferring with him, and making further alterations in case and copies.....	0	13	4
„ „	Long letter to our Agents in Melbourne, Messrs. Crisp, Lewis, & Wilks, with case and thereon Paid postage.....	0	10	6
	„ Paid Messrs. Crisp, Lewis, & Wilks, charges and Counsels' Fees, as per account rendered to us, particulars of which are hereunto annexed.....	0	2	6
Sept. 4.	Having received opinion of Messrs. Fellowes and Stephens, perusing same.....	18	4	0
	„ Letter to Mr. Dowling therewith and thereon.....	1	1	0
July 19.	Instructions to sue several defaulters on promissory notes, and attending at Union Bank, making copies thereof.....	0	6	6
	„ You v. Brooks, costs of Supreme Court Summonses, and paid our Agent's charges; proceedings stayed at your request.....	0	13	4
	„ You v. Hobkirk, costs of Supreme Court Summons, and paid our Agent's charges; proceedings stayed at your request.....	4	13	6
„ 20.	You v. Hyrons; case withdrawn at your request, defendant having paid £20.....	4	13	6
Aug. 6.	You v. Levy; costs, the defendant having paid promissory note at the Bank.....	1	11	10
		0	9	6
		£42 14 2		

Copied from Messrs. Douglas & Collins' account.

(Signed)

SAML. V. KEMP.

8. 11. 69.

WILL the Auditor be good enough to express an opinion on the items charged in the account referred to?

JAMES MILNE WILSON.
11 November, 1869.

As no information is afforded as to the particular nature of the case which involved all the charges, Nos. 2 to 12 inclusive, I am unable to offer any opinion upon the legitimacy or otherwise of these items.

With regard to the other charges, Mr. Kemp does not say in what respect they contravene the Launceston and Western Railway Act, No. 2. *Vide* Attorney-General's opinion of 16 October, 1868, Sec. 2.

E. J. MANLEY.
15 Nov., 1869.

The Hon. the Colonial Secretary.

WILL Mr. Kemp have the goodness to afford the Auditor the information he seeks to enable him to express his opinion upon the correctness of these charges?

B. TRAVERS SOLLY.
15 Nov., 1869.

ITEMS 1 to 12 inclusive were incurred in obtaining Counsel's opinion as to the powers of the Commissioners, and to test the correctness of the Honorable the Attorney-General's opinion, No. 12, in the printed correspondence, No. 24 Paper, 1869.

Items 13 to 17 inclusive were incurred in prosecuting defaulters on promissory notes, upon which the sum of £50,000 was raised to enable the Company to comply with the Act.

SAML. V. KEMP.
22. 11. 69.

RETURNED to the Auditor with Mr. Kemp's explanation of the several items challenged by him.

B. TRAVERS SOLLY.
23. 11. 69.

374.

*ANSWER to the Hon. the Colonial Secretary's Minute of 11th instant on the enclosed Papers as per margin.**

MEMO.

Audit Office, 25th November, 1869.

1. It would probably have put me in a better position to reply to the Honorable Colonial Secretary if I had been first favoured with the reasons of the other two Commissioners for passing the items objected to by Mr. Kemp: however, so far as I can at present judge, I beg to state that I do not see any tenable grounds upon which the Auditor could positively object to the principle of the expense incurred by the Company in obtaining for the guidance of the Directors a legal opinion upon the matter at issue with the Commissioners, who, on their side, had the advantage of the opinion of the Honorable the Attorney-General. It may certainly be questioned whether sound discretion was exercised in incurring such an expense, or further, whether there was any real necessity for doing so, but still, if the Directors thought otherwise, I cannot see sufficient grounds for a surcharge.

2. In respect to the items incurred in prosecuting defaulters on Promissory Notes, I am inclined to think that in strictness the Directors and Commissioners are exceeding their legitimate powers in paying such expenses out of the sum of £50,000, which, I understand, was raised by the Directors of the Company as a net sum in cash to comply with the terms of the Railway Act No. 2, instead of placing to credit of the Company and Commissioners the total amount of the subscribed capital, viz., £52,780, in Cash, Promissory Notes, &c.

3. I take this opportunity of calling attention to my letter of the 9th August last, in which I reported to the Colonial Secretary that the Railway Company and Commissioners' Account Current up to the 16th March, 1869, practically ignored my disallowance of £111 1s. 7d. in a former account, and I further explained that I did not discover in the Railway Acts any powers given by which that or any other surcharge could be enforced.

I have, &c.,
(Signed) E. J. MANLEY.

The Hon. the Colonial Secretary.

* 1. Mr. Kemp to the Colonial Secretary, 10 November, 1869.
2. Mr. Kemp to Mr. Dowling, 8 November, 1869.
3. Extract of Solicitors' Bill of Costs.

THIS reply of the Colonial Auditor to the Minute of the Colonial Secretary on the enclosed Papers is forwarded for the perusal and observations of Mr. Innes and Mr. Bartley upon the subject of Mr. Kemp's letter of the 10th instant.

B. TRAVERS SOLLY.
25th Nov., 1869.

I do not agree with Mr. Kemp in his objections to the payments of these items of Account which arose out of the misunderstanding between the Directory and Commissioners in respect to the payment of the accounts of Messrs. Overend and Robb. The opinion of the Attorney-General, given to the Commissioners, if dissented from by the Directory, was in my judgment fairly matter of appeal to Messrs. Fellowes and Stephens, and the reference fairly chargeable upon the funds of the Company.

I am not equally satisfied as to the expenses incurred in proceedings against subscribers to the Share List of the Company who had not paid up. Reference should in my opinion be made to the Secretary of the Company to know whether such expenses are reconcilable with the primary condition on which the Government became a party to the Company's proceedings, &c., namely, that £50,000 had been subscribed and paid-up free from all deductions incident to the getting of such Fifty thousand.

F. M. INNES.
25th Nov., 1869.

THESE Papers are now forwarded to Mr. Bartley by direction of the Colonial Secretary.

B. TRAVERS SOLLY.
26th Nov., 1869.

I ENTERTAIN the decided opinion that the costs of the reference by the Directors to Messrs. Fellowes and Stephens, as charged in the account of Messrs. Douglas & Collins, are in every respect a fair and legitimate charge upon the funds at the joint disposal of the Company and Commissioners.

The costs of the proceedings against Shareholders who were defaulters clearly should not have been charged to the Company's and Commissioners' account. I am sorry to say that having been under the impression that the items referred to were a portion of Messrs. Douglas & Collins' "general law charges" against the Company, I did not, as I should have done, scrutinize them closely until my attention was called to them by Mr. Kemp, after I had signed the cheque for the account including them.

I have referred to the Secretary on the subject, who states that in certifying the accounts to be correct he had also been under the impression that the items formed a portion of Messrs. Douglas & Collins' general law charges against the Company and Commissioners. He readily admits that they should not have been charged to the account of the Company and Commissioners, and undertakes that the amount of same shall be duly credited to the account of the Company and Commissioners before the next accounts are transmitted to the Auditor.

THEODORE BARTLEY.
29th Nov., 1869.

375.

MEMORANDUM.

THE Colonial Secretary has the honor to forward the enclosed correspondence for the perusal of the Board of Directors of the Launceston and Western Railway Company, and desires to call their particular attention to the Auditor's Minute of the 25th ultimo.

It appears to the Government that the items referred to in Paragraph 2 are undoubtedly charged in error against the £50,000 required by the Law, which sum is not entitled to bear any portion of expenses incurred by the Company in raising it.

The Colonial Secretary would also be glad to be favoured with the observations of the Board upon Paragraph 3 of the same Minute.

(Signed) JAMES MILNE WILSON.
Colonial Secretary's Office, 4th December, 1869.

W. S. BUTTON, *Esq.*, *Chairman*.

376.

*Launceston and Western Railway Company, Limited,
Launceston, 7th January, 1870.*

SIR,

I AM directed by the Chairman to acknowledge your memorandum of the 4th instant, referring to the return of certain papers forwarded to him from your office on the 4th ultimo, and to say that after the meeting of Directors on Tuesday next he will be able to transmit them with the required reply.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

377.

*Launceston and Western Railway Company, Limited,
Launceston, 12th January, 1870.*

SIR,

I BEG to enclose the papers you forwarded on the 4th ultimo, with the Report of the Secretary to the Company read to the Directors yesterday, and to which I have the honor to refer you.

I have, &c.,

(Signed)

W. S. BUTTON, *Chairman.*

The Hon. the Colonial Secretary, Hobart Town.

LAUNCESTON AND WESTERN RAILWAY.

REPORT to the Chairman of the Launceston and Western Railway Company, Limited, on the Memorandum of the Honorable the Colonial Secretary, dated 4th December, 1869.

1. THE items referred to in Paragraph 2 of the Auditor's memo. of 24th November, and which amount together to £12 1s. 8d., cannot, perhaps, be said to be strictly chargeable to the Company and Commissioners' Account; and no doubt they will be disallowed by the Auditor in due course of audit, when the Directors will have to consider to what account they must be charged, along with other items previously disallowed by the Auditor, and any others that may arise previously to the completion of the line.

2. The items comprised in former disallowance by the Auditor (£111 1s. 7d.), and referred to in his letter to the Colonial Secretary of the 9th August, were preliminary expenses, which I have no doubt were properly allowed by the Board of Directors and Commissioners, after due deliberation, as fair charges against the funds of the "Company and Commissioners," must stand over in the same manner for final arrangement.

3. In thus reporting, I am bound to take exception to the remarks made by Mr. Kemp in his letter of the 8th November. I deny that unusual precipitancy occurred in the case of the cheque referred to. Had the Commissioners who signed it thought so, they would have deferred signing. The statement is an unbecoming reflection on all the parties to the payment.

H. DOWLING, *Secretary.*
10th January, 1870.

FORWARDED for the perusal and information of the Auditor.

B. TRAVERS SOLLY.
21st January, 1870.

PERUSED and returned with the Colonial Auditor's compliments.

E. J. MANLEY.
27th January, 1870.

EXPENDITURE OF AMOUNT OF ADDITIONAL ESTIMATES (£67,613).

Nos. 378 AND 379.

378.

*Launceston and Western Railway Company, Limited,
Launceston, 10th November, 1869.*

SIR,

I HAVE the honor to submit for your consideration that the business to arise under the provisions of the new Bill may be greatly facilitated, and a considerable amount of correspondence be spared to your Department, if the Government would give a general assent to the expenditure provided for by the extra estimates made by the Company, dated the 1st September last, namely £67,613.

A very few items in those estimates remain, which have not already been operated upon with the sanction of the Government, to some extent having been paid for out of the original £350,000; namely, remaining :—

	£
Telegraph, not yet needed	2000
Cartage to Longford.....	1000
Extra agricultural crossings	1000
Portions of additional rolling stock to (say)	18,184

I beg to add that my sole object in making this recommendation is the facilitating the works, and the avoidance of unnecessary correspondence on small details; all of which will be perfectly safe in the hands of the Commissioners and Directors.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

379.

Colonial Secretary's Office, 16th November, 1869.

SIR,

I HAVE had under consideration your letter of the 10th instant, submitting that facilities would be afforded in carrying out the provisions of the last Railway Act if a general assent were given by the Government to the expenditure of £67,613, being the amount of "extra estimates made by the Company."

In reply, I have the honor to state that I see no reason for anticipating the occurrence of unnecessary delays in the transaction of business between the Directors and Commissioners and the Government as heretofore.

It appears to me that a compliance with your suggestion might be considered a mode of carrying out the provisions of the Act without the requisite supervision which an appeal to this Department would ensure.

Under these circumstances, I am unable to advise the Governor in Council to acquiesce in your views.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

RESIGNATION AND REMUNERATION OF MR. BARTLEY AS NEGOTIATOR.

Nos. 380 to 385.

380.

Launceston, 15th October, 1869.

SIR,

THE published Report of the Joint Committee on the Launceston and Western Railway, which has this day come under my notice, contains a paragraph (No. 6) having reference to my position as Negotiator for the purchase of land required for the Railway. I subjoin the paragraph as printed in *The Cornwall Chronicle* of this day's issue :—

"6. Your Committee have it in evidence, as well as in the correspondence printed by the authority of Parliament, that one of the Commissioners, Mr. Theodore Bartley, has been employed by the Railway Company, with the sanction of the Government, to act as Negotiator for the purchase of lands and settlement of compensation for lands required for the Launceston and Western Railway. It is also in evidence that up to the present time the amount of remuneration Mr. Bartley is to receive for the performance of the duties of Negotiator has not been determined between the Company and himself,—that it is in fact an open question entirely dependent upon the Company how much Mr. Bartley shall receive for his services as Negotiator on the part of the said Company, and Mr. Bartley himself states that he expects some amount between £250 and £500.

Although it would appear that in his capacity as Negotiator Mr. Bartley has performed his duties in a most satisfactory manner, your Committee is of opinion that his position as between the Government and the Company has been, and still is, most objectionable."

Upon being applied to by the Directors to act as such Negotiator, I submitted their application for the determination of the Government, and, as stated in the Report, entered upon the duties of such "office with the sanction of the Government."

In so submitting such application to the Government, I stated "that I was not aware that my acting as such Negotiator would interfere with the duties attached to my office as Commissioner,"—and an actual and extended experience of the very difficult and responsible duties devolving upon me as Negotiator has convinced me that it was on every account desirable that one of the Commissioners should act as such Negotiator,—and this conviction I stated to the Joint Committee in my reply to their question No. 467, which question and reply I now subjoin as printed.

467. Do you think that the office you hold as Commissioner appointed by the Crown on the one hand, and Negotiator for the Company on the other, are compatible? Peculiarly so. In my opinion, if the Government had the power to make such a stipulation under the Act by which the Commissioners hold their appointment, it would have been decidedly to the interest of the Company, and all who have an interest in the construction of the Railway, that one of the Commissioners should either act as sole Negotiator, or be a party to every negotiation for the purchase of any piece of land required for the Railway: by that course the Commissioners would have been best able to carry out that section of the Act by which they are required to see that the capital of the Company is expended on the Railway and Works.

Having as one of the Commissioners acted as such Negotiator, I am enabled positively to state as a fact, that the purchase of all lands and the settlement of all claims for compensation have been effected at the least possible cost to the funds of the Company, and consequently that the large sum involved in such settlement has been unavoidably expended upon the Railway as contemplated by the 4th Section of "The Railway Act, No. 2;" and without desiring to arrogate any undue credit to myself, I feel bound to state that the combination of the office of Negotiator with that of Commissioner has been attended with the most decided advantage to the interests of the Company and the Railway District, which can be clearly established.

With reference to the statement of the Joint Committee in the paragraph I have quoted, "that the amount of remuneration I am to receive for the performance of the duties of Negotiator has not been determined upon between the Company and myself, that in fact it is an open question entirely dependent upon the Company how much I shall receive for my services as Negotiator on the part of the said Company," my replies to the questions of the Joint Committee upon these points will perhaps most clearly show,—

First—Why the amount of remuneration was not settled; and,

Secondly—That the question of amount of such remuneration *is not entirely dependent upon the Company*, as erroneously stated in the Report.

460. What emoluments do you anticipate to receive for the performance of the functions of Negotiator? I expect such an amount as shall be a fair compensation for the services I am rendering to the Company which are not yet completed.

By Mr. Archer.—468. When you undertook the duties of Negotiator for the Company, you did so, I suppose, under the impression that you would be fairly remunerated for the trouble you took? Yes.

469. Leaving it to the Company to remunerate you for your trouble? I was so utterly ignorant of what amount of trouble, time, or judgment would be required that I made no stipulation whatever. I had no idea when I took the office that it would involve so much.

470. The rate of remuneration, then, was never mentioned? Not in the least, nor have I ever alluded to the subject.

By Mr. Whyte.—471. Then the amount of remuneration you expect to receive is entirely dependent upon the decision of the Board of Directors of the Launceston and Western Railway and the Commissioners? Yes.

472. But, in the Board of Directors, of that number the Commissioners would have a very small voice? They could not pay it without the assent of the Commissioners.

473. The Commissioners could not increase the amount? They could not; it must be a joint act of the Directors and two Commissioners. Of course I should not act in the matter, therefore it must be the act of the other Commissioners.

To these replies I would only add, that it is obvious that it is in the power of my two fellow-Commissioners to exercise any scrutiny they may think desirable as to the mode in which I have discharged my duties as Negotiator, and their positive duty to take care that I do not receive an undue amount of remuneration from the funds of the Company for my services—a duty which it may be fairly assumed they will faithfully perform. That I should not be likely to claim any undue amount of remuneration from the Company may, I submit, be also fairly assumed from the fact that, as I had not been called upon to perform any duty whatever as one of the Commissioners for three months after the date of my appointment, I declined to accept from the Company the quarter's salary then due.

Having made the foregoing remarks in justification of my having acted as Negotiator for the Company (I might say for the Railway Districts whose interests are clearly involved in such negotiations), I now have the honor to state that I have this day forwarded to the Board of Directors my resignation of the office of Negotiator for the Company, considering it undesirable that I should continue to hold any position which a Joint Committee upon the Launceston and Western Railway has reported to be "most objectionable."

The Hon. the Colonial Secretary.

I have, &c.,

(Signed)

THEODORE BARTLEY.

381.

Colonial Secretary's Office, 19th October, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 15th instant, referring to the Report of the Joint Committee on the Launceston and Western Railway, conveying the expression of the opinion of the Committee that your position as Negotiator for the purchase of land required for the Railway "has been, and still is, most objectionable,"—at the same time fully recognising the satisfactory manner in which you had performed your duties,—and further informing me that you had forwarded your resignation of the office of Negotiator for the Company to the Board of Directors. I have to convey to you my entire concurrence in the expression contained in the Report, as to the satisfactory manner in which you have fulfilled the responsible and delicate duties attached to the office, and my conviction that your zealous efforts in the interests of the Company, and consequently in those of the Railway District, have materially tended to lessen the expenditure for the purchase of the lands required. I desire to offer no opinion upon the course you have adopted in resigning your office,—but I may state that your acceptance of the appointment was not concurred in by the Government without full consideration, and in the anticipation of most satisfactory results from your known ability and unimpeachable character.

I have, &c.,
(Signed)

JAMES MILNE WILSON.

THEODORE BARTLEY, *Esq.*, *Launceston.*

382.

Launceston, 20th October, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of yesterday, in reply to mine of the 15th instant, in which I announced my resignation of the appointment of Negotiator for the purchase of lands required for the Launceston and Western Railway, and expressing the entire satisfaction of the Government as to the manner in which I have performed the duties of that office, which affords me much gratification, and I would desire to express my deep sense of the very handsome terms in which you have communicated to me the approbation of the Government.

I have, &c.,
(Signed)

THEODORE BARTLEY.

The Hon. JAMES MILNE WILSON, Esq., Colonial Secretary, Hobart Town.

383.

*Launceston and Western Railway Company, Limited,
Launceston, 3rd March, 1870.*

SIR,

I HAVE the honor to request that the Governor may be moved to approve of the expenditure of £500 for the payment of the Valuator of Lands; the sum agreed between the Directors and that gentleman as compensation in full for services in that capacity; and as this settlement has now stood over for some considerable time, I shall be glad if I can receive this approval by an early post or telegram.

I have, &c.,
(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED for the observations of the Commissioners.

B. TRAVERS SOLLY.
5th March, 1870.

OBSERVATIONS forwarded herewith.

SAML. V. KEMP.
F. M. INNES.
17. 3. 70.

*Office of Commissioners of the Launceston and Western Railway,
Launceston, 17th March, 1870.*

SIR,

WE have the honor, in reference to a communication to you from Mr. Dowling of the 3rd instant, asking that the Governor may be moved to approve of the payment to our fellow Commissioner, Mr. Bartley, of the sum of £500 for his services as Valuator of Lands to the Launceston and Western Railway Company, and to a letter from that gentleman of the 8th instant addressed to the Secretary of the Company wherein he consents to accept of that remuneration, to place the facts which follow before you.

The original appointment of our co-Commissioner to an office of emolument under the Launceston and Western Railway Company was approved by your predecessor without any reference to us as to the compatibility of the duties and the relations of Valuator with the duties, &c. of a Commissioner under the Railway Acts.

When such appointment was made no arrangement was stipulated by the Executive as to the scale or mode of remuneration to Mr. Bartley, but that question was left to be settled between him and the Directory.

Neither was any understanding entered into between the Directory and Mr. Bartley on his appointment.

When, therefore, Mr. Bartley's duties as Valuator were brought to a conclusion there was no mutually accepted basis on which his remuneration could be settled. It was left to him to make such charge as he thought fair and reasonable, and to the Directory, if they deemed it excessive, to abide arbitration, which would be guided in all probability by current rates of commission where no special bargain has been made. Mr. Bartley preferred his claim, which was for the sum of £500; but a majority of the Directory (neither of us voting) considered £400 an adequate recompense of his services; from which Mr. Bartley dissenting, he withdrew his offer to accept £500, and demanded that the question of what remuneration he was entitled to should be referred to arbitrators mutually to be named by himself and by the Directory.

It would be fruitless in us to discuss the question of whether a Valuator competent in every respect might or might not have been originally engaged at a less sum than £500; but, when invited to accept the alternative of paying that amount or leaving the matter to be settled by local arbitrators, we had no doubt whatever as to which was preferable for the interests of the Company. We deprecated arbitration, as usually leaning more to the interests of an individual than to those of the public or of an indefinite body of persons where the two are in opposition; and, also, as it would probably be given upon commercial rates, whereas large transactions are usually effected for a lump sum considerably less than what mercantile rates would amount to. Perhaps we should add, that we considered it would be an undesirable principle to apply, that the Valuator should be recompensed more largely in proportion, not to the advantage of his valuations to the Company, but to their costliness; and the lavish precedents which could be quoted from the neighbouring Colonies of compensation given to Railway Valuators would doubtless have influenced the award of arbitrators or an umpire, although in our judgment the only admissible standard of compensation in the present instance was the sum at which any other equally competent person in this community would have executed the duties entrusted to Mr. Bartley.

Guided by the views expressed, one of us (Mr. Innes) re-opened the question of Mr. Bartley's compensation in the Directory, earnestly contending that whether £500 was or was not an excessive remuneration, it was certainly not so materially in excess as to warrant the risks of an appeal to arbitration; and some of the Directors who had previously voted £400, on further reflection, deeming the larger sum fair and reasonable, that sum was ultimately carried. And with the foregoing explanation of our position, we desire to recommend that the approval of the Executive be given to the application in Mr. Dowling's letter to you of the 3rd instant.

We have, &c.,
(Signed)

FRED. M. INNES.
SAML. V. KEMP.

The Hon. the Colonial Secretary.

385.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 19th March, 1870.

SUBMITTED,

THAT, upon the application of the Directory and with the concurrence of the Commissioners, the sum of Five hundred pounds (£500) be authorised to be paid to Mr. Theodore Bartley for services rendered to the Launceston and Western Railway Company as Valuator of Lands. This amount being compensation in full of all demands for such services.

J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.

The Hon. the Colonial Secretary.

21. 3. 70.

COMMUNICATED to the Secretary on the 23rd March, 1870.

B. TRAVERS SOLLY.

PURCHASE OF TWO ADDITIONAL LOCOMOTIVES. Nos. 386 to 395.

386.

*Launceston and Western Railway Company, Limited,
Launceston, 3rd November, 1869.*

SIR,

AT the Board meeting yesterday it was decided to ask the consent of the Government to order two (2) more locomotives from England, being a portion of the rolling stock included in the increased estimate of £23,000, part of the estimate £67,613, placed before you by my letter of the 11th September last.

It is desirable to transmit this order to London, *via* Marseilles, on the 6th instant; and, therefore, I have the honor to ask an immediate concurrence. The Commissioners are all out of town to-day; and therefore I venture to ask concurrence, subject to their acquiescence.

Your obedient Servant,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary.*

REFERRED to the Commissioners of the Launceston and Western Railway for their report.

By direction of the Colonial Secretary,

B. TRAVERS SOLLY.

4 November, 1869.

REPORT herewith annexed.

S. V. KEMP.
5 November, 1869.

387.

5th November, 1869.

MEMORANDUM.

SUBMITTED that the Government require as a condition of its approval to the transmission of any orders to England for rolling stock, plant, &c., that such orders shall emanate from the Directory; and besides bearing the signature of the Chairman or Secretary of the Company, they have also those of two Commissioners.

Subject to the above condition, we recommend that the Executive accede to the application of the Company of the 3rd instant, for leave to order two more locomotive engines from England by the out-going mail.

SAML. V. KEMP.

FRED. M. INNES.

To the Hon. the Colonial Secretary, Hobart Town.

47

388.

Colonial Secretary's Office, 4th November, 1869.

SIR,

I HAVE the honor, by direction of the Colonial Secretary, to acknowledge the receipt of your letter of yesterday's date, requesting an immediate authority to order two locomotives from England by the outgoing mail; and, in reply, to inform you that your letter has been referred to the Commissioners, without whose concurrence the Government are not prepared to comply with your request.

I have, &c.,

(Signed) B. T. SOLLY.

H. DOWLING, *Esq.*, Secretary.

389.

By ELECTRIC TELEGRAPH.

Launceston, 5th November, 1869.

You will receive by to-night's post an official communicate, to which a reply by telegram to-morrow forenoon will be in time. The sooner the better. But we want the expressed assent of the Government to the conditions stated in the above communicate.

F. M. INNES.

The Hon. the Colonial Secretary.

390.

Launceston, 5th November, 1869.

PLEASE forward by to-night's post authority to be used, if expedient, for two engines. Ascertained cost of last two, £4816. To be ordered by mail to-morrow from England. This is only estimated for as the occasion is urgent.

F. M. INNES.

*The Hon. the Colonial Secretary, Hobart Town,
or in his absence the Hon. the Colonial Treasurer.*

391.

Colonial Secretary's Office, 5th November, 1869.

MY DEAR MR. INNES,

FAILING the receipt of an answer to my Telegram in reply to yours of this afternoon, I have written the accompanying letter to Mr. Dowling, which you can forward to that gentleman in the event of a majority of the Commissioners agreeing to the wishes of the Directors.

I have, &c.,

(Signed) JAMES MILNE WILSON.

The Hon. F. M. INNES, Esq., Launceston.

392.

Colonial Secretary's Office, 5th November, 1869.

SIR,

I HAVE the honor to inform you, with reference to your application for authority to send to England by the outgoing mail for two locomotives, that the Commissioners having concurred in the expediency of a compliance with the wishes of the Board of Directors in this matter, the authority they seek is hereby granted.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq.*, Secretary.

393.

BY ELECTRIC TELEGRAPH.

6th November, 1869.

APPLICATION for authority to order two locomotives by this day's mail approved on the following conditions:—

That this order and all subsequent orders for rolling stock, plant, &c. shall emanate from the Directory; and besides bearing the signature of the Chairman or Secretary of the Company, they have also those of two Commissioners.

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq.*, *Launceston*.

394.

BY ELECTRIC TELEGRAPH.

6th November, 1869.

TELEGRAM just sent to Dowling, authorising order of locomotives on conditions named in your memorandum just received by post.

(Signed) JAMES MILNE WILSON.

S. V. KEMP, *Esq.*, *Launceston*.

395.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

SUBMITTED,

That authority be granted for the purchase of two locomotives from England for the Launceston and Western Railway, as applied for by the Directors in their letter of the 3rd November last; and recommended by the Commissioners upon the condition that this order and all subsequent orders for rolling stock, plant, &c. shall emanate from the Directory; and besides bearing the signature of the Chairman or Secretary of the Company, they have also those of two Commissioners.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

7. 3. 70.

The Hon. the Colonial Secretary.

AUDITOR'S QUERIES. Nos. 396 to 398.

396.

Audit Office, 9th August, 1869.

SIR,

REFERRING to my letter to your predecessor, of the 11th August, 1868, with two notes from the Hon. Mr. Commissioner Innes, questioning the legitimacy of certain charges in the Accounts of the Launceston and Western Railway Company, and to the written opinion thereon of the Hon. the Attorney-General, dated 16th October, 1868, I have now the honor to bring the subject matter under your notice with a view to the correspondence being laid before Parliament should it be deemed desirable to adopt that course.

The documents quoted fully explain the nature of the issue raised in the correspondence, and it would seem to be a needless repetition for me to recapitulate the particulars therein furnished. I therefore confine myself to submitting copy of a letter I addressed on the 22nd December, 1868, to the Secretary of the Railway Company, communicating to him, for the information of the Directors and the Commissioners, my disallowance of such disbursements in the Accounts as seemed to me to come within the scope of the Attorney-General's legal opinion upon the question at issue.

Although the whole amount thus surcharged is only £111 1s. 7d., a very insignificant item when compared with the extent of expenditure on the Railway and Works, still as a principle is involved, I consider it my duty to make this communication to you, more especially as the amount indicated in my letter to the Secretary of the Company as the corrected balance has not been adopted

and brought forward into the succeeding Account Current, thereby apparently resisting the action of this department; though I must add that in a foot-note to that account a memorandum is made of the circumstance, but without any intimation of an intention to admit the surcharge.

Before concluding it may be proper to remark that the 15th Sec. of the Act 30 Vict. No. 28, authorising the Colonial Auditor to examine the Railway Company's Accounts, provides no means for enforcing any disallowance in connection therewith.

I have, &c.,
(Signed)

E. J. MANLEY, Colonial Auditor.

The Hon. the Colonial Secretary.

(Copy.)

Audit Office, 11th August, 1868.

SIR,

I HAVE the honor to report that, pursuant to the instructions contained in your communications of 24th and 26th June last, and in accordance with the 15th Section of the Act of Parliament, 30 Vict. No. 28, I have examined the accounts of the Launceston and Western Railway Company as rendered to me, with supporting vouchers up to the 16th March last, the termination of the financial year of the Company.

The account of expenditure has been found to correspond with the vouchers produced, and excepting two or three trivial inaccuracies may therefore be considered as so far correct; but a question has been raised by the Hon. Mr. Innes, one of the Commissioners, respecting certain items of expense, to which he objects on grounds explained in the two accompanying letters.

There seems to me to be considerable force in the objection Mr. Innes takes to the admission, as a charge against the sum of £50,000, of those accounts which were either for preliminary expenses incurred by the promoters in the formation of the Company before it had any actual or legal existence, or in afterwards negotiating with bankers or others for the loan or advance of the said £50,000 to meet one of the conditions without which the Government could not give its sanction to the Railway scheme, nor aid the undertaking by the sale of Debentures.

It is clear that the intention of Parliament in making that condition was, that capital subscribed by the Shareholders to the extent of £50,000 should be paid into a bank to the credit of the Company and the Commissioners; and it is assumed that to meet the convenience of Shareholders the promoters found it necessary to raise the greater portion of that sum by negotiation with the banks.

Under this view I should say, dealing with the transaction as a strict matter of business, that Mr. Innes has formed a sound judgment on the questions at issue; but when considered legally the case may perhaps assume a different aspect.

By the 6th Sect. of the Act, 30 Vict. No. 28, it is provided that three Commissioners shall be appointed by the Governor in Council; and further, that the act of any two of such Commissioners shall be deemed to be the act of the Commissioners.

By the 11th Sect. it is provided, that "the said sum of £50,000 shall be expended upon the said Railway and Works with the approval of the Commissioners."

Now, all the expenses objected to by Mr. Innes have received the sanction of two of the Commissioners.

I am, therefore, desirous of submitting the matter, which may be of greater importance than at present appears, for the consideration and decision of the Government; and also, if it should be thought necessary, for the opinion of the Law Officers of the Crown.

The two points which seem to require decision are:—

1. Whether the expenses objected to by Mr. Innes, keeping in view the special premises upon which the objections are based, do or do not come as a fair matter of business, and legally in terms of the Act, within the category of expenditure upon the Railway and Works, as provided in Sect. 11 of the Act 30 Vict. No. 28.

2. Whether the act of the two Commissioners in sanctioning or passing such expenditure as a proper charge against the £50,000 must be considered as conclusive, and as depriving the Executive Government of the power of disallowing items of expenditure so sanctioned and passed in the accounts of the Railway Company.

I beg to subjoin copies of the vouchers referred to in Mr. Innes' letter to me of the 24th ultimo.

I have &c.,
(Signed)

E. J. MANLEY.

The Hon. the Colonial Secretary.

No. 7.—Printing, &c. J. STEPHENSON.

	£	s.	d.
1864.			
Oct. 31.—500 Circulars	0	12	6
Nov. 24.— 33 "	0	3	6
Dec. 7.— 25 "	0	3	0
1865.			
10.—500 "	0	12	6
Mar. 6.— 30 "	0	3	6
" 14.— 20 Bills	0	5	0
" 25.— 25 Circulars	0	3	0
June 30.— 30 "	0	3	0
July 8.— 30 "	0	3	0
	£2	9	0

The rest of this account is subsequent to the date of the Act 29 Vict. No. 24.

Office Expenses.—No. 3. Memorandum.

	£	s.	d.
Expenses out of pocket on deputation to Melbourne (passage to and fro).....	4	4	0
25 days at 10s. per diem, not including hotel	12	10	0
	£16	14	0
Expenses as per Memo. herewith	5	6	6
Also of similar expenses to Hobart Town, but including a bill at <i>Ship Inn</i> , by order, to deliver letter to Col. Secretary	6	7	0
Total.....	£28	7	6

(Signed) W. S. B.

(Signed) H. DOWLING.
26th June, 1866.*MEMO.—Expenses incurred in canvassing. (See diary annexed.)*

	£	s.	d.
Coach-hire to and from Perth, where I remained canvassing, from 24th February to 28th, and Expenses	0	9	0
Expenses to Cressy, Bishopsbourne, March 1st to 3rd inclusive.....	0	8	0
To Deloraine and Westbury, 4th to 12th inclusive.....	2	13	0
To Deloraine, &c. from March 15th to 20th.....	1	16	6
23 days, at 4s. 7½d.....	£5	6	6

(Signed) H. DOWLING.

No. 12.—Railway Company to Owners "Derwent." 14th May, 1867.

To R. Tickets to Melbourne and back for Messrs. Dowling and Button, at £5 5s. each.... £10 10 0

(Signed) W. S. B. (Signed) R. GREEN. (Signed) W. J. NORWOOD. Correct.

No. 18.—Launceston and Western Railway Company. May, 1867.

Expenses at Melbourne as a member of deputation £3 8 0

(Signed) W. S. BUTTON. (Signed) R. G. Correct. W. J. N.

No. 18. MEMO.—Launceston and Western Railway Company, Limited. May, 1867.

Expenses out of pocket at Melbourne on business of the deputation..... £3 15 9

Paid.

Correct. W. J. N. R. G. (Signed) H. DOWLING. (Signed) W. S. B.

No. 23.—Railway Company to Owners "Derwent." 16th January, 1868.

To Return Ticket, Mr. R. Green £5 5 0

Correct. W. J. NORWOOD. W. S. B.

*Launceston, January, 1868.**No. 26.—Launceston and Western Railway Company Dr. to RICHARD GREEN.*

January 16th to 22nd.—Cash paid expenses to, from, and at Melbourne in the service of the Company £4 7 6

Correct. W. J. NORWOOD. R. G. W. S. B.

*Launceston, Nov., 1867.**No. 29.—Launceston and Western Railway Company Dr. to RICHARD GREEN.*

Nov. 15.—To Cash paid expenses of Mr. Sherwin and self to Hobart Town, being a deputation from Finance Committee to the Commercial Bank £3 9 0

(Signed) R. G. H. D. W. S. B.

*Launceston, 11th Nov., 1867.**No. 29.—Launceston and Western Railway Company—I. SHERWIN, Esq. To SAMUEL PAGE.*

To 2 fares for Coach to and from Hobart Town (I. Sherwin and R. Green) £8 0 0

(Signed) H. D. R. G.

(Copy.)

Hobart Town, 10th February, 1868.

SIR,

I HAVE to request that, in forwarding for audit under the 15th section of the Audit Act 30 Vict. No. 28 the accounts passed at the meeting of the Directors of the Launceston and Western Railway Company, held on the 5th instant, you will transmit to the Colonial Auditor this communication intimating my dissent from the passing of these items in the accounts which purport to have been incurred in negotiating with Banks in Melbourne and Hobart Town, with a view to enabling the Company to meet the condition upon which the guarantee of the Government was to be given, namely, that a sum of £50,000 had been paid into some Bank to the credit of the Company and the Commissioners.

According to my reading of the Acts placed in the hands of the Commissioners for their guidance, the 29th Vict. No. 24, (sections 66, 67) and the 30th Vict. No. 28, (sections 4, 7, 11,) the sum of £50,000, free of all costs or deductions incident to obtaining that sum, should be paid into some Bank in Tasmania; and the admission of the expenses in question as a legitimate charge on a paid-up capital not exceeding £50,000 cannot be made without involving a principle on which further charges of the same nature may be insisted on, and thus indefinitely reducing the value of the condition on which, according to the intention of the Legislature, the guarantee of the public credit was to be given.

I am, &c.,
(Signed) F. M. INNES.

The Secretary Launceston and Western Railway Company.

Hobart Town, 24th July, 1868.

DEAR SIR,

My absence from home, in Launceston, has prevented an earlier answer to your letter of the 15th instant.

I have now to acquaint you that the items to which the principle of my objection applies are more or less distributed among other items to which that principle may not apply; but, leaving such mixed accounts, I would refer you to Voucher 3, H. Dowling; 12, Messrs. Dowling and Button; 18, the same; 23, R. Green, steam fare; 26, R. Green; 29, Messrs. Sherwin and Green, all of which comprise expenditure incurred in negotiating with Banks in Melbourne and in Hobart Town, so as to enable the Company to satisfy the condition of sections 4 and 7 of the 30th Vict. No. 28, that a sum of £50,000 had been placed to the credit of the Company and Commissioners at some Bank.

I considered it my duty also to withhold my initials from an account to J. Stephenson (Voucher No. 7) for Printing, the details of which date in 1864 and in 1865, that is prior to the passing of the Act 29 Vict. No. 24, empowering the construction and maintenance of a Railway from Launceston to Deloraine, and prior, by from two to three years, to the formation of the existing Launceston and Western Railway Company.

Mr. Dowling has pointed out to me an inadvertence in my letter to him of the 10th February, forwarded to you with the Company's accounts, namely, in referring to Sections 66 and 67 of the 29th Vict. No. 24; but you will perceive that the oversight in question does not affect the principle of my objection as set forth in that letter, which is that the £50,000 subscribed and paid into a Bank should be free of all costs, immediate or prospective, incident to getting that sum from any individuals or from any firm by way of loan or accommodation.

I am, &c.,
(Signed) F. M. INNES.

The Colonial Auditor.

Launceston and Western Railway Company, Limited, 26th August, 1868.

SIR,

I DULY received your letter of the 21st instant, and enclosures, and now beg to return an Account made up as you have requested.

I need scarcely say how much I approve your suggestion, which clears away a difficulty I had all along foreseen, and enables you at once to detect the primary expenditure under the Railway Acts. I am glad to say that the Board of Directors have also expressed themselves obliged by your proposal.

I have not applied to the Commissioners for their signatures,—Mr. Kemp indeed is in Melbourne. I trust you will accept my former explanation on this point, i.e., that the Cheques for all payments are signed by two Commissioners as well as Chairman and Secretary, as arranged by the Bankers. The Bank Pass-book being in the names of the Company and Commissioners affords me proof.

In returning these papers I am instructed by the Board of Directors to refer to that part of your letter which makes allusion to the letters of Mr. Innes having been transmitted to the Government for "consideration and decision." I am to inform you that these letters are considered by the Board, in the face of the provision contained in the 16th Sect. 28 Vict. No. 30, to be most irregular; and I am respectfully to remind you that no action whatever, either on the part of the Executive Government or otherwise, can override the provisions of the Law,—that the act of any two of the Commissioners shall be deemed to be the act of the Commissioners.

I have, &c.,
(Signed) H. DOWLING, Secretary.

E. J. MANLEY, Esq.

I BEG to submit this copy of a letter from the Secretary to the Launceston Railway Company, in reference to one I had the honor of addressing to the Colonial Secretary on the 11th ultimo, respecting a protest by Mr. Innes, as one of the Commissioners, against certain items of expenditure in the Railway Accounts. As the termination of another half-year's transactions is close at hand, I should be very glad if the Government would be pleased to take an early opportunity to give the decision I have solicited in my letter of the 11th ultimo. In the meantime I would respectfully submit that the opinion of the Law Officers of the Crown should be obtained on the point of Law which Mr. Dowling evidently considers to be conclusive in favour of his own and the Directors' views upon the subject.

E. J. MANLEY.
1st Sept. 1868.

The Hon. the Colonial Secretary.

THIS letter, together with the Auditor's previous communication of the 11th ultimo, with enclosures, is forwarded to the Honorable the Attorney-General, with the request that he will favour the Colonial Secretary with his opinion upon the point raised by Mr. Innes.

RICHARD DRY.
2 Sept. 1868.

THE questions submitted are not without difficulty: putting, however, the most liberal construction upon the terms of the Railway Acts, I have arrived at the following conclusions:—

1st. I am of opinion that the expenses incurred by the Company in negotiating with Banks to aid them in raising the amount required by law to be raised, are not legitimate charges. Parliament required, ultimately, the sum of £50,000 to be deposited in a Bank to the credit of the Company and the Commissioners; and the mode of payment contemplated by Parliament was, that Capital of the Company to that amount should be paid in cash. I think, therefore, that the sum of £50,000 cannot be reduced by expenses incurred in treating with Banks to lend that sum or any part of it.

2nd. All other preliminary expenses reasonably incurred should, I think, be passed.

3rd. With reference to Mr. Dowling's statement that the correspondence on this subject is considered by the Directors "most irregular," and that no action of the Executive Government can over-ride the provisions of the Law, that the act of any two of the Commissioners shall be deemed to be the act of the Commissioners, I presume that Mr. Dowling would hardly contend that the Commissioners, or any two of them, can override the Law, and authorise payments which are in fraud of the policy of 30 Vict. No. 28; and the only conclusion I can arrive at with reference to reducing the £50,000 by deducting the expenses of negotiations with Banks, &c. is, that such reduction would amount to an evasion of the Contract which was entered into between the Company and the Public by the Act 30 Vict. No. 28.

W. L. DOBSON.

Attorney-General's Chambers, 10 October, 1868.

Forwarded for the information of the Auditor.

RICHARD DRY.
17th October, 1868.

Perused and returned to the Honorable the Colonial Secretary.

E. J. MANLEY.

Enclosure to Letter of 9 August, 1869.

Audit Office, 22nd December, 1868.

SIR,

HAVING completed the examination of the Accounts of the Launceston and Western Railway Company for the Two Half-years terminated respectively on the 16th March and 16th September, 1868, I have now the honor to acquaint you, for the information of the Directors of the Company and the Commissioners, that the under-mentioned sums charged in those accounts cannot, under the opinion and advice of the Chief Law Officer of the Crown, of which a copy is in your possession, be legally admitted by me as charges against the sum of £50,000 paid by the Company into the Union Bank at Launceston, to the credit of the Company and the Commissioners, under the provisions of the 11th Section of the Act 30 Vict. No. 28; and that consequently the balance which according to my audit was still available for expenditure upon the said Railway and Works, as on the 16th September, 1868, at the close of the Account Current for that Half-year, amounted to £41,638 8s. 5d., instead of to £41,527 6s. 10d. as shown in the Accounts rendered by you, (exclusive of 10s. overpayment in salary, to be repaid).

I have therefore to request that you will be pleased to move the Directors of the Company and the Commissioners to cause the corrected balance of £41,638 8s. 5d. to be brought forward to the debit of the Company and the Commissioners in the Accounts of the Launceston and Western Railway Company for the current Half-year.

I have, &c.,

(Signed) E. J. MANLEY.

H. DOWLING, Esq., Launceston.

ACCOUNT TO 16 MARCH, 1868.

		£	s.	d.
Voucher No. 3.	H. Dowling, Esq.	16	14	0
No. 12.	Fares, Melbourne and back	10	10	0
No. 18.	Travelling Expenses, Messrs. Button & Dowling	7	3	9
No. 23.	R. Green, Esq., Steam Fare	5	5	0
No. 29.	Travelling Expenses, Messrs. Sherwin and Green	11	9	0
No. 26.	Mr. Green, Personal Expenses	4	7	6

ACCOUNT TO 16 SEPTEMBER, 1868.

No. 27.	Part of Messrs. Douglas and Collins' Bill of Costs	40	7	2
No. 28.	Union Bank Charges	15	5	2
		£111	1	7

P.S.—All the Vouchers are herewith returned—Nos. 1 to 52, Sept. Account, and No. 3 of March Account.

(Signed) E. J. M.

397.

Railway Commissioners' Office, Launceston, 22nd November, 1869.

SIR,

I HAVE the honor herewith to return the accompanying correspondence, relating to the disallowance of certain amounts by the Colonial Auditor in the half-yearly accounts made up to the 16th March, 1868, sent for my perusal.

I beg to mention for your information that no notice whatever appears in any of the books belonging to the Launceston and Western Railway Company showing either the amounts disallowed or the corrected balance demanded by the Colonial Auditor, I shall therefore feel obliged by your informing me if such disallowance can be legally surcharged, and, if so, the proper mode of enforcing it.

The items as challenged by my colleague Mr. Innes, and the disallowance of the payment of such items by the Colonial Auditor, is conclusive proof that in signing cheques for such items I was wrong, for which I beg to express my regret.

I have, &c.,
(Signed) SAML. V. KEMP.

To the Hon. the Colonial Secretary, Hobart Town.

THIS letter and the accompanying papers are forwarded to the Solicitor-General with the request that he will report as to the existence of a legal power to surcharge items challenged by the Auditor.

JAMES MILNE WILSON.
23rd November, 1869.

I do not think there is any legal power in a case like this to surcharge the particular items challenged by the Auditor. The Acts of Parliament bearing on the matter are "The Launceston and Western Railway Act, No. 2," and "The Audit Act," neither of which seem to me to confer the requisite authority to surcharge any person for the items in question.

ROBT. P. ADAMS.
26. 11. 69.

FORWARDED with former correspondence for the information of the Auditor.

B. TRAVERS SOLLY.
26th November, 1869.

RETURNED with thanks; but the Auditor would feel much obliged by receiving a letter for record in reply to the one he had the honor of addressing to the Colonial Secretary on the 9th August last, and embodying the above-written opinion of the Solicitor-General.

The Assistant Colonial Secretary.
E. J. MANLEY.
29th November, 1869.

398.

Colonial Secretary's Office, 2nd December, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your communication of the 9th August last, referring to a previous correspondence addressed to my predecessor, the late Sir Richard Dry, questioning the lawfulness of certain charges in the accounts of the Launceston and Western Railway Company, and to acquaint you that the subject having been referred to the Solicitor-General, that officer has advised as follows:—

"I do not think there is any legal power in a case like this to surcharge the particular items challenged by the Auditor. The Acts of Parliament bearing on the matter are 'The Launceston and Western Railway Act, No. 2,' and 'The Audit Act,' neither of which seem to me to confer the requisite authority to surcharge any person for the items in question."

Under the above opinion it is deemed undesirable to proceed further in this matter.

I have, &c.,
(Signed) JAMES MILNE WILSON.

E. J. MANLEY, Esq., Colonial Auditor.

CORRESPONDENCE BETWEEN A COMMISSIONER AND THE GOVERNMENT,
TO PASS THROUGH HIS CO-COMMISSIONERS. Nos. 399 to 403.

399.

Hobart Town, 26th November, 1869.

SIR,

I BEG to propose for your approval that communications from the Commissioners, or either Commissioner, to the Government, to which my signature has not been previously attached, may be transmitted through me, so as to obviate the delays incident to the present system of referring such communications to me. I am persuaded that this arrangement would greatly expedite the transaction of business in which the Launceston and Western Railway Company are interested.

I would also take this opportunity of suggesting to the Government, under the provisions of the Railway Act, No. 2, which contemplates periodical reports from the Commissioners, that a monthly report of the progress of the Works, and on the probable date of their completion and of the Line being brought into operation, should be invited; and it would be desirable that the date of this report should correspond with those for which monthly payments have been passed by the Directory in favour of the Contractors.

I have, &c.,
(Signed) FRED. M. INNES.

The Hon. the Colonial Secretary.

400.

Colonial Secretary's Office, 30th November, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 26th instant, suggesting that communications from the Commissioners, or either of them, to which your signature has not been previously attached, may be transmitted to the Government through you, in order to save unnecessary delay, and also suggesting that a monthly report of the progress of the Works, and the date of their probable completion and of the Line being brought into operation, should be invited; the date of such reports being made to correspond with that for which monthly payments have been passed by the Directory in favour of the Contractors.

Fully concurring in these views, I have addressed a letter to your co-Commissioners requesting them to give effect to your recommendations; and I have at the same time intimated that you will, when addressing the Government, transmit your communications through them.

I have, &c.,
(Signed) JAMES MILNE WILSON.

The Hon. F. M. INNES, Esq., M.L.C.

401.

Colonial Secretary's Office, 30th November, 1869.

SIR,

WITH the view of avoiding unnecessary delays, I have the honor to request that official communications to the Government respecting any matters connected with the Launceston and Western Railway may, after perusal by and if requisite the addition of Mr. Bartley's signature, be forwarded through Mr. Commissioner Innes; and in like manner should Mr. Innes desire to address the Government he will transmit his letters through you and Mr. Bartley.

I have also to suggest the preparation and periodical transmission of a monthly report of the progress of the Works upon the Launceston and Western Railway, and on the probable date of their completion and of the Line being brought into operation.

It would be desirable that the date of such report should coincide with that for which monthly payments have been passed by the Directory in favour of the Contractors.

I have, &c.,
(Signed) JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

402.

Colonial Secretary's Office, 30th November, 1869.

SIR,

WITH the view of avoiding unnecessary delays, I have the honor to request that official communications to the Government respecting any matters connected with the Launceston and Western Railway may, after perusal by and if requisite the addition of Mr. Kemp's signature, be forwarded through Mr. Commissioner Innes; and in like manner should Mr. Innes desire to address the Government he will transmit his letters through you and Mr. Kemp.

It has been suggested to Mr. Kemp the desirability of preparing and periodically transmitting a monthly report of the progress of the Works upon the Launceston and Western Railway, and on the probable date of their completion and of the Line being brought into operation.

I have, &c.,
(Signed) JAMES MILNE WILSON.

T. B. BARTLEY, Esq., Launceston.

403.

Railway Commissioners' Office, Launceston, 3rd December, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th ultimo, and to state that I shall have much pleasure in complying with the request contained therein.

I have, &c.,

(Signed)

SAML. V. KEMP.

To the Honorable the Colonial Secretary, Hobart Town.

POSITION OF COMMISSIONERS AS DIRECTORS. Nos. 404 AND 405.

404.

Railway Commissioners' Office, Launceston, 9th December, 1869.

SIR,

WE have the honor to enclose extracts from the Journals of the Launceston and Western Railway Company, and beg to obtain the opinion of the Law Officers of the Crown, if the distinction affirmed by the Directory between the position of the Commissioners as Directors, and that of the other Directors of the Company, is consistent with Law.

We have, &c.,

(Signed)

SAML. V. KEMP.

FRED. M. INNES.

The Honorable the Colonial Secretary, Hobart Town.

EXTRACT from the Journals of the Launceston and Western Railway Company.

TUESDAY, 23 MARCH, 1869.

Mr. Innes having called attention to Rule p. 4, with regard to the Quorum at Meetings of Directors, which, in connection with the practice of the Board, appeared to him indefinite.

Mr. Crookes moved and Mr. Robertson seconded—That the practice of the Board in this matter be continued, namely, "that Five of the Directors, duly elected according to the Rules of the Company, be present before proceeding to business." Carried.

THURSDAY, 2 DECEMBER, 1869.

[Business from last week.]

Mr. Kemp moved and Mr. Scott seconded—That the Resolution of the Board respecting Quorums at Meetings of Directors be rescinded, and that the presence of Five Members of the Directory, whether Commissioners or otherwise, shall constitute a Quorum of Directors;

Which being lost, Mr. Kemp asked for a division.

AYES.
Mr. Kemp.
Mr. Scott.
Mr. Tyson.

NOES.
Mr. Crookes.
Mr. Fisher.
Mr. Button.
Mr. Green.
Mr. Webster.
Mr. Gibson.
Mr. Webster.
Mr. Robertson.
Mr. Harrap.
Mr. Grubb.

REFERRED for the opinion of the Law Officers of the Crown.

J. M. WILSON.

10th December, 1869.

I THINK this question is answered in effect in the last paragraph of an opinion furnished by the Law Officers to the Colonial Secretary on the 5th April, 1869.

ROBT. P. ADAMS.

11 Dec., 1869.

405.

Colonial Secretary's Office, 13th December, 1869.

GENTLEMEN,

IN reply to your letter of the 9th instant, I am directed by the Colonial Secretary to state that the position of the Commissioners as Directors at the Board of the Launceston and Western Railway Company was referred for the opinion of the Honorable the Attorney-General, in accordance with the request of Mr. Innes, as contained in his letter to the Colonial Secretary, under date 30th March, 1869, and in Document No. 183 of the Launceston and Western Railway Company's Correspondence, Paper No. 24, of the House of Assembly, last Session, you will find the views of the Law Officers upon the question now submitted by you given in the following words:—

“With reference to Mr. Innes's second question, as a Quorum is to consist of Five ‘Directors,’ and as the Commissioners, although empowered to sit and act as Directors, are yet not strictly ‘Directors’ of the Company, I think that the safer course is, perhaps, to require that five ‘Directors,’ exclusive of Commissioners, should be present to form a quorum.”

I have, &c.,

(Signed) B. T. SOLLY.

The Commissioners of the Launceston and Western Railway Company.

PURCHASE OF POINTS AND CROSSINGS. Nos. 406 to 417.

406.

*Launceston and Western Railway Company, Limited,
Launceston, 31st December, 1869.*

SIR,

IN July last year the Engineers ordered from London, on behalf of this Company, fifteen sets points and crossings; but, by some oversight, the order has not been executed.

By recent advices I find that the Agents are under an impression that this order never went forward, and that, being aware of their absolute necessity for the opening of the Line, the Inspecting Engineer had ordered twelve sets. Six of these have arrived, but prove wholly unsuitable.

Under these circumstances it is necessary that we procure them from Melbourne at once; and I have the honor to request that you will consent to this expenditure. The precise amount, not knowing Melbourne prices, cannot be fixed; but, for your information, I may state that the English invoice price of the lot here was £43 each for six: these being of crucible steel. But, as the Company will provide the rails in the case of the Melbourne order, and the work consist merely of cutting and adapting these as points and crossings, the cost must be much less than the original London invoice.

The necessity for this application arises from the uncertainty respecting a supply coming forward from England when our letters of October get to hand, but too late for our purposes. If these do not come forward then we have funds within the £350,000; but they are required at once, and therefore the Company need funds out of the £23,000 newly provided loan.

In event of our having eventually fifteen more from London they will all be required, and will therefore not be a loss to the funds.

I have the honor to request an immediate consideration and reply, as no time is to be lost without risk of great inconvenience, if not loss, to the Company.

I have sent a copy of this letter to the Commissioners, and begged them to report to you without waiting your reference.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

407.

*Launceston and Western Railway Company, Limited,
Launceston, 5th January, 1870.*

SIR,

REFERRING you to my letter of the 30th ultimo, I have the honor now to say that the Engineers have advised me that they have now ascertained from manufacturers in Melbourne approximate

prices for the work required, and that the fifteen sets of points and crossings, now immediately required, will cost under £15 each set. I therefore have the honor to ask that a sum of money not exceeding £225 may be authorised by the Government, out of the new loan, for the materials referred to.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

408.

BY ELECTRIC TELEGRAPH.

Launceston, 6th January, 1870.

I AM waiting for information asked for by me from the Engineers. I cannot report until I get it. My request was brought before the Board on Tuesday, and the Secretary was requested to obtain the information required by me.

S. V. KEMP.

B. T. SOLLY, *Esq.*

409.

BY ELECTRIC TELEGRAPH.

Launceston, 21st January, 1870.

THE Commissioners beg to recommend that an authority be given for the expenditure of £225 for the purpose of switches and crossings as applied for by the Railway Secretary in a letter now lying unanswered in your Office. A letter on the subject will be forwarded by to-night's post, but it is important the Company should be able to operate on the authority by the post leaving per *Derwent* to-morrow.

(Signed) S. V. KEMP.

F. M. INNES.

The Honorable the Colonial Secretary.

410.

BY ELECTRIC TELEGRAPH.

21st January, 1870.

THE letter from Secretary has remained unanswered pending Report from Commissioners. *Vide* Mr. Kemp's Telegram of 6th instant.

The sum of £225 is now authorised for the purchase of switches and crossings as recommended.

(Signed) J. M. WILSON.

Messrs. KEMP & INNES, Launceston.

411.

Railway Commissioners' Office, Launceston, 21st January, 1869.

SIR,

REFERRING to the application to the Government from the Secretary to the Launceston and Western Railway, of date 5th January, for authority to expend the sum of £225, we beg to state that the expenditure contemplated is imperatively necessary; but, in recommending its approval by the Governor in Council, we must decline the responsibility of guaranteeing that the sum named will prove quite sufficient.

We have, &c.,

(Signed)

FRED. M. INNES.

SAML. V. KEMP.

THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

412.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 22nd January, 1870.

SUBMITTED,

THAT, upon the recommendation of the Commissioners, the Launceston and Western Railway Company be authorised to expend the sum of Two hundred and twenty-five pounds (£225) for the purchase of *Switches* and *Crossings*, required for the purposes of the Railway.

J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
31. 1. 70.*The Hon. the Colonial Secretary.*

413.

Colonial Secretary's Office, 31st January, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council, on the recommendation of the Commissioners, has been pleased to approve of the sum of Two hundred and twenty-five pounds (£225) being expended for the purchase of *Switches* and *Crossings* required for the purposes of the Railway.

I have, &c.,

(Signed)

B. T. SOLLY,
*for the Colonial Secretary.**The Secretary Launceston and Western Railway Company.*

414.

*Launceston and Western Railway Company, Limited,
Launceston, 9th February, 1870.*

SIR,

I HAVE the honor to submit for the information of the Government a letter from the Engineers, covering one from Mr. Chambers, of Melbourne, respecting his offer to make required "points and crossings," for which I have your approval, in the sum of £225, 31st January last, and I have now to ask a further consent for (say) additional £120, which it is supposed will cover the £90 named in enclosures, and freight from Melbourne.

I am, &c.,

(Signed)

H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

WE beg to recommend that authority be given for the expenditure of £120 for the purposes herein named. We must again beg to decline the responsibility of guaranteeing that the sum now named will prove sufficient.

SAML. V. KEMP.

F. M. INNES.

10. 2. 70.

APPROVED.

J. M. WILSON.
14th February, 1870.

(Copy.)

*Launceston and Western Railway Engineers' Office, Launceston,
7th February, 1870.*

DEAR SIR,

By the last mail from Melbourne we have received a letter from Mr. Enoch Chambers (copy of which we attach) in which he withdraws his offer to make our points and crossings for the sum named in his message on the 4th ultimo (£13), and makes a new offer of £20 per set and £1 for cartage.

We confess we cannot appreciate the reasons for the increased price given by Mr. Chambers, since nothing could be more explicit as to what we required than our letter of the 1st January, which also covered a section of the rail. However, the whole of the correspondence is before the Board; and, as the necessity for these appliances is imperative, we are constrained to recommend that authority be obtained as early as possible for the expenditure of the additional £90 required. In the meantime we have stopped the order.

We are, &c.,

(Signed)

DOYNE, MAJOR, & WILLETT.

H. DOWLING, *Esq., Secretary.*

(Copy.)

40 & 42 Little Collins-street, East Melbourne, 28th January, 1870.

DEAR SIR,

I BEG to inform you that I yesterday received from Mr. Hull the tracing of Points and Crossings. The price I quoted by telegram was based on the supposition that you only required about the same work executed as I have done for the Government here, whereas I find now I have got the tracing, there is considerably more. My price to supply what you have shown on tracing (you finding rails) including lever and box will be £20 (Twenty Pounds), and £1 per set for cartage of rails to works and for delivery again to steamer. This price will be about proportionate to what I have always had from the Victorian Government.

I am, &c.,

(Signed) ENOCH CHAMBERS, per W. C.

Messrs. DOYNE, MAJOR, & WILLETT, Launceston.

415.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 14th February, 1870.

SUBMITTED,

THAT for the supply of the required sets of "points and crossings" for the Launceston and Western Railway Company, for which the sum of £225 has already been approved, a further amount of £120 be authorised as applied for by the Directory, and recommended by the Commissioners.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

7. 3. 70.

The Honorable the Colonial Secretary.

416.

Colonial Secretary's Office, 15th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 9th instant, requesting the consent of the Governor in Council to a further expenditure of £120 on account of the purchase, &c. of the necessary "points and crossings" for the Railway.

This additional amount is now approved, and the authority will be submitted for the confirmation of the Governor in Council at the next meeting.

In Messrs. Doyne, Major, and Willett's letter of the 7th instant which accompanies your letter I note that these gentlemen express themselves as unable to appreciate the reasons for the increased price demanded by Mr. Chambers, as they state that "nothing could be more explicit as to what we required than our letter of the 1st January, which also covered a section of the rail," but from Mr. Chambers' letter of the 28th January, also enclosed, it would appear that the information upon which he based his first estimate and offer, transmitted by telegram on the 4th January, was not complete, as he only received the tracings of the points and crossings required on the 27th January, and it was in consequence of the insufficiency of the particulars supplied by Messrs. Doyne, Major, and Willett in the first instance that Mr. Chambers was led to name the lower sum.

The uncertainty attending the accuracy of these and various estimates furnished by the Engineers is highly unsatisfactory, and tends to mislead the Government when recommending the Governor in Council to authorise the expenditure of certain sums for certain works, and I trust that for the future these gentlemen will take such precautions as to ensure that the sum asked for is sufficient to meet the requirements of the particular work. I observe that the Commissioners, when recommending for approval the expenditure of different sums, feel constrained, in consequence of the unreliable character of the estimates upon which the applications are based, to decline the responsibility of guaranteeing that the sums named will prove sufficient, thus leaving the members of the Executive Government to question the propriety of sanctioning the proposed expenditure, and thereby possibly retarding some necessary work; or, on the other hand, to acquiesce in an outlay which may involve the necessity for further disbursements not contemplated when the original authority was granted.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company.

417.

*Launceston and Western Railway Company, Limited,
Launceston, 10th March, 1870.*

SIR,

I AM instructed by the Board of Directors to acknowledge receipt of your letter of the 15th ultimo, the consideration of which has been deferred, arising from pressure of other business on the time of the Board, but which was considered yesterday along with the reply of the Engineers, on reference of the same to them, a copy of which I am instructed to forward.

The resolution of the Directory on the question I am instructed also to send for your information.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

EXTRACT from Minutes of a Meeting of the Board, held 8th March, 1870.

COLONIAL SECRETARY'S LETTER ON POINTS AND CROSSINGS.

Read letter dated February 15th, which was referred to the Engineers, and their reply of the 21st.

Mr. Green moved, and Mr. Grubb seconded :—That in reference to the Colonial Secretary's letter of the 15th February, respecting the increased demand made by Mr. Enoch Chambers of Melbourne for Points and Crossings ordered of him, it is desirable to place on record the following statement of facts connected with the consideration of that question.

The Engineers reported to the Board on 27th December that they required 15 sets of Points and Crossings, and in consequence of the order for these having been overlooked in England it would be necessary to get them at once from Melbourne. On the 5th January they wrote that they had enquired at what price these could be procured in Melbourne and ascertained that they could be obtained at a cost, including freight, of £15 per set—in all amounting to £225, the lowest offer being from Mr. Enoch Chambers, whose price was £13 10s. per set, the Company supplying rails.

When the question came before the Board, Mr. Kemp asserted that at the price named Mr. Chambers' offer could not include switches, and offered to telegraph to Mr. Chambers to ask him if he did intend to include switches in his offer, and if it proved that he did, he (Mr. Kemp) would pay the cost of the telegram out of his own pocket and give £1 to the poor-box.

A Director objected that it was improper for any Member to communicate privately with a person whose tender was under consideration, it might lead to great abuse, and the Board declined to assent to Mr. Kemp's telegraphing to Mr. Chambers on the subject.

During a long discussion, the Board was considerably mystified by an attempted explanation from Mr. Kemp of the difference between points and switches, which the Board subsequently learnt from their Engineers and others were synonymous terms for the same thing. Mr. Kemp also stated that the Company might probably have to pay a sum of £600 or £800 for what the Engineers stated could be obtained for £225.

The subject was discussed at several meetings of the Board before Mr. Kemp would certify to the Government the necessity for the outlay, and the sanction of the Government was not obtained until 21st January; the order was then sent to Mr. Chambers, and the Company's Agent in Melbourne directed to supply him with the rails.

Mr. Chambers, under date 28th January, writes to the Engineers withdrawing from his first offer and demanding £21 per set, a demand which the Board under all the circumstances felt compelled to submit to.

The Directors heard afterwards that, notwithstanding the objection of the Board to such a course, Mr. Kemp did telegraph to Mr. Chambers.

The Directors therefore, in view of all the facts, are of opinion, that had the order been sent at once Mr. Chambers would have been bound by and would have abided by his offer; and that the unusual demand subsequently made by Mr. Chambers is to be attributed to the delay in giving the order for the work, coupled with the interference of Mr. Kemp, and that for such delay the Commissioners are responsible. (Carried.)

True Extract.—H. DOWLING, *Secretary.*

(Copy.)

*Launceston and Western Railway Engineers' Office,
21st February, 1870.*

DEAR SIR,

IN reference to a letter from the Colonial Secretary to yourself, dated 15th February, 1870, about an extra sum required for "Points and Crossings" which you have referred to us for perusal, we beg leave to say, that that gentleman has fallen, or more probably been led, into error in supposing that the information upon which Mr. Chambers based his first estimate and offer was not complete; and that it was in consequence of the insufficiency of the particulars supplied by us, in the first instance, that Mr. Chambers was led to name the lower sum.

We beg again to assure you that our letter contained every information necessary to enable any mechanical engineer in the habit of making such things to name his price for doing so; and it was quite time enough to supply the tracing required for workshop purposes when the offer was accepted. Mr. Chambers himself admitted to our representative that the mistake lay with him (Mr. Chambers).

To the strictures of the Colonial Secretary upon "the uncertainty attending the accuracy of these and various estimates" furnished by us, we will confine ourselves to the specific part of his complaint, and try to point out that in this case we gave no estimate (it would be almost impossible to estimate such work), we merely passed on the quotation received direct from the manufacturer, and with it all the correspondence on the subject, which we suppose was forwarded to the Government, so that we presume the Colonial Secretary himself was as well acquainted with the means by which the sum named was arrived at as the Board or ourselves.

Whether the extraordinary course taken by Mr. Kemp, in communicating privately with the Contractor, had anything to do with the alteration in his price we are unable to say, as only the fact and not the matter of such communication has become known to us.

The latter part of the Colonial Secretary's letter leads us to believe that his dissatisfaction is produced by conflicting correspondence, emanating from the Commissioners' Office; but as we are kept in ignorance of all such correspondence until its appearance in the Parliamentary Papers, we have no opportunity of setting him right upon any matters in which he may have been misled.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

FORWARDED for the perusal of the Commissioners.

JAMES MILNE WILSON.
11th March, 1870.

WE deem it our duty as Commissioners to be satisfied in respect to expenditure to which our sanction is requested that it is fully adequate to meet the objects intended; and not being satisfied that the estimate was reliable for 15 sets of switches and crossings required from Victoria, one of us did address the firm, which it was represented to us was ready to supply the same, to know whether there was any mistake. Eventually it appeared there was a mistake, and it was consequently necessary to apply to the Government for an additional expenditure. The imputation of the Directory is tantamount to this, that the application of one of us to the firm in Melbourne probably led that firm to increase the price. The name of the principal of that firm, Mr. Enoch Chambers, is a sufficient reply to the discreditable suggestion.

We trust to receiving the support of the Executive in taking every precaution against being misled by imperfect estimates put before us for approval, to be followed by further unanticipated estimates afterwards.

FRED. M. INNES.
SAML. V. KEMP.
16. 3. 70.

PROGRESS REPORTS FURNISHED BY S. V. KEMP, ESQ. Nos. 418 to 426.

418.

Railway Commissioners' Office, Launceston, 13th December, 1869.

SIR,

REFERRING to your letter of the 30th ultimo, wherein you state that, "I have also to suggest the preparation and periodical transmission of a monthly Report of the progress of the work upon the Launceston and Western Railway, and on the probable date of their completion, and of the line being brought into operation," in compliance with such suggestion, I have the honor to transmit herewith my Report; and to mention that the late rains prevented me from visiting the upper portions of the works, which has occasioned the delay in not transmitting this before.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

PROGRESS REPORT upon the Works connected with the Launceston and Western Railway, made up to the date of No. 16 Certificate, 26 November, 1869.

Fencing.—7460 chains of fencing are completed and paid for, leaving a balance of 220 chains to complete the contract quantity.

Public Road Level Crossings.—These crossings are in a forward state. Several of them are completed, with the exception of the painting and other minor details.

Occupation Road Level Crossings.—The gates and iron work of these crossings, to the number contracted for, are made; many of them are erected and completed, with the exception of the painting and other small details.

Road Diversions.—Two of these road diversions are completed and metalled, the remaining four are in a forward state.

Brick Culverts.—Nearly the whole of the brick culverts throughout the line are completed, with the exception of some minor details which can be attended to on or after the opening of the line. The several alterations and substitutions that have been made will have to be adjusted at the completion of the contract.

Timber Bridges.—All these bridges are completed and paid for, with the exception of the timber occupation bridge at 38 miles 48 chains, which is in progress, a portion of the timber having been delivered on the ground.

Hunter's Mill Viaduct.—This viaduct is completed and paid for.

Brick Viaduct at Longford.—This viaduct is completed and paid for.

Substructure of Viaduct over the South Esk at Longford.—The abutments and pier, as contracted for by Messrs. Overend & Robb, are completed, with the exception of fixing the coping stones, &c. &c. Since the date of the last certificate, the barque *Tulca* has arrived with the ironwork for the superstructure of this viaduct. Arrangements have been made with Messrs. Overend & Robb for the cartage and delivery of such ironwork from Launceston to Longford at 15s. per ton; Messrs. De Bergne & Co., the English Contractors for the ironwork, having agreed to pay 2s. 6d. per ton in consideration of cartage by rail. They have also sent out in the same vessel an Agent and 4 skilled workmen, who, with other assistance, intend prosecuting the erection with all possible dispatch upon the wooden scaffolding erected by Messrs. Overend & Robb, which has been completed for some time past. It is my opinion that the erection and completion of this ironwork will occupy from 3 to 4 months.

Distance and Inclination Posts.—These posts have been made some time. They have to be painted, lettered, and erected.

Ballasting.—About 18 miles of the line from the Launceston Terminus is ballasted, and about half the distance is boxed up. Satisfactory progress has not been made with this work, or with the laying of the permanent way. The Engineers are urging the Contractors to use greater energy in the prosecution of this portion of the works. I am still of the same opinion, as expressed by me before the Joint Committee, that a considerable saving might be effected by reducing the width and depth of the ballasting between Longford and Deloraine, without impairing the efficiency of the line.

Sleepers.—About 33,000 sleepers have been used in the laying of the permanent way. About 35,000 are delivered on the works; leaving about 12,000 to be provided to complete the contract quantity.

Laying Permanent Way (Rails.)—About 18 miles of rails and fastenings have been laid from the Launceston Terminus. Advices were received by the last mail from the Mercantile Agents of the shipment of the whole of the rails ordered from England, which are expected to arrive in January or February next.

Side Drains.—About two-thirds of the contract quantity are completed, and the remainder is progressing as the earthworks and plate laying advance.

Forming.—About half the contract quantity is completed, and the Contractors are proceeding with the remainder.

Soiling and Sowing.—Nothing has as yet been done by the Contractors in soiling and sowing of the slopes of the embankments. They are awaiting the consolidation of the earthworks.

Cuttings.—The cuttings are in an advanced state; nearly the whole being completed, or in progress of completion. The slopes of a number of them have been flattened; and in my opinion nearly the whole of the remainder will have to be done, and some of those already sloped will eventually require a flatter ratio.

Side Cuttings.—Nearly the whole of the side cuttings have been completed and paid for.

Locomotive Engines.—The two locomotives have arrived and are in course of erection by Messrs. Overend & Robb upon the offer made by them,—viz., £100 each, for the removal from the wharf to the station, and the fitting up and erecting the same in perfect running order. One of them will be completed in about 14 days hence. Overtures have been made by Messrs. Overend & Robb for the hiring of these locomotives (the erection of the ironwork of the South Esk Viaduct will cause a gap in the line for some time, and they [Messrs. O. & R.] propose using the Company's locomotives between Launceston and Longford, while their own are employed between Longford and Deloraine). I have urged my dissent to such hiring of the locomotives on the grounds that the Company only possesses two, and they will be required at the opening to be in the most perfect order, to meet the requirements of the traffic. Two more locomotive engines have been ordered from England, which are not expected to arrive much before July or August next year. It is my opinion that it will be eventually found more economical to work a lighter class of locomotive between Longford and Deloraine than those that have arrived or have been ordered from England.

Rolling Stock.—The rolling stock at present ordered from England consists of 4 locomotives, 4 brake vans, 4 composite carriages, 3 first class carriages, 3 second class carriages, 20 medium-sided waggons, and 21 high-sided waggons; out of which the Company have to hand 2 locomotives, 4 brake vans, and 41 goods waggons.

Amount expended and Time occupied.—Messrs. Overend & Robb have already executed works to the amount of £132,616 1s. 5d. in 16 months, leaving a balance of £61,602 1s. 11d. to be expended in 4 months, and to complete and open the line according to their contract.

Extra Occupation Gates.—A number of private occupation gates have already been erected for the use of the different residents along the line, and many more are required. The Directors propose asking the authority of the Governor in Council for these works as soon as the number required has been ascertained.

Extra Occupation Bridges.—An occupation bridge has been erected at a cost of £180 (over No. 63 Cutting.) This work was absolutely necessary to enable Mr. Clerke to have access to his land which was severed by the line of railway.

Stations.—The plans for the different stations are in progress, and I believe the Engineers intend (after obtaining authority) to call for tenders for those works without delay.

Appointments.—Mr. Jetter, of Queensland, has accepted the appointment offered to him by the Directory of Traffic Manager and Locomotive Superintendent, at a salary of £500 per annum; such salary to date from his arrival in Launceston, which is expected to be on the 20th instant. Mr. Norwood has resigned the appointment of Accountant held by him since the commencement of the undertaking. A Mr. Lord has been appointed in his place, at the same salary.

Date of opening the Line.—With reference to this matter, I do not think the line will be in a fit state to be opened for public traffic much before July next; and after that date it will, in my opinion, take some 3 or 4 months to complete the ballasting, &c. &c. according to the contract.

SAML. V. KEMP.

To the Hon. the Colonial Secretary, Hobart Town.

419.

Railway Commissioners' Office, Launceston, 13th January, 1870.

PROGRESS REPORT upon the works connected with the Launceston and Western Railway up to 1st day of January, 1870.

SIR,

I HAVE the honor to state that since my last report very little progress has been made in the prosecution of the works on the Line. The Contractors, Messrs. Overend & Robb, have only executed works to the value of £4453 during the month. The principal items operated upon being the ballasting, laying the permanent way, and the sleepers. The Line has been laid and partly ballasted to 23 miles; being about half-way between Launceston and Deloraine.

All the earthworks are in progress, and are expected to be completed about the end of this month. The brick culverts are completed, and the fencing very nearly so.

Plans and Specifications for the Launceston Station Buildings have been prepared, and tenders invited for the erection of the same, to be sent in on the 18th instant.

A Contract for the erection and putting together of the 41 goods wagons has been entered into with Mr. Knight, of Launceston, at £3 10s. each, and the wagons are in course of erection.

The two Locomotive Engines to hand have been erected (by Messrs. Overend & Robb), and are found to work smoothly, but they are, in my opinion, too heavy for the requirements of the Line. These engines have, contrary to my advice, been hired to Messrs. Overend & Robb to assist them in the making of the line and completing their Contract.

The iron-work of the viaduct over South Esk River at Longford is in course of erection, and progressing very slowly. I deemed it my duty to call the attention of the Directory to the want of proper supervision on this work. A copy of my letter to them is hereunto annexed for your information.

Mr. Jetter, the Locomotive and Traffic Superintendent, has arrived from Queensland, and entered upon his duties on the 1st instant.

Since my last report the Engineers have recommended the opening of the line to Westbury. Annexed to this is an extract from their letter upon the subject.

I have, &c.,
(Signed)

SAML. V. KEMP.

The Hon. Colonial Secretary, Hobart Town.

(Copy.)

Railway Commissioners' Office, Launceston, 11th January, 1870.

SIR,

I HAVE the honor to bring under your notice, for the information of the Directory, that I consider it desirable now that the ironwork for the viaduct over the South Esk River at Longford is in course of erection, that a competent practical mechanic should be appointed as a resident Inspector of Works, whose services are required upon the works during working hours in which the workmen are employed, to see every detail faithfully put together.

I also desire to bring under your notice that it has come to my knowledge that Mr. Manuel is not only Agent for Messrs. DeBergne & Co., of London, but that he is also a sub-contractor for the erection of the ironwork, which renders it more necessary that the work should be closely and properly supervised in all its details.

I have, &c.,
(Signed)

SAML. V. KEMP.

To the Secretary of the Launceston and Western Railway Company, Launceston.

LAUNCESTON AND WESTERN RAILWAY.

EXTRACT from Letter from Messrs. DOYNE, MAJOR, & WILLETT to the Secretary, dated 27th December, 1869.

"In consequence of the loss of the *Royal Standard*, which had a considerable amount of Railway Material on board, and as April, 1870, is the earliest date at which material to replace that lost can arrive here, we beg to suggest to you the advisability of opening the line for traffic as far as Westbury, as soon as it is completed that distance; if the line is completed to Deloraine there will be very few rails remaining to put in the sidings, in fact not sufficient to lay the sidings for the passenger platforms."

True extract.—R. W. LORD.

420.

Railway Commissioners' Office, Launceston, 8th February, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to inform you that the Works under Messrs. Overend and Robb's Contract for the construction of the Launceston and Western Railway have made but little progress during the last month, owing to the difficulty in procuring workmen, occasioned by the demand for harvest hands.

The Works have been principally confined to the ballasting of the line and the laying of the permanent way. The rails are now laid at a distance of about 28 miles from Launceston. Unless greater energy is used in the prosecution of the Works, the completion, and the opening of the line to Deloraine, will be prolonged considerably beyond the Contract time; viz.—the 16th day of March next.

The Work under Messrs. DeBergne and Co.'s Contract for the ironwork of the South Esk Viaduct at Longford is progressing slowly but satisfactorily; the Engineers having appointed a practical mechanic to closely watch and supervise the erection of the iron-work in all its details.

The tenders for the Launceston Station Buildings, sent in on the 18th ult., have been rejected, and fresh tenders invited for the five principal Stations on the line. With a view of obtaining keener competition, it has been decided to exhibit plans and specifications in Launceston, Hobart Town, and Melbourne: such tenders to be sent in some time next month.

I have, &c.,

(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

421.

Railway Commissioners' Office, Launceston, 8th March, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to inform you that the principal Works executed under Messrs. Overend and Robb's Contract, during the month, have been confined to the ballasting and permanent way. The rails have been laid to a short distance beyond the Westbury Station ground, or about 33½ miles from Launceston.

I deem it my duty to remind you that the contract time for the completion of the whole line expires on the 16th instant.

The erection of the ironwork of the Viaduct over the South Esk at Longford, under Messrs. DeBergne's & Co.'s Contract, is progressing slowly but satisfactorily; and its completion will be delayed considerably beyond the contract time.

The Carriages and Brake Vans to hand have been erected by day labour under the direction of Mr. Jetter, the Locomotive and Traffic Superintendent, and will be completed in a few days.

I have, &c.,

(Signed)

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

422.

Railway Commissioners' Office, Launceston, 25th April, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to report, for your information, that the rails on the Launceston and Western Railway were laid to within a mile and a half from Deloraine on the 1st instant; at which point the Contractors have thought proper to stop, in consequence of their having the required rails belonging to the Company in use in sidings along the line and leading into their gravel pits at Launceston. And they have thought it expedient to exhaust the ballast out of such pits before taking up such borrowed rails to complete the line into Deloraine.

The Contractors are using the Company's engines in completing the ballasting between Launceston and Perth, and their own engines are employed upon similar work from the Liffey onwards.

I regret to say, that I consider the works are not being prosecuted with that energy which ought to be exhibited, considering the time provided for in the Contract for the completion of the line having expired on the 16th ultimo.

I herewith annex a copy of the Engineers' Report to the Directory, of the 19th instant, for your information.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

PROGRESS REPORT. (To accompany Certificate No. 21.)

19th April, 1870.

DEAR SIR,

WE have this month given Messrs. Overend & Robb a Certificate for the sum of £4081 3s. 6d. on account of Works executed on this Line of Railway.

The platelaying is completed to 43 miles 40 chains, thus leaving 1½ miles to be yet done. The Contractors were obliged to stop platelaying at this point in consequence of the want of permanent rails.

Messrs. Overend & Robb have asked us to extend the time for the completion of their contract. We shall communicate with you on this subject in a future letter.

We have, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

423.

Railway Commissioners' Office, Launceston, 20th May, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to forward herewith a copy of the Engineers' Report, which will explain the progress that has been made in carrying out the works of the Launceston and Western Railway since my last Report; and, in addition, I beg to add that no further progress has been made towards completing the line into Deloraine. The available rails for this purpose are still employed by the Contractors in their gravel pits.

The Company possess at present sufficient rails to complete the line into the Township of Deloraine, and a small surplus for sidings, notwithstanding the loss of some 102 tons in the *Royal Standard*; which loss has not occasioned any delay, and cannot be used as an excuse for the line not being completed within the contract time.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, 16th May, 1870.*

PROGRESS REPORT. (To accompany No. 22 Certificate.)

DEAR SIR,

WE have issued a Certificate for the month's work, amounting to £4312 10s. 11d.; and a further Certificate, on account of extra accommodation works sanctioned by the Governor in Council, for the sum of £406 18s.

The progress of the works during the past month, which has chiefly consisted of boxing up the permanent way and dressing and soiling the slopes, has not been so satisfactory as we could wish, and we have urged upon the Contractors the necessity for greater exertions. Messrs. Overend & Robb are engaged in removing the staging of the Longford Bridge, and in a very short time the river will be free from all obstructions in case of floods.

An unfortunate accident to one of the columns of the iron bridge has prevented its completion before this date; but Mr. De Bergne's Foreman has taken steps to have the broken column replaced as soon as possible.

The platforms and goods sheds, as sanctioned, have been commenced during the month, and are making satisfactory progress.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

424.

Railway Commissioners' Office, Launceston, 23rd June, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to inform you that the 23rd payment has been made to Messrs. Overend & Robb upon their Contract for the construction of the Launceston and Western Railway, amounting to £4311 9s. 6d., which is £400 in excess of the actual amount they are entitled to receive, occasioned by an error which I discovered in the Engineers' calculations. It is proposed to rectify this error in the next monthly payment.

Little or no progress has been made in the prosecution of the works towards completion since my last report. The Directory are fully aware of the unsatisfactory state of the works, and have written to Messrs. Overend & Robb requesting them to employ more men and to complete their Contract without delay. I have further pointed out to the Directory that, although Messrs. Overend & Robb are under a penalty of £40 for every working day for the noncompletion of their Contract within the specified time,—viz., 17th March last,—the rate of interest upon the £400,000 borrowed upon Debentures at 6 per cent. amounts to nearly £77 per working day: they are, therefore, now losing £37 per day. I would venture to suggest the desirableness of repeating these facts to the Directory, and also to remind them of the fact of three months having expired beyond the Contract time for opening the line.

I have nothing to report this month in regard to the works beyond the unsatisfactory progress in which they are being carried out.

The ironwork of the viaduct over the South Esk River at Longford is now finally completed, and the Engineers have given their certificate to the Directory to that effect.

I have the honor to forward herewith a copy of the Engineers' Progress Report to the Directory for your information.

I have, &c.,

(Signed) SAML. V. KEMP.

To the Hon. the Colonial Secretary, Hobart Town.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, 11th June, 1870.*

PROGRESS REPORT. (To accompany Certificate No. 23.)

DEAR SIR,

THE amount of the 23rd Certificate issued to Messrs. Overend & Robb for payment on account is £4311 9s. 6d., making the total sum earned by them to this date under their Contract £173,883 15s.

The average rate of progress has been maintained during the month, which we have before reported was not quite satisfactory. It is true, however, that the Contractors have been chiefly employed in ballasting the further portions of the line with a view to avoid, as much as possible, long running after the line has been opened for traffic: hence we may anticipate an improvement in the progress of this important item as the distance from the pits is shortened.

Since our last Progress Report the broken column of the Longford Bridge has been satisfactorily replaced, and the structure is now complete in all respects; the staging has been entirely removed, and the masonry of the piers and abutments completed.

In the item of occupation gates and crossings the progress made by the Contractors is most unsatisfactory.

The Station buildings at Launceston, Perth, Longford, and Westbury (so far as authorised) are progressing as satisfactorily as we can expect, in view of the scarcity of skilled labour and some difficulty in obtaining delivery of the necessary timber.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

REFERRED for the perusal of Messrs. Innes and Bartley and their observations upon Mr. Kemp's suggestion.

*For the Colonial Secretary (absent),*J. A. DUNN.
29 June, 1870.

THE Executive has no power of authoritative interposition under the circumstances. The Contracts for the construction of the Railway is *with the Company*. The check provided by Law against delay *on the part of the Company* in completing the line is contained in the limitation of the sum payable from capital for interest, after the exhaustion of which the Railway revenue is liable for interest, and failing that the Ratepayers of the District become liable. The check upon delay *on the part of the Contractors* is in the penalty to which they are liable of £40 per day.

Mr. Kemp suggests to the Executive to communicate with the Directory on this matter. Even though the law has not invested the Government with any power, I would not demur to this suggestion had the Directory been remiss. But the annexed Resolution passed by the Board nine days prior to the date of Mr. Kemp's letter to you, with the correspondence (also annexed) arising therefrom, will show that the Board has left no occasion for the Government to prompt it; indeed its remonstrances—remonstrances instigated by Directors of the Company—have been renewed for many weeks past, 26th May, 14th June, and 28th June.

The question is at this moment open to contention whether it is the Contractors or the Company who are answerable for delays, and until that is decided, to reflect upon either would be premature.

As to the amount now paid as interest out of capital, it is just what the law provided for during the construction of the work, from the date at which the Railway Debentures were issued, and to a period which has not yet arrived.

The reference of Mr. Kemp's remonstrance to the Company, as suggested by him, I leave to the discretion of the Executive.

F. M. INNES.
July 2, 1870.

EXTRACT from Minutes of a Meeting of the Board held June 14th, 1870.

Resolved, That the Secretary write strongly to the Contractors on the question of delay raised in the last Progress Report, and to the loss accruing to the Company by such delay, and forward a copy of the same to the Engineers, with the request that they enforce the views of the Directory on the Contractors.

(Copy.)
DEAR SIRS,

Launceston and Western Railway, Launceston, 18th June, 1870.

REFERRING to your last Progress Report, I am to inform you that the Directors regard with great anxiety the unfavourable nature of the progress in ballasting, and in the erection of occupation gates, under Messrs. Overend and Robb's Contract, and I beg that you will act with prompt decision with regard to this question.

The Contractors are now long over contract time and subject to penalties, and they should, the Directors are of opinion, be reminded of this by you.

For your information I may remind you that the amount of interest on loans now amounts to a considerable sum daily, and that the urgency of the case with regard to the Contractors' duty, under their contract, has become serious to the Company.

Your obedient Servant,
H. DOWLING, *Secretary.*

Messrs. DOYNE, MAJOR, & WILLETT.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, June 20, 1870.*

DEAR SIR,

IN reply to your letter of the 18th instant, having reference to the progress of the ballasting, &c., we beg to state that we have done everything in our power to urge on the Contractors, and shall continue to do so. The progress of the ballasting has been unsatisfactory in consequence of the scarcity of ballast and the deficiency of engine power.

You say in your letter above referred to that "the Contractors are now long over contract time and subject to penalties, and they should, the Directors are of opinion, be reminded of this by you." In reply, we beg to say that we have called the Contractors' attention to this fact some time since, and they, acting under Clause 17 of the General Conditions, applied to us to grant an extension of time for the completion of the work, but we declined to make any decision in the matter.

With reference to the occupation gates we must point out to you that the largest number of these are extras, and that consequently we would not be justified in making the Contractors liable to penalties on them. While on this subject we beg again to call your attention to the settlement of the gates at 29m. 10ch., and 29m. 21ch. (trenches), the fencing is open at these points and cattle continually on the Line.

WE are, &c.,
HENRY DOWLING, *Esq., Secretary.* (Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

(Copy.)

Launceston and Western Railway, Launceston, June 18, 1870.

DEAR SIRS,

THE last Progress Report from the Engineers to the Directors represents that the rate of progress in ballasting, and in the extra item of occupation gates and crossings, is unsatisfactory.

I am instructed by the Board of Directors to express their regret that this state of things should exist at this juncture, when it is so important to all interests involved that the Works should be completed as early as possible; and when the employment of some additional hands would remedy the cause of complaint.

To say nothing of the serious personal question of penalties affecting yourselves, I beg to remind you that the account of interest daily accruing against the Company renders it absolutely necessary that the Line shall be completed for traffic as early as possible; and I am therefore to urge you at once to employ such additional labour as may be necessary to remedy the unsatisfactory character of the progress of the works referred to.

Messrs. OVEREND & ROBB,

I am, &c.,
(Signed) H. DOWLING, *Secretary.*

I HAVE the honor to state that I fully concur in the statements made and the opinions expressed by Mr. Innes in the foregoing memorandum.

THEODORE BARTLEY.
5. 7. 70.

425.

Railway Commissioners' Office, Launceston, 18th July, 1870.
PROGRESS REPORT.

SIR,

I HAVE the honor to inform you that the twenty-fourth payment upon Messrs. Overend and Robb's Contract, amounting to £3425 10s., has been paid. The smallness of the present Return is attributable to the unsettled state of the weather during the last month.

The only works upon which the Contractors, Messrs. Overend and Robb, are engaged upon at present are the boxing up of the line with ballast, the railing of the embankments, and the completion of the level crossings.

It is expected, if the weather proves at all favourable, to have all the works comprised in their Contract completed to within one and a half miles from Deloraine by the end of the current month.

The Station works are progressing slowly owing to the difficulty of procuring hardwood timber at this period of the year, and the scarcity of carpenters and joiners.

The Platforms and Goods Shed at Launceston are nearly completed. A portion of the framing of the Station is erected, and the joiners' work of the same is in hand.

The framing of the platforms and small buildings for the intermediate stations at St. Leonards, White Hills, and Evandale is being prepared on the station ground at Launceston, and is well in hand.

At Perth, the platform and framing of goods shed are in course of erection: nothing is being done with the framing of station.

At Longford, the platforms are in progress and nearly completed; the framing of goods shed partly erected; the station buildings not yet commenced. The works at this station are slightly in advance of the work at Perth.

At Westbury the platform is partly framed and erected, and the men are busy laying the foundation plates for the goods shed and preparing the framing.

Nothing is being done at either Exton or Deloraine.

I believe it is proposed to frame the platforms and small buildings required for the intermediate stations between Longford and Deloraine on the station ground at Longford, and then forward them by rail to their different destinations, with men to erect them.

Annexed to this I forward a copy of the Engineers' Progress Report to the Directory.

I have, &c.,
(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

Launceston and Western Railway Engineers' Office, Launceston, 9th July, 1870.

PROGRESS REPORT. (To accompany Certificate No. 24. Contract No. 1.)

DEAR SIR,

THE amount of the certificate just issued for work done during the four weeks ending July 8th is £3425 10s. Work has been almost entirely confined to two items, namely, ballasting and soiling the slopes; and considering the weather which has prevailed during the month, the progress made must be considered satisfactory.

With the exception of those ordered within the last few days the gates are now completed, although most of these items remain open in the certificate at present for want of finishing up of some minor details. The permanent sidings have been laid at Perth, Longford, and Westbury, and will be commenced at Launceston immediately, weather permitting. The culverts and other works of construction throughout the line are in satisfactory working order, and the earthworks have not suffered from the effects of the first severe weather to which most of them have been exposed more than was to be anticipated. The station buildings are progressing satisfactorily, and those which were early authorised are in an advanced state. The remainder, as you are aware, has been only just commenced.

HENRY DOWLING, Esq.

We are, &c.,
(Signed) DOYNE, MAJOR, & WILLETT, Engineers.

426.

Railway Commissioners' Office, Launceston, 16th August, 1870.

PROGRESS REPORT.

SIR,

I HAVE the honor to inform you that very slight progress has been made with the works of the Launceston and Western Railway since my last report. The proceedings during the month have been almost entirely confined to the ballasting, soiling and sowing of slopes, erection of distance and inclination posts, and the erection of the stations.

Annexed to this is a copy of the Engineers' Report to the Directory, which will convey all that is essential for me to say.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

Launceston and Western Railway Engineers' Office, Launceston, 8th August, 1870.

PROGRESS REPORT. (To accompany Certificate No. 25.)

DEAR SIR,

OUR certificate just issued to Messrs. Overend and Robb shows the value of the work executed under their Contract up to the 5th instant to be £182,977 5s.; the work done during the month representing the sum of £5668, made up of three items, viz., mile-posts, ballasting, and soiling and sowing embankments.

The principal work remaining to be done is the length at the far end of the line, the rails for which are not yet available from the ship *Grassmere*. The sleepers for this length are on the grounds ready for use, and we are assured no time will be lost after the rails are delivered.

The ballasting may be considered completed from Longford westward so far as the road is laid (43 miles 35 chains), and the Contractors are now at work on the Launceston end of the line; but the unfavourable state of the weather has a good deal interfered with the work, and looking at the time before us we fear the works will scarcely be got into a condition suitable for passenger traffic by the date on which you have informed us it is desired to open them, viz. the 1st of September next.

The Station buildings are progressing, though not so rapidly as we could wish, in consequence partly of the weather and partly of the difficulty which Mr. Conway informs us he finds in obtaining suitable workmen and delivery of materials. The work, however, is being well done, and with the exertions that are being made we trust these arrangements will be sufficiently advanced to cause no delay when the main works are ready for traffic.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT.

HENRY DOWLING, Esq., Secretary.

SUPERVISION OF ERECTION OF BRIDGE OVER SOUTH ESK AT
LONGFORD. Nos. 427 to 435.

427.

Colonial Secretary's Office, 15th January, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your monthly Report upon the Works connected with the Launceston and Western Railway up to the 1st instant; and with reference to your suggestion relative to the appointment of a competent practical mechanic as a resident Inspector of Works during the erection of the Viaduct over the South Esk River at Longford, I presume that the Commissioners have been already made acquainted with your views as regards so important a matter as the due supervision of this work, and that I shall receive either a notification of the concurrence of the Board of Directors in your views, or their reasons for dissent, or else a representation from the Commissioners as a body of the necessity or otherwise of more effectual supervision of this important work.

In conclusion I desire to thank you for your Report, which, on the whole, appears to represent a satisfactory position of affairs.

I have, &c.,

(Signed) JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

428.

*Office of the Commissioners of the Launceston and
Western Railway, 26th January, 1870.*

SIR,

WE regret that it is necessary for us again to address the Government in reference to the supervision of the Railway Works, but the urgency of the case which has arisen leaves us no alternative but to do so, after having ineffectually appealed through the Directory to the Engineers, who are responsible in the matter.

The bridge over the South Esk at Longford, the most critical undertaking on the whole line, is now in course of erection by Mr. Manuel, the agent of Messrs. de Bergne & Company, who supplied the materials of the structure; Mr. Manuel, as we understand, having an interest in the contract of that firm. The only independent supervision while the work is being proceeded with, is that of an Engineer who is only on the spot at more or less remote intervals, whereas the nature of the case, and the rule usually observed in similar cases, require the constant presence of a skilled mechanic, whose duty it is to satisfy himself that every detail is executed with the utmost precision.

It is due to the Directory to acquaint you that when we brought this question under their attention they concurred in referring it to the Company's Engineers; and when the reply of the latter was received, they further united with us in condemning it as unsatisfactory.

But it would be wasting time, and compromising the interests involved, to prosecute controversy with the Engineers any further. We therefore adopt the course of most respectfully pressing upon the immediate attention of the Executive our recommendation that sanction be given to engaging, at such reasonable wages as may be found necessary, a competent person to superintend the mechanical detail of the erection of the Longford Bridge.

We believe that three months will elapse before the bridge can be opened for traffic. Correspondence, &c. with the Company in relation to the subject of this communication are annexed.

We have, &c.,

(Signed)

FRED. M. INNES.

SAML. V. KEMP.

The Hon. the Colonial Secretary.

(Copy.)

Railway Commissioners' Office, Launceston, 11th January, 1870.

SIR,

I HAVE the honor to bring under your notice, for the information of the Directory, that I consider it desirable, now that the ironwork for the Viaduct over the South Esk River at Longford is in course of erection, that a competent practical mechanic should be appointed as a resident Inspector of Works, whose services are required upon the works during working hours in which the workmen are employed, to see every detail faithfully put together.

I also desire to bring under your notice that it has come to my knowledge that Mr. Manuel is not only agent for Messrs. De Bergne & Co., of London, but that he is also sub-contractor for the erection of the ironwork; which renders it more necessary that the work shall be closely and properly supervised in all its details.

I have, &c.,

(Signed)

SAML. V. KEMP.

To the Secretary of the Launceston & Western Railway Company, Launceston.

EXTRACT from Minutes of 11th January, 1870.

INSPECTION OF BRIDGE WORK.

Mr. Kemp's letter read.

The Secretary was instructed to write to the Engineers requesting them to report respecting the inspection of the Bridge.

EXTRACT from Secretary's letter to the Engineers, dated 12th January, 1870.

INSPECTION OF BRIDGE WORK.

You will please report to the Board your arrangements for the due inspection of the erection of the ironwork for the South Esk Bridge, it having been suggested that Mr. Manuel is a sub-contractor for the erection of this work, as well as agent for De Bergne & Co., which renders it necessary that the work shall be closely supervised in all its details; and that a competent practical mechanic should be appointed as a resident inspector of the works to see every detail faithfully put together.

EXTRACT from Engineers' letter to the Secretary, dated 17th January, 1870.

INSPECTION OF BRIDGE WORK.

WE very much regret that you should have thought it necessary to indite the paragraph in your letter upon this subject. We shall, as a matter of duty and of course, take care that "the work shall be closely supervised in all its details," but we claim to form our own views as to the best means to attain that end.

EXTRACT from Minutes of January 18th, 1870.

INSPECTION OF BRIDGE WORK.

Mr. Innes moved and Mr. Scott seconded, "That the reply of the Engineers in reference to the supervision of the erection of the Bridge at Longford is unsatisfactory, and in the opinion of the Board a competent and trustworthy person skilled in such work should be resident on the spot for that purpose; and that this Resolution be communicated to the Engineers."—Carried.

COPY of a letter from Secretary to Engineers, 19th January, 1870.

DEAR SIR,

I AM instructed to inform you that a Resolution was passed at the Board Meeting yesterday, to the effect that your reply respecting the supervision of the erection of the Bridge at Longford is unsatisfactory, and in the opinion of the Board a competent and trustworthy person skilled in such work should be resident on the spot for that purpose.

I am, &c.,

(Signed) R. W. LORD, *for the Secretary.*

To Messrs. DOYNE, MAJOR, & WILLETT.

COPY of a letter from Engineers to Secretary.

SUPERVISION OF SOUTH ESK BRIDGE.

Engineers' Office, Launceston, 24th January, 1870.

DEAR SIR,

REFERRING to your letter of the 19th instant, on this subject, we regret that our last reply was unsatisfactory. We can only vary that reply by stating that the work at the Bridge is proceeding in a very satisfactory manner under our own personal supervision, and that of Mr. J. E. Day, our resident Engineer stationed at Longford. The two expansion apparatus already placed were set and adjusted by Mr. Major himself, who has also minutely inspected every rivet and other detail in the work hitherto done. This class of work offers peculiar facilities for the most thorough inspection, since the work is never covered, and bad work may be detected at any time. Under these circumstances we do object to the appointment of such a person as the Board suggests, as being quite useless and undesirable.

We trust the Board will see the justice of allowing us to carry out our own particular work in our own way; and in thus protesting against any interference in our duties, we do so with the greatest respect, and only because it is manifest that while we are held professionally responsible for the work, we should be allowed to exercise our own judgment as to the manner of doing it.

We are, &c.,

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

R. W. LORD, *Esq., for the Secretary.*

EXTRACT from Minutes of 25th January, 1870.

SUPERVISION OF SOUTH ESK BRIDGE.

Read further letter from Engineers hereon.

Mr. Innes moved and Mr. Scott seconded, "That the Board regret the purport and general tenor of the letter of the Engineers of the 24th January, with reference to supervision, and record the opinion that the contract of the Engineers in respect to the maintenance of an effective inspection of the Railway and works during their construction is not satisfactorily fulfilled in regard to the erection of the ironwork of the bridge over the South Esk River at Longford without the employment of a person permanently stationed there, skilled in such work, to supervise its execution."—Carried.

429.

Office of Railway Commissioners, 29th January, 1870.

SIR,

I REGRET that I could not concur with my co-Commissioners in the recommendation conveyed in their letter to you of the 26th instant, that the Government should sanction the appointment of "a competent person to superintend the mechanical details of the Longford Bridge," under the circumstances detailed in the correspondence annexed to such letter.

I desire respectfully to bring under the consideration of the Government the views I entertain on this matter, which induce me to withhold my concurrence from such recommendation.

In the agreement between Mr. Doyme and the Company, the superintendence of the construction of the whole railway and works is solely and absolutely confided to Mr. Doyme, or to "properly qualified and competent assistants," to be appointed and paid by him; and by the conditions of the Contract for the erection of the Longford Bridge, such erection must be completed by the Contractors to the "full satisfaction of the Engineers of the Company," and then be submitted to such tests as they may require.

The responsibilities, therefore, for the due supervision of the works, including the erection of the bridge, rest solely upon the Engineers; and those for the due erection and satisfactory completion of the bridge rest upon the Contractors for the same.

The Engineers, who are so solely responsible for the due supervision of the works and bridge, whose professional reputation is involved in their satisfactory completion, and who hold a large pecuniary interest in the railway, assert that their supervision is perfect, and such as is required by the said Agreement. The Directors entertain an opposite opinion, and consider that a superintendent of the works at the bridge should be permanently stationed there. A question thus has arisen as to the due fulfilment by the Engineers of their agreement as to supervision. There is a clause in the Agreement which provides that all questions which may arise upon the fulfilment of the same shall be determined by arbitration. Such clause of course extends to the existing question.

Whilst recognising to the fullest extent the paramount importance of ensuring as far as may be practicable the faithful fulfilment of the Contract for the due erection, completion, and testing of the Longford Bridge,—which may be correctly termed the connecting link of the works on either side of the South Esk River, on the stability of which link the success of the railway may be said to depend,—I am of opinion that the appointment of such “a superintendent” as recommended by Messrs. Innes and Kemp, so far from tending to ensure such faithful fulfilment of the Contract for the erection of the bridge, would induce the most serious complications with the Engineers and the Contractors for such erection—would in all probability tend to relieve them, either wholly or partially, of their respective onerous responsibilities for the due erection and satisfactory completion of the bridge, and transfer those responsibilities to the Government who sanctioned the appointment of such responsible “superintendent.” I may mention that I have been informed that the appointment by the Victorian Government of incompetent and irresponsible persons as Inspectors to supervise the Contractors for the railways—Messrs. Cornish and Bruce—involved the Government in most serious responsibilities, and ultimately heavy loss, as determined by the memorable action “Cornish and Bruce against the Government of Victoria.”

Entertaining these views as to the very serious results which might, and most probably would, arise if the Government complied with the recommendation of Messrs. Innes and Kemp by sanctioning such an appointment, I had intended respectfully to recommend the Government to submit the Agreement between the Engineers and the Company as to supervision, the Conditions of the Contract for the erection of the bridge, and the whole question which has arisen between the Engineers and the Directors as to supervision for the opinion and advice of the Law Officers of the Crown, but feeling the great importance of the questions involved and the desirableness of having the differences upon such questions amicably arranged, I determined personally to endeavour to effect such arrangement; and I therefore called upon Mr. Major, as one of the Engineers of the Company, upon whom the supervision of the whole railway works has generally devolved, and without expressing any opinion as to the question of supervision, I urged that the Directors had so strongly expressed their desire that a competent supervisor of the Longford Bridge should be permanently stationed there during the erection of the same, it was in every respect desirable that the Engineers should comply with such desire as a matter of concession even if they thought such appointment was not at all necessary, and one which they were not called upon to make under the terms of their Agreement with the Company, at the same time suggesting that, if the expense attendant upon such appointment were any obstacle to their making such concession, they could, when intimating the same to the Directors, reserve to themselves the right to have the question whether such expense should be borne by them or the Company determined by arbitration under the terms of the Agreement. I urged upon Mr. Major that such a course would prevent any further controversy on the question, and the serious complications which might arise out of the same; and I am glad to say that Mr. Major eventually consented to adopt the course so suggested by me, and accordingly addressed a letter to the Directors to that effect, a copy of which is annexed; and I trust such settlement of so serious a question may be satisfactory to the Government and to all the other parties interested in the same.

I have, &c.,

(Signed) THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

*Launceston and Western Railway Engineers' Office, Launceston,
Tasmania, 27th January, 1870.*

SUPERVISION OF SOUTH ESK BRIDGE.

DEAR SIR,

WE have to acknowledge the receipt of your letter of the 26th instant, and regret to find the Board has so little confidence in us as to deem it necessary to record the opinion stated in your letter.

In deference to what appears to be the unanimous wish of the Board, we shall forthwith place an Inspector on the work. It must of course be understood that should any question arise with Mr. De Berge through any interference on the part of this Inspector, the responsibility will rest with the Board.

We also beg respectfully to say that we reserve the right to appeal to arbitration on the question of the expense we may incur in this matter.

We are, &c.,

(Signed)

DOYNE, MAJOR, & WILLETT, *Engineers,*

R. W. LORD, *Esq., for the Secretary.*

FORWARDED to Messrs. Kemp and Innes for their perusal and any observations they may make with reference to the letter dated 26th ultimo.

JAMES MILNE WILSON.
2nd February, 1870.

It is needless that we should discuss Mr. Bartley's views. We do not regard it as compatible with our position as Commissioners that we should intermediate with the Company's Engineers and coax them into the performance of contract engagements after they have distinctly refused to fulfil them, and we deprecate this course on the part of our colleague.

In justification of our steps to enforce proper supervision at the Longford Bridge, we beg to mention that on visiting the works there after a practical supervisor had been placed on the spot, we learned from him that he had been obliged to order the removal of twenty-four rivets inserted in an imperfect manner prior to his appointment. Mr. Bartley's apprehension lest the appointment of a supervisor might weaken the obligations of the contract are quite illusory. Surely it was not incumbent to accept blindfold any work that might be given?

F. M. INNES.
SAML. V. KEMP.
5. 2. 70.

430.

*Launceston and Western Railway Company, Limited,
Launceston, 11th February, 1870.*

SIR,

I HAVE the honor to inform you that I am instructed respectfully to request copies of the recent correspondence between yourself and two of the Commissioners, on the question of appointing an Inspector of the Works going on at the South Esk Bridge, at Longford, for the information of the Board of Directors.

I have, &c.

(Signed) H. DOWLING, *Secretary.*

The Honorable the Colonial Secretary, Hobart Town.

431.

(Copy.)

Colonial Secretary's Office, 16th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 11th instant, in which you request "copies of the recent correspondence between 'myself' and two of the Commissioners, on the question of appointing an Inspector of the Works going on at the South Esk Bridge, at Longford, for the information of the Board of Directors."

In reply, I have to inform you that the subject matter of Messrs. Kemp and Innes' letter, of which the Directors now desire a copy, having been disposed of in a manner most satisfactory to the Company and the Executive, by the appointment of a Supervisor at the Longford Bridge, I do not deem it incumbent upon me to re-open the question or transmit the communication referred to for the perusal of the Directory, and I feel constrained to decline complying with their request.

I have, &c.,

(Signed) JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company, Launceston.

432.

*Launceston and Western Railway Company, Limited,
Launceston, 10th March, 1870.*

SIR,

I HAVE had the honor to submit your letter of the 16th February to the Directory.

In this communication you decline to comply with the request of the Board for copy of correspondence with the Commissioners on the question of appointing an Inspector of the Works going on at Longford; and I am instructed to communicate to you the Resolution of the Board thereon, which I have the honor to annex.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

Resolved, That this Board is of opinion that, having been made acquainted with the fact that Messrs. Innes and Kemp, two of the Commissioners, had forwarded to the Government a communication respecting the supervision of the erection of the Iron Bridge at Longford, reflecting on the Directors as well as other officers of the Company, that the Colonial Secretary ought, in fairness and justice to this Board, to have complied with the request of this Board, and have furnished a copy of such communication; and that this Resolution be transmitted to the Colonial Secretary.

433.

Colonial Secretary's Office, 18th March, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 10th instant, forwarding copy of a Resolution passed at a Meeting of the Board of Directors, by which it would appear that the Board have been wrongly informed with reference to the nature of the communication received by the Government from the Commissioners respecting the supervision of the erection of the Iron Bridge at Longford, of which communication the Board desire a copy.

Had the document in question contained any reflection upon the Directors or the Officers of the Company, I should have deemed it my duty to have placed the Board in a position to refute the statement or explain the circumstances giving rise to such reflections; but, in the present instance, nothing of the kind occurs,—the only reference to the Directors contained in the Commissioners' letter is made with the view of acquainting me with the unity of opinion that existed between the Directory and themselves on the question of the requisite supervision at Longford Bridge.

The Government are indisposed to admit that any obligation lies upon them to transmit communications received from the Commissioners for the perusal of the Board; and without the slightest intention of treating the Board with discourtesy, they feel perfectly justified in exercising their own judgment as to what communications from these gentlemen should be forwarded.

Trusting that my assurance, that in the present instance the Directors are labouring under a misapprehension as to the tenor of the Commissioners' letter, will remove from their minds any impression tending to disturb the satisfactory character of the relations existing between the Board of Directors and the Commissioners,

I have, &c.,

(Signed) JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company, Launceston.

434.

*Launceston and Western Railway Company, Limited,
Launceston, 16th April, 1870.*

SIR,

I HAVE the honor to inform you that the Engineers have reported to the Directory the successful testing of the iron girders of the Longford Viaduct, in accordance with the contract with Messrs. De Bergne, in London.

The maximum deflection in these girders, under the most severe test, was only $\frac{1}{4}$ of an inch, and they immediately recovered their position after the removal of the load; leaving no appreciable permanent set; a result which the Engineers deem to be most satisfactory.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

435.

Colonial Secretary's Office, 20th April, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 16th, relative to the testing of the iron girders of the Longford Viaduct, and to express the satisfaction of the Government at the result as therein disclosed.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

ALTERATION IN CUTTING No. 110 WITHOUT THE KNOWLEDGE OF THE
DIRECTORY. Nos. 436 & 437.

436.

Railway Commissioners' Office, Launceston, 21st January, 1870.

SIR,

WE have the honor to transmit for your information copies of correspondence relating to certain alterations that have been ordered by the Engineers, and are now in progress, in Cutting No. 110. We beg to say, that no intimation of these alterations was made either to the Directory or the Commissioners previous to such orders being given, as was required by the Resolution passed by the Directory on the 13th October, 1868, to the following effect:—

“That any alteration which the Engineers may think it desirable to make in connection with the Launceston and Western Railway, or in the ordering of any materials for such works, be submitted to the Board for its approval before any action is taken.”

We have, &c.,

SAML. V. KEMP.

F. M. INNES.

THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

EXTRACTS from Minute Book.

Board Meeting, 21st December, 1869.

CUTTING No. 110.

ATTENTION having been called to Cutting No. 110, Secretary to ascertain from Engineers if such Cutting is being carried out according to the original plans; calling attention of the Engineers to the 7th Section of 33 Victoria, 21.

(Copy.)

22nd December, 1869.

DEAR SIR,

At the Board Meeting, yesterday, attention was called to the state of Cutting No. 110; and I was instructed to enquire if the said work is being carried out according to original plan, on which point I have to ask your attention to the 7th Section of 33 Victoria, No. 21.

Yours, &c.,

(Signed) H. DOWLING, *Secretary.*

To Messrs. DOYNE, MAJOR, & WILLETT.

(Copy.)

23rd December, 1869.

DEAR SIR,

In reply to your letter of the 22nd December, concerning Cutting No. 110, we beg to say that the original plan has been altered by changing the gradient from 1 in 70 to 1 in 65. This was done in consequence of the large quantity of water which we have to contend with, and to enable us to flatten the slopes without increasing the cost.

The alteration was made before the passing of 33 Vict. No. 21.

We are, &c.

(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

To HENRY DOWLING, Esq., Secretary.

EXTRACTS from Minutes of Meeting of the Board, held on the 28th December, 1869.

CONSIDERATION OF CORRESPONDENCE.

ENGINEERS' LETTER.

23rd December, 1869.

RESOLVED,

THAT the Secretary be instructed to call the attention of the Engineers to the Resolution passed by the Board on the 13th October, 1868, a copy of which was transmitted to the Engineers at the time; and that they be requested to furnish a full Report upon all the alterations completed, in progress, or contemplated in Cutting No. 110, as early as practicable, and that they also be requested to furnish at their earliest convenience similar Reports respecting all other alterations, if any, not yet reported to the Board.

(Copy.)

29th December, 1869.

CUTTING No. 110.

DEAR SIR,

I DULY received and submitted to the Board your answer to my letter of the 22nd, and in which you explain the grounds which led to your increasing the gradient and flattening the slope in this cutting; and you state that the alteration was made before the passing of the 33rd Vict. No. 21.

I am, however, to invite your attention to the fact, which you seem to have overlooked, that irrespective of the

Act in question, you should have submitted for the approval of the Directors, not necessarily of the Government, the alteration you deemed it necessary to make. The Resolution conveying such instruction was sent to you on the 15th October, 1868.

I am instructed, by Resolution passed yesterday, to call your attention to this, and to request that you will furnish, for the information of the Board, as early as practicable, a full Report upon all alterations completed, in progress, or contemplated in Cutting No. 110; and also, at your earliest convenience, similar Reports respecting all other alterations, if any, not yet reported to the Board.

Yours, &c.,

(Signed) H. DOWLING, *Secretary*.

Messrs. DOYNE, MAJOR, & WILLETT.

(Copy.)

CUTTING No. 110.

10th January, 1870.

DEAR SIR,

WE must claim your indulgence for having omitted to reply sooner to your letter of the 29th ultimo.

The alterations completed in Cutting No. 110 are as follows:—The gradient is made 1 in 65 in place of 1 in 70, the formation is 18 feet wide instead of 20 feet, and the sides are flattened to a slope of 1 to 1. By this means the original quantities of the Cutting are preserved and there is no extra cost; while the alteration is a decided improvement in such very wet ground.

There are no other alterations in progress or contemplated in this cutting.

We shall report respecting all other alterations as soon as possible, such as there are beyond those reported in July last, and comparatively unimportant, and consist chiefly of additional drain pipes.

We are, &c.,

(Signed)

DOYNE, MAJOR, & WILLETT, *Engineers*.

H. DOWLING, *Esq.*, *Secretary*.

437.

Colonial Secretary's Office, 9th February, 1870.

GENTLEMEN,

I HAVE the honor to acknowledge the receipt of your letter of the 21st ultimo, transmitting copies of correspondence relating to certain alterations that have been ordered by the Engineers, and are now in progress, in Cutting No. 110, of which no intimation was made to the Directors or Commissioners previously to such orders being given; a proceeding on the part of the Engineers in direct contravention of a Resolution of the Directory passed on the 13th October, 1868.

I regret extremely that the Engineers should have acted in a manner which renders them open to the charge of wilful and discourteous neglect of the expressed wishes and instructions of the Directory. Without desiring to call in question the merits of the alteration as explained in Messrs. Doyne, Major, and Willett's letter of the 23rd December, it is evidently impossible that alterations of any character can be made in the specification of the work contracted for, upon the sole authority of the Engineers, without so materially affecting the position and responsibility of the Directory and the Commissioners as to endanger both the interests of the Shareholders and the Public.

I trust that no further occasion may arise for similar comments upon the proceedings of the Engineers, but that they will conform to the terms of the Resolution quoted in your letter.

I have, &c.,

(Signed) J. M. WILSON.

The Commissioners, Launceston and Western Railway.

DESCRIPTION OF TARPAULIN FOUND MOST SERVICEABLE IN VICTORIA.

Nos. 438 to 440.

438.

Railway Commissioners' Office, Launceston, 25th January, 1870.

SIR,

WE have the honor to request that you will obtain, through the Government of Victoria, information from Captain Blackburn, Pier Master of the Victorian Railways at Williamstown, of the best description of Tarpaulins now in use on the railways of that Colony; giving their description and cost, together with such other matter as he may deem it expedient should come within the knowledge of this Company.

We have, &c.,

(Signed)

F. M. INNES.

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

77

439.

*Tasmania,
Colonial Secretary's Office, 28th January, 1870.*

SIR,

I HAVE the honor to request that you will have the goodness to instruct the Pier Master at Williamstown to furnish the information asked for in the enclosed letter for the guidance of the Commissioners of the Launceston and Western Railway Company.

I have, &c.,

(Signed) J. M. WILSON.

The Hon. the Chief Secretary, Victoria.

440.

*Victoria,
Chief Secretary's Office, Melbourne, 16th February, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 29th ultimo, and, in compliance with the request preferred therein, to forward the accompanying copy of a Report by the Pier Master at Williamstown on the Tarpaulins in use on the Victorian Railways.

I have, &c.,

(For the Chief Secretary) THOS. WEBB WARE.

The Hon. the Colonial Secretary, Tasmania.

(Copy.)

Pier, Williamstown, 4th February, 1870.

SIR,

I HAVE the honor to acknowledge receipt of your Memo. B439, enclosing a letter from the Hon. the Colonial Secretary of Tasmania, asking for information relative to the best description and cost of covers now in use on the Victorian lines.

The covers at present in use are made of the best Gornock canvas, No. 1 or No. 2, without dressing of any description. We have tried both oil and tar, but find such dressing to destroy the material, causing it to crack. Both those made in the Colony and the imported treated in this manner lasted but a short time, especially the latter; but I am of opinion that tarring would be beneficial as a preservative, and I think would render covers more impervious to water.

The present cost of covers is £5 18s. 11½d.

I have, &c.,

(Signed) JOHN M. BLACKBURN.

The Traffic Manager, Victorian Railways, Spencer-street Station.

MEMO.—Captain Blackburn has omitted to mention that the material is obtained under contract, and that Sailmakers afterwards contract simply for the labour.

W. M. FEHON.

FORWARDED for the information of the Commissioners of the Launceston and Western Railway.

B. TRAVERS SOLLY.
25th February, 1870.

ABSENCE FROM THE COLONY OF MR. DOYNE. Nos. 441 to 443.

441.

*Office of the Commissioners of the Launceston and Western Railway,
26th January, 1870.*

SIR,

WE have the honor to call your attention to the protracted absence from the colony of Mr. Doyne, the Contracting Engineer of the Launceston and Western Railway Company. Mr. Doyne left this on or about the 30th October, and is now, we believe, in Western Australia.

Whether the provisions of the Contract (which will be found in pages 89, 90, and 91 of the Report and Appendices of the Joint Committee on the Launceston and Western Railway in the last session of Parliament) admit of Mr. Doyne's indefinite absence at his own discretion, and at a distance which makes him practically inaccessible while the Railway is in course of construction, is a question which we are not prepared to decide.

But it must be evident that the responsibilities undertaken by Mr. Doyne are not unimpaired by their transfer to substitutes; while we are impressed with the belief that these substitutes cannot be entrusted with adequate authority from their principal to deal with emergencies as they arise in such a way as the interests of the Launceston and Western Railway imperatively demand, by the results of recent fruitless communications with them.

We bring this matter before you that, if it should appear right to the Executive to do so, it may by the Executive be brought under the attention of the Directory, and, in any case, that we may not be charged at a future period, or in any unfortunate contingency which may arise, with having failed to remonstrate against what we must view as culpable laxity in the relations of the Launceston and Western Railway Company and their Contracting Engineer at the present time.

We have, &c.,
(Signed)

FRED. M. INNES.
SAML. V. KEMP.

The Hon. the Colonial Secretary.

FORWARDED to the Board of Directors for an expression of their views on the important question raised by the Commissioners.

JAMES MILNE WILSON.
28th January, 1870.

442.

Railway Commissioners' Office, Launceston, 31st January, 1870.

SIR,

THE copy of the letter addressed to you on the 26th instant by my co-Commissioners, calling "your attention to the protracted absence of the Contracting Engineer of the Launceston and Western Railway Company," having been mislaid, I only obtained it this morning, and was therefore unable to express my views upon the same at an earlier date.

I had not been consulted by Messrs. Innes and Kemp upon the subject of this letter until it was placed before me for signature, shortly before a meeting of the Board was held, at which the Commissioners had to attend; I therefore requested Mr. Innes not to forward the letter that evening, in order that we might confer upon the same, to which request Mr. Innes readily assented; but it appears the letter was posted in error the same evening, (the 26th instant), and I was unable, as I intended, to state my views upon the same by a memorandum annexed thereto.

I declined to sign the said letter because I consider the Commissioners, if they considered Mr. Doyne's absence from the colony prejudicial to the due progress of the Railway, should, as a matter of duty, so soon as they became aware of the intended or actual departure of Mr. Doyne for Western Australia, have distinctly and officially communicated to the Directors the views they entertained as to Mr. Doyne's necessarily lengthened absence from the colony, and expressed their hope that the Directors would use any power or influence they might possess to induce Mr. Doyne to return as early as might have been practicable. Had Messrs. Kemp and Innes have stated to me that such were their views, I should have been quite prepared to have united with them in such a communication to the Directors.

No such intimation was, however, made to me, nor did I at any time hear Mr. Innes allude to the matter upon any of his occasional attendances at the Board meetings, nor did I hear Mr. Kemp allude in any way to the same, during the months he and I have continuously attended at the Board meetings since Mr. Doyne's departure.

At such Board meetings Messrs. Innes, Kemp, and myself attended as Directors, *ex officio*; and it was clearly our duty, as such Directors, to have stated any views we might have entertained as to the undesirableness of Mr. Doyne's absence from the Colony, and remonstrated against the same whilst there was a probability, or even a possibility, of such remonstrance being attended with any good effect.

As I am informed, upon enquiry, by Mr. Major that Mr. Doyne is expected here in March, the representation to the Government contained in the letter of the 26th instant from Messrs. Innes and Kemp can now have no practical effect whatever in inducing Mr. Doyne's earlier return; and as the Commissioners "failed to remonstrate" against Mr. Doyne's absence when the Directors might and probably would have been influenced by such remonstrance, I am of opinion that the Commissioners cannot now, with propriety, impute "a culpable laxity in the relations of the Launceston and Western Railway Company and their Contracting Engineers" to their fellow Directors, whilst they as Directors, *ex officio*, are freed from any responsibility in the matter.

Whilst, with Messrs. Innes and Kemp as stated in their said letter, I am not prepared to say whether the terms of Mr. Doyne's agreement admit or do not admit of "Mr. Doyne's indefinite absence at his own discretion," and whilst I am also not prepared to state that Mr. Doyne's partners, Messrs. Major and Willett, referred to as "substitutes by Messrs. Innes and Kemp," cannot be entrusted with adequate authority from their principal to deal with emergencies as they arise in such a way as the interests of the Launceston and Western Railway imperatively demand, I am quite prepared to say that I consider the protracted absence of Mr. Doyne from the Colony is, upon every consideration, most undesirable.

I have, &c.,

(Signed)

THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

443.

*Launceston and Western Railway Company, Limited,
Launceston, 9th February, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your reference dated 28th January of a letter from Messrs. Innes and Kemp, dated 26th January, which I have duly submitted to the Board, and am instructed to reply.

1. That this letter of Messrs. Innes and Kemp, in their capacity of Commissioners, manifests on the part of those gentlemen a disposition to interfere with the relations between the Company and the Engineers, for which no authority has been vested in them by any Act to which the Company is amenable.

2. The Directors do not lose sight of the twofold authority possessed by the Commissioners, that they have the powers of Directors also, but which they can only exercise as component parts of a majority or minority of the Directory; and that, acting independently as Commissioners, their powers are defined and limited by the Railway Acts. It may, perhaps, be scarcely necessary to add that neither the Executive nor the Governor can invest them with authority beyond the provisions of those Acts. On this question the 9th clause of the recent Act has no bearing; since there can be no dispute about it, there can be no cause of appeal. The matter lies entirely between the Directors, and the Engineer-in-chief; and if they cannot agree upon it the remedy lies in arbitration under the contract.

3. Had the question been raised by Messrs. Innes and Kemp as Directors, in their places at the Board, it would doubtless have been dealt with in the ordinary manner.

4. With reference more particularly to the statements made by these gentlemen to you, and referred to the Directors, I am to say that the responsibilities undertaken by Mr. Doyne are unimpaired by his absence, seeing they are now fully met by the highly qualified gentlemen—his co-partners and staff—by whom he is represented in the Colony, and who are entrusted with adequate authority from their principal to deal with emergencies as they arise. I am to add that he remained resident for some 15 months, during which the principal works were completed.

5. The Directors deny the existence of any laxity in the relations of the Company and their Engineers; and they deem the imputation a gratuitous insult to the Board.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

STAMPS FOR BOND. Nos. 444 to 447.

444.

*Launceston and Western Railway Company, Limited,
Launceston, 27th January, 1870.*

SIR,

THE Bond given by the Company to the Government for the £100,000, under the Act No. 5 of 1869, requires stamps to the amount of £249 17s. 6d., for which expenditure I am instructed to request you to be good enough to obtain the authority of the Governor in Council; and, to facilitate the matter, I have transmitted this letter to the Commissioners for their endorsement before forwarding it to you.

I have, &c.,

(Signed)

R. W. LORD,
for the Secretary.

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be granted for the sum of £249 17s. 6d. for stamping the Company's Bond for £100,000.

SAML. V. KEMP, }
THEODORE BARTLEY, } *Commissioners Launceston*
27. 1. 70. } *and Western Railway.*

445.

By ELECTRIC TELEGRAPH.

28th January, 1870.

EXPENDITURE of £249 17s. 6d. for stamps approved.

Authority of Governor in Council by Monday's post.

(Signed) JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company, Launceston.

446.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 28th January, 1870.

SUBMITTED,

THAT the expenditure of the sum of Two hundred and forty-nine pounds seventeen shillings and sixpence for the purchase of stamps required for stamping the Bond of the Launceston and Western Railway Company to the Government, as recommended by the Commissioners, be authorised.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
1. 31. 70.

The Hon. the Colonial Secretary.

447.

Colonial Secretary's Office, 31st January, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has approved of the expenditure of the sum of £249 17s. 6d. for the purchase of stamps required for stamping the Bond of the Launceston and Western Railway Company to the Government, as recommended by the Commissioners.

I have, &c.,
(Signed) B. T. SOLLY,
for the Colonial Secretary.

The Secretary Launceston and Western Railway Company.

PROPOSAL OF COMMISSIONERS THAT A LIMITED DISCRETIONARY POWER
SHOULD BE GIVEN TO THEM. Nos. 448 AND 449.

448.

*Office of the Commissioners, Launceston and Western Railway,
Launceston, 4th February, 1870.*

SIR,

WE have the honor to represent to you that the strict enforcement of the latter part of Section 7 of the Act 33 Vict. No. 21, that "no change or new work involving any increase of expense shall be entered upon or undertaken without first obtaining the consent of the Governor in Council thereto," is liable to be attended with the inconvenience of constant references on frivolous matters to the Executive, and recurring delays in cases in which perhaps the promptest action may be

necessary. We have, therefore, to submit to you the propriety of according a limited discretion to us to act in such cases without awaiting a reference to the Governor in Council. The Executive may rely upon it that the power sought will not be exercised in regard to any but trifling expenditure, of which the admissibility in principle is perfectly clear.

We have, &c.,
(Signed)

FREDERICK M. INNES.
SAML. V. KEMP.
THEODORE BARTLEY.

The Hon. the Colonial Secretary.

449.

Colonial Secretary's Office, 11th February, 1870.

GENTLEMEN,

I BEG to acknowledge the receipt of your letter under date the 4th instant, representing that to avoid inconvenience and constant reference in "frivolous matters" to the Executive, and also recurring delays in cases requiring prompt action, a limited discretion might with propriety be accorded to you without awaiting a reference to the Governor in Council.

In reply, I have the honor to acquaint you, that while the Government entertain the highest confidence in the ability and discretion of the Commissioners, it appears to me from a strict interpretation of the Law that the Executive are not authorised to delegate even the limited power suggested by you.

Cases in which prompt action may be necessary seldom arise; but under any circumstances, with the advantage of Telegraphic connection, and daily Postal communication, I do not apprehend any perceptible delay in the settlement of questions submitted to the Governor in Council.

I have, &c.,

(Signed) J. M. WILSON.

*The Hon. F. M. INNES, Esq., S. V. KEMP, Esq.,
T. BARTLEY, Esq., Launceston.*

ERECTION OF STATION BUILDINGS. Nos. 450 to 476.

450.

*Launceston and Western Railway Company, Limited,
Launceston, 30th March, 1870.*

SIR,

I HAVE the honor to ask concurrence of the Government in the expenditure of the sum of £11,000 for Station Buildings and Offices throughout the Line.

There are circumstances connected with this question which require that I ask your careful consideration of the communication I am instructed to make.

The Directors have advertised for tenders for these works, so far as the five principal Stations are concerned, in Melbourne, Launceston, and Hobart Town; and on two occasions the lowest tender has been so much in excess of the estimate of the Engineers that they declined to recommend acceptance.

In view of the serious delay that has thus occurred, and the prospect of Station accommodation not being ready for the opening of the Line, the Engineers recommend that the Directors, with the assistance of an Architect, at once proceed to erect Offices at Launceston, and Station Buildings generally, commencing with platforms for passengers, and such other portions only of buildings as are absolutely necessary for opening the Line; continuing the completion of them subsequently.

Only two tenders were sent in for the whole works of the five principal Stations, and the lowest was £11,347, whilst the estimate of the Engineers does not exceed £9000 for these.

The Board have therefore adopted the advice of their Engineers, and propose to employ an Architect as their Agent, under inspection of the Engineers, to purchase materials and employ workmen for carrying out the works in question, and the minor Station platforms.

I may personally assure you that, from a pretty wide field of enquiry, I have ascertained that to advertise again for tenders, whatever new terms might be introduced into the conditions, would

certainly be followed by disappointment, and, of course, further delay; and I am confident the adoption of the suggested alternative by this Directory is most judicious, and highly deserving your approval. Let me add that very soon it must be expected the wet season will have set in, which, from the nature of the ground at Launceston, will be practically a suspension of the work for a long time.

In the proposed arrangement the Board have the concurrence of Builders in Launceston of considerable experience, who express themselves strongly in favour of the proposed alternative, and insist that a considerable saving will be effected by the arrangement, in money as well as time.

If this mode be adopted there are collateral advantages, besides those named, as the Board would be able first to commence any more important portions of each Station, and make economical alterations as the several buildings proceeded, which could not be done if taken under contract; and these are considerations of grave importance in the estimation of our more practical men.

I am aware that only under the peculiar circumstances of the failure, both in numbers of competitors and the sums demanded, would the Directors have accepted the alternative proposed; but, under these circumstances, and in the conviction entertained that much of success or failure in the career of the Launceston and Western Railway depends upon an immediate and decided action being taken to procure at least sufficient accommodation for the safe opening of the Line, I most respectfully ask a prompt and favourable decision at the hands of the Government.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

Postscript to Letter of 30th March.

You will observe that the sum of £11,000 asked for Station Buildings and Offices comprise those throughout the whole Line; viz.,—the principal Stations of Launceston, Perth, Longford, Westbury, Deloraine, and the minor Stations of St. Leonard's, Breadalbane, Evandale Road, Bishopsbourne, The Oaks, Glenore, Hagley, and Exton; the lowest tender of £11,347 being only for the five principal Stations, as explained in my letter.

H. DOWLING, *Secretary.*
31. 3. 70.

*Launceston and Western Railway,
Secretary's Office, Launceston.*

REFERRED to the Commissioners of the Launceston and Western Railway.

B. TRAVERS SOLLY.
31 March, 1870.

451.

*Office of the Commissioners, Launceston and Western Railway,
31st March, 1870.*

SIR,

WE have before us a copy of Mr. Dowling's letter to you, of the 30th instant, asking the concurrence of the Government to a proposed expenditure, and course of expenditure, for Station Buildings on the Launceston and Western Railway, and also his explanatory postscript to that letter of this date, and we beg to corroborate generally his representation of the result of the invitations which have hitherto been issued for tenders for these works.

That result has been so unsatisfactory that if it should prove not to have arisen from conditions in the Tenders which can be safely mitigated, sooner or later it may be imperative upon the Company to adopt the course to which the concurrence of the Executive is sought.

Mr. Dowling has not overstated the injury which is likely to arise from the Station Buildings not being promptly begun and carried on to completion; and we believe that only a strong sense of this injury, and despair of any better results from renewed invitations for tenders, induced a majority of the Directory to consent to the course recommended in his letter.

On the other hand, the minority in the Directory were decided in their opposition to a departure from the system of Contracts, and the prosecution of works under the control of a paid employée, not in their opinion likely to be governed in the purchase of materials, &c. by the motives which operate in the case of a Contractor.

In remitting the question for the decision of the Executive, we desire to say that, should the alternative course which was suggested at the last meeting of the Board of advertising for tenders a

third time, on modified conditions, be adopted and prove not more successful than it has done on the two previous ones, we may feel it to be incumbent upon us to advise that the Company be permitted to proceed in the manner to which your concurrence is now asked by Mr. Dowling.

It may appear, however, to the Executive expedient to sanction that course at once, and without further delay, in which case we would recommend that approval should be given only step by step, commencing with such portions of the Stations as are immediately or imperatively required, and so as to admit of minor contracts being let in the progress of the general work. It has been represented by Directors possessed of great local experience in the districts through which the Railway passes, that Contractors would be found for portions of the work among a class not in a position to contract for large undertakings (as a whole), upwards of forty miles apart, and involving an estimated outlay of ten or twelve thousand pounds.

We beg to urge the favour of this matter being immediately considered by the Government, so as to obviate as far as possible both inconvenience and pecuniary loss to the Company.

We have, &c.,

(Signed) FRED. M. INNES.
SAML. V. KEMP.

The Hon. the Colonial Secretary.

IN subscribing to this letter, I beg to say that my own opinion is more decided than that expressed by Mr. Innes, that the course proposed by Mr. Dowling should not be entertained until another attempt has been made to effect a satisfactory contract. I believe that a modification of the conditions of tender, plans, and specification would accomplish that object; and I think that the prosecution of the works by the Company, as proposed, should only be assented to in the very last resort.

SAML. V. KEMP.
31. 3. 70.

452.

Office of Railway Commissioners, Launceston, 1st April, 1870.

SIR,

I MUCH regret that my absence from town yesterday prevented me from stating my opinions in the same communication as was forwarded to you by my fellow Commissioners upon the application of the Directors for the consent of the Governor in Council to the expenditure of £11,000 for the Station Buildings, and that the Directors be authorised to carry out the erection of such buildings through the medium of a competent Architect, under the supervision of the Engineers of the Company.

Whilst I am not prepared in the present aspect of the financial position of the Company to recommend the Government to concur at once in the expenditure of so large a sum as £11,000 upon Station Buildings, I am, after a most careful consideration of the whole question, fully prepared to recommend the Government to authorise the Directors at once to proceed to erect, first, such buildings as may be absolutely necessary to meet the requirements of the Line immediately upon the opening of the same, and then such further buildings as may be requisite, the Government sanctioning from time to time such sums as may appear to be necessary to cover such expenditure by way of progress payments on account of Station Buildings.

I am induced to make such recommendation—

1. Because the tenders sent in for the erection of Station Buildings, under the circumstances detailed in the said application from the Directors, have been in all respects unsatisfactory.

2. Because Mr. Major, one of the Engineers, at the request of the Directors, attended at the last Board meeting, and in the strongest and most unqualified manner recommended the Directors to carry out the erection of the Station Buildings themselves, employing a thoroughly competent Architect to be under the supervision of the Engineers; and at the same time stated his full conviction that the requirements of the Line would be much more promptly and satisfactorily met at a very much less cost to the funds of the Company. In this opinion and recommendation Mr. Tyson, one of the Directors present, and one of our most experienced builders, expressed in the strongest terms his unqualified concurrence, and a majority of the Directors present expressed themselves in favour of such a course.

I feel fully persuaded that if the Government sanction the course referred to for the erection of Station Buildings, the requirements of the Line will be much more promptly and economically met

than would be the case if fresh tenders are called for, which must occasion delay which it is now upon every consideration desirable, I may say necessary, to avoid, and the results of which would in all probability, judging from past experience, be very unsatisfactory.

I have, &c.,

(Signed) THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

453.

Colonial Secretary's Office, 4th April, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th ultimo, seeking the concurrence of the Government in the expenditure of £11,000 for the erection of Station buildings and Offices throughout the line.

You inform me of the unsatisfactory results of two endeavours on the part of the Directory to let the works by contract; and that the Directors have therefore adopted the advice of their Engineers, and propose to employ an Architect as their Agent, under inspection of their Engineers, to purchase materials and employ workmen for carrying out the works in question.

It is to be regretted that the advertising for contracts for carrying out these works had been delayed to a period so nearly antecedent to the anticipated opening of the line, more especially as the Commissioners called attention to this matter by letter in October last, as well as previously at the Board.

The Government having received the Report of the Commissioners upon this application have, after consideration, decided to approve of the course concurred in by the majority of the Directory, but they are not prepared to recommend the Governor in Council to sanction the expenditure of the sum named in your letter without a detailed explanation of the proposed appropriation.

The objections against a departure from the system of work by contract are so forcible that nothing but the serious injury to the prospects of the Company upon the opening of the line, which the incompleteness of the station accommodation would of necessity involve, induces the Government to consent to the erection of any portion of the stations or platforms by day labour.

I must therefore request that you will submit for specific approval the expenditure of such sums only as will cover the cost of works immediately and imperatively necessary, and that steps may be taken to procure, if possible, tenders for the erection by contract of other portions during the progress of the general work.

It is highly probable that local contractors might be found for separate sections of the work who could not undertake one contract for the whole; and in order to save time I would suggest that every application for authority to expend specified amounts for the different portions of these works, whether in the form of minor contracts or included in estimates for the construction of station buildings or platforms by day labour, should be forwarded to the Government through the Commissioners.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

454.

*Launceston and Western Railway Company, Limited,
Launceston, 6th April, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 4th instant, which I read to the Directory yesterday.

I am to say that the Directors have marked the unsatisfactory results of their public advertisements for tenders for station buildings with very great regret, but they are in no way responsible for these results. The first notices were issued on the 29th December last for tenders to be sent in on the 11th January, and no person could have supposed that in the face of the apparent want of work in timber construction there would be found any difficulty in obtaining ample competition for the completion of the buildings by this time, or soon after. The Directors give a large amount of time weekly to this work of the railway, and claim to be deserving of credit for earnestness and self-

abnegation in the service of the public, and not deserving of the strictures which occasionally mark your communications.

They fully sympathise with the objection of the Government to a departure from the system of contract, as I have before said, and would gladly have avoided for themselves and their officers the very large amount of labour and of responsibility which this departure imposes upon them.

You do not seem to have been advised that the advertisements for tenders invited competition for the erection of each distinct building however small, as well as for the whole of the buildings.

The Directors have now met the Commissioners in conference on the whole finance question as it now stands, taking the balance of cash in the hands of the Company and Commissioners and at their disposal out of the new Loan, taking the premium on sale of new Debentures at only £2000, and carefully examining each item in the statement already, I believe, forwarded to you by the Commissioners, and they find they can postpone orders for—

Tools to the extent of	£ 1000
Rails to the extent of	1450
Telegraph throughout.....	2000
New Carriages, &c.	3938
Total.....	£8388

And that the cost of erection of complete stations, both principal and minor taken together, may be put at £10,000, thus increasing the contingencies to about £20,000; under which circumstances it is understood the Commissioners will review their recent reports to the Government.

Meantime, I have to ask that the sum of £10,000 may be approved as the full amount to be expended on station buildings; so much of this sum being placed at the disposal of the Company and Commissioners as may enable them to purchase materials on the most advantageous terms, and prepare them by drying, and proceed with the construction in the first instance of works immediately and imperatively necessary. I am advised that it is most probable that the Officers of the Company will be able to obtain good competition for executing the various labour required *by contract*, and that once the Directors are empowered to proceed with the works contracts of various kinds will be available,—a course of proceeding which I need, perhaps, scarcely say will be most satisfactory to the Directory.

I beg again to assure you that it is the earnest desire of the Directory to co-operate with the Government in all questions affecting this important work, in which the interests of this Colony are so much involved, in common with the districts more immediately concerned.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

LAUNCESTON AND WESTERN RAILWAY.

STATEMENT of Capital and Expenditure to 16th March, 1870, and estimated further Expenditure to July.

	£	s.	d.	£	s.	d.
Subscribed Capital	50,000	0	0			
Loans	<u>400,000</u>	0	0			
				450,000	0	0
Profit on sale of Debentures, £300,000.....	3137	6	9			
Ditto, £100,000.....	<u>2000</u>	0	0			
				5137	6	9
Interest on Balances.....				3028	5	3
				<u>£458,165</u>	<u>12</u>	<u>0</u>

	£	s.	d.	£	s.	d.
Amount expended in Lancaster	194,994	11	6			
Ditto London	<u>111,789</u>	<u>8</u>	<u>1</u>			
				306,783	19	7
Probable amount required, Statement A.....	73,670	10	0			
Balance due to Overend & Robb on contract	54,541	17	7			
Balance due to De Bergne & Co	4000	0	0			
Balance to Engineers as per agreement	<u>3350</u>	<u>0</u>	<u>0</u>			
				135,562	7	7
Mr. Kemp's additional, as per Statement B....	—			7562	6	7
Balance	—			<u>8256</u>	<u>18</u>	<u>3</u>
				<u>£458,165</u>	<u>12</u>	<u>0</u>

STATEMENT A.			
	£	s.	d.
To pay in London for Carriages.	1500	0	0
Probable amount yet to expend for land, including Mr. Bartley's payment	2968	0	0
Mr. Kemp's estimate of additional slopes	10,342	0	0
Points and Crossings, Melbourne	345	0	0
Picket Presses	40	0	0
Painting Wagons	100	0	0
Boring for water.....	20	0	0
Station Tenders	11,347	0	0
Light Minor Stations.....	1000	0	0
Tools.....	3500	0	0
Stores	600	0	0
Sidings	2400	0	0
Extra Rails	2900	0	0
Points and Crossings	454	0	0
Telegraph throughout	2000	0	0
Furniture, Water, Gas Fittings, &c.	584	0	0
Mr. Kemp's estimate Semaphores, &c. ..	800	0	0
Work-shops	1000	0	0
Goods' Cranes, Mr. Kemp's estimate....	300	0	0
Over-bridge	407	18	0
Agricultural Gates	900	0	0
Locomotives	5000	0	0
Duplicates for Locomotive	750	0	0
Wagon Sheets	300	0	0
Iron for 55 Wagons	4400	0	0
1 First class Carriage.....	436	0	0
3 Second class Carriages, £340 each	1020	0	0
2 Composite Carriages, £422 each	844	0	0
2 Break Vans, £299 each	598	0	0
2 Carriage Trucks, £160 each	320	0	0
3 Horse Boxes, £240 each	720	0	0
Woodwork on 55 Goods' Wagons.....	1375	0	0
Extra Office Management and Com- missioners.....	2399	12	0
Interest reserved by Statute	12,000	0	0
	<u>£73,670</u>	<u>10</u>	<u>0</u>

STATEMENT B.			
	£	s.	d.
Mr. Kemp adds—			
For Chairs, &c. from Mel- bourne	—		
Points and Crossings	250	0	0
Minor Stations.....	1000	0	0
Workshops (Foundations)....	1000	0	0
Water arrangements	2000	0	0
Add. to Semaphores.....	700	0	0
	<u>4950</u>	<u>0</u>	<u>0</u>
Supplies omissions—			
Turn Table	774	0	0
Water Crane	938	0	0
Carriage and Horse Docks, &c.	250	0	0
Engine Sheds, Coal Platform .	—		
Ashpits, &c.....	650	0	0
	<u>2612</u>	<u>0</u>	<u>0</u>
	<u>£7562</u>	<u>0</u>	<u>0</u>
SUSPENDED ITEMS.			
Rails (one mile)	1450	0	0
Tools	1000	0	0
Telegraph	2000	0	0
Shops (1)	1000	0	0
Locomotive Duplicates	750	0	0
Rolling Stock	3538	0	0
Shops (2)	1000	0	0
	<u>10,738</u>	<u>0</u>	<u>0</u>
Stations	—	8947	0
		<u>19,685</u>	<u>0</u>
Add balance	—	8256	0
		<u>£27,941</u>	<u>0</u>

455.

Launceston and Western Railway Company, Limited;
Launceston, 8th April, 1870.

SIR,
In further reference to the important question of station buildings, I have the honor to say that after conference with the Engineers I am enabled to report the distribution of the sum of £10,000, and the proportion of this sum which will be required for works imperatively necessary for the opening of the line. The suggestion contained in my letter to you of the 6th instant, to the effect that the purchase of timber for such buildings as are not to be erected at present should be included in the "works imperatively necessary," the Engineers do not approve; as it remains an open question whether the later works may not be done by contract.

I note your desire that in order to save time any application for authority to spend specified amounts should be forwarded to the Government through the Commissioners; and I fully concur in such a course, provided the Commissioners are authorised to act promptly in the payment of expenditure within such specification; but, without such authority, past experience does not go to prove that time will be saved by the process.

I have, &c.,
(Signed) H. DOWLING, Secretary.

The Hon. Colonial Secretary, Hobart Town.

FORWARDED to the Commissioners for their consideration and report.

B. TRAVERS SOLLY.
14th April, 1870.

UNDER the arrangement sanction by the Government, we are of opinion that the sum now asked for, viz. £4400, is necessary to enable the Directory to carry out such arrangement.

F. M. INNES.
SAML. V. KEMP.
14. 4. 70.

Launceston and Western Railway.—LIST OF WORKS CONSIDERED TO BE IMMEDIATELY NECESSARY:—

	£
<i>Launceston</i> —Goods' shed	550
Carriage shed	200
Passenger platform	200
<i>Perth</i> —Goods' shed	300
Passenger platform	100
<i>Longford</i> —Goods' shed	500
Double passenger platform	150
<i>Westbury</i> —Goods' shed	500
Passenger platform	100
<i>Deloraine</i> —Goods' shed	500
Engine shed	200
Passenger platform	100
<i>Intermediate Stations</i> —St. Leonard's, Bredalbane, Evandale, Bishops- bourne, Hagley, Exton, &c.	1000
	<u>£4400</u>

LAUNCESTON AND WESTERN RAILWAY.

PROPOSED distribution of Expenditure for Station Buildings.

<i>Work.</i>	<i>Amount.</i>	<i>Total Amount.</i>
	£ s. d.	£ s. d.
<i>Launceston Terminus.</i>		
Station building	1250 0 0	
Goods' shed	550 0 0	
Carriage shed	200 0 0	
Roads, &c.	250 0 0	
		2250 0 0
<i>Perth Station.</i>		
Station building	750 0 0	
Goods' shed	300 0 0	
Roads, &c.	75 0 0	
		1125 0 0
<i>Longford Station.</i>		
Station building ..	655 0 0	
Goods' shed	500 0 0	
Roads, &c.	70 0 0	
		1225 0 0
<i>Westbury Station.</i>		
Station building	750 0 0	
Goods' shed	500 0 0	
Roads, &c.	75 0 0	
		1325 0 0
<i>Deloraine Station.</i>		
Station buildings	750 0 0	
Goods' shed	500 0 0	
Engine shed	200 0 0	
Roads, &c.	625 0 0	
		2075 0 0
Eight minor stations .....	..	1000 0 0
Fee to Agent to be employed ....	..	250 0 0
Offices for the Company, say ....	..	750 0 0
		<u>£10,000 0 0</u>

NOTE.—The right is reserved to vary the details of the above distribution, as may appear desirable, during the progress of the work.

DOYNE, MAJOR, & WILLET, *Engineers.*
12. 4. 70.

456.

By ELECTRIC TELEGRAPH.

14th April, 1870.

£4400 for Station Buildings authorised.

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq.*, *Launceston.*

457.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 19th April, 1870.

SUBMITTED,

THAT, upon the application of the Board of Directors, and the recommendation of the Commissioners of the Launceston and Western Railway, the expenditure of the sum of Four thousand four hundred Pounds (£4400) be authorised towards the cost of erection of the several stations.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
22. 4. 70.*The Hon. the Colonial Secretary.*

458.

Colonial Secretary's Office, 25th April, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has, upon the application of the Board of Directors, and the recommendation of the Commissioners of the Launceston and Western Railway, been pleased to approve of the expenditure of the sum of Four thousand four hundred Pounds towards the cost of erection of the several Stations.

I have, &c.,

(Signed) JAMES MILNE WILSON.

HENRY DOWLING, *Esq., Secretary.*

459.

*Launceston and Western Railway Company, Limited,
Launceston, 6th May, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council to the following expenditure, namely, £5600, to complete the erection of Station Buildings, being the balance of £10,000, authority for which was asked in my letter of April 6th. I annex copies of letters from Mr. Conway and the Engineers, showing the desirableness of the immediate authorisation of such expenditure.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

I HAVE the honor to recommend that the concurrence of the Governor in Council may be given to the within-named expenditure of £5600 to complete the erection of Station Buildings throughout the Line of Railway, for the reasons assigned in the annexed copies of letters from Mr. Conway and the Engineers of the Company, in which I fully concur.

THEODORE BARTLEY..
6. 5. 70.

THE Directory of the Launceston and Western Railway Company having acceded to a proposal submitted by me at the Board for the supervision and control of the expenditure on Stations (see Correspondence herewith), I now concur in Mr. Bartley's recommendation.

F. M. INNES..
19th May, 1870.

(Copy.)

*Launceston and Western Railway Engineers' Office,
Launceston, Tasmania, 4th May, 1870.*

DEAR SIR,

WE beg to enclose a copy of a letter received from Mr. Conway, to which we request the favour of your attention.

We fully endorse the suggestions contained in this letter, and trust you will urge upon the Government the desirability of authorising that the whole of the Works be proceeded with simultaneously.

The present fashion of building parts only of each Station is not only inconvenient and expensive, but is productive of much loss of valuable time.

We have, &c.,
(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

(Copy.)

Launceston, 4th May, 1870.

GENTLEMEN,

I HAVE to acknowledge the receipt of your letter of instruction of the 28th ultimo, and shall carry out your wishes. I note that you only instruct me to proceed with the passenger platforms, the goods sheds, and the carriage shed. I beg to suggest that you give me instructions to proceed with passenger stations also. The timber and ironmongery, &c. can be purchased much cheaper and more advantageously in large than in small quantities; and the superintendence that it will be necessary to have at each of the Stations in carrying out the works proposed at present will be quite sufficient for the passenger stations as well. In fact, the whole of the timber should be ordered at once.

It appears to me that the cost of the work would be considerably reduced by the Company adopting this suggestion, as I need not point out to you that I could arrange the different classes of men better with the whole of the works proceeding at once.

I have, &c.,
(Signed) HARRY CONWAY.

Messrs. DOYNE, MAJOR, & WILLETT, Engineers.

460.

BY ELECTRIC TELEGRAPH.

Launceston, 18th May, 1870.

THE Directory are seeking your authority to expend the balance of the £10,000 for stations, upon same conditions as the £4400 was granted. May I request the favour of your withholding such authority until you have my views upon the subject?

(Signed) SAMUEL V. KEMP.

The Hon. the Colonial Secretary.

461.

Railway Commissioners' Office, Launceston, 18th May, 1870.

SIR,

THE Directory of the Launceston and Western Railway Company are now seeking the authority of the Governor in Council to expend the balance of £10,000, (said by them to be sufficient for the erection of the whole of the stations along the Line, and offices for the Company at Launceston) under the same arrangement entered into by the Government with the Directory, whereby the sum of £4400 was sanctioned as an experiment, for the erection of so much of the stations, by day labour, as was absolutely necessary to meet the requirements of the traffic upon the opening of the Line.

The Engineers and Agent (Mr. Conway) now represent that considerable saving will be effected by the whole of the station works being proceeded with at the same time, and also by the purchasing of materials for such works in large quantities. I am quite prepared to admit the expediency of prosecuting these works simultaneously; but I view with alarm the practice of entrusting so large a discretionary power to one individual as the outlay of £10,000, without imposing any check, and without being furnished with the details of expenditure beforehand. I am likewise distrustful as to the sufficiency of the estimate, and we have no guarantee that the works will be completed for the sum named. The Directory have a letter from the Engineers, wherein they state that all the station works and offices can be constructed for £10,000; but, from past experience, I receive this statement with great caution, and not possessing the necessary data to enable me to judge of the sufficiency or otherwise of the estimate, I am not in a position to refute it.

I deem it my duty to advise you that I am strongly opposed to the carrying out of any description of work by day labour when it can be done by contract; and as the Directory have made the sanctioning of such authority a condition to the opening of the Line on the 1st July next, I claim, in the exercise of what I deem to be right, to be absolved from being thought obstructive.

Should the Government deem it expedient to sanction a further outlay for station purposes, before the experiment has been fully tested, I venture to hope in that case that they will insist upon the consent of the Commissioners, to the details of the different expenditures required, being made a condition of such outlay; and that this condition be made to apply to the £4400 already sanctioned. The imposition of this provision need not interfere or impede the progress of the works, provided it is met in a proper spirit.

The Directory yesterday passed a resolution that all expenditures for stations before being incurred should be referred to a Committee of them, of which I am one; I do not think this will meet all requirements without the condition just alluded to.

You may rely upon my continued watchfulness, and that I shall do my best to give effect to any course the Government may deem it expedient to adopt.

I have, &c.,
(Signed) SAML. V. KEMP.

P.S.—I believe Mr. Innes intends to address you more fully upon the resolution adopted yesterday.
S. V. K.

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners for their observations.

J. M. WILSON.
20 May, 1870.

THERE is nothing in Mr. Kemp's letter which has not been previously brought under the consideration of the Executive; which, nevertheless, sanctioned the arrangements now being carried out by the Directory in the erection of stations; and, as a Commissioner, I deem it my duty to make the best of these arrangements and prevent abuse or excess under them. How this has been attempted is already reported to you in my communication yesterday, and I do not regard Mr. Kemp's suggestions as any improvement upon what was arranged at the last Board Meeting. To give the Commissioners a veto in matters that are mainly professional is to give that veto to the professional Commissioner; and while I am sure that discord and misunderstanding would be the result between the Directory and the Engineers on one hand, and Mr. Kemp on the other, I question whether any compensating good would be accomplished.

I venture to suggest to the Government whether a course which would virtually withdraw control from the Company would not be attended by the consequence of relieving it of responsibility also? A result which I most strongly deprecate. Mr. Kemp says, "we have no guarantee that the works will be completed for the sum named." That is undeniable: contracts don't ensure that; and if job work is attended by greater risks, job work was not resorted to until the Government was satisfied that it was unavoidable on a representation of the case, to which Mr. Kemp was a concurrent party, (*see our letter to you of 31st March.*) The sub-Committee (consisting of Mr. Button, Mr. Tyson, and Mr. Kemp) will, with Mr. Kemp's watchfulness and co-operation, more effectually, harmoniously, and consistently achieve the objects in view than any other arrangement would; and in saying this, I hold myself not less than Mr. Kemp absolved from responsibility in any untoward event.

F. M. INNES.
21. 5.

I FULLY concur in the foregoing observations of Mr. Innes, and would desire to state my decided conviction, upon a careful consideration of the whole of the attendant circumstances, that the arrangement to which the concurrence of the Governor in Council is now asked is in all respects the most desirable.

THEODORE BARTLEY.
23. 5. 70.

462.

Hobart Town, 19th May, 1870.

SIR,

IN recommending for the sanction of the Governor in Council the accompanying application from the Launceston and Western Railway Company for authority to expend £5600, being the balance of £10,000 approved as the outlay on the erection of stations, I beg to acquaint you that I did not concur in this recommendation when it was first referred to me on the 6th instant for reasons set forth in the letters of which copies are annexed. I do so now, however, because the Board have acceded by resolution to the following arrangement:—That all requisitions for materials, or authority to purchase the same, for the erection of stations, shall be referred by the Engineers to a sub-Committee with power to sanction such purchases, and that a report of the transactions authorised shall, from time to time, be made to the Directory at the first weekly meeting thereafter.

The sub-Committee is unexceptionably constituted of three members, inclusive of the professional Commissioner, Mr. Kemp, and they enter on their function with the understanding that the limit of the outlay to be regulated and controlled by them is £10,000.

The Government having acceded to the request of the Board to be allowed to proceed in this matter by job work instead of by contracts, it has been my object—concurring in by my fellow-Commissioners—to diminish the risks incident to such an arrangement.

I have, &c.,

(Signed) FRED. M. INNES.

The Hon. the Colonial Secretary.

(Copy.)

Launceston and Western Railway, Launceston, 6th May, 1870.

GENTLEMEN,

I AM anxious to submit to you the enclosed letters from the Engineers and Mr. Conway in the hope that I may be able to state to the Board on Tuesday your concurrence.

In the financial appropriation adopted at the conference between you and the Directory the station expenditure was put down at £13,347, including minor stations at £2000, and tendered prices for the greater at £11,347, and the sum of £8947 was taken to the suspended works, so increasing the contingency fund to £27,500.

We have, however, the report of the Engineers, confirmed by the opinion of Mr. Conway and other practical men, that the plans on which these contract prices were based, and including minor stations, may be completed for £10,000. Your present concurrence, therefore, in the sum of only £5600 additional expenditure would meet the report of Mr. Conway, and the recommendation of the Engineers founded thereon.

I am so thoroughly convinced of the great economy of the proposed mode of expenditure, and of the very increased advantage to the public at the opening of the line, that I have no hesitation in recommending its adoption.

I am aware that it is the intention of the Engineers and of Mr. Conway, should this concurrence be given, to push on rapidly the completion of so much only of the station buildings as may serve just to open the line: Mr. Conway's letter, however, explains his purpose.

Begging the favour of an early reply, as it is a question at this moment of great importance in the ordering of materials,

I am, &c.,

(Signed) HENRY DOWLING, *Secretary.*

The Commissioners, Launceston.

Sent a printed request to the Government for authority to expend the balance of £10,000, viz. £5600, for station buildings.

(Copy.)

Office of the Commissioners Launceston and Western Railway, 11th May, 1870.

SIR,

WITH a view to the prompt consideration of your letter of the 6th instant permit us, in the first place, to draw your attention to the following paragraph in the communication to the Government of 31st March, whereon the Government acceded to the application of the Directory to be allowed partially to deviate from the system of Contract in the erection of stations buildings.

"It may appear, however, to the Executive expedient to sanction that course at once and without further delay, in which case we would recommend that approval should be given only step by step, commencing with such portions of the stations as are immediately and imperatively required, and so as to admit of minor contracts being let in the progress of the general work. It has been represented by Directors possessed of great local experience in the districts through which the Railway passes that contractors would be found for portions of the work among a class not in a position to contract for large undertakings (as a whole), upwards of 40 miles apart, and involving an outlay of ten or twelve thousand pounds."

And permit us in the next place to request that you will state whether any contracts have been made or invited, or are still contemplated. Also, to remind you that the authority sought to expend the full amount of the remaining balance of the £10,000 leaves no further sum to cover sub-contracts should there be any.

With every disposition to facilitate the operations of the Company, it seems to us that it would be premature on our part to apply to the Government to sanction further expenditure when we are still without any detail of the outlay of the £4400 already authorised.

We are, &c.,

(Signed) FRED. M. INNES

SAML. V. KEMP.

The Secretary Launceston and Western Railway, Launceston.

(Copy.)

Office of Commissioners Launceston and Western Railway, 12th May, 1870.

SIR,

I WILL not dispute that the simultaneous prosecution of the work at the different stations is expedient, but I remind you that the Act 33 Vict. No. 21, contemplates the control of the Executive over the progressive outlay of the funds provided under that Act; and before entertaining a recommendation from the Commissioners to sanction an expenditure of £5600 additional to the £4400 previously sanctioned, I think that the Government may fairly demand of us to know in what manner the latter sum has been expended. I submit that all purchases of material for the stations should on the first Board day after delivery of such material be reported, with the price and the names of the firms from which such purchases may have been made, so that transactions may be supervised promptly. I cannot suppose that Mr. Conway or any one else would object to such an arrangement, and at any rate it is at variance with any practice that I am aware of to entrust so large a discretion to an officer as the outlay of £10,000 without his proceedings in the discharge of such trust being so much as reported from time to time, at short intervals, in detail. When the Commissioners recommended, in order to give effect to the arrangements for the erection of stations authorised by the Executive, that the Company should have leave to expend £4400, one of the motives which actuated them in naming only the proportion of the sum of £10,000 and not the whole sum was a feeling of hesitation in regard to the arrangements referred to. It was questionable how they would work, and therefore only a limited experiment with them was deemed advisable.

In these circumstances I cannot at present unite with Mr. Bartley in recommending that Mr. Conway's application be acceded to by the Governor in Council; but I trust that arrangements, the spirit of which I have indicated in this letter, may be made, enabling me to do so without inconvenient delay.

Mr. Kemp, I am informed, is out of town, and I have not had any opportunity of consulting him on your letter of yesterday, but I send this at once to save time.

I have, &c.,
(Signed) F. M. INNES.

I BEG to endorse all that is herein stated.

(Signed) SAML. V. KEMP.
13. 5. 70.

463.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 21st May, 1870.

SUBMITTED,

THAT the sum of Five thousand six hundred Pounds (£5600), being the balance of the sum of Ten thousand Pounds (£10,000) estimated as the cost of the requisite station accommodation on the Launceston and Western Railway, as applied for by the Directors and recommended by the Commissioners, be authorised, upon the condition that the Professional Commissioner shall have the power to veto any proposed outlay which would have the effect of causing an excess over the sum of Ten thousand Pounds to be expended on stations, until the pleasure of the Governor in Council has been taken thereon.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
23. 5. 70.

The Hon. the Colonial Secretary.

464.

Colonial Secretary's Office, 23rd May, 1870.

SIR,

IN reply to your letter of the 6th instant, just received, requesting permission to expend the further sum of £5600, being the balance of £10,000, the contemplated expenditure on the construction of stations, I have the honor to acquaint you that I have received at the same time with your letter copies of correspondence between yourself and the Commissioners on this question, and subject to the arrangements adopted by your Board at its last meeting, and to the further condition which I shall state, the Governor in Council has approved of your request. The further condition is, that the Professional Commissioner shall have power to veto any proposed outlay which would have the effect of exceeding the £10,000 for stations until the pleasure of the Governor in Council has been taken thereon.

I have, &c.,
(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

465.

Railway Commissioners' Office, Launceston, 23rd May, 1870.

SIR,

MR. Bartley has just shown me Mr. Innes's minute upon my letter to you of the 18th instant, and I respectfully venture to hope that the Government will pause before operating upon the views tendered in such minute by my co-Commissioners.

It is true that I am appointed upon the Committee with whom it is proposed to entrust the expenditure of £10,000 for stations, but you must bear in mind that I stand as one to two whenever the interests of the Company are under review before such Committee; and in the event of their deciding any question against me involving the honor of my professional reputation I should deem it incumbent upon me to decline to act any further upon such Committee; and in that case I respectfully submit that there would be no check against extravagant expenditure without the condition suggested in my letter of the 18th instant: whereas if the Committee knew that the consent of the majority of the Commissioners was necessary to their supplies, it would have a wholesome check upon their proceedings.

I have, &c.,
(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

466.

Colonial Secretary's Office, 27th May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd instant, expressing your hope that the Government would pause before sanctioning any action upon the views of your co-Commissioners respecting the expenditure of the balance of the £10,000 for station buildings.

In reply to the objections you raise, I desire to point out that the condition attached to the approval of the Governor in Council assures to you sufficient power to secure the interests of the public as regards the expenditure of the amount authorised; and, placing entire confidence in your discriminating use of the power of veto, I trust the execution of the necessary Works may proceed in a manner equally satisfactory to the Directors and the Commissioners.

The wording of the approval of the Governor in Council is as follows:—"That the professional Commissioner shall have power to veto any proposed outlay which would have the effect of exceeding the £10,000 for stations until the pleasure of the Governor in Council has been taken thereon."

I have, &c.,

(Signed) J. M. WILSON.

S. V. KEMP, Esq., *Launceston.*

467.

*Launceston and Western Railway Company, Limited,
Launceston, 27th May, 1870.*

SIR,

In answering your letter of the 23rd, by direction of the Board after their meeting yesterday, with a desire that no time should be lost in this important matter, I failed to notice that my letter of the 6th instant is acknowledged to have been received only on the 23rd instant, the day of your writing.

I am desirous it should be understood that the letter referred to was forwarded on the evening of its date to care of the Commissioners.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

468.

*Launceston and Western Railway Company, Limited,
Launceston, 26th May, 1870.*

SIR,

I HAVE the honor to acknowledge your letter of 23rd instant, which I submitted to the Directors to-day.

2. I am instructed to convey to you the expression of their regret that His Excellency the Governor should have been advised to attach a condition to his concurrence for station expenditure, asked with the concurrence of the Commissioners, which the Directors in the interest of the Railway District and of the Company cannot accept.

3. That condition would necessarily create a conflict of professional opinions, which would render impossible the prompt and successful prosecution of the work.

4. The Directors fail to recognise any provision of the law which can give any prominence to any single member of the Commission; but, on the contrary, it leaves to any two Commissioners the final decision of all questions referred to them.

5. Under the circumstances, and with the purpose of opening the line for traffic as early as possible, no alternative was open to the Directors but to construct the stations by day labour. In this two of the Commissioners acquiesced. The arrangements for carrying out this decision have been fenced by precautions in which Directors and Commissioners were agreed. The Engineers, without fee or reward, expressed their willingness to superintend the purchase of materials and the labour employed; and with the full approval of the Directors and Commissioners they engaged the services of an active and intelligent agent, Mr. Harry Conway, at a very moderate fee. Our most experienced builders have expressed their conviction that these arrangements will result most satisfactorily.

6. The Government having been made aware of these facts, the Directors conclude that the correspondence to which your letter refers must have comprised some communications of which the Directors have no knowledge; there being nothing in the correspondence to which they have been parties that would warrant the advice tendered to His Excellency.

7. I am instructed to forward copy of letter from the Engineers—to whom your communication has been referred—and to express the hope of the Directors that His Excellency the Governor may be moved to reconsider the decision your letter conveys; and that he may be further advised, in justice to all parties concerned, that confidence may be reposed in the integrity and public spirit of the Directors and Commissioners who have concurred with them on the question, as well as in the rectitude of the Officers of the Company, that if the necessary funds are allotted to them the measures contemplated, and the arrangements made, will be carried out with fidelity in the best interests of the Company.

8. I am instructed to point out, in conclusion, that the application of the Directors, although put as a request for the concurrence of the Government in expenditure, should be read as an application under the 7th clause of Railway Act, No. 5, which enacts that no "new work involving any increase of expense shall be entered upon or undertaken without first obtaining the consent of the Governor in Council thereto," that the law evidently contemplates leaving in the hands of the Commissioners and Directors the due appropriation of the moneys voted under this Act for the completion of the Railway and Works; and that the actual legal effect of the present decision of the Governor in Council seems to the Directors to be that his consent is not given to the works contemplated.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED for the observations of the Commissioners.

B. TRAVERS SOLLY.

27th May, 1870.

The Hon. F. M. INNES.

(Copy.)

25th May, 1870.

DEAR SIR,

IN reference to the letter from the Honorable Colonial Secretary to yourself dated the 23rd instant, proposing to sanction the expenditure required for the completion of the station buildings, on condition that a power of veto be given to the "professional" Commissioner, we beg to say that we regret to observe the indication of an intention to disturb the arrangements under which the station works of this Railway are now in course of construction.

It will be in your recollection that the Company having lost several months in a fruitless endeavour to obtain tenders for letting the work by Contract (either in large or small portions) it was decided—we believe with the approbation of two of the Commissioners—to adopt the arrangement under which the work is now being done; and you are aware that in agreeing, at the request of the Board, to take upon ourselves the active charge and direction of the work we incurred an amount of extra labour and responsibility for which we are not in any way compensated. Under these exceptional circumstances we were assured of the co-operation of the Directors and Commissioners, and we think we had a right to suppose that every facility would be afforded us.

We feel compelled respectfully to decline, however, to act in any way whatever subject to the veto of the "professional" Commissioner; and, therefore, if the condition proposed by the Colonial Secretary be accepted by the Board, we shall retire from the active direction of the work and confine ourselves to our own duties according to our agreement with the Company. In that case it will be necessary for the Board to make other arrangements for prosecuting the work with as little delay as possible; in the meantime we shall continue our present course until we receive further instructions.

We are, &c.,

(Signed)

DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

469.

BY ELECTRIC TELEGRAPH.

Launceston, 28th May, 1870.

MR. Dowling's letter to you of the 26th instant, asking your reconsideration of authority for stations, was adopted as follows—Ayes: Crookes, Button, Green. Noes: Webster, Scott, Kemp. The Chairman gave his casting vote with the ayes.

(Signed) S. V. KEMP.

The Hon. the Colonial Secretary.

95

470.

By ELECTRIC TELEGRAPH.

Launceston, 28th May, 1870.

MR. Dowling has written a letter which appears in this morning's *Examiner* censuring the Government and Professional Commissioner in the matter of authority for stations. May I request your permission to publish in the newspapers copies of my letters to you upon the subject of the 18th and 23rd instant? Should you desire it, Mr. Dowling's letter can be transmitted to you by telegraph.

(Signed) S. V. KEMP

The Hon. the Colonial Secretary.

471.

Colonial Secretary's Office, 30th May, 1870.

SIR,

IN reply to your telegram of the 28th instant requesting permission to publish in the newspapers copies of your letters to me of the 18th and 23rd instant upon the subject of the authority for the expenditure required for the erection of stations, I beg to intimate to you the strong objection I at all times entertain to appeals to the public through the press on questions which await the consideration of the Executive, and which it is its province to decide, and I therefore regret my inability to comply with your request.

I have, &c.,

(Signed) JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

472.

Colonial Secretary's Office, 30th May, 1870.

SIR,

IN reply to your letter of the 26th instant I have to regret that the arrangement sanctioned by the Governor in Council for the erection of station buildings has been misunderstood.

By that arrangement no distinction is intended between the position and power of one Commissioner and those of the other two, which I am fully aware are made equal in every respect by law. But having learned that the Board had delegated to a sub-Committee of three of its members the regulation of outlay on stations, &c. (subject to approval by the Governor in Council), and that Mr. Kemp was one of these, my desire was that these gentlemen and the Directory generally should understand that the first condition of assent to that arrangement was that the outlay should not exceed ten thousand pounds; and, secondly, that it would in particular be Mr. Kemp's duty to keep it within that amount. A vexatious vetoing of details, or any interference with the plans of the professional advisers of the Company by Mr. Kemp, was not contemplated as possible, and I am persuaded would not arise. Certainly it would not be countenanced.

With a view, however, to the removal of misapprehensions and the prevention of inconvenience, I beg to intimate that in the event of any difference arising between Mr. Kemp and the other gentlemen forming the sub-Committee in question, the decision of the other Commissioners will be recognised by the Executive as conclusive. In such case Mr. Kemp will be requested to furnish to them in writing his objections in the same manner as he now does upon any items in the Monthly Accounts of the Contractors for the Line, and no delay would occur.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

473.

Colonial Secretary's Office, 1st June, 1870.

GENTLEMEN,

I HAVE the honor, by direction of the Colonial Secretary, to forward for your information the accompanying copy of a communication which has been addressed to the Secretary of the Launceston and Western Railway Company.

I have, &c.,

(Signed) B. T. SOLLY.

The Commissioners, Launceston and Western Railway,
Launceston.

Railway Commissioners' Office, Launceston, 1st June, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th ultimo, wherein you state that you regret your inability to comply with the request contained in my telegraphic communication to you of the 28th ultimo, asking permission to publish in the newspapers copies of my letters to you of the 18th and 23rd ultimo, upon the subject of authority for the further expenditure required for station purposes.

While acknowledging the correctness of your ruling, I take the opportunity of stating why I made such request. Unexpectedly, and as it seems to me contrary to all precedent, the Secretary of the Launceston and Western Railway has had the audacity to publish a letter, in the *Launceston Examiner* of Saturday last and in the *Cornwall Chronicle* of Monday last, charging me with obstructing the general progress of works on the line; and that if certain letters which I had forwarded to you were published it would set the matter at rest, and prove the assertions contained in his letter.

I pass over the first statement: the already published correspondence and the Reports of both Houses of Parliament determine this point; but I desire to draw your attention to the last,—the communications in regard to stations. On the 18th ultimo I addressed a letter to you relative to the authority for a further expenditure required for station purposes. This letter was referred to Mr. Innes, who, after having minuted it, forwarded it to Mr. Bartley for his concurrence or otherwise to such minute. While the letter was in the latter gentleman's possession he called upon the Secretary of the Railway (Mr. Dowling), showed and read the contents of such letter to him. Of this there can be no doubt. The Secretary acknowledged before the Directory on Thursday, the 26th ultimo, that he had read the letter, but not officially; and Mr. Bartley admitted the day after that he had either shown or read the contents of that very letter to the Secretary, who has the audacity to say in his communication to the *Examiner*, two days after, that, "Mr. Kemp denies that his letter gave encouragement to the condition sought to be imposed: *I may be* therefore mistaken, but he can set the matter at rest by publishing the letter which he admits having written, but which, like some other communications to the Government, has not been seen by the Directors."

I respectfully submit that my co-Commissioner, Mr. Bartley, showed a great want of prudence in committing, to say the least of it, such an act of indiscretion in reading or showing to the Secretary of the Railway a document which was under consideration of the Government. The intention might be good, but as it has turned out advantage has been taken of it to turn it to a purpose neither meant by the writer, the Government, nor Mr. Bartley himself.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

Railway Commissioners' Office, Launceston, 23rd June, 1870.

SIR,

I CONSIDER it my duty to make known to you the unsatisfactory manner in which the amount authorised for Stations, viz. £10,000, is being operated upon. On the 17th ultimo the Directory passed a Resolution that all expenses for Stations, before being incurred, should be referred to a Committee of three, consisting of Mr. Button, Mr. Tyson, and myself, for their approval. The Engineers state in their Progress Report that the Stations are progressing satisfactorily. This may be true as far as they are concerned; but I have to inform you that the Committee have not yet been called together since their appointment, and no sanction for expenditure has, to my knowledge, been submitted to them for their approval. Consignments of materials for Stations are arriving by every steamer and vessel from Melbourne. A number of men are constantly employed upon the Station Works at day wages, for the payment of which several cheques have been signed. I have repeatedly asked the Secretary of the Railway Company to furnish me with a statement showing how the money is being spent; and, on the last occasion, he informed me that Mr. Major was preparing the information, but he did not intend to present it until Mr. Innes came over from Hobart Town.

Last week I was called upon to sign a cheque for £49 odd for timber procured from Melbourne for station purposes, when I desired to be informed before signing such cheque how the money had been spent and distributed to the different Stations. No such explanation was offered; but, on the contrary, I learned that the said cheque had been forwarded on to Mr. Innes in Hobart Town for his signature. I immediately put myself in telegraphic communication with Mr. Innes, before he had received such cheque, cautioning him not to sign until the information asked for by me had been furnished: notwithstanding this, Mr. Innes signed the cheque, and the payment has been made.

I am fully aware that, in carrying out these Station Works, under the agreement sanctioned by the Government, several small sums must of necessity be floating for a time before their proper distribution can be determined upon; but in this particular account there was no difficulty about it,—having been informed by Mr. Willett, one of the Engineers, that he would look up and furnish the necessary information which I required, but the cheque having been signed by my co-Commissioners, I imagine he is under the impression that there is no necessity now for such information.

I am fully alive to the fact that the act of any two Commissioners makes all payments legal; but, while the Government refer to me upon all questions of a professional character, you must see the invidious position in which I am placed by my representations on questions appertaining to the construction of the Line and Works being over-ridden by that interpretation of the law, that by the act of any two Commissioners it shall be the act of *the* Commissioners.

I merely call your attention to these matters in order that I may be absolved from the acts of my co-Commissioners, and from any responsibility, should any circumstance arise whereby a deficiency has to be made up for the final completion of the Works, caused by the acts of my Co-Commissioners in assenting to amounts which may bring about such a result.

As the Works of the Line are advancing towards completion, items crop up from time to time for which no provision has been made in any of the estimates furnished by the Secretary of the Company, and upon which a further sum of £100,000 was voted for the final completion of the Line; and, unless great caution be observed, I fear the amount sanctioned will fall short of the object for which it was voted.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

REFERRED for the observations of Messrs. Innes and Bartley.

For the Colonial Secretary (absent)

J. A. DUNN,
24 June, 1870.

476.

Office of the Commissioners of the Launceston and Western Railway, Launceston, 29th June, 1870.

SIR,

I HAVE the honor to acknowledge your Memo. of the 24th instant, referring Mr. Kemp's letter to you of the 23rd for Mr. Bartley's and my observations.

Mr. Kemp complains that whereas the Committee on Stations was appointed on the 17th May, it had never been called together up to the date of his letter, 23rd June,—that is, during a period of thirty-seven (37) days. I must correct this representation, and remind you that although the Station Committee was nominated on the 17th May, owing to Mr. Kemp's remonstrances addressed to you, the Executive imposed conditions upon the Committee to which neither the Directory nor the Engineers (the services of the latter in regard to the construction of Stations being quite gratuitous) would submit, and thus a delay ensued, which was not terminated till the 13th June; prior to which date the Committee did not, because it could not, enter on its functions. Between the 13th and the 23rd June there are only ten days, and it was not in Mr. Kemp's power in any case to have complained of a delay exceeding that period.

The question however arises,—with whom does the responsibility of a Committee, especially one consisting of so few as three Members and these having daily access to each other, meeting or not meeting rest? Ordinarily the Members arrange the time and mode of proceeding among themselves, according to the exigencies of the service they have undertaken and their mutual personal convenience. I am warranted in saying, that before complaining to you that the Committee had never met, Mr. Kemp did not propose a Meeting to either of his associates; although it might not unfairly have been expected, if a meeting were necessary, that *he* should take the initiative, considering that he is the only paid or professional Member of the Committee in question. But no blame attaches to any one because the Committee did not assemble. Before they could do so to any purpose, the Engineers required time to prepare details for approval.

Mr. Kemp alleges the Company's Secretary to have informed him that Mr. Major kept back information until I came over from Hobart Town. I have not referred this representation to Mr. Dowling lest I should provoke profitless contradictions between Mr. Kemp and him. The fact however is, Mr. Major did not supply the information required of him till Saturday last, and I have been here from Monday morning; moreover, I have never seen it; it was handed without delay to the Station Committee. Why I should have been introduced as a possible cause of delay

I do not know ; but I do know that when I reached this, Mr. Kemp informed me that my presence was not then necessary ; and you, Sir, are aware that before coming here I was incessantly in communication with you and the Colonial Treasurer on affairs of the Launceston and Western Railway, which could be better settled in that way than by correspondence.

It is not disputed that materials have been bought, labour hired, &c., for the erection of stations without control of the Committee. But to make complaint on that head, suppressing the facts of the case, is misleading. It was the Executive, acting independently of the Commissioners, that decided on the erection of Stations proceeding by job-work when the prospect of contracts failed ; and the sum of £4400 was placed at the disposal of the Directory for the purpose on the 14th April. Subsequently—on the 6th May—the Commissioners were asked to recommend the Governor in Council to authorise a further outlay of £5600. To this they demurred, unless conditionally. The condition was proposed by myself at the Board, that instead of the general and inadequate supervision of the Board there should be established the control of a Committee of three then nominated. The proposal was acceded to. But of course expenditure had taken place before this Committee was nominated, in respect to which the interference of the Committee could not apply, for the very obvious reason that the Committee did not exist at the time. The Board at that time had the control. Of course the accounts are open to the inspection of any Director or Commissioner, and must pass through the ordeal of the Audit Office. Cheques have been signed for them by Mr. Kemp himself as well as by either Mr. Bartley or myself.

Mr. Kemp complains of my having disregarded his remonstrances and signed a cheque for £49 odd, before certain information had been supplied to him. I was simultaneously put in possession both of his remonstrance and of the conclusive answer thereto. The £49 represented outlay on material, &c. for doors, to be distributed at different stations as occasion should point out. Mr. Kemp demanded to know the precise distribution from the first. In vain did the Engineers, without demur or reluctance, promise to give it when ascertained, but urge that, precisely they could not. I felt it to be my duty to sign the cheque,—that it would be vexatious and probably mischievous were I to withhold my signature. I have since ascertained from the Company's Accountant that it falls within his arrangements to show, as nearly as may be, the distribution of outlay on the several stations ; that this has been all along contemplated, and provided for, by him ; but this Officer, an intelligent, experienced Railway Accountant, says it would be impossible for him to satisfy Mr. Kemp's demand at the present stage of operations.

Mr. Kemp's last complaint substantially is, that his fellow Commissioners are not bound to succumb to him. The correspondence of your Office, published and unpublished, will attest how far I have gone to support Mr. Kemp's views when I deemed them correct, and you can form a judgment on that point also from the constant personal communications between us on the Launceston and Western Railway Company's affairs. But I must resist Mr. Kemp's attempts to bring every question—questions of ordinary business—within the category of "professional" questions ; and coupled as these attempts are with renewed demands that the Commissioners (in that case himself) should have the power of vetoing acts of the Directors, even in very frivolous instances, I perceive occasion for serious apprehension to the Government. If the Directory is reduced to a nullity it will be at the same time liberated from responsibility ; and the Government must reconcile itself to the odium attendant on failure,—should the Railway prove a failure,—and bear the aggravated difficulty of putting the guarantee Clause of the Railway Act into effect, where room has been given to the ratepayers with any plausibility to contend that Government mismanagement was answerable for financial unsuccess. Conciliation and forbearance may avert these results. I differ from Mr. Kemp because I think his course is calculated to precipitate the Railway into the hands of the Executive. That event may come ; it ought not to be invited.

In expressing his apprehension of excess in the outlay of the Company, Mr. Kemp knows that he has touched a chord on which the Government is sensitive. But I am persuaded that in alarming your fears Mr. Kemp will not induce you to suspect that his Colleagues are less alive than he is to the necessity of restraining expenditure within the sum available. The risk of exceeding the amount estimated for stations, on the plan of construction approved by the Executive I do not disguise, but I claim the credit of having suggested, and obtained acceptance of, the likeliest means of preventing it.

I have, &c.,
(Signed) F. M. INNES.

The Hon. the Colonial Secretary, Hobart Town.

I HAVE the honor unreservedly to express my entire concurrence in the statement of facts made, the opinions expressed, and the conclusions arrived at by Mr. Innes, as set forth in the foregoing letter ; and I would especially call the attention of the Government to the fact that the Engineers, in pursuance of their undertaking to the Directors, are, without any charge, personally directing and carrying out the erection of the stations throughout the line, and that any interference with details, as contemplated by Mr. Kemp, is looked upon by them not only as obstructive and vexatious, but as evincing an utter want of confidence in either their ability or integrity, or in both,

and if persisted in will, as they have plainly stated to the Directors; compel them to throw up the undertaking referred to,—a result which will certainly retard the opening of the line, and will in every way be most injurious to every interest involved in the early completion of the railway and works.

THEODORE BARTLEY.

29. 6. 70.

VARIOUS ITEMS OF EXPENDITURE SPECIFIED IN No. 500.—Nos. 477 to 500.

477.

*Launceston and Western Railway Company, Limited,
Launceston, 3rd February, 1870.*

SIR,

I HAVE the honor to ask the approval of the Governor in Council to the expenditure of (say) £100 (One hundred Pounds) for painting 41 Goods Trucks.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED for the perusal and observations of the Commissioners of the Launceston and Western Railway.

B. TRAVERS SOLLY.

4 Feb. 1870.

WE beg to advise that authority be given for the expenditure herein asked for.

SAML. V. KEMP.

F. M. INNES.

7. 2. 70.

THE Governor approves.

J. M. WILSON.

9 Feb. 1870.

478.

Colonial Secretary's Office, 9th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communication of the 3rd instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of £100 for painting 41 Goods Trucks, and that His Excellency the Governor will be advised to confirm such approval at the next Meeting of the Executive.

I have, &c.,

(Signed)

J. M. WILSON.

The Secretary Launceston and Western Railway Company.

479.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 10th November, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the expenditure of One hundred Pounds for the painting of 41 Goods Trucks be authorised.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

7. 3. 70.

The Hon. the Colonial Secretary.

100

480.

*Launceston and Western Railway Company, Limited,
Launceston, 7th February, 1870.*

SIR,

I HAVE to request the authority of the Governor in Council to an expenditure of forty-five pounds fifteen shillings (£45 15s.) for cartage of 41 Trucks and 4 Brake Vans from wharf to station ground.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be given for the expenditure of £45 15s. for the purposes herein described.

SAML. V. KEMP.

FRED. M. INNES.

8. 2. 70.

APPROVED.

J. M. WILSON.
10 Feb. 1870.

481.

Colonial Secretary's Office, 11th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 7th instant, and to acquaint you that I acquiesce in the expenditure of the sum of forty-five pounds fifteen shillings for cartage of 41 trucks and 4 brake vans from wharf to station ground, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed) JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company, Launceston.

482.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 25th February, 1870.

SUBMITTED,

THAT the expenditure of the sum of forty-five pounds fifteen shillings (£45 15s.) be authorised for the cartage of 41 trucks and 4 brake vans from the wharf at Launceston to the station ground on account of the Launceston and Western Railway Company, upon the application of the Directors, recommended by the Commissioners.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
7. 3. 70.

The Hon. the Colonial Secretary.

483.

*Launceston and Western Railway Company, Limited,
Launceston, 10th February, 1870.*

SIR,

I HAVE the honor to request the sanction of the Government to the expenditure of £437 10s. (four hundred and thirty-seven pounds ten shillings) for cartage of bridge work to Longford calculated at 700 tons at 12s. 6d. per ton.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Honorable the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be given for the expenditure of £437 10s. for the cartage of the bridge work to Longford; and in doing so, we beg to take exception to the course adopted in this case of executing the work and then asking for the authority.

SAML. V. KEMP.
F. M. INNES.
11. 2. 70.

APPROVED.

JAMES MILNE WILSON.
14th February, 1870.

484.

Colonial Secretary's Office, 14th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 10th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of £437 10s. for cartage of Bridge-work to Longford, and that His Excellency the Governor will be advised to confirm such approval at the next Meeting of the Executive.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company.

485.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 14th February, 1870.

SUBMITTED,

THAT, upon the application of the Directors, and the recommendation of the Commissioners, the expenditure of the sum of four hundred and thirty-seven pounds ten shillings be authorised for the cartage of Bridge material from Launceston to Longford for the Launceston and Western Railway.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
7. 3. 70.

The Hon. the Colonial Secretary.

486.

*Launceston and Western Railway Company, Limited,
Launceston, 7th February, 1870.*

SIR,

I HAVE to request the authority of the Governor in Council to an expenditure of £143 10s. (one hundred and forty-three pounds ten shillings) for the erection of 41 Goods Trucks, and (say) to a further sum not exceeding £20 (Twenty Pounds) for some repairs which may be found necessary during erection, but not included in erection,—say, in all, not exceeding £163 10s.,—in addition to the sum asked for painting, on the 3rd inst.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

Annexed is copy of Contract by Mr. Knight.

WE beg to recommend that authority be given for the expenditure of £163 10s. for the purposes herein named.

SAML. V. KEMP.
F. M. INNES.
10. 2. 70.

APPROVED.

J. M. WILSON.
14th February, 1870.

(Copy.)

Wellington-street, Launceston, 4th January, 1870.

DEAR SIR,

I BEG to acknowledge receipt of your favours of the 30th ultimo and 3rd instant, accepting my Tender for the erection of the Company's Trucks, at £3 10s. each, the whole to be completed in six weeks from this date, subject to the satisfaction of Mr. Jetter, the Company's Superintendent.

I have, &c.,
(Signed) W. H. KNIGHT.

H. DOWLING, Esq., Secretary.

487.

Colonial Secretary's Office, 14th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 7th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of £143 10s. for the erection of 41 Goods Trucks, and of a further sum, not exceeding £20, for Repairs which may be found necessary, and that His Excellency the Governor will be advised to confirm such approval at the next Meeting of the Executive.

I have, &c.,
(Signed) JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company.

488.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 14th February, 1870.

SUBMITTED,

THAT, upon the application of the Directors, and with the recommendation of the Commissioners of the Launceston and Western Railway, the expenditure of the sum of £163 10s. be authorised for the erection of, and any incidental repairs that may be found necessary to, Forty-one Goods Trucks.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
7. 3. 70.

The Hon. the Colonial Secretary.

489.

*Launceston and Western Railway Company, Limited,
Launceston, 10th February, 1870.*

SIR,

I HAVE the honor to request the authority of the Governor for the expenditure of the sum of £217 2s. 6d. (two hundred and seventeen pounds two shillings and sixpence) for an occupation bridge at 8 miles 66 chains,—Dr. Ozanne's farm.

I have, &c.,
(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be given for the expenditure of £217 2s. 6d. for the construction of an Occupation Bridge at 8 m. 66 chs.; and in doing so we beg to take exception to the course adopted in this case, of executing the work first and then asking for the authority.

SAML. V. KEMP.
F. M. INNES.
11. 2. 70.

APPROVED.

J. M. WILSON.
14 Feb. 1870.

103

490.

Colonial Secretary's Office, 14th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 10th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of £217 2s. 6d. for an occupation bridge at 8 miles 66 chains, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company.

491.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 14th February, 1870.

SUBMITTED,

THAT, upon the application of the Directors and the recommendation of the Commissioners of the Launceston and Western Railway, the expenditure of the sum of £217 2s. 6d. be authorised for erection of an occupation bridge on the line at 8 miles 66 chains from Launceston,—Dr. Ozanne's farm,

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

7. 3. 70.

The Hon. the Colonial Secretary.

492.

Colonial Secretary's Office, 15th February, 1870.

SIR,

WITH reference to my letters of yesterday's date conveying the approval of the Government for the expenditure of the sum of £217 2s. 6d. for an occupation bridge and £437 10s. for the cartage of the bridge work to Longford, I desire to intimate to you the exception taken by the Commissioners,—and in which I entirely concur,—to the course adopted in these instances; namely, of executing the work first and then asking for the authority; and on the part of the Government I must distinctly decline any responsibility on account of the cost of works undertaken and completed without the sanction of the Government previously obtained.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

The Secretary Launceston and Western Railway Company.

493.

*Launceston and Western Railway Company, Limited,
Launceston, 18th February, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 15th instant, having reference to your approval of the expenditure of £217 2s. 6d. and £437 10s. received by me the previous day;

You state that exception has been taken by the Commissioners to the course adopted in these instances of executing the work first, and then asking for the authority, and that you entirely concur in this conduct of the Commissioners; and I have the honor to state in reply—

1. That whilst it is true that both these works have been ordered, they are not executed; and the cause your letter implies.

2. That the Commissioners fully concurred at the Board of Directors in both these contracts being entered upon; particularly the carriage of ironwork from the wharf to Longford, which was imperative from circumstances well known to the Commissioners, who were all present at the Board meetings when the expenditure was authorised for this work. Two of them were also present when the contract for Ozanne's over-bridge was accepted.

3. I would, therefore, respectfully ask, for the information of the Directors, whether you may not have misunderstood the "exception" taken by the Commissioners; for the Directors must be at a loss to understand how, after the active part taken by the Commissioners in their places as Directors, and the making the contracts and immediate prosecution of the works, they can have taken the exception now reported.

4. I beg to call your attention to the fact that the cartage of the ironwork was estimated in the application to Parliament at £1000, and that under these circumstances the Directors were justified in taking the responsibility of entering into engagements for the smaller total sum of £437 10s., and in expecting a liberal construction of their proceedings on the part of the Government.

5. The Commissioners are fully aware that had the Directors have failed to have made prompt settlement of both these matters, they would have deservedly incurred public censure. In the one case the ship was landing the iron on the wharves, and the Company had been served with notice of penalties by the Marine Board authorities; and in the other case—the accommodation works at Ozanne's Farm—the Company was threatened with legal proceedings in event of further delay. Under such circumstances I am confident I express the opinion of the Directors when I assert that they have deserved at your hands in respect to both these items of expenditure the fullest confidence and respect.

On writing thus far, I have ascertained that the works at Ozanne's Bridge were commenced this morning only.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED for the observations of the Commissioners, with copy for their perusal of the letter of the Colonial Secretary, to which this is a reply.

B. TRAVERS SOLLY,
19th February, 1870.

MEMO.

ALTHOUGH the Commissioners in their capacity of Directors did not oppose the ordering of the cartage of the ironwork of the Longford Viaduct and the erection of the accommodation bridge at Dr. Ozanne's Farm,—under the urgent circumstances then existing—the Directors were not thereby relieved from the necessity of applying to the Governor in Council for his sanction to the expenditure required for such works, as prescribed by the Act; which, in the opinion of the Commissioners, should have been applied for immediately upon such orders being passed by the Directory on the 7th and 28th of December last respectively.

SAML. V. KEMP.

THEODORE BARTLEY.

FRED. M. INNES.

*Railway Commissioners' Office, Launceston,
21st February, 1870.*

MEMO.—I consider that the Commissioners in their capacity as Directors were approving and concurring parties to the ordering by the Directory of the works referred to.

THEODORE BARTLEY.
21. 2. 70.

BOTH expenditures in question were imperative, and I fully accept the responsibility of assenting to them. But notwithstanding this, I felt, and still feel, that it was my duty to guard against a general practice being allowed to grow up of expenditures being referred for Executive approval after, instead of before, their being contracted for. Urgent and at the same time trivial cases do arise in which great inconvenience might ensue from waiting for approval, but the number of these can be reduced by reasonable foresight,—just as it is possible to make every case urgent by discarding foresight.

F. M. INNES.
22. 2. 70.

494.

*Launceston and Western Railway Company, Limited,
Launceston, 21st February, 1870.*

SIR,

I HAVE to request the authority of the Government for the expenditure of the sum of £25 10s. (twenty-five pounds ten shillings) for procuring copies of station plans, and the sum of £3 (three pounds) for procuring copies of specifications of same, for intending Contractors, so as to exhibit in Hobart Town and Melbourne as well as Launceston.

It is hoped that a portion of this expenditure may, eventually, be reimbursed by successful tenderers.

I have, &c.,
(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners for their report.

B. TRAVERS SOLLY.
22nd February, 1870.

RECOMMENDED for approval.

F. M. INNES.
SAML. V. KEMP.
24. 2. 70.

APPROVED.

J. M. WILSON.
25th February, 1870.

495.

Colonial Secretary's Office, 25th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 21st instant ; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of twenty-five pounds ten shillings for procuring copies of station plans, and of a further sum of three pounds for procuring copies of specifications of same for intending Contractors, so as to exhibit in Hobart Town and Melbourne as well as Launceston, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed) J. M. WILSON.

The Secretary Launceston and Western Railway Company.

496.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 25th February, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and upon the recommendation of the Commissioners, the expenditure of the sum of twenty-five pounds ten shillings (£25 10s.) be authorised for procuring copies of Station Plans, and the sum of three pounds (£3) for procuring copies of Specifications of same for intending contractors so as to exhibit in Hobart Town and Melbourne as well as Launceston.

J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
7. 3. 70.

The Hon. the Colonial Secretary.

497.

*Launceston and Western Railway Company, Limited,
Launceston, 21st February, 1870.*

SIR,

I HAVE to request the authority of the Government to an expenditure of the sum of £11 16s. 6d. (eleven pounds sixteen shillings and sixpence) for wages of men employed in the erection of Brake Vans and Carriages, for a period of days ending 19th February, 1870, and the sum of £19 18s. (nineteen pounds eighteen shillings) for wages of same men for fortnight ending the 5th March next.

I have, &c.,
(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners for their Report.

B. TRAVERS SOLLY.
22nd February, 1870.

RECOMMENDED for approval.

F. M. INNES.

APPROVED.

J. M. WILSON.
25 Feb. 1870.

IN recommending this for approval, I beg to take exception to the erection of the Carriages and Brake Vans by day labour: I consider that tenders ought to have been invited for such work, and I expressed my dissent when the Directory decided on the 8th instant to employ day labour, which I look upon as the creation of a mechanical staff.

I deem it my duty to inform the Government that the amount now asked for will not be sufficient to complete the erection of the Carriages and Vans at present to hand.

(Signed) SAML. V. KEMP.
24. 2. 70.

498.

(Copy.)

Colonial Secretary's Office, 25th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 21st instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of £11 16s. 6d. (eleven pounds sixteen shillings and sixpence) for wages of men employed in the erection of Brake Vans and Carriages, for a period of days ending 19th February instant; also of the sum of £19 18s. (nineteen pounds eighteen shillings) for wages of same men for the fortnight ending the 5th March proximo, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed) J. M. WILSON.

The Secretary Launceston and Western
Railway Company.

499.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 25th February, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and upon the recommendation of the Commissioners, the sum of eleven pounds sixteen shillings and sixpence (£11 16s. 6d.) be authorised to defray the cost of wages of men employed in the erection of break vans and carriages for a period of days ending the 19th February, 1870, and the sum of nineteen pounds eighteen shillings (£19 18s.) for wages of the same men for the fortnight ending the 5th March proximo.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
7. 3. 70.

The Hon. the Colonial Secretary.

500.

Colonial Secretary's Office, 14th March, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the following sums for the purposes of the Launceston and Western Railway, viz.:

£100 for the painting of 41 goods trucks.

£45 15s. for the cartage of 41 trucks and 4 brake vans from the wharf at Launceston to the station ground.

£437 10s. for the cartage of bridge material from Launceston to Longford.

£163 10s. for the erection of, and any incidental repairs that may be found necessary to, 41 goods trucks.

£217 2s. 6d. for the erection of an occupation bridge on the Line at 8 miles 66 chains from Launceston.

* £120 for the supply of the required sets of points and crossings.

£25 10s. for procuring copies of station places, and £3 for procuring copies of specifications of same for intending contractors, so as to exhibit in Hobart Town and Melbourne as well as Launceston.

£11 16s. 6d. to defray the cost of wages of men employed in the erection of brake vans and carriages for a period of days ending the 19th February, 1870, and £19 18s. for wages of the same men for the fortnight ending the 5th March instant.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, Esq., Secretary.

* Correspondence relating to this expenditure with other papers on this subject.

PURCHASE OF TICKET-DATING PRESSES. Nos. 501 to 504.

501.

*Launceston and Western Railway Company, Limited,
Launceston, 25th January, 1870.*

SIR,

I AM instructed to apply to you to obtain the consent of the Governor in Council to an expenditure of £40 for ticket-dating presses, the order for which should, if sanctioned, be sent to England by the outgoing mail on Saturday next, the 29th instant; and to facilitate the matter I therefore take the liberty of forwarding this letter through the Commissioners, in order that you may be put in possession of their views on the subject.

I have, &c.,

(Signed) R. W. LORD,
For the Secretary.

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be granted for the amount herein asked for the purchase of 6 dating machines; such authority to be given in time for the English Mail leaving on the 29th instant.

(Signed) SAMUEL V. KEMP.
FRED. M. INNES.
25.1.70.

502.

Colonial Secretary's Office, 27th January, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communication of the 25th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of £40 for ticket-dating presses, and that the approval of the Governor in Council will be communicated to you on Monday next.

I have, &c.,

(Signed) J. M. WILSON.

R. W. LORD, Esq., Launceston.

503.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 28th January, 1870.

SUBMITTED,

THAT the expenditure of the sum of forty pounds for the purchase of ticket-dating presses required for the use of the Launceston and Western Railway Company, as recommended by the Commissioners, be authorised.

(Signed) JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

1. 31. 70.

The Hon. the Colonial Secretary.

504.

Colonial Secretary's Office, 31st January, 1870.

SIR,

REFERRING to my letter of the 27th instant, I have now the honor to acquaint you that the Governor in Council has approved of the expenditure of forty pounds for ticket-dating presses, as recommended by the Commissioners of the Launceston and Western Railway.

I have, &c.,

B. T. SOLLY, *for the Colonial Secretary.**The Secretary to the Launceston and Western Railway Company.*

VARIOUS ITEMS OF EXPENDITURE.—Nos. 505 to 518.

(For those authorised see No. 518.)

505.

*Launceston and Western Railway Company, Limited,
Launceston, 29th March, 1870.*

SIR,

I BEG to ask concurrence in the expenditure of two pounds two shillings for Draftsman making tracings of waggons for submission to Contractors.

Your obedient Servant,

(Signed) H. DOWLING, *Secretary.*

REFERRED to the Commissioners.

B. TRAVERS SOLLY,
30th March, 1870.

WE beg to recommend that authority be granted for the expenditure of two pounds two shillings (£2 2s.) for the purpose explained herein.

SAML. V. KEMP.

F. M. INNES.

31. 3. 70.

APPROVED.

J. M. WILSON.
2nd April, 1870.

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506.

*Launceston and Western Railway Company, Limited,
Launceston, 29th March, 1870.*

SIR,

I HAVE to beg concurrence in the payment of 12s. 6d. (twelve shillings and sixpence) amount claimed for rates by the Launceston Corporation for Launceston Station Ground, and 18s. 6d. (eighteen shillings and sixpence) freight boring tools.

Your obedient Servant,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners.

B. TRAVERS SOLLY,
30th March, 1870.

WE beg to recommend that authority be granted for the expenditure of twelve shillings and sixpence for Municipal rates, and eighteen shillings and sixpence for freight of boring tools.

SAML. V. KEMP.
F. M. INNES.
31. 3. 70.

APPROVED.

J. M. WILSON.
2nd April, 1870.

507.

Colonial Secretary's Office, 2nd April, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communications under date 29th ultimo respectively, and to acquaint you that I acquiesce in the expenditure of the under-mentioned sums on account of the Launceston and Western Railway, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive; namely, two pounds two shillings for draftsman making tracings of waggons for submission to Contractors; twelve shillings and sixpence amount claimed for rates by the Launceston Corporation for Launceston Station Ground; eighteen shillings and sixpence freight boring tools.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

508.

*Launceston and Western Railway Company Limited,
Launceston, 30th March, 1870.*

SIR,

WITH reference to my letter of the 2nd March, asking the concurrence of the Government in certain expenditure, comprising six items, I find that the Commissioners hold all in suspense until they are in a position to report respecting each item comprised in the one application.

To remedy this most inconvenient state of things, I have the honor to enclose a letter for each item, dated as before, and to request that these may replace the sole letter of the 2nd instant, and be referred without delay to the Commissioners.

I have, &c.,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED with the accompanying six letters to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.
31st March, 1870.

WE have minuted five out of the six letters enclosed, the sixth being held over till a decision respecting stations has been finally adopted.

F. M. INNES.
SAML. V. KEMP.
2. 4. 70.

509.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following amount of expenditure :—

To cost of extra gates to farms, as settled with the owners and tenants, in the sum of £900.

I beg to say that the demands of Settlers in some instances have been so urgent, and the prospective danger of delay so serious in other cases, that with the concurrence of the Commissioners several of these gates have been ordered and completed, awaiting the settlement of the whole series.

The sum asked makes up a sum in excess of estimate : down at £1000. I beg to remark, however, that in the item of cartage to Longford the Directory save about £500 of the estimate.

I have, &c.,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.
31 March, 1870.

WE beg to inform the Government that the Directory have forwarded to the Commissioners a detailed list, showing the nature and description of the different accommodation crossings contemplated,—some of which have already been executed,—and to mention that the sum now asked for,—viz., £900,—together with the cost of the over-bridges at Mr. Clerke's and Dr. Ozanne's land, will exceed the estimate furnished by the Directory to the Government (see printed papers, Session 1869) by the sum of £306 18s. 0d.; and it is uncertain if the amount now asked for will prove sufficient: but in the meantime we recommend that authority be granted for the expenditure of £900 (nine hundred pounds) upon the understanding that we do not guarantee the sufficiency of the estimate. The sum in question is included among expenditure in the financial statement forwarded by us on the 23rd ultimo.

F. M. INNES.
SAML. V. KEMP.
2 April, 1870.

APPROVED.

J. M. WILSON.
4 April, 1870.

510.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following amount of expenditure :—

For screw couplings for rolling stock in the sum of £200.

I have, &c.,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.
31 March, 1870.

WE beg to recommend that authority be granted for the expenditure of £200 for screw couplings. This sum does not appear in any of the estimates furnished to the Government, but is necessary for the efficient working of the line.

SAML. V. KEMP.
F. M. INNES.
2. 4. 70.

APPROVED.

J. M. WILSON.
4 April, 1870.

511.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following account of expenditure:—

For making trial borings for supply of water at Launceston, Evandale Road, and Westbury, in the sum of £20.

I have, &c.,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY,
31 March, 1870.

WE beg to recommend that authority be granted for the expenditure of £20 (say twenty pounds) for the purpose herein named.

SAML. V. KEMP.
F. M. INNES.
2. 4. 70.

APPROVED.

J. M. WILSON.
4 April, 1870.

512.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following amount of expenditure:—

For necessary stores of various kinds in the sum of £600.

I have, &c.,

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY,
31 March, 1870.

WE have the honor to ask that authority be given to us to sanction an outlay on stores, not to exceed £600 (six hundred pounds), but that our consent to the details of the expenditure should be a condition of such outlay.

F. M. INNES.
SAML. V. KEMP.
2. 4. 70.

APPROVED upon the terms recommended by the Commissioners.

J. M. WILSON.
4 April, 1870.

513.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following amount of expenditure:—

For the sidings at various stations, &c. in the sum of £2400.

These sidings form part of the original estimate for stations.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.
31st March, 1870.

WE have had several communications from the Engineers and Directory on this expenditure which have failed to satisfy us respecting the sum required; but in the last of these, of date 31st ultimo, they say: "We propose completing the line to Deloraine, and *then* laying in the sidings," &c. In these circumstances no inconvenience will result from letting this matter stand over till the period indicated, when we shall be able to ascertain what quantity of rails from the stock already to hand are available, and what it may be necessary to purchase; which to the best of our belief will prove much less than the quantity contemplated by the large sum of £2400. Meantime, however, we would advise that the necessary expenditure for forming the sidings be authorised on estimate thereof being given by the Engineers.

F. M. INNES.

SAML. V. KEMP.
2. 4. 70.

THE recommendation of the Commissioners is approved.

J. M. WILSON.
4 April, 1870.

514.

*Launceston and Western Railway Company, Limited,
Launceston, March 2, 1870.*

SIR,

I HAVE the honor to ask that the Governor may be moved to concur in the following account of expenditure:—

Tools required by Superintendent of Rolling Stock to be ordered from England in the sum of £3500.

With reference to this application, the Directors have concurred in Mr. Jetter's recommendation, though the amount is somewhat larger than contemplated in the earlier estimates, as it will prove a reproductive expenditure of a portion of the £100,000 loan, upon which the Directors will have to provide interest from the 1st of July next, and I trust the Government will concur.

I have, &c.

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.
31 March, 1870.

I FOUND this among my Papers—This matter has been disposed of some time back by my co-Commissioners.

S. V. KEMP.
9. 5. 70.

515.

Colonial Secretary's Office, 4th April, 1870.

SIR,

In reply to your several communications of the 2nd ultimo, I have the honor to inform you that, after reference to the Commissioners, I am prepared to submit for the approval of the Governor in Council the following items of proposed expenditure; namely,—

Nine hundred pounds for extra Gates to Farms, as settled with the Owners and Tenants.

Two hundred pounds for Screw Couplings for Rolling Stock.

Twenty pounds for making trial borings for supply of water at Launceston, Evandale Road, and Westbury.

Six hundred pounds for necessary Stores of various kinds. In regard to this expenditure, however, I desire to attach the condition that the details must be approved by the Commissioners before any liability is incurred.

Respecting your application for authority to expend £2400 (Two thousand four hundred Pounds) for the Sidings at various Stations, &c., I must decline to recommend such expenditure in the form now submitted; but I shall be prepared to recommend such amounts as may be necessary to prepare the Sidings for the reception of the Rails, &c. upon detailed estimates being furnished by the Engineers and recommended by the Commissioners.

I have, &c.

(Signed) J. M. WILSON.

H. DOWLING, Esq., Secretary.

516.

*Launceston and Western Railway Company, Limited,
Launceston, 6th April, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 4th April, informing me that you are prepared to recommend concurrence of the Government to expenditure of £900, £200, £20, £600, and that you decline at present to do this with respect to £2400.

With reference to the latter item I shall be prepared to address you further, as I am aware the Commissioners have the question under consideration, and are likely to report further to you.

I have, &c.

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

517.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 8th April, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and upon the recommendation of the Commissioners, the following expenditure be authorised; viz.—

Two pounds two shillings for Draftsmen making tracings of waggons for submission to Contractors.

Twelve shillings and sixpence for Rates claimed by the Launceston Corporation for the Launceston Station ground.

Eighteen shillings and sixpence, freight of boring tools.

Nine hundred pounds for extra Gates to Farms as settled with the Owners and Tenants.

Two hundred Pounds for Screw Couplings for Rolling Stock.

Twenty pounds for making trial borings for supply of water at Launceston, Evandale Road, and Westbury.

Six hundred pounds for necessary Stores of various kinds; the details under this authority to be approved by the Commissioners before any liability is incurred.

J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.

11. 4. 70.

The Hon. the Colonial Secretary, Hobart Town.

518.

Colonial Secretary's Office, 11th April, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the following sums in connection with the Launceston and Western Railway; namely,—

- £2 2s. for Draftsmen making tracings of Waggon for submission to Contractors.
- 12s. 6d. for Rates claimed by the Launceston Corporation for the Launceston Station Ground.
- 18s. 6d. for freight of boring tools.
- £900 for extra Gates to Farms, as settled with the Owners and Tenants.
- £200 for Screw Couplings for Rolling Stock.
- £20 for making trial borings for supply of water at Launceston, Evandale Road, and Westbury.
- £600 for necessary Stores of various kinds, the details under this authority to be approved by the Commissioners before any liability is incurred.

I have, &c.

(Signed) J. M. WILSON.

*The Secretary Launceston and Western Railway Company,
Launceston.*

EXPENDITURE OF £4400 FOR IRON WORK FOR WAGGONS, AND £2400 FOR
SIDINGS.—Nos. 519 TO 529.

519.

*Launceston and Western Railway Company, (Limited),
Launceston, 15th March, 1870.*

SIR,

I HAVE to beg the concurrence of the Government in an expenditure in London, of the sum of £4400 (Four thousand four hundred pounds) for 55 sets of iron work for medium sided goods trucks, proposed to be erected in the Colony.

I have, &c.,
(Signed)

H. DOWLING, *Secretary.*

To the Hon. the Colonial Secretary, Hobart Town.

FORWARDED to the Commissioners for their report.

J. M. WILSON.
16 March, 1870.

REPORT annexed.

SAML. V. KEMP.
1. 4. 70.

520.

*Office of the Commissioners, Launceston and Western Railway,
1st April, 1870.*

SIR,

REFERRING to the requisition of the Directory of the Launceston and Western Railway Company (addressed to you on the 15th ultimo and referred to us) for Executive sanction to an expenditure of £4400 for 55 sets of ironwork for medium sided goods trucks, we have the honor to represent that our estimate of the requirements of the Company under this head on the 25th September, 1869, (See Parliamentary Paper, 1869, p. 76,) contemplated only *forty* trucks, while that of the Company had a still smaller number in view; and at the same time our money estimate of the requirements of the Company exceeded the provision made by Parliament in the sum of £19,000. In these circumstances we are not in a situation to advise the Government to sanction an outlay for 55 sets, nor even for forty, but are constrained to accommodate our recommendation at the present time to the financial resources of the Company, which we do by advising that authority be granted for an outlay of £1600 in providing 20 sets.

We have, &c.,
(Signed)

FRED. M. INNES.
SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

THE recommendation of the Commissioners is approved.

J. M. WILSON.
4 April, 1870.

521.

(Copy.)

Colonial Secretary's Office, 4th April, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 15th instant, requesting the concurrence of the Government in an expenditure in London of the sum of four thousand four hundred pounds, (£4400), for 55 sets of iron work for medium sided goods trucks proposed to be erected in the Colony.

Your letter has been referred for the Report of the Commissioners, and I have now to inform you that the Government cannot sanction so large an expenditure for this object, having at the same time due regard to the financial resources of the Company.

In accordance with the recommendation of the Commissioners I shall be prepared to submit to the Governor in Council that the sum of one thousand six hundred pounds (£1600) be authorised for providing 20 sets, but beyond this I cannot, for the present, acquiesce in the application of the Directory.

I have, &c.,

(Signed)

J. M. WILSON.

H. DOWLING, Esq., Secretary.

522.

*Launceston and Western Railway Company, Limited,
Launceston, 6th April, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter, of the 4th instant, referring to the application of the Directors asking concurrence in expenditure of £4400 for 55 sets of iron work for waggons to be made in the Colony, and your consent only to the extent of 20 sets at £1600.

The Commissioners have been requested to reconsider their report on this question, under the circumstances given in another letter of mine of this date, on the subject of finance, and I therefore suppose you will receive a further communication in this matter, the settlement of which the Superintendent of Rolling Stock, Mr. Jetter, considers to be of great importance.

I have, &c.,

(Signed)

H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

523.

BY ELECTRIC TELEGRAPH.

11th April, 1870.

You have my full authority to write to the Colonial Secretary that I endorse with you the estimate of Company's financial position represented in Mr. Dowling's letter of 6th instant, and that I recommend (for the reasons I assigned to you) that authority be given for £4400 for 54 waggons, and also for £2400 on account of sidings throughout the line, stating at the same time that, upon data furnished by the Engineers, Mr. Kemp estimates that the sideways will involve an expenditure of from £700 to £1000 in excess of such sum of £2400.

(Signed)

T. BARTLEY.

The Hon. F. M. INNES.

524.

Hobart Town, 11th April, 1870.

SIR,

REFERRING to Mr. Dowling's several communications to you of the 6th instant, and concurrently with Mr. Bartley, endorsing his representation of the financial results accomplished by the conference between the Commissioners and Directors on the affairs of the Company, and having obtained the Certificates of the Company's Engineers and their Traffic Manager that the expenditure which it has been resolved to dispense with for the present can be postponed for a considerable period without detriment to the efficiency of the line, I have now, in conjunction with Mr. Bartley,

the honor to advise that the approval of the Executive be granted to the expenditure of the sum of £4400 on iron work for 55 waggons, and the sum of £2400 for sidings. Both these expenditures are urgent and imperative, and do not encroach on the estimated balance of about £20,000 which it is the aim of the Commissioners to provide for contingencies.

I have, &c.,

(Signed) FRED. M. INNES.

The Honorable the Colonial Secretary.

P.S.—Balance per Statement*	£8256
Suspended items	£10,738
	<u>£18,994</u>

* Following letter of 6th April, 1870, No. 454.

F. M. I.

525.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 11th April, 1870.

SUBMITTED,

THAT, the Commissioners of the Launceston and Western Railway having reconsidered in Conference with the Board of Directors the financial position of the Company, and having now concurred in the application of the Directors, the expenditure of the sum of four thousand four hundred pounds (£4400) on ironwork for 55 medium sided waggons, and the sum of *two thousand four hundred pounds (£2400) for sidings, be authorised.

(Signed) JAMES MILNE WILSON.

* Vide Nos. 513, 515, and 516.

THE Governor in Council approves.

E. C. NOWELL.
11. 4. 70.

The Hon. the Colonial Secretary.

526.

BY ELECTRIC TELEGRAPH.

Launceston, 11th April, 1870.

MAY I request the favour of your withholding your decision upon sidings and iron work for waggons until after my interview on Wednesday?

(Signed) S. V. KEMP.

The Hon. the Colonial Secretary.

527.

BY ELECTRIC TELEGRAPH.

(Copy.)

Hobart Town, 11th April, 1870.

YOUR Telegram came too late. The matters were settled in Council this morning.

(Signed) JAMES MILNE WILSON.

S. V. KEMP, Esq., Launceston.

528.

Colonial Secretary's Office, 11th April, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the sum of £4400 on iron work for 55 medium sided waggons, and of the sum of £2400 for sidings.

I have, &c.,

(Signed) JAMES MILNE WILSON.

*The Secretary Launceston and Western
Railway Company, Launceston.*

529.

Hobart Town, Tasmania, 16th April, 1870.

SIR,

I MOST respectfully venture to advert to the authority granted by the Governor in Council for the expenditure of £4400 for the importation of 55 sets of waggon iron work from England, and beg to remind you that I was no party to the concurrence of the whole of this expenditure; and, in the event of any deficiency in the amount required to complete the Launceston and Western Railway, I must claim to be absolved from blame for the difference of expenditure between the 20 sets of waggon iron work suggested by me and the 55 sets recommended by my co-Commissioners.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

VARIOUS ITEMS OF EXPENDITURE SPECIFIED IN No. 542. Nos. 530 to 542.

530.

*Launceston and Western Railway Company, Limited,
Launceston, 4th March, 1870.*

SIR,

I BEG to request the authority of the Government for the expenditure of a further sum of £20 5s. (twenty pounds five shillings) for payment of workmen erecting carriages and brake vans.

I have now ascertained from the Superintendent of Rolling Stock that the whole cost will be £51 11s.; and of this sum I have authority, dated 25th February, for £11 16s. and £19 10s., together £31 6s.

The entire cost therefore per carriage will be the very moderate sum of £6 9s.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

REFERRED for the observations of the Commissioners.

B. TRAVERS SOLLY.

5 March. 1870.

WE beg to recommend that authority be granted for the expenditure of £20 5s. for the purpose herein named.

SAML. V. KEMP.

THEODORE BARTLEY.

9. 3. 70.

APPROVED.

J. M. WILSON.

11 March, 1870.

531.

Colonial Secretary's Office, 14th March, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 4th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of a further sum of £20 5s. for the payment of workmen erecting carriages and brake vans for the Launceston and Western Railway, and that the Governor will be advised to confirm such approval at the next Meeting of the Executive.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, Esq., Secretary.

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532.

*Launceston and Western Railway Company, Limited,
Launceston, 15th March, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your favours of yesterday concurring in certain payments for which application had been made by this Board,—namely, £20 5s. for workmen's wages, erecting carriages,—and advising the concurrence of the Governor in Council to certain other payments for which I had been already favoured by your personal acquiescence.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

533.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 12th March, 1870.

SUBMITTED,

THAT a further sum of twenty pounds five shillings (£20 5s.) be authorised for payment of workmen erecting carriages and brake vans for the Launceston and Western Railway, as applied for by the Directors and recommended by the Commissioners.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
21. 3. 70.

The Hon. the Colonial Secretary.

534.

*Launceston and Western Railway Company, Limited,
Launceston, 14th March, 1870.*

SIR,

I BEG to ask concurrence in the expenditure of £10 (ten pounds) for petty cash in charge of the Accountant.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

APPROVED.

J. M. WILSON.
15 March, 1870.

535.

BY ELECTRIC TELEGRAPH.

Launceston, 15th March, 1870.

PLEASE grant the Directory authority to expend ten pounds (£10) for petty cash.

SAML. V. KEMP.

F. M. INNES.

The Hon. the Colonial Secretary.

536.

Colonial Secretary's Office, 15th March, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 14th instant; and, in reply, to acquaint you that I acquiesce in the expenditure, by the Directory, of the sum of £10 for Petty Cash, and that the Governor will be advised to confirm such approval at the next meeting of the Executive Council.

I have, &c.,

(Signed) JAMES MILNE WILSON.

*The Secretary Launceston and Western
Railway Company, Launceston.*

119

537.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 15th March, 1870.

SUBMITTED,

THAT, upon the application of the Secretary to the Launceston and Western Railway Company and the recommendation of the Commissioners, the expenditure of the sum of ten pounds for "Petty Cash" be authorised.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.

21. 3. 70.

The Hon. the Colonial Secretary.

538.

*Launceston and Western Railway Company, Limited,
Launceston, 15th March, 1870.*

SIR,

I HAVE to beg the concurrence of the Government in the expenditure of £171 16s. (one hundred and seventy-one pounds sixteen shillings) for waggon sheets.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED to the Commissioners for their Report.

J. M. WILSON.

16 March, 1870.

REPORT forwarded.

SAML. V. KEMP.

FRED. M. INNES.

18. 3. 70.

539.

*Office of Commissioners of the Launceston and Western
Railway Company, Launceston, 16th March, 1870.*

SIR,

IN compliance with the request of the Secretary of the Launceston and Western Railway Company that we should recommend, for the approval of the Executive, the acceptance of a Contract for making and supplying of forty-one (41) sheets or tarpaulins for railway waggons, at an estimated cost of £171 16s., we have the honor to convey such recommendation.

We have, &c.,

(Signed)

FRED. M. INNES.

SAML. V. KEMP.

The Hon. the Colonial Secretary.

540.

(Copy.)

Colonial Secretary's Office, 18th March, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 15th instant, and in reply to acquaint you that I acquiesce in the expenditure of the sum of one hundred and seventy-one pounds sixteen shillings (£171 16s.) for 41 waggon sheets for railway waggons, and that the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

*The Secretary Launceston and Western
Railway Company, Launceston.*

541.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 19th March, 1870.

SUBMITTED,

THAT, upon the application of the Directory and the recommendation of the Commissioners, the expenditure of the sum of one hundred and seventy-one pounds sixteen shillings (£171 16s.) be authorised for the purchase of waggon sheets (or tarpaulins) for the Launceston and Western Railway.

JAMES MILNE WILSON.

The Governor in Council approves.

E. C. NOWELL.

21. 3. 70.

The Hon. the Colonial Secretary.

542.

Colonial Secretary's Office, 23rd March, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the following sums in connection with the Launceston and Western Railway, namely:—

£500 to Theodore Bartley, Esq., in full of all demands for services rendered as Valuator of Lands.

£20 5s. for payment of workmen erecting carriages and brake vans.

£10 for petty cash.

£171 16s. for the purchase of waggon sheets.

I have, &c.,

(Signed)

JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

PAYMENT FOR CLERK AND WATCHMAN AT THE LAUNCESTON STATION.

Nos. 543 to 545.

543.

*Launceston and Western Railway Company, Limited,
Launceston, 23rd March, 1870.*

SIR,

I HAVE to ask the concurrence of the Government in the expenditure of £6 5s. (six pounds five shillings) monthly for one clerk, and the sum of £1 5s. (one pound five shillings) weekly for payment of one watchman on the Launceston station ground.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

REFERRED to the Commissioners of the Launceston and Western Railway Company.

B. TRAVERS SOLLY.

25 March, 1870.

WE beg to recommend the expenditure of £6 5s. monthly for the services of a clerk, and £1 5s. weekly for the services of a watchman, upon the understanding that when the line of Railway is open for general traffic that these expenditures shall be chargeable against revenue.

FRED. M. INNES.

SAML. V. KEMP.

28. 3. 70.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 31st March, 1870.

SUBMITTED,

THAT, upon the application of the Launceston and Western Railway Company, and with the concurrence of the Commissioners, the expenditure of the sum of six pounds five shillings monthly for the services of a clerk, and one pound five shillings weekly for the services of a watchman, be authorised, upon the understanding that when the line of Railway is open for general traffic these expenditures shall be chargeable against revenue.

JAMES MILNE WILSON.

The Governor in Council approves.

E. C. NOWELL.

31. 3. 70.

The Hon. the Colonial Secretary.

(Copy.)

Colonial Secretary's Office, 1st April, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd ultimo; and, in reply, to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the sum of £6 5s. (six pounds five shillings) per month for the services of a clerk, and of the sum of £1 5s. (one pound five shillings) per week for the services of a watchman, upon the understanding that when the line of Railway is open for general traffic these expenditures shall be chargeable against revenue.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, Esq., Secretary.

DELAY IN OPENING THE RAILWAY. Nos. 546 to 548.

*Office of Commissioners, Launceston and Western Railway,
23rd March, 1870.*

SIR,

WE have the honor to report to you that the contract time for the construction of the Launceston and Western Railway expired on the 16th instant, but we are not in a position to say at what date the contract will probably be completed. The amount of Messrs. Overend & Robb's contract, exclusive of £6453 5s. 4d. for maintenance for twelve months of the works after completion, was £194,218 3s., and the proportion of work executed to this date is represented in the sum of £161,179 12s. 11d.

No contracts have yet been entered into for the erection of stations. We had the honor to call the attention of the Directory to this matter by letter on the 25th October last after having some time previously done so at the Board, and on the 29th December tenders were invited by public advertisement for the following: offices at Launceston, passenger station, goods shed, carriage shed, and making roads at ditto. The result of this advertisement was so unsatisfactory that the Board resolved on the rejection of the tenders and inviting other tenders, embracing (on our recommendation) all the principal stations, &c., hoping that by this means larger competition would be induced, and greater relative economy insured. After opening the second series of tenders on the 15th instant, we regret to have to say that the anticipations on which they were invited were not realised. Only two tenderers offered for all the buildings advertised, and one for three of them, and the conditions of tender were not complied with on the part of the first two. Added to which, the lowest aggregate tender was largely in excess of the estimate of cost of the Company's Engineers. In these circumstances, the question of what course of proceeding should be adopted was anxiously deliberated; first at the meeting of the Directory on the 15th instant, secondly at an adjourned meeting on the 18th, and, thirdly, at the ordinary meeting yesterday. Keeping clearly before us, as Commissioners, that the outlay upon the railway and works must be restricted to the limits of the Parliamentary provision of last Session, we were unanimous in requiring as the basis on which we could concur in the acceptance of the lowest tender (which amounted to £11,347) or any other

tender, that it could be met along with other engagements, entered into or inevitable, without exceeding that provision. Accordingly, at the meeting on the 18th instant, the Secretary of the Company was instructed to prepare a statement of moneys paid, or likely to be required, out of the loan of £100,000. That statement as supplied to us is annexed; but on being scrutinized at the Board meeting yesterday, it was admitted that an error had crept into it of £1500, reducing to that extent the estimate of £4728,—or to the sum of £3228,—the amount available for contingencies; while the detail estimates of one of us (Mr. Kemp) differed from those of the Secretary by additions thereto amounting to £4950, and omissions supplied £2612. It is only fair to Mr. Dowling to add that his estimate was prepared hastily; and on the other hand the same may be said in respect to the counter estimate. But taking the two estimates respectively for what they may be worth, they show (Mr. Dowling's) that the acceptance of the lowest tender received for station buildings would leave a balance for contingencies of only £3228; the other (Mr. Kemp's) that it would land the Company in a deficiency of £4334. In either calculation no account is taken of any premium on debentures or interest on deposits,—the Company's books showing a profit from these sources of upwards of £6000 to the present date,—and the results of the disposal of the £100,000 debentures remaining to be ascertained. It appeared, however, to a majority of the Directory advisable not to decide on the acceptance of any of the tenders for stations, but to ascertain whether the plans, specifications, and conditions might not be so modified as to reduce this item of outlay, and if it were found so to invite tenders anew. The question therefore remains in suspense; and when it comes before us again it may be necessary for us to entertain the further question of whether any other branch of outlay may not, and must not, be reduced or postponed, so as to enable provision to be made for indispensable station buildings.

In making this report to you we think it right to call your attention to the difficulty of our task; by reminding you that whereas the estimate of the Secretary and Engineers of the Launceston and Western Railway Company, of date 1st September, 1869, (Parliamentary Papers, 1869, pp. 68–9–70), amounted to only £67,613, the estimate furnished by two of us, of date September 25th, 1869, as the result of the scale on which the works had been undertaken was £107,000 (letter of Messrs. Kemp and Innes, Parliamentary Paper, p. 72). But Parliament provided only £100,000, and charged £12,000 interest (not embraced in the estimate referred to) thereon; thus in fact providing £19,000 less than two of us represented to be necessary. It will however continue to be the earnest endeavour of all of us to restrain, as much as we can, expenditure within the limits of the sum voted.

We have, &c.,
(Signed)

F. M. INNES.
SAML. V. KEMP.
THEODORE BARTLEY.

The Hon. the Colonial Secretary, Hobart Town.

There are some contingent matters with which we deem it material that the Executive should be acquainted, but at the same time not expedient for us to introduce into this letter, which have been reserved for personal explanation by the Commissioner resident in Hobart Town on his return.

F. M. I.
S. V. K.
T. B.

LAUNCESTON AND WESTERN RAILWAY.

STATEMENT of Moneys paid, or likely to be required, out of Loan of £100,000.

	£	s.	d.	£	s.	d.
The amount paid in London to last advices was.....	75,778	0	0			
And in Launceston on account of bridge	1500	0	0			
For freight and other expenses, Melbourne and Launceston	3109	0	0			
	80,387	0	0			
The amount in original estimate represented in the above was	78,450	0	0	1937	0	0
Amount paid for lands in excess of estimate	8496	0	0			
Probable amount yet to expend, including Mr. Bartley's payment	2968	0	0			
	9658	0	0	11,464	0	0
Alterations of cuttings settled	10,342	0	0			
Mr. Kemp's estimate of additional slopes				20,000	0	0

	£	s.	d.	£	s.	d.
Paid for stamp to new Bond	250	0	0			
Longford staging	2915	0	0			
Points and crossings, Melbourne	345	0	0			
Cartage of trucks	45	15	0			
Further sum on account of London contract for bridge ..	500	0	0			
Ticket presses	40	0	0			
Painting waggons	100	0	0			
Cartage of waggons and brake vans	45	15	0			
Erection of waggons	163	10	0			
Cartage of ironwork	437	10	0			
Erection of carriages and vans	52	0	0			
Boring for water	20	0	0			
				4914	10	0
Station tenders	11,347	0	0			
Eight minor stations	1000	0	0			
Tools	3500	0	0			
Stores	600	0	0			
Sidings	2400	0	0			
Extra rails	2900	0	0			
Points and crossings	454	0	0			
Telegraph throughout	2000	0	0			
Furniture, water, gas fittings, &c.	584	0	0			
Mr. Kemp's estimate, semaphores, &c.	800	0	0			
Workshops	1000	0	0			
Goods cranes, Mr. Kemp's estimate	300	0	0			
Extra office management and Commissioners	1000	0	0			
				27,885	0	0
Over-bridges	407	18	0			
Agricultural gates	900	0	0			
				1307	18	0
Locomotives	5000	0	0			
Duplicates for locomotives	750	0	0			
Waggon sheets	300	0	0			
Ironwork for 55 waggons	4400	0	0			
1 First-class carriage	436	0	0			
3 Second-class carriages, @ £340 each	1020	0	0			
2 Composites, @ £422 each	844	0	0			
2 Brake vans, @ £299 each	598	0	0			
2 Carriage trucks, @ £160 each	320	0	0			
3 Horse boxes, @ £240 each	720	0	0			
Woodwork on 55 goods waggons	1375	0	0			
				15,763	0	0
Interest reserved by Statute	12,000	0	0			
Contingencies	5000	12	0			
				17,000	12	0
				£100,000	0	0

Postscript of Commissioners.

	£	s.	d.
Mr. Dowling's estimated contingencies	4728	0	0
Less, admitted error in London account	1500	0	0
	£3228	0	0
Amount under estimated	4950	0	0
Amount of omissions	2612	0	0
	7562	0	0
Less contingencies	3228	0	0
Deficit	£4334	0	0

F. M. INNES.

SAML. V. KEMP.

23. 3. 70.

547.

*Office of the Commissioners of the Launceston and Western Railway,
Launceston, 2nd April, 1870.*

SIR,

IN a communication which we had the honor to make to you under date 23rd ultimo, we stated that we were not in a position to inform you when the Railway between this and Deloraine would be completed. Feeling that such an intimation might not be satisfactory to the Executive, on the 24th ultimo we addressed the Secretary of the Company requesting him to obtain precise information from the Engineers, to which they have replied as follows:—(1.) "We cannot at present name the period at which the Contract of Messrs. Overend & Robb will be completed. (2.) The Contract of Messrs. De Bergne for the erection of the Longford Bridge will probably be completed within fourteen days from this time; and (3.) The protracted delay which has attended the settlement of several important questions which still remain in an uncertain state (as for instance those of the Stations—in hand since December last—and the sidings now a month old) renders us quite unable to form any opinion as to when the line will be opened for traffic to Deloraine."

We have, &c.,

(Signed) FRED. M. INNES.
SAML. V. KEMP.

The Hon. the Colonial Secretary.

548.

Launceston, 5th July, 1870.

SIR,

I HAVE the honor to acquaint you that a proposal was referred by the Directors of the Launceston and Western Railway Company to the Commissioners to open the Railway for traffic between Launceston and Exton. The terms of the proposal were set forth in a draft agreement, according to which (1.) It was provided that one half the money retained by the Company and Commissioners from monthly payments to the Contractors as security for the completion of their contract, and amounting to £15,050, should be immediately paid over to them; and (2.) That the clause in their Contract which provides for their maintenance of the line in a state of repair for one year from the date of its being taken over, should take effect in respect of the *whole* of the line from the date at which the portion to Exton was entered upon.

I was of opinion that it was inexpedient to assent to either of these conditions. As regards the first, the Contract provides for many details in the construction of the Railway which may be found either to have added to, or reduce the final payments due to the Contractors. In the face of adjustments of this nature remaining to be made, it appeared to me a preferable course for the Company and Commissioners not to surrender any part of the security in their possession.

As regards the second condition,—had the Commissioners consented to release the Contractors from their engagement to maintain the whole line from Exton onwards to Deloraine as a condition of the Company's obtaining immediate possession of the portion from Launceston to Exton, without any pecuniary or other concession in return from the Contractors, the proceeding might fairly have been interpreted as implying that the non-completion of the Railway within the period of contract was the result of default on the Company's side, not on that of the Contractors.

I place you in possession of the reasons which weighed with myself in this case because I find that the course of the Commissioners (in which they were unanimous) has been a text for newspaper reflection, as if *they* were culpably answerable for the Railway not being opened at an earlier period than is now probable. I annex the letters which passed between the Directory and Commissioners.

I have, &c.,

(Signed) FRED. M. INNES.

The Hon. the Colonial Secretary.

(Copy.)

*Launceston and Western Railway Company, Limited,
Launceston, 22nd June, 1870.*

GENTLEMEN,

I HAVE the honor to forward for the information of the Commissioners Draft Agreement between the Company and Messrs. Overend & Robb, and have to ask their concurrence in the proposed financial clause.

This agreement the Commissioners will observe has been drawn by the Solicitors of the Company and approved by the Contractors' Solicitors.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Commissioners, Launceston and Western Railway.

Office of the Commissioners of the Launceston and Western Railway, 23rd June, 1870.

(Copy.)

DEAR SIR,

WE have the honor to acknowledge your letter of the 22nd instant, transmitting to us Draft of proposed Agreement between the Company and Messrs. Overend & Robb, and asking our concurrence in the financial clause of such Draft Agreement.

In reply, we desire to decline the responsibility of acceding to the proposal contained in the Draft Agreement to the following effect:—"That the Contractors shall receive one-half of the balance of the contract money retained by the Company in accordance with the terms of Clause 27 of the General Conditions," pending the settlement of any claims, whether on the side of the Company or on the Contractors, arising out of the execution of the Contract for the construction of the line.

We do not consider ourselves warranted at this period in surrendering any portion of the retention moneys at present in the hands of the Company and Commissioners, or until these claims are fully arranged between the Contractors and the Company.

We have, &c.,

(Signed) FRED. M. INNES.
SAML. V. KEMP.
THEODORE BARTLEY.

H. DOWLING, Esq., Secretary.

VARIOUS ITEMS OF EXPENDITURE SPECIFIED IN No. 561. Nos. 549 to 561.

549.

*Launceston and Western Railway Company, Limited,
Launceston, 11th April, 1870.*

SIR,

I HAVE the honor to ask concurrence in expenditure of £23 6s. 6d. (twenty-three pounds six shillings and sixpence) carriage and removal to station ground of four carriages and sundry cartage and repairs incurred by the Superintendent of rolling stock.

I have, &c.,

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED for the consideration of the Commissioners.

J. M. WILSON.
13 April, 1870.

WE beg to recommend that authority be granted for the expenditure of £23 6s. 6d. for the purposes herein named.

SAML. V. KEMP.
F. M. INNES.
14. 4. 70.

APPROVED.

J. M. WILSON.
14 April, 1870.

550.

Colonial Secretary's Office, 14th April, 1870.

SIR,

In reply to your letter of the 11th instant, I have the honor to acquaint you that I acquiesce in the expenditure of the sum of £23 6s. 6d. for carriage and removal to station ground of four

carriages, and sundry cartage and repairs incurred by the Superintendent of rolling stock, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, Esq., Secretary.

551.

*Launceston and Western Railway Company, Limited,
Launceston, 14th April, 1870.*

SIR,

I HAVE the honor to request concurrence in the expenditure of £205 12s. 3d. (two hundred and five pounds twelve shillings and threepence) for removing from the ship to station ground, and fitting them up, two locomotives per "Araunah," and tender.

I have, &c.,

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED for the observation of the Commissioners.

J. M. WILSON.

13 April, 1870.

WE beg to recommend that authority be granted for the expenditure of £205 12s. 3d. for the purposes herein named.

F. M. INNES.

SAML. V. KEMP.

14. 4. 70.

APPROVED.

J. M. WILSON.

14 April, 1870.

552.

Colonial Secretary's Office, 14th April, 1870.

SIR,

IN reply to your letter of the 11th instant, I have the honor to acquaint you that I acquiesce in the expenditure of the sum of £205 12s. 3d. for removing from the ship to station ground, and fitting them up, two locomotives, per "Araunah," and tender, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

553.

*Launceston and Western Railway Company, Limited,
Launceston, 12th April, 1870.*

SIR,

I HAVE the honor to ask concurrence in the following expenditure, on the recommendation of the Superintendent of rolling stock, Mr. Jetter:—

	£
For Semaphores	400
Brakes for carriages	250

I have, &c.,

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED to the Commissioners for consideration.

J. M. WILSON.
13 April, 1870.

WE beg to recommend that authority be granted for the expenditure of £400 for semaphores and £250 for brakes to carriages.

F. M. INNES.
SAML. V. KEMP.
14. 4. 70.

APPROVED.

J. M. WILSON.
14 April, 1870.

554.

Colonial Secretary's Office, 14th April, 1870.

SIR,

IN reply to your letter of the 12th instant I have the honor to acquaint you that I acquiesce in the expenditure of the sum of £400 for Semaphores, and of the sum of £250 for Brakes for Carriages; and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive.

I have, &c.,
(Signed) JAMES MILNE WILSON.

H. DOWLING, Esq., Secretary.

555.

*Launceston and Western Railway Company, Limited,
Launceston, 13th April, 1870.*

SIR,

I HAVE the honor to ask that the Government will concur in the expenditure of £1450, the estimate for one mile of rails and fastenings, that the order may go to London by the outgoing mail.

I have, &c.,
(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

WE have the honor to recommend that the concurrence of the Governor in Council be given to the expenditure of the sum of £1450 for the purpose within mentioned.

THEODORE BARTLEY.
FRED. M. INNES.

556.

*Launceston and Western Railway Company, Limited,
Launceston, 16th April, 1870.*

SIR,

IN further reference to my letter of the 13th instant, asking the concurrence of the Government in an expenditure of £1450 for extra rails and fastenings, which order I am most anxious to get forward by the mail on the 22nd instant, I beg to enclose copy of a letter to the Commissioners for the information of the Government.

I have, &c.,
(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

16th April, 1870.

(Copy.)
GENTLEMEN,

THE letter I addressed to you on the 13th instant, enclosing a communication to the Government, in which I asked the concurrence of the Governor in Council to an expenditure of £1450 for one mile of rails and fastenings, has been returned, with this endorsement, by Mr. Kemp: "Before I can concur in this expenditure I should like to have a detailed statement showing the cost of all rails and fastenings to hand up to this date."

Mr. Kemp has been made aware, by me, that this detailed statement has been in hand for some time, and that it has only been delayed by the pressure of much more important office business; and in the face of the large amount of correspondence, or arrangements incident to such correspondence, necessary by the outgoing mail, I regret that any delay should have been thought necessary in respect to these rails on such grounds, and most respectfully urge upon the Commissioners' attention that the question raised is a merely commercial one, upon which the non-professional Commissioners are competent to decide; and that the necessity of the case requires that I may order by the outgoing mail.

One mile of rails was settled the other day as coming within the supplies intended to be obtained at once; and the question, therefore, which I supposed had to be agreed was simply the sum required—and this was put down in my financial appropriation.

The only explanation I can give respecting the sum of £1450 I have asked, is that I have taken the average price, as near as I can make it up—and which I believe is a very good approximate—from the shipments received, adding 30s. per ton for probable increase in iron; this being the cost of the duplicates of *Royal Standard*.

I attach a Memorandum showing my calculations—the Engineers being responsible for the quantities; and if this rough estimate does not satisfy Mr. Kemp, I trust, gentlemen, that you will accept it as a sufficient statement for the present purpose. You will find that in my financial paper I put down 2 miles at £2900.

I desire to add that I placed this excessive sum to cover all risk of advance in the iron market.

I trust I may be favoured by a telegram on Monday, or Tuesday morning, that I may ask the approval of the Board with the concurrence of the Government already in hand.

I have, &c.,
(Signed) H. DOWLING, *Secretary*.

The Commissioners, Launceston.

MEMORANDUM.

ESTIMATE One mile of rails and fastenings, including freight and all charges at Launceston. Adding £1 10s. to each ton of iron, advanced price per last advices.

	£	s.	d.
86.5 tons rails, at £10 7s. 4d.....	894	2	6
3.8 „ fishes, at £10 5s. 1d.....	34	17	3
1.79 „ fang bolts, at £15 19s. 0d.....	28	13	2
1.36 „ fish „ „ „	21	10	6
1.2 „ spikes „ „ „	19	2	9
<hr/> 94.15 Say 95 tons	998	6	2
----- Add for risk of advance of iron, freight, &c.	451	13	10
	<hr/> £1450	0	0

557.

BY ELECTRIC TELEGRAPH.

£1450 for rails and fastenings approved.

19th April, 1870.

(Signed) J. M. WILSON.

H. DOWLING, *Esq.*, *Launceston.*

558.

*Launceston and Western Railway Company, Limited,
Launceston, 19th April, 1870.*

SIR,

I HAVE to ask the concurrence of the Government in an expenditure of £2500 (two thousand five hundred pounds) for tools required by the Superintendent of Rolling Stock, to be ordered from England by the outgoing mail.

I have, &c.,

(Signed) H. DOWLING, *Secretary*.

The Hon. the Colonial Secretary, Hobart Town.

WE have the honor to recommend that the concurrence of the Governor in Council be given to the within application.

THEODORE BARTLEY.
F. M. INNES.

APPROVED.

J. M. WILSON.
20 April, 1870.

559.

By ELECTRIC TELEGRAPH.

THE Commissioners having recommended, the Governor in Council will be moved to authorise the expenditure of £2500 for tools, to be ordered from England.

H. DOWLING, *Esq.*, *Launceston*.

(Signed) JAMES MILNE WILSON.

560.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 20th April, 1870.

SUBMITTED,

THAT, upon the application of the Directors and the recommendation of the Commissioners of the Launceston and Western Railway, the following expenditure be authorised:—

Twenty-three pounds six shillings and sixpence for carriage and removal to station ground of four carriages, and sundry cartage and repairs incurred by the Superintendent of Rolling Stock.

Two hundred and five pounds twelve shillings and threepence for removing from the ship to station ground, and fitting them up, two locomotives and tender, per *Araunah*.

Four hundred pounds for semaphores.

Two hundred and fifty pounds for brakes for carriages.

Fourteen hundred and fifty pounds for one mile of rails and fastenings.

Two thousand five hundred pounds for tools.

JAMES MILNE WILSON.

THE Governor in Council approves.

E. C. NOWELL.
22. 4. 70.*The Hon. the Colonial Secretary.*

561.

Colonial Secretary's Office, 25th April, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the under-mentioned sums in connection with the Launceston and Western Railway, namely:—

Twenty-three pounds six shillings and sixpence for carriage and removal to station ground of four carriages, and sundry cartage and repairs incurred by the Superintendent of Rolling Stock.

Two hundred and five pounds twelve shillings and threepence for removing from the ship to station ground, and fitting them up, two locomotives and tender per *Araunah*.

Four hundred pounds for semaphores.

Two hundred and fifty pounds for brakes for carriages.

Fourteen hundred and fifty pounds for one mile of rails of fastenings.

Two thousand five hundred pounds for tools.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq.*, *Secretary*.

VARIOUS ITEMS OF EXPENDITURE SPECIFIED IN No. 568. Nos. 562 TO 568.

562.

*Launceston and Western Railway Company, Limited,
Launceston, 4th May, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely:—Twenty shillings road rate Deloraine Municipality.

I have, &c.,

(Signed) H. DOWLING, *Secretary*.*The Hon. the Colonial Secretary, Hobart Town.*

WE beg to recommend the concurrence of the Governor in Council to this application to expend 20s. for the purpose herein named.

SAML. V. KEMP.
THEODORE BARTLEY.
10. 6. 70.

563.

*Launceston and Western Railway Company, Limited,
Launceston, 4th May, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely :—Ten shillings municipal rate, Deloraine.

I have, &c.,
(Signed) H. DOWLING, *Secretary.*

To the Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the within application of 10s. for rates.

SAML. V. KEMP.
THEODORE BARTLEY.
10. 6. 70.

564.

*Launceston and Western Railway Company, Limited,
Launceston, 4th May, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely :—Fifteen pounds for expenses incurred on occasion of an official visit to the works at Longford.

I have, &c.,
(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

THIS expenditure was incurred on an official visit of inspection made by His Excellency the Governor and the members of the Ministry by rail from Launceston to Longford. We beg to recommend the concurrence of the Governor in Council to the expenditure of £15.

SAML. V. KEMP.
THEODORE BARTLEY.
10. 6. 70.

565.

*Launceston and Western Railway Company, Limited,
Launceston, 8th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely :—£6 14s. for waggon sheets.

I have, &c.,
(Signed) R. W. LORD, *for Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

IN recommending this expenditure for the consideration of the Government, we beg to state that the sum now asked for; viz., £6 14s., is an excess upon the authority for 30 waggon sheets estimated at £171 16s., which was sanctioned by the Governor in Council some time ago. This excess is occasioned by the Contractors demanding encasement for the overlap of the seams, hems, and eyelets, and as no allowance is made in the Contract upon the matter in question, we beg to recommend that authority be granted for the £6 14s.

SAML. V. KEMP.
THEODORE BARTLEY.
10. 6. 70.

566.

*Launceston and Western Railway Company, Limited,
Launceston, 9th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely :—£60 for the conversion of two ordinary waggons into sheep trucks.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that £60 be granted for the purpose herein named.

SAML. V. KEMP.
THEODORE BARTLEY.
10. 6. 70.

567.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, 11th June, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the concurrence of the Commissioners, the expenditure of the under-mentioned sums be approved :—

Road rate, Deloraine Municipality, one pound.
Municipal rate, ditto, ten shillings.
Expenses incurred on occasion of an official visit to the works at Longford, fifteen pounds.
Additional expenditure for waggon sheets, six pounds fourteen shillings.
Conversion of two ordinary waggons into sheep trucks, sixty pounds.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
13. 6. 70.

The Hon. the Colonial Secretary.

568.

Colonial Secretary's Office, 14th June, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communications under date the 4th May and 8th and 9th instant respectively, and to acquaint you that the Governor in Council has been pleased to approve of the following expenditure in connection with the Launceston and Western Railway ; namely,—

£1 road rate, Deloraine Municipality.
10s. Municipal rate, Deloraine.
£15 for expenses incurred on the occasion of an official visit to the works at Longford.
£6 14s. for waggon sheets.
£60 for the conversion of two ordinary waggons into sheep trucks.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

ACCOUNT FOR OFFICE FURNITURE: COMMISSIONERS ASKED TO SIGN
CHEQUE IN PAYMENT THEREOF BEFORE GOVERNOR'S SANCTION HAD
BEEN OBTAINED. Nos. 569 to 572.

569.

*Launceston and Western Railway Company, Limited,
Launceston, 4th May, 1870.*

GENTLEMEN,

THE enclosed cheque for Richards and Son I have to beg may be signed without going to the Governor for concurrence, as Mr. Kemp requests.

The expenditure, you will see, has been incurred for the Accountant's convenience, except items in 1868, and are portions of ordinary office expenses necessary for the orderly management of business.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Commissioners.

I CONSIDER this expenditure as necessarily incurred on account of office expenses, and have signed the cheque for the amount. Will Mr. Innes concur?

THEODORE BARTLEY.

4. 5. 70.

WAITING the approval of the Executive before signing the cheque, I recommend that sanction be given to the expenditure.

F. M. I.

The Hon. Colonial Secretary.

APPROVED.

J. M. WILSON.

6 May, 1870.

Tasmania, Launceston and Western Railway Company, Limited,

1868.

Dr. to RICHARDS & SON.

		£	s.	d.
Oct. 12.	To roller blind, patent ends	0	12	6
	Unscrewing and easing door	0	3	6
1870.				
Jan. 27.	To drawing board, clamped ends	0	12	0
Feb. 4.	Desk stool	0	12	6
5.	Ten trays fitted in pedestals of desk	2	15	0
5.	Repairs to lock	0	1	6
21.	Foot rest to large desk	0	6	0
25.	Square of glass to side door	0	2	6
		£5	5	6

Correct: £5 5s. 6d.—H. DOWLING.

Signature of Claimant.—RICHARDS & SON.

570.

Colonial Secretary's Office, 7th May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 4th instant addressed to the Commissioners, and to acquaint you that on their recommendation the Government approve of the expenditure of the sum of five pounds five shillings and sixpence on account of office expenses, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive Council.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

571.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 16th May, 1870.

SUBMITTED,

THAT the expenditure of the sum of five pounds five shillings and sixpence (£5 5s. 6d.) on account of sundry expenses incurred by the Directors of the Launceston and Western Railway Company, and recommended by the Commissioners, be authorised.

Detailed account of particulars enclosed.

(Signed) J. M. WILSON.

The Governor in Council approves.

E. C. NOWELL.

18. 5. 70.

The Hon. the Colonial Secretary.

572.

Colonial Secretary's Office, 19th May, 1870.

SIR,

REFERRING to my letter of the 7th instant, I have now the honor to acquaint you that the Governor in Executive Council has approved of the expenditure of the sum of £5 5s. 6d. for the purposes therein mentioned.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

BYE-LAWS. Nos. 573 to 578.

573.

*Launceston and Western Railway Company, Limited,
Launceston, 5th May, 1870.*

SIR,

I HAVE the honor to forward by book-post to-day copy of Bye-laws, to which the approval of the Governor in Council is rendered necessary by the provisions of the 49th and 51st Sections of 29 Vict. No. 24, and have to beg you to submit them accordingly, at earliest convenient opportunity.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

MEMO.

FORWARDED for the consideration of and settlement by the Honorable the Attorney-General.

J. M. WILSON.

7 May, 1870.

THE proposed Bye-laws for the Launceston and Western Railway Company, Limited, appear to me to be in the main such as the Governor in Council may approve. There are, however, three points which seem open to objection.

1. Bye-law No. 13 inflicts a penalty of £10 upon any person offering diseased sheep, cattle, horses, or live stock to be carried on the Railway. Although there is a similar Bye-law in force in Victoria, I cannot but consider the clause too sweeping in its character. I think it should be limited to cases where the person offending knew of the disease.

2. In Bye-law No. 14 it is provided that the Company shall not be liable for any loss arising from their own delay in the transmission of goods entrusted to them. I think that portion of the Bye-law should, in the interests of the public, be omitted.

3. In the same Bye-law is a provision that no claim for loss or damage will be allowed unless made on the day of the arrival of the goods. This would often be impossible, and the Bye-

law might operate to the prejudice of persons whose goods had been damaged by the neglect or default of the servants of the Company. The rule in force in Victoria is, I think, more equitable, and might, perhaps, meet the views of the Company.

W. R. GIBLIN.
14 May, 1870.

THE Colonial Secretary returns the Bye-laws with the observations of the Honorable the Attorney-General.

J. M. WILSON.
23 May, 1870.

574.

*Launceston and Western Railway Company, Limited,
Launceston, 20th May, 1870.*

SIR,

I HAVE the honor to ask an early decision on the Bye-laws transmitted for the approval of His Excellency the Governor in Council, as delay in this matter keeps back the printing of many subordinate forms necessary for the due working of the Line.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Honorable the Colonial Secretary, Hobart Town.

575.

*Launceston and Western Railway Company, Limited,
Launceston, 1st June, 1870.*

SIR,

THE Board of Directors have amended the Bye-laws in the several cases marked in red ink; and which I believe will be satisfactory to the Honorable the Attorney-General, through whose office I return the manuscript.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

THE Board of Directors have assented to the two material alterations suggested by me. I do not think the third alteration of great moment, and suggest that the Bye-laws should now be submitted for approval.

W. R. GIBLIN.
2 June, 1870.

576.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 4th June, 1870.

SUBMITTED,

THAT the enclosed Bye-laws of the Launceston and Western Railway Company be approved as required by the 49th Section of the 29th Vict. No. 24.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
6. 6. 70.

The Hon. the Colonial Secretary.

577.

GOVERNMENT NOTICE.

No. 90.

Colonial Secretary's Office, 6th June, 1870.

IN accordance with the provisions of the 29th Victoria, No. 24, the Governor in Council has been pleased to approve of the following Bye-laws made by the Launceston and Western Railway Company.

By His Excellency's Command,

J. M. WILSON.

LAUNCESTON AND WESTERN RAILWAY COMPANY, LIMITED.

BYE-LAWS.

Passengers booked on condition of there being room in the Train.—1. Passengers on the Road Stations will only be booked conditionally, that is to say, in case there shall be room in the train for which they are booked. In case there shall not be room for all the passengers booked, those booked for the longest distance shall have priority according to the order in which they are booked.

Leaving the Carriage while Train in motion.—2. No passenger will be allowed to get into, or upon, or to quit any Carriage after the Train has been put in motion; and any person doing so, or attempting to do so, is hereby made liable to a penalty of Forty Shillings.

Dogs.—3. Dogs will be charged for according to distance; but they will on no account be allowed to accompany passengers in carriages.

Smoking prohibited.—4. Smoking is strictly prohibited in any of the Company's premises, or in any of the Carriages except those provided for the purpose, under a penalty of not exceeding Forty Shillings.

Intoxication.—5. Any person found in a Carriage or Station in a state of intoxication, or committing any nuisance, or wilfully interfering with the comfort of other passengers; and every person obstructing any officer of the Company in the discharge of his duty, is hereby subject to a penalty not exceeding Ten Pounds, and shall immediately, or if travelling at the first opportunity, be removed from the Company's premises, and forfeit his fare.

Wilful damage.—6. Any passenger cutting the linings, removing or defacing the number plates, breaking the windows, or otherwise wilfully damaging or injuring any Carriage on the Railway, shall forfeit and pay a sum not exceeding Ten Pounds in addition to the damage done.

Punishment of Servants of the Company guilty of misconduct.—7. That it shall be lawful for any officer or agent of the Company to seize and detain any Engine Driver, Porter, or other Servant in the employ of the Company who shall be found drunk while employed upon the Railway, or commit any offence against any of the Company's Rules or Regulations, or shall wilfully, maliciously, or negligently do, or omit to do, any act whereby the life or limb of any person passing along, or being upon the Railway, or the works thereof respectively, shall be or might be injured or endangered, or whereby the passage of any of the Engines, Carriages, or Trains shall be or might be obstructed or impeded; and to convey such Engine Driver, Guard, or Porter or other Servant so offending before any two Justices of the Peace to be dealt with according to law.

Opening Carriage Doors.—8. No person is allowed to unlock a carriage door for the purpose of entering or alighting after the examination of tickets, or at any time during the journey, by the use of a private key, under pain of a penalty not exceeding Ten Pounds.

No touting or soliciting custom at Stations allowed.—9. No carman, hackney coachman, cabman, drayman, porter, carter, or other person will be allowed to come into or upon the Railway premises for the purpose of removing passengers or luggage, either with or without a dray or hand-cart, or truck, unless required by a passenger, and specially engaged for such purpose; and no person will be allowed to come into or upon the Railway premises for the purpose of touting or soliciting custom (unless licensed to do so for hire) of any kind; and any carman, hackney coachman, cabman, drayman, porter, carter, or other person guilty of a breach of this Bye-law, or refusing or neglecting to quit the Railway premises when required by a Station Master or other servant of the Company, shall be liable to a penalty not exceeding Five Pounds.

Penalty for crossing Line when Train is in sight.—10. Any person driving or attempting to drive sheep or cattle, or attempting to ride or drive any horse across the Line, either at an authorised crossing place or elsewhere, when a Train is in sight shall be liable to a penalty not exceeding Ten Pounds.

Penalty for allowing Cattle to stray.—11. Any person wilfully driving, or negligently allowing any cattle, horses, sheep, or other animal to stray on the Railway or any lands or premises of the Company shall be liable to a penalty not exceeding Ten Pounds.

Bill-sticking prohibited.—13. Any person or persons, unless those duly authorised by the Company, who shall be found posting or sticking Bills, &c. within or upon any of the Railway property or premises shall be subject to a penalty not exceeding Forty Shillings.

Diseased Sheep or Cattle not to be carried.—12. No person shall be entitled to require to be carried upon or along the Railway any sheep, cattle, horses, or live stock which, in the judgment of the Company's agent or servant, may be infected with any disease of whatsoever nature; and the Company's servants may refuse to take any sheep, horses, or live stock suspected by them to be diseased. Any person causing or procuring any diseased sheep, cattle, horses, or live stock, knowing them to be diseased, to be carried, or offering or causing any of them to be offered for the purpose of being carried upon or along the Railway, shall be liable to a penalty not exceeding Ten Pounds.

Accountability of Carriers.—14. The Company will not be accountable for any articles unless the same be signed for as received by their Clerks or Agents.

Nor will they be responsible for the loss of or damage done to money in cash, or bills or promissory notes, or securities for money, or jewellery, trinkets, rings, precious stones, bullion, gold, and silver, manufactured or unmanufactured gold and silver plate, or plated articles, clocks, watches, timepieces, marbles, lace, furs, silks in a manufactured or unmanufactured state, and whether wrought up or not wrought up with other materials, writings, title deeds, prints, paintings, maps, engravings, pictures, stamps, or other valuables; nor for damage done to china, glass, crockery-ware, wearing apparel, musical instruments, furniture, toys, castings, or any other such hazardous or brittle articles, in packages or otherwise, unless the same be declared as such, and insured according to their value, and paid for at the time of delivery to them, their Clerks or Agents; nor for loss or damage arising from fire, storm, flood, tempest, or otherwise from the act of God or from civil commotion, and whether warehoused or not, nor for decay or deterioration from delay or otherwise; nor for any loss or damage whatsoever under any circumstances, unless such loss or damage shall occur or arise from, or in consequence of, the gross and wilful default of the Company, their Clerks, Officers, Servants, or Agents.

Nor for the loss of or damage done to goods put into returned wrappers or boxes, or packages described as

empties; nor of any goods left until called for, or to order, or warehoused for the convenience of the parties to whom they belong, or by or to whom they are consigned.

Nor for the loss or damage of any package insufficiently or improperly packed, marked, directed, or described, or containing a variety of articles liable, by breaking, to damage each other, or other articles; nor for breakage arising from bad casks, or bad cooperage, or from fermentation.

Nor will they bind themselves to forward goods from any Station by the first succeeding Train; nor will they agree to send a waggon from one Station to another with less than one ton.

Senders of any dangerous article will be held accountable for any damage arising therefrom or thereto, unless the contents are described as such upon the direction, that due care may be observed in the loading; and in no case will the Company be liable for the loss of any such article; and the Company will only undertake the carriage of gunpowder, aquafortis, vitriol, ardent spirits, lucifer or Congreve matches, kerosine and paraffine oil, and explosive substances, on such special terms as may be agreed upon between themselves and the sender.

All goods, from whomsoever received or to whomsoever belonging, are subject to a lien not only for the freight of the particular goods but also for any general balance that may be due from the owners, consignor, or consignees; and if in fourteen days after the Company, their clerks, or agents first received the goods for transmission by this Railway, the money due be not paid, they will be sold by auction, and the proceeds applied towards satisfaction of such lien and expenses. All goods will be subject to a charge for demurrage if not removed from the Railway premises within twenty-four hours after arrival; and fish, fruit, vegetables, meat, poultry, or other perishable articles are conveyed at the owners' risk, and will be immediately sold to secure the freight if it be not paid when such articles arrive at the Railway terminus, or are offered for delivery.

No claim for loss or damage (for which the Company is accountable) will be allowed unless made within 48 hours after arrival of the goods; and the delivery of such goods will be considered as complete when the notice of arrival is rendered to the consignee, or, if carted out by the servants of the Company, when the goods are placed at the door of the consignee, or suspended to his crane, chains, or tackle; the cellaring or warehousing afterwards will be at the owner's risk. Notwithstanding any period or periods of credit which as a matter of convenience the Company may allow, they hereby give notice that all charges for freight or carriage or for conveyance are due in cash on delivery or tender of the goods.

All empties not taken away within one month after their arrival will be sold by Auction to defray expenses.

N.B.—The above Conditions apply to all parcels and goods received by the Company, their clerks or agents, for transmission by this Railway at all their respective offices and warehouses wheresoever situate.

W. S. BUTTON, *Chairman.*

578.

Colonial Secretary's Office, 16th June, 1870.

SIR,

I HAVE the honor to return the accompanying Bye-laws made by the Launceston and Western Railway Company which have received the approval of the Governor in Council.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

PURCHASE OF TURNTABLES: ORDER FORWARDED TO ENGLAND FOR THEM WITHOUT AUTHORITY TO DO SO BEING FIRST OBTAINED.
Nos. 579 to 583.

579.

*Launceston and Western Railway Company, Limited,
Launceston, 11th May, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

£774 for Turntables, and their erection.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

I HAVE the honor to recommend that the concurrence of the Governor in Council be given to the within application.

THEODORE BARTLEY.
17. 5. 70.

I CONCUR, after having ascertained that the item is not in the suspended list, but included in the estimated one as not admitting of postponement.

FRED. M. INNES.
28th May, 1870.

580.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town,
30th May, 1870.*

SUBMITTED,

THAT the expenditure of the sum of seven hundred and seventy-four pounds for the purchase of two turntables for the Launceston and Western Railway, as applied for by the Directors and recommended by the Commissioners, be authorised.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
30. 5. 70.

The Hon. the Colonial Secretary.

581.

Colonial Secretary's Office, 31st May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 11th instant; and, in reply, to acquaint you that the Governor in Council has approved of the expenditure of the sum of £774 for the purchase of two turntables for the Launceston and Western Railway.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq.*, Secretary.

582.

*Railway Commissioners' Office, Launceston,
26th May, 1870.*

SIR,

I HAVE the honor to bring under your notice, that immediately after the dispatch of the last English mail I discovered that the Secretary of the Launceston and Western Railway Company had sent home through Messrs. Hemans & Terry an order for two engine turntables, at a cost of £500, without having first obtained the authority of the Governor in Council to do so, in accordance with the Launceston and Western Railway Act, No. 5. Upon my questioning the Secretary upon this extraordinary proceeding, he informed me that he had Mr. Innes's concurrence to what he had done. I immediately put myself in telegraphic communication with Mr. Innes, and in reply he wrote to me to the following effect: "I have received two telegrams from you, to the first of which (identical with the second) I replied by returning to you the official application to the Executive in question, which I am quite prepared to recommend on the representation of the Traffic Manager as soon as I am satisfied that there are available funds."

Annexed to this I forward for your information copies of the Order and Memorandum alluded to in such Order, which were sent home to England for the turntables.

I deem any comment from me needless: the extraordinary action taken by the Company's Secretary in this matter speaks for itself.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

(Copy.)

DEAR SIR,

Launceston and Western Railway, Launceston, 19th May, 1870.

THE enclosed Memorandum from the Engineers I send on by this Mail, without the required formal Order signed by the Commissioners, who are waiting concurrence of the Government. I do this upon the authority of the Commissioners, in order that you may get the thing forward; and will send the necessary authority next mail. I am desirous by this means to be in time for some of our direct ships.

You will please urge on the delivery of the iron for goods waggons; shipping as sets may be completed, without waiting for the whole.

I have, &c.,

(Signed) H. DOWLING, Secretary.

Messrs. HEMANS & TERRY, London.

(Copy.)
DEAR SIR,

4th May, 1870.

WE beg to recommend that orders be sent by the next outgoing mail to England for the supply of two (2) thirty feet turntables, of a pattern to be approved of by Mr. Hemans, to whom we shall communicate our views about them.

We have, &c.,

(Signed)

DOYNE, MAJOR, & WILLET.

H. DOWLING, Esq., Secretary.

FORWARDED for the observations of the Commissioners.

J. M. WILSON.

27 May, 1870.

The Hon. F. M. INNES.

READ, and returned to the Hon. the Colonial Secretary.

F. M. INNES.

As the Secretary in his letter to the London Agents says that he wrote "upon the authority of the Commissioners," I requested him to furnish an explanation of such assertion, and annex his reply.

THEODORE BARTLEY..

30. 5. 70.

(Copy.)

Launceston and Western Railway Company, Limited,
Launceston, 30th May, 1870.

DEAR SIR,

IN answer to your enquiries respecting my having sent home an order for turntables, in which the Governor in Council had not concurred, I beg to say that the Correspondence on this subject in the hands of the Government will speak for itself, and explain the amount of responsibility undertaken by me on behalf of the Company, and which has had the approval of the Directory.

This item of expenditure was included in the Appropriation Schedule settled at a Conference between the Directors and Commissioners, and to which all three Commissioners were parties; and the formal application for the expenditure, settled by the Directors, had already received your written approval, and was in the hands of Mr. Innes for this purpose. The mail, however, I found must leave without the formal Order to the London Agents,—in which it is necessary two Commissioners should unite,—and I therefore requested them to prepare for the order, waiting the official authority by next mail.

I did this in the knowledge that it was of the greatest importance no delay should occur, so that the usual preliminary steps might be taken, if the London Agents chose to take the responsibility; but I did this in the full knowledge that Mr. Innes intended to give his sanction to every item in the schedule of appropriations (not included in an appendix of suspended items) as from time to time the Directors might require to order.

I was also under the impression that Mr. Innes and yourself had verbally approved of my adopting the course I have done; but if I have been mistaken, allow me to remind you that the responsibility is one resting entirely between the London Agents and myself, and cannot affect your official proceeding in any manner.

I have, &c.,

T. B. BARTLEY, Esq.

(Signed) H. DOWLING, Secretary.

583.

Colonial Secretary's Office, 3rd June, 1870..

SIR,

IN reply to your letter of the 26th ultimo, informing me that the Secretary to the Launceston and Western Railway Company had, by last mail, transmitted to England an order for two turntables, at a cost of five hundred pounds, without having previously obtained the concurrence of the Governor in Council, I have the honor to inform you that it appears the application by the Secretary was dated the 11th May, and was for the sum of seven hundred and seventy-four pounds instead of five hundred pounds. The item is not in the "suspended list," but is included among the requirements for the railway that will not admit of postponement; and under these circumstances, upon the recommendation of Mr. Innes and Mr. Bartley, the approval of the Governor in Council has been given.

Mr. Dowling unquestionably acted without due authority on this occasion; but aware that the item was considered and retained in the estimate of indispensable expenditure, and appreciating the importance of communicating with England without loss of time, he appears to have accepted the responsibility, relying on the previous general concurrence of the Commissioners as regards the several items in the approved list for subsequent indemnification.

I have, &c.,

(Signed)

J. M. WILSON.

S. V. KEMP, Esq., Launceston.

ALTERATION OF ANNUAL REPORT AFTER ADOPTION: AND DIFFERENCES
BETWEEN MESSRS. DOWLING AND KEMP. Nos. 584 to 592.

584.

Launceston and Western Railway Company, Limited,
Launceston, 11th May, 1870.

SIR,

As notices have appeared in the public journals to the effect that I had presented a Report from the Directors to the Shareholders, at their annual meeting in April, which was not the Report adopted by the Directory, I have the honor to forward for the information of the Government a Memorandum addressed by me to the Directory on the same question, which had been introduced into the business of the Directory at their weekly meeting on the 3rd instant; and I beg to apprise the Government that I am aware that a very considerable majority of the whole Directory approve of the course which I adopted, with the concurrence of the Chairman.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

MEMORANDUM.

Mr. Kemp having, at the Board meeting on Tuesday, considered it within his duty, acting as an *ex officio* member of this Directory, to complain of the Report from the Board to the Shareholders, on the alleged ground that I had omitted a paragraph from the draft settled by the Directory, I am desirous of placing on the records an explanation of my procedure; and as there were but four members of the Directory present (Mr. Green, Mr. Fisher, Mr. Harrap, and Mr. Button), exclusive of Mr. Kemp, when the draft Report was considered and amended, I wish to give this explanation in detail.

As the Directory are aware, it became my duty to bring up a draft Report for the annual meeting of Shareholders to the meeting of Directors held on the 22nd of April; and the usual course was followed of first reading the whole draft, and then the paragraphs *seriatim*.

Amongst these paragraphs one had been introduced containing a protest on the part of the Directors against the conclusions of the Parliamentary Committee in their Report to the Houses. It was objected by Mr. Green, who at the same time expressed his full concurrence in the subject matter of the paragraph, that as it would tend to provoke acrimonious discussion it had better be left out. After some conversation, I suggested the erasure of a considerable portion of it, and my suggestion was adopted. When, however, I came to arrange the Report for a fair copy, I found that, notwithstanding so large a portion had been expunged, the matter which remained was as likely to produce irritating discussion as the part which had been withdrawn by me; and understanding the whole tenor of the conversation at the Board meeting to imply a distinct desire on the part of the Directory that all such irritating matter should be avoided,—at least on points not necessarily arising out of the year's business of the Company,—I left out the remaining portion of the paragraph in question.

In this I had the approval of the Chairman, prior to the annual meeting, and of the Directors who were present at that meeting, who joined in the unanimous adoption of the Report.

The Board will allow me under these circumstances to request them to signify, by resolution, their opinion on the course of proceeding I adopted.

(Signed) H. DOWLING.
5. 5. 70.

RESOLUTION of the Directors on 10th May upon the foregoing:

"That the Board approves of the course adopted by the Secretary, with the concurrence of the Chairman, in leaving out the entire of the paragraph referring to the Parliamentary Committee, partly objected to by the Board at their meeting on 22nd ultimo."

"Ayes:"—Mr. Button, Mr. Robertson, Mr. Green, Mr. Webster, Mr. Fisher.

"Noes:"—Mr. Kemp, Mr. Dodery.

True Copy—

H. DOWLING.

585.

Colonial Secretary's Office, 12th May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 11th instant, forwarding for the information of the Government copy of a Resolution of the Board of Directors, expressing their approval of the course pursued by you in altering the Annual Report after it had been considered by the Directors before it was presented to the Shareholders at the General Meeting.

You also enclose a memorandum explaining the circumstances which led you to make such alterations.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

Railway Commissioners' Office, Launceston, 13th May, 1870.

SIR,

MR. Dowling having thought proper to address a letter to you on the 11th instant relative to the alterations in the Shareholders' Report after it had been adopted by a majority of the Directory of the Launceston and Western Railway Company, and as he has failed to forward to you the whole of the particulars, I beg herewith to supply the omissions in a short digest hereunto annexed.

I have, &c.,

(Signed) SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

PARTICULARS relating to alterations of the Shareholders' Report after it had been adopted by a majority of the Directory of the Launceston and Western Railway Company.

At a weekly meeting of the Directory of the Launceston and Western Railway Company held on the 22nd ultimo the Secretary brought up a draft Report upon the half-yearly proceedings for the Shareholders. After the Report had been read, Mr. Kemp took exception to a paragraph containing a strong protest against certain parliamentary proceedings of last Session, and upon the suggestion of Mr. Green a portion of such paragraph was expunged, and the Report, thus altered, was duly adopted,—Messrs. Button, Green, Fisher, and Harrap voting for, and Mr. Kemp against, its adoption.

On the 26th ultimo the Report was read before a General Meeting of the Shareholders, with the objectionable paragraph above alluded to eliminated altogether from such Report.

On the 3rd instant, at a weekly meeting of the Directory, Mr. Kemp called the Chairman's attention to the unauthorised alteration in the said Report, which elicited an explanation from the Secretary.

At last Tuesday's Board Meeting Mr. Kemp addressed the accompanying letter (marked A.) to the Chairman, who read it to the Directory; but before doing so, ruled that it was out of order, and could not be received. Immediately after the Secretary produced and read the memo. annexed to his letter to you of the 11th instant, which memo. was duly adopted by Messrs. Button, Green, Fisher, Robertson, and Webster voting for, and Messrs. Kemp and Dodery against, its adoption. The Secretary stated at such meeting that he regretted having destroyed the clause that he expunged from the Report, but was able from memory to supply what he felt certain was almost a true copy, word for word, of the original. See accompanying paper marked B. The part marked within inverted commas was eliminated by the Directory; and the remaining portion adopted, and afterwards expunged altogether by the Secretary.

SAML. V. KEMP.
13. 5. 70.

A.

(Copy.)

Railway Commissioners' Office, Launceston, 10th May, 1870.

SIR,

REFERRING to the subject that I brought under your notice at last week's meeting of the Directory, relative to the unauthorised alterations in the Shareholders' Report adopted by a majority of the Directory on the 22nd ultimo, I have now the honor to repeat in writing that the Report as read on the 26th ultimo to the Shareholders of the Launceston and Western Railway Company was not the same as the Report which was adopted by the Directory on the 22nd ultimo.

I deem it my duty to respectfully protest against the course that has been pursued with this Report, in allowing any alteration to be made in it after it had been duly adopted by the Directory; and I trust that this case will not at any future time be construed into a precedent.

I have, &c.,

(Signed) SAML. V. KEMP.

The Chairman of the Launceston and Western Railway Company, Launceston.

B.

COPY of the Clause expunged by MR. DOWLING.

WHILST therefore the application to Parliament has been so far successful, the Directors deem it to be their duty to themselves and the officers of the Company to record in this place their protest against the proceedings of the Committee, and the conclusions arrived at in their Report. "The Directors, not having been advised of the course intended to be pursued before this Committee, were surprised to find from the nature of the interrogatives put to the witnesses by the Chairman that the proceedings were based upon foregone conclusions to the prejudice of the Directors; whilst, by the unusual mode adopted, when this report should have been submitted to the Houses, of presenting resolutions embodying only clauses of a Bill attached to the Report, and not the paragraphs of the Report, no opinion was elicited on the Report itself." The Directors, therefore, have not had an earlier favourable opportunity of protesting against the proceedings and conclusions of that Committee.

Colonial Secretary's Office, 17th May, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 13th instant, forwarding particulars relating to alterations of the Shareholders' Report after it had been adopted by a majority of the Directory of the Launceston and Western Railway Company.

I have, &c.,

(Signed) J. M. WILSON.

S. V. KEMP, Esq., Launceston.

*Launceston and Western Railway Company, Limited,
Launceston, 25th May, 1870.*

SIR,

I HAD the honor, on the 11th instant, to forward to you a copy of a Memorandum addressed by me to the Directors of the Launceston and Western Railway Company on the 5th instant, arising out of a question raised by Mr. Kemp, one of the Commissioners, at the Board meeting on the 3rd instant, respecting the annual Report addressed to the Shareholders in April, and which he asserted in general terms was *not* the Report adopted by the Directory; and I have now further to address you with respect to this matter, and to other circumstances on the part of Mr. Kemp, out of which this may be said to have grown, and of which I complain.

As an *ex officio* Director Mr. Kemp may have deemed it within his province to interfere between the Directors, the Shareholders, and myself, notwithstanding that the question involved no principle intended by the Law to be guarded by the vigilance of the Commissioners; and if the action of Mr. Kemp had ended there, I should not perhaps have complained.

But I have the honor to request that my complaint may be laid before His Excellency the Governor in Council, that Mr. Kemp has not been satisfied with proceedings within the Board room, but has so misrepresented the facts of the case out of doors as to expose me to unmerited animadversion in the columns of a portion of the Press in this Colony, and, by the instrumentality of a Correspondent of the *Australasian*, in Melbourne also, where I have been long and, I trust, favourably known.

I regret having thus to address you. I have hoped for a long time past to submit uncomplainingly, during the remaining progress of the works, to Mr. Kemp's ungentlemanly treatment; but I cannot longer do violence to my sense of self-respect by submitting to a course of conduct on his part which has been so long pursued,—every week seeming to increase the irritating annoyances to which I am subjected.

This commenced soon after Mr. Kemp entered on the more active duties of his office; when, from a circumstance which I deemed to be most reprehensible on his part, I gave him to understand that I should hold myself to mere official intercourse with him for the future.

This circumstance arose when the Commissioners were considering their Certificate, required under the Railway Act; when Mr. Kemp represented his coadjutors to have been guilty of deception in their official intercourse with me, as Honorary Secretary and a Director of the Company (for I was not then a paid Officer), unbecoming their character and position; and which I afterwards discovered to have been a mis-statement on the part of Mr. Kemp, and resented accordingly in the manner I have just stated.

I will not trouble His Excellency with further details; but I am prepared to give these at any time before any tribunal His Excellency may be pleased to appoint. From that time until the present, Mr. Kemp's attitude towards me has been one of continuous overbearing irritation; on one occasion accompanied by threats of personal violence, conveyed in terms too coarse for repetition here; and this behaviour having now culminated in the recent misrepresentation referred to, forces me to make this appeal to His Excellency: not solely on personal grounds, but in view of the fact that the interests of the railway promoters and of the public service are being injured by Mr. Kemp.

I would, however, most respectfully submit that I have personal claims to the consideration of the Government; and as these must necessarily be unknown to His Excellency, I trust I may be excused reminding you that I have been a colonist for 40 years, and have been connected with most public questions and movements in Launceston during this period. I have been in the Commission of the Peace for 14 years; and during that time, for about two years, I served the Government as Acting Police Magistrate of the District, and received their thanks for such services. I also discharged the duties of the Mayoralty at Launceston for five successive years; and I sat in the Assembly as Member for the same place for about two years, and which trust I resigned only from inability to give up to its duties the necessary time.

The experience I have gained has taught me to bear with much that is unpleasant, and in the prosecution of public duties to place the most charitable construction on men's actions and motives; and I should have been glad if, consistently with my sense of self-respect, and with the interest of the railway, I could have avoided this appeal, which I trust His Excellency will be pleased to refer to such Commission or Board of Enquiry as to His Excellency may seem best suited to aid him in arriving at a just conclusion on my case.

I have, &c.,
(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

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589.

Colonial Secretary's Office, 6th June, 1870.

SIR,

I HAVE the honor to enclose herewith a copy of a letter addressed to me by the Secretary of the Launceston and Western Railway Company dated 25th ultimo.

You will perceive that the communication has a personal reference to Mr. Dowling, and therefore I shall be glad to be informed whether I am to understand that the Board of Directors has sanctioned the course he has taken in this matter.

I have, &c.,

(Signed) J. M. WILSON.

*The Chairman of the Board of Directors Launceston and
Western Railway Company.*

590.

*Launceston and Western Railway Company, Limited,
Launceston, 8th June, 1870.*

SIR,

I HAVE the honor to state, in reply to your letter of the 6th instant, that the Board of Directors had no cognisance of Mr. Dowling's letter to you of 25th May, referring to personal matters between himself and Mr. Kemp.

I have, &c.,

(Signed) W. S. BUTTON, *Chairman.*

The Hon. the Colonial Secretary, Hobart Town.

591.

Colonial Secretary's Office, 15th June, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 25th ultimo, preferring a complaint against Mr. Kemp in his capacity as a Commissioner, and requesting that such complaint may be laid before the Governor in Council.

I felt it my duty to forward a copy of your communication to the Chairman of the Board of Directors, with the view of ascertaining whether, as you addressed me from the Office of the Launceston and Western Railway Company, and signed yourself as Secretary, the Directory were cognisant of the course you had deemed it incumbent upon you to adopt; and Mr. Button, in his reply dated the 8th instant, informs me that the Board of Directors had no cognisance of your letter to me of the 25th May.

I desire to offer no opinion upon the subject matter of your letter; but it does not appear to me consistent with ordinary practice that the Secretary of a Company should appeal to the Governor in Council against the conduct of a gentleman holding direct official relations to the Company, and an *ex officio* Director, except through the Board of Directors; nor could I recommend His Excellency to appoint any tribunal to investigate questions of disagreement between yourself and Mr. Kemp, which in no way relate to his competency to discharge the professional duties of his office. I sincerely regret that any unpleasant feeling should exist to interfere with that cordial co-operation so desirable for the best interests of the Company; and I trust that, in view of the early completion of the Railway Works, a tone of conciliatory forbearance may, on either side, lead to an avoidance of all unnecessary irritation.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

592.

Launceston, 29th June, 1870.

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 15th instant.

Whilst it is my duty to accept your decision, and to believe that you decided in the full conviction that you were exercising a sound and just judgment, I deem such decision—which bars my appeal to His Excellency in Council—most unfair to me; seeing that, as I understand your letter,

I owe this decision to the accident of my holding office under the Company, and that I signed my name as Secretary, and that the questions submitted "in no way relate to his, Mr. Kemp's, competency to discharge the professional duties of his office."

I beg to be allowed to reply, that my complaint comprised statements which could not be adversely affected by my position; *i. e.*—

1. That Mr. Kemp had misrepresented to the Press certain facts, known to him only as an *ex officio* Member of the Board of Directors, which office he held only by the direct nomination of the Crown, and which misrepresentation led to my being exposed to unjust animadversion by public writers; and, further, that this was but a feature in a long course of ungentlemanly conduct on his part.

2. That Mr. Kemp, in his capacity of a Commissioner, appointed as aforesaid, had misrepresented to myself the official conduct of his fellow Commissioners, which, if true, would have stamped them as men utterly incompetent to their official duties, and wholly unworthy the character of gentlemen.

3. That he had threatened me with personal violence in terms so coarse that I deemed it improper to submit them in an appeal to the Governor. The terms themselves were known to Members of the Executive, if not to yourself.

But, with all this, you express your opinion that my complaint in no way relates to "his competency to discharge the professional duties of his office;" and that, for this reason, as well as for that previously stated, you cannot entertain such complaint.

I most respectfully submit that I should not have been justified in expressing to you my opinions, or even the convictions of my experience, adverse or otherwise to the professional status of Mr. Kemp; and I am quite sure he would have warmly resented any such conduct on my part, and would, most certainly, have refused to submit his professional pretensions to any tribunal whatever, much less to the Board of Directors, whose authority he would, as a nominee of the Crown, naturally have repudiated.

To the Government he is alone responsible: and it was under these circumstances that I appealed to the Government.

I have, &c.,
(Signed) H. DOWLING.

The Hon. the Colonial Secretary, Hobart Town.

VARIOUS ITEMS OF EXPENDITURE SPECIFIED IN No. 600. Nos. 593 to 600.

593.

*Launceston and Western Railway Company, Limited,
Launceston, 15th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely:—

£300 for printing forms, tickets, &c.

£584 for furnishing and supplying light and water to stations and offices.

I have, &c.,
(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

IN recommending the concurrence of the Governor in Council to the sum of £300 for printing forms, books, and tickets, I beg to intimate that the sum is strictly chargeable to revenue, and not to construction; but should the Governor in Council be pleased to grant this authority, I beg to recommend that the consent of the Commissioners to the details of such expenditure be a condition of such outlay. With reference to the £584 asked for furnishing and supplying light and water to the station and offices, I desire to point out that the Directors have agreed that the laying on of the gas and water, including all gas fittings and lamps, should be a first charge upon this sum, and the balance to be spent upon furnishings. I beg to recommend that authority be granted for £584, and that the consent of the Commissioners to the details of such expenditure be a condition of such outlay.

SAML. V. KEMP.
17. 6. 70.

BEFORE signing this I wish distinctly to understand that the items properly chargeable to revenue, but for which it is necessary to apply construction funds temporarily, will subsequently be dealt with as revenue charges, and immediate advances made good in the Company's accounts.

F. M. INNES.
22nd June, 1870.

I do not see any objection to the £300 being paid for the present out of the funds at our disposal for construction, provided it is refunded after the opening of the line.

S. V. K.

MEMORANDUM.

I HAVE always held the opinion that these payments should be eventually charged to revenue as well as stores; and perhaps the Commissioners will pass the amounts subject to such condition, and thus facilitate business.

I most respectfully submit, however, that the Commissioners should not insist upon the exceptional condition suggested by Mr. Kemp, by which the Board of Directors would be dissociated from the Commissioners in the settlement of the details of the expenditure for which the concurrence of the Governor is asked. The arrangement involves considerable addition to correspondence and also delay without any corresponding protection to the public. If the Directors cannot be entrusted with such an expenditure it is clear they are useless. I submit the law never contemplated a distinction between those gentlemen and the Commissioners such as that sought to be created.

H. DOWLING, *Secretary*.
22. 6. 70.

I RECOMMEND concurrence in the proposed expenditure, but dissent from the condition attached by Mr. Kemp. The veto sought to be vested in the Commissioners was never contemplated by the law, and the only result of its exercise would be perpetual alterations. It would amount to a virtual supervision of the Directory, a proceeding the most injudicious that could be adopted at the present juncture, and as regards the future. The outlay in question is embraced in the estimate now in the hands of the Executive.

F. M. INNES.

I FULLY concur in the opinions and recommendation of Mr. Innes.

THEODORE BARTLEY.
22. 6. 70.

594.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town,
24th June, 1870.

SUBMITTED,

THAT upon the application of the Board of Directors, accompanied by the recommendation of the Commissioners, the sum of three hundred pounds be authorised for printing forms, books, tickets, &c., upon the condition that the amount expended under this authorisation shall be subsequently charged against the revenue of the Company, and the funds applicable to the construction of the railway credited therewith.

Also, that the expenditure of the sum of five hundred and eighty-four pounds be authorised for supplying light and water to the stations and offices, including all gas fittings and lamps, as a primary charge, and the balance for furnishing offices.

(Signed) J. A. DUNN.

THE Governor in Council approves.

E. C. NOWELL.
27. 6. 70.

The Hon. the Colonial Secretary.

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595.

*Launceston and Western Railway Company, Limited,
Launceston, 15th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

£10 for petty cash for office disbursement.

I have, &c.,

(Signed) R. W. LORD, *for Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to sum herein asked for; viz., £10 for petty cash.

FRED. M. INNES.

SAML. V. KEMP.

17. 6. 70.

APPROVED,

(For the Colonial Secretary, absent)

J. A. DUNN.

596.

Colonial Secretary's Office, 20th June, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communication of the 15th instant; and, in reply, to acquaint you that I acquiesce in the expenditure of the sum of ten pounds for petty cash for office disbursement, and that such approval will be submitted to His Excellency the Governor for confirmation at the next meeting of the Executive Council.

I have, &c.,

(Signed) J. A. DUNN,
For the Colonial Secretary (absent).

H. DOWLING, *Esq., Secretary.*

597.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 24th June, 1870.

SUBMITTED,

THAT, upon the application of the Directors, and the recommendation of the Commissioners, the disbursement of the sum of ten pounds be authorised for petty cash expenses on account of the Launceston and Western Railway Company.

(Signed) J. A. DUNN.

THE Governor in Council approves.

E. C. NOWELL.

27. 6. 70.

The Hon. the Colonial Secretary.

598.

*Launceston and Western Railway Company, Limited,
Launceston, 24th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely,—£12 for converting two goods waggons into sheep vans, in addition to £60 authorised on the 14th June, the latter sum not proving sufficient.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the authority herein asked for; viz., £12, as an addition to the £60 already authorised for constructing two low-sided waggons into sheep vans.

SAML. V. KEMP.
F. M. INNES.
25. 6. 70.

599.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 27th June, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the expenditure of a further sum of twelve pounds be authorised (in addition to the sum of £60 already approved), for converting two low-sided waggons into sheep vans.

(Signed) J. A. DUNN.

THE Governor in Council approves.

E. C. NOWELL.
27. 6. 70.

The Hon. the Colonial Secretary.

600.

Colonial Secretary's Office, 27th June, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the following expenditure in connection with the Launceston and Western Railway; namely,—

£300 for printing forms, books, tickets, &c., upon the condition that the amount expended under this authorisation shall be subsequently charged against the Revenues of the Company, and the funds applicable to the construction of the Railway credited therewith.

£584 to be expended, in the first instance, for supplying light and water to the stations and offices, including all gas fittings and lamps, and any balance that may remain for furnishing offices.

£12 (in addition to the sum of £60 already approved) for converting two low-sided waggons into sheep vans.

£10 for Petty Cash expenses on account of the Launceston and Western Railway Company.

I have, &c.,

(Signed) J. A. DUNN,
For the Colonial Secretary (absent.)

H. DOWLING, *Esq., Secretary.*

WATER SUPPLY. Nos. 601 to 607.

601.

*Launceston and Western Railway Company, Limited,
Launceston, 15th June, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely,—

£1500 for providing necessary water supply for the Line of Railway.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

As some considerable delay is likely to take place before the information sought will be furnished to the Commissioners. We beg to recommend that authority be granted for the sum asked, £1500 for water supply, so as not to give grounds for delay, from that cause, to the opening of the line for traffic.

SAML. V. KEMP.
25. 6. 70.

THE item herein represented is an approved one in the list forwarded some time ago to the Executive, and the sum named, £500, within the amount therein provided for it. It is, therefore, recommended for the approval of the Governor in Council.

F. M. INNES.
THEODORE BARTLEY.
28. 6. 70.

IN recommending the concurrence of the Governor in Council to authorise £1500 for providing the necessary water supply for the Line of Railway, I beg to state that I am in no way responsible for the sufficiency of the estimate; the accompanying letter from the Engineers is all that has been furnished to guide me in the matter.

SAML. V. KEMP.
18. 6. 70.

THE expenditure is necessary—the estimated cost I am equally irresponsible for.

F. M. INNES.

IN order to enable the Commissioners to express an opinion upon the sufficiency of the sum named, the Secretary has been requested to obtain from the Engineers of the Company such a detailed estimate of the proposed expenditure as may place Mr. Kemp in a position to report to the Government on that point.

J. A. DUNN.
21. 6. 70.

(Copy.)

*Launceston and Western Railway Company, Limited,
Launceston, 7th June, 1870.*

WATER SUPPLY.

DEAR SIR,

WE have to suggest that you obtain the sanction of the Board and the Government to an expenditure of say £1500 for the purpose of providing a supply of water at Launceston, Evandale, Perth, Longford, Westbury, and Deloraine Stations: in this estimate we assume that you will be able to make arrangements with the Municipal Council at Launceston for a supply of water.

At Evandale, Perth, and Westbury, it is proposed to sink wells and use hand pumps. At Longford and Deloraine it is proposed to use small steam pumps, and to take the water from the river; in both cases we suggest that these steam pumps should be ordered by the next English mail.

Size of tanks at Launceston		
Ditto	Longford	} 2400 gallons each.
Ditto	Deloraine	
Ditto	Evandale	
Ditto	Perth	} 1600 gallons each.
Ditto	Westbury	

We are, &c.,
(Signed) DOYNE, MAJOR, & WILLETT, *Engineers.*

HENRY DOWLING, *Esq., Secretary.*

602.

Colonial Secretary's Office, 21st June, 1870.

SIR,

WITH reference to the application from the Directors of the Launceston and Western Railway Company for the concurrence of the Government in the expenditure of the sum of fifteen hundred pounds for the purpose of supplying water at the several stations along the Line, I have to request that you will inform me whether this sum was included in the schedule of items of indispensable expenditure recently concurred in by the Directors and the Commissioners, or is it a contingency as yet unprovided for?

I have, &c.,
(Signed) J. A. DUNN.

The Hon. F. M. INNES, M.L.C., Launceston.

YES—It was not among the suspended but the indispensable items.

F. M. INNES.
22 June, 1870.

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603.

Colonial Secretary's Office, 21st June, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 15th instant, requesting the concurrence of the Government in the expenditure of the sum of £1500 for providing necessary water supply for the Line of Railway.

Before submitting the application to the Governor in Council, I have to request that you will obtain from the Company's Engineers such a detailed statement of the proposed expenditure as will enable the Professional Commissioner to form an opinion as to the sufficiency of the amount to cover all the necessary cost of the contemplated water supply; and I shall feel obliged by your forwarding such detailed estimate when furnished by the Engineers to Mr. Kemp for his consideration and report to the Government.

I have, &c.,

(Signed) J. A. DUNN,
For the Colonial Secretary (absent).

H. DOWLING, Esq., Secretary.

604.

*Launceston and Western Railway Commissioners' Office,
Launceston, 25th June, 1870.*

SIR,

IN reference to the application for sanction to an outlay of £1500 on water supply which now awaits the decision of the Governor in Council, I have the honor to remind you that in April last a Conference (duly reported to you) was held between the Directors of the Launceston and Western Railway Company and the Commissioners on the financial position of the Company, when a general agreement was entered into in regard to expenditures that were imperative and others which could be delayed. At that Conference all the Commissioners were present, and no one took a more prominent part in advising upon the sufficiency of each estimate than did Mr. Kemp. I am warranted in saying that no item and no figure was inserted unless it accorded with his views, individual Directors waiving their own opinions. An account giving the result was supplied to the Government, a reference to which will show that £2000 is the sum provided for water supply, £1500 being the proportion thereof now asked.

In forwarding the usual recommendation for this expenditure, Mr. Kemp added a note disclaiming responsibility for the sufficiency of the sum; and I thought it necessary to obviate the mistake that I could be responsible where he refused to be so, by adding a similar disclaimer. I did not, however, imagine that by so doing I would be contributing to delay the settlement of a question which at this juncture presses.

It was in April last, as I have already stated, that the estimate of £2000 was placed before the Commissioners for water supply. It is almost three months afterwards that the Company is kept waiting for the approval of that outlay on the ground that information is not given which was never sought during the period of nearly three months which have intervened.

I have, &c.,

(Signed) FRED. M. INNES.

The Hon. the Colonial Secretary.

605.

Colonial Secretary's Office, 30th June, 1870.

SIR,

IN reply to your letter of the 15th instant, I have the honor to acquaint you that I acquiesce in the expenditure of the sum of fifteen hundred pounds for providing necessary water supply for the Line of Railway, and that His Excellency the Governor will be advised to confirm such approval at the next meeting of the Executive Council.

I have, &c.,

(Signed) J. A. DUNN,
For the Colonial Secretary (absent).

H. DOWLING, Esq., Secretary.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, 1st July, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the sum of fifteen hundred pounds be authorised for the purpose of providing a supply of water at Launceston, Evandale, Perth, Longford, and Deloraine Stations.

(Signed) J. A. DUNN.

THE Governor in Council approves.

E. C. NOWELL.
4. 7. 70.*The Hon. the Colonial Secretary.**Colonial Secretary's Office, 4th July, 1870.*

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to sanction the expenditure of the sum of fifteen hundred pounds for the purpose of providing a supply of water at Launceston, Evandale, Perth, Longford, and Deloraine Stations.

I have, &c.,

(Signed) J. A. DUNN,
For the Colonial Secretary (absent).

H. DOWLING, Esq., Secretary.

PURCHASE OF LAND AND COSTS THEREON. Nos. 608 to 610.

*Launceston and Western Railway Company, Limited,
Launceston, 7th July, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely,—

£124 12s. 10d., being for land purchases and costs thereon.

I have, &c.,

(Signed) H. DOWLING, Secretary.

The Hon. the Colonial Secretary, Hobart Town.

RECOMMENDED to the approval of the Governor in Council.

F. M. INNES.

THEODORE BARTLEY.
7. 7. 70.

APPROVED.

J. M. WILSON.
11 July, 1870.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 11 July, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the concurrence of the Commissioners, the expenditure of the sum of one hundred and twenty-four pounds twelve shillings and ten pence be authorised for land purchases and costs thereon.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
11. 7. 70.*The Hon. the Colonial Secretary.*

Colonial Secretary's Office, 11th July, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to sanction the expenditure of the sum of £124 12s. 10d. for land purchases and costs thereon.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq.*, Secretary.

COMMISSIONERS NOTIFYING THAT SEVERAL APPOINTMENTS HAD BEEN MADE. No. 611.

611.

Railway Commissioners' Office, Launceston, 7th July, 1870.

SIR,

WE have the honor to acquaint you that at a special meeting of the Directory of the Launceston and Western Railway Company, held on Tuesday, the 5th instant, the subjoined appointments were made for carrying on the business of the Railway, at the rates of salary affixed to each name.

We unanimously abstained from voting on the choice of Officers, leaving it entirely to the Directors. But as it remains doubtful whether the railway can be finally completed and opened for traffic before September or October next, we did not think the Government could be advised to approve of salaries taking effect at once, and therefore we submitted the subjoined resolutions to the Board, which were at once acceded to.

In comparison with the rates of pay in the Railway Departments of the neighbouring Colonies, or the scale of remuneration in corresponding situations in this Colony, the salaries voted by the Directory are moderate; in fact they must be regarded as experimental.

We have, &c.,

(Signed)

FREDK. M. INNES.

SAML. V. KEMP.

The Hon. the Colonial Secretary, Hobart Town.

A SPECIAL Meeting of the Directory was called for the 5th July, 1870.

Present—Messrs. Button, Green, Robertson, Fisher, Tyson, Scott, Dodery, Kemp, Innes, Bartley, Gibson, and Webster.

The Board proceeded to the special business of the day, namely, election of Officers.

Station Masters.

		£.			£
Launceston	Mr. J. C. Stead	200	Westbury	Mr. W. Douglas	150
Deloraine	Mr. E. Cunliffe	175	Perth	Mr. L. Dowling	120
Longford	Mr. A. Garstin	150	Evandale	Mr. A. Hartnoll	100
	<i>Storekeeper</i>	Mr. Robert M'George.....			£130
	<i>Booking Clerk</i>	Mr. F. Ferguson			£80

Goods Clerks:

Launceston	Mr. W. Pollard	100	Longford	Mr. G. W. Dodery...	120
Deloraine	Mr. G. Padman	120	Westbury	Mr. A. Reid.....	100

Audit Office, Junior Clerk—J. C. Israel, £40, £50, and £60.

Parcel Boy and Messenger—H. Byworth, for three years, £30, £35, and £40.

Foreman Porters—Launceston, W. Shearer; Longford, D. Jones; Westbury, A. Parker: 40s. per week each.

Porters—The nominations by the Committee having been read—*Resolved*, That each applicant be requested to apply personally at the Office; and that the Secretary report to the Board the most suitable for appointment.

Mr. Innes moved, and Mr. Kemp seconded—

“That in reference to the nomination to appointments in the services of the Company which have now been agreed to by the Board, the appointments shall not take effect, or any salaries be paid in respect thereto, until it has been further agreed by the Board that they shall severally take effect, and the salaries in connection therewith be made payable.” Carried.

Mr. Kemp moved, and Mr. Innes seconded—

“That in intimating appointments to the Stations Masters, the Secretary inform them of the salary, the allowances,—viz., fuel, light, and water,—and that the immediate dwelling accommodation is necessarily small.” Carried.

APPOINTMENT OF STATION MASTER, LAUNCESTON; INCREASE OF
ACCOUNTANT'S SALARY; PRINTING AND LETTERING BRAKE VANS;
AND MAKING AND PAINTING BOARDS FOR BYE-LAWS. Nos. 612 to 614.

612.

*Launceston and Western Railway Company, Limited,
Launceston, 29th July, 1870.*

SIR,

I HAVE to ask the authority of the Governor in Council for an expenditure of £200 per annum for Station Master at Launceston, and £50 additional per annum to the Accountant to the Company, making his salary £300 per annum.

And, further, for £21 painting and lettering four Brake Vans, and £40 for the making and painting Boards on which to post Bye-laws and other notices required by law to be exhibited for the public information.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

WE have the honor to recommend the concurrence of the Governor in Council to the within application.

FRED. M. INNES.

THEODORE BARTLEY.
28. 7. 1870.

APPROVED.

J. M. WILSON.
30 July, 1870.

613.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 30th July, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the concurrence of the Commissioners, the payment of Salary at the rate of two hundred pounds per annum to the Station Master at Launceston, and the sum of fifty pounds additional per annum to the Accountant to the Company, making his salary three hundred pounds per annum, is approved.

Also that the expenditure of the sum of twenty-one pounds for painting and lettering four Brake Vans, and forty pounds for the making and painting Boards on which to post Bye-laws and other Notices required by law to be exhibited for the public information, be approved.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
1. 8. 70.

The Hon. the Colonial Secretary.

614.

Colonial Secretary's Office, 1st August, 1870.

SIR,

I HAVE the honor to inform you that the Governor in Council has been pleased to approve of Salary at the rate of £200 per annum being paid to the Station Master at Launceston, and of the additional sum of £50 per annum to the Accountant to the Company,—making his salary £300 per annum.

His Excellency has also approved of the expenditure of the sum of £21 for painting and lettering four Brake Vans, and £40 for making and painting Boards on which to post Bye-laws and other Notices required by Law to be exhibited for the public information.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Launceston.*

LANDING AND SETTING UP CARRIAGES EX GRASMERE, AND FUEL FOR
LOCOMOTIVES. Nos. 615 to 617.

615.

*Launceston and Western Railway Company, Limited,
Launceston, 4th August, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely,—£250: £50 for landing and setting up carriages from London ex *Grasmere*, £200 for fuel for locomotives.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

We recommend.

THEODORE BARTLEY, }
F. M. INNES, } *Commissioners.*

THE item in enclosed of £200 for fuel will come under the same rule as certain previous items which do not belong to the "construction" expenditure of the Launceston and Western Railway, but to the outlay in "working" the Line, the £200 being an advance to be recouped to capital from revenue when obtained.

F. M. INNES.

616.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 6th August, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the sum of fifty pounds be authorised to defray the expenses of landing and setting up carriages from London ex *Grasmere*, and the sum of two hundred pounds for the purchase of fuel for locomotives, the latter amount being sanctioned as an advance from "construction expenditure" to be recouped to capital from revenue when obtained.

J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.

8. 8. 70.

The Hon. the Colonial Secretary.

617.

Colonial Secretary's Office, 8th August, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the expenditure of the sum of £50 to defray the cost of landing and setting up carriages from London ex *Grasmere*.

His Excellency has further approved of the expenditure of the sum of £200 for the purchase of fuel for locomotives, this amount being sanctioned as an advance from "construction expenditure" to be recouped to capital from revenue when obtained.

I have, &c.,

(Signed)

J. M. WILSON.

H. DOWLING, *Esq., Launceston.*

MR. DOWLING'S EXPLANATION RELATIVE TO A PORTION OF MR. KEMP'S
EVIDENCE BEFORE PARLIAMENTARY COMMITTEE. No. 618.

618.

*Launceston and Western Railway Company, Limited,
Launceston, 6th August. 1870.*

SIR,

I HAVE the honor to forward copies of correspondence between this office and the Commissioners relative to statements put in evidence by Mr. Kemp before the Parliamentary Committee of 1869, in Paper marked Z., and published at p. 93 of the Correspondence printed in October, 1869, in order that two charges contained in that Paper may be explained to the Parliament.

It will be seen that Mr. Kemp was made aware, by my letter of the 13th of August, 1869, that his statement respecting a rubble culvert having been improperly placed at 2 miles 55 chains in lieu of a 12 inch iron pipe was disputed by the Engineers; but that, notwithstanding, he gave the statement, without explanation on his part, to the Parliamentary Committee in the following October.

It will be further seen that, for various reasons given by Mr. Kemp, I have not obtained any explanation regarding this misappropriation of the Company's funds—alleged by him to have taken place at the spot indicated—nor of the further allegation made in the same Paper,—that two cast-iron six-inch pipes had been inserted at 6 miles 43 chains, whereas no such pipes had been so placed, nor had any six-inch iron pipes been placed in the line at any point.

But not only have I not received any such explanation, but, in the memorandum of the 12th ultimo, Mr. Kemp really re-asserts the former statement respecting the rubble culvert, by stating that another person had also looked through the opening and pronounced it a rough rubble culvert.

As I can trace no grounds whatever for the charges thus preferred against the Engineers and Contractors, I have thought it necessary to forward these papers for publication in the next Parliamentary Papers at once, not waiting any further communication, as this would perhaps prevent the information already in my possession coming before the ensuing Parliament.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

FORWARDED to the Commissioners for observation.

J. M. WILSON:
10 August, 1870.

I HAVE nothing further to add than is contained in my minute of 12. 7. 70. upon Mr. Dowling's letter of the 2nd ultimo.

SAML. V. KEMP.
16. 8. 70.

(Copy.)

Launceston and Western Railway, 13th August, 1869.

In a memorandum from your office by Mr. Kemp, purporting to be a statement showing alterations, &c. connected with the Launceston and Western Railway, there occurs the following:—

“At 2 m. 55 ch. a rough rubble culvert has been substituted for a 12 in. cast-iron pipe.”

The answer to this by the Engineers being as follows:—

“Must be a mistake. No alterations or substitutions here.”

I have the honor to request that I may be furnished with an explanation of this question for the information of the Directory, as so great a disparity appears between these statements.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Commissioners, Launceston.

(Copy.)

Launceston and Western Railway, 6th January, 1870.

GENTLEMEN,

ON the 13th August last I addressed you a letter asking an explanation of a serious discrepancy which I had observed in explanations asked of the Engineers, at the instance of Mr. Kemp, with reference to their return of extra works made by them to the Directory in the previous month of July; but to this communication I have not been favoured with a reply.

This paper was put in by Mr. Kemp on his examination before the Joint Committee of Parliament; and my attention has been called to the fact that no explanation is afforded, on the face of it or otherwise, respecting the discrepancy referred to by me in the before-named letter of August; and further, that the same paper, so laid before Parliament, reports that the Engineers have inserted at 6 m. 3 chs. two 6 inch cast-iron pipes where nothing had been shown or described; but the reply of the Engineers is to the effect that they had reported the insertion of a 9 inch earthenware pipe, and that this was correct, no six inch iron pipes being on the line.

These statements involve a serious charge against the Engineers and Contractors, which, if correct, should subject them to the displeasure of the Board of Directors; and, as they have now obtained a public official character beyond that which they had assumed in August last, the consideration of my letter assumes greater importance, and I have the honor to beg that the present letter may have your attention.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Commissioners, Launceston.

(Copy.)

Launceston and Western Railway, 21st May, 1870.

GENTLEMEN,

THE approach of a Parliamentary Session reminds me that you have failed to put me in a position to explain statements made by Mr. Kemp in a Paper submitted to Parliament last Session (Appendix L, p. 93, Legislative Council, Paper No. 80), and to which statements I called your attention in August last year and January of the present, and to neither of which letters have I had any reply.

I have, therefore, most respectfully to call your attention to those communications.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Commissioners, Launceston.

(Copy.)

Launceston and Western Railway, 2nd July, 1870.

GENTLEMEN,

ON the 21st May last I called your attention to the fact that I had not received any replies to my letters of prior August, 1869, and January, 1870, having reference to a paper furnished to this office by Mr. Kemp; and afterwards, namely, on the 2nd October, 1869, submitted by him in evidence to a Parliamentary Committee,—being subsequently printed in the Parliamentary Papers of last Session.

Mr. Kemp has now verbally informed me that both these letters have been mislaid. In order, therefore, that the required explanation may be furnished prior to the next Session of Parliament, I have the honor to enclose copies of those letters.

I have, &c.,

(Signed) H. DOWLING.

The Commissioners, Launceston.

(Copy.)

I BEG to intimate that I will furnish the information sought the first opportunity I have of walking over that portion of the line which is nearly three miles from Launceston. It may not be out of place to mention that at the time I made the inspection I was accompanied by a man in the Engineers' employ, who also looked through the opening and pronounced it a rough rubble culvert.

(Signed) SAML. V. KEMP.
12. 7. 70.

INCONVENIENCE CAUSED BY DELAYING TO COMMUNICATE WITH THE
GOVERNMENT IN CERTAIN CASES UNTIL WITHIN A DAY OR TWO OF
THE CLOSING OF THE ENGLISH MAIL. No. 619.

619.

Colonial Secretary's Office, 15th November, 1869.

SIR,

I HAVE the honor to call the attention of the Board of Directors of the Launceston and Western Railway Company to the extreme inconvenience occasioned by delaying to communicate with the Government upon subjects requiring consideration, and reference to the Commissioners, until within a day or two of the closing of the English mail in cases where immediate action is desired.

I trust that this communication will have the effect of preventing the inconvenience complained of, otherwise the responsibility must rest with the Directory if their applications to the Executive do not receive the prompt attention sought for them.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary of the Launceston
and Western Railway Company.*

INSTRUCTION TO AUDITOR NOT TO PASS ACCOUNTS IN EXCESS OF THE
CONTRACT UNLESS AUTHORISED BY THE GOVERNOR IN COUNCIL.

620.

Colonial Secretary's Office, 23rd December, 1869.

MEMO.

WITH reference to the examination of the Accounts of the Launceston and Western Railway Company by the Auditor, the Colonial Secretary desires to notify that no expenditure upon any

item, in excess of the Contract with Messrs. Overend & Robb, can be sanctioned except it is supported by the authority of the Governor in Council, which should be furnished to the Auditor by the proper officer of the Railway Company.

(Signed) JAMES MILNE WILSON.

The Colonial Auditor.

CORRESPONDENCE WITH THE HONORABLE COLONIAL TREASURER.

621.

*Launceston and Western Railway Company, Limited,
Launceston, 11th September, 1869.*

SIR,

I HAVE the honor to enclose a comparative statement of estimates, with a report thereon, prepared since my letter to you of the 28th July, as it appeared desirable to the Directors not to exclude and throw over upon the revenue of the line the cost for first year's maintenance.

The insertion of this item of £6543 afforded the opportunity to review the whole, and to extend the paper into a form which the Board believed would be found useful to the Government and the Parliament in dealing with the application for a new Bill.

Some days' illness has led to the delay in the transmission of this paper.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

LAUNCESTON AND WESTERN RAILWAY.

STATEMENT of ESTIMATES and Cost (actual or approximate) showing difference of Estimates, and the various Heads under which Extras have arisen or may arise during the construction of the Works.

ITEMS.	Estimate 28th July, 1869.	Original Estimate.	Cost ac. or ap.	Extra on original Estimate.
	£	£	£	£
Contracts for materials from England, comprising rails, girders for Longford Bridge, rolling stock, &c., including freight, insurance, and commissions	85,000	—	—	—
To which add Melbourne expenses not included	3000	—	—	—
And purchases not yet advised from London, but included in original estimates	*1700	—	—	—
Same contracts, exclusive of freight, &c. ....	..	66,350	71,433	5083
Commissions, insurance, and freights .....	..	12,100	18,267	6167
	89,700	78,450	89,700	11,250
Lands taken and law costs thereon	15,000	5000	15,000	10,000
Engineering (£5000 to be paid in shares)	14,000	14,000	14,000	—
Stations	4000	4000	4000	—
Overend & Robb contract, less maintenance	194,218	194,218	194,218	—
Maintenance first year by Overend & Robb, included in contract £200,761 .....	..	6543	6543	—
Slopes in cuttings	12,000	..	12,000	12,000
Tel-graph throughout	2000	..	2000	2000
Staging for construction South Esk Viaduct	2500	—	—	—
Add value of timber	*400	..	2900	2900
Cartage of iron to Longford from Launceston	1000	..	1000	1000
Extra agricultural crossings and gates	1000	..	1000	1000
Office management and Commissioners	5000	4000	5000	1000
Amount expended prior to letting contract, including £3600 for contract plans and drawings	6830	6719	6830	111
Addition rolling stock, stations, and workshops, say	23,000	..	23,000	23,000
Interest, two years	36,000	36,000	36,000	—
Contingencies £5452, estimate of July, 1869, partly taken in *£400 and *£1700 as above	3352	..	3352	3352
	410,000	348,930	416,543	67,613
Difference between estimate of July, 1869, and present estimate is for maintenance	6543	—	—	—
Difference original estimate and approximate cost .....	..	67,613	—	—
	£416,543	416,543	416,543	67,613

EXPLANATORY REPORT.

The total estimate furnished to the Parliament in 1868 (p. 45 Correspondence) was in round numbers	£	s.	d.	£	s.	d.
But this was exclusive of maintenance for one year after opening deducted at p. 46, but included in contract with Overend and Robb, at	342,387	0	0			
Being a total sum of	6543	0	0	348,930	0	0

LONDON CONTRACTS:

The Engineers' estimate for contracts for materials in England, including iron bridge girders, their erection, freight, &c., was given at p. 46 Correspondence, at	59,650	0	0			
And the making of carriages, then intended to be built here, was estimated in addition at	6700	0	0			
Total	66,350	0	0			
But the actual contracts are reported to have been taken at..... (Including the building of carriages in England.)	69,733	0	0			
A few items, as turntables, 9 sets points and crossings, and water cranes and tanks, not yet ordered, but included in estimates (see p. 46 also) say	1700	0	0			
Gives a total extra on this item, London contracts, of	71,433	0	0	5083	0	0
FREIGHTS, Insurances, and Commissions were taken at prices which the Directors from past commercial experience had reason to believe would be sufficient; putting dead weight at 30s. per ton, at a total of	12,100	0	0			
But from the high rates demanded for direct shipments, which were necessary to ensure early delivery, with scarcity of prompt vessels to Melbourne, as well as from an increase in weight of iron, it is now found that the cost must be put at (say)	18,267	0	0	6167	0	0
Causing an extra on this item of				11,250	0	0
Total extra .....	..				

LAND CLAIMS:

The purchase of land and law costs, the price being put at £12 an acre throughout the line, was estimated at	5000	0	0			
But the large amount demanded for compensation, outside the cost per acre for land taken, swelled the "claims" by owners alone to nearly £20,000; of which awards have been made and paid to the extent of £10,079, and to tenants amounting to £1060. Several accounts have yet to be settled; and therefore, with the law charges and other expenses on both sides, which all fall on the Company, this item of land will reach, say	15,000	0	0			
Forming an extra of				10,000	0	0

SLOPE OF CUTTINGS:

In consequence of the earthworks in some of the cuttings having proved bad, and not standing at $\frac{1}{4}$ to 1, which, from the nature of the soils taken out of the shafts (one of which was sunk at the centre of all important cuttings), was thought by the Engineers might stand, it is now estimated that the sum of £12,000 will be required for extra slopes. The principal works in this condition are between Launceston and Longford, and most of these being finished—at least to the extent the Engineers propose to flatten them—it appears safe to take this extra at .....	..			12,000	0	0
There remain to be noticed some other items, omitted from former estimate; namely,—						
TELEGRAPH wire and instruments, by means of which the line may be worked safely and more economically, estimated at the sum of .....	..			2000	0	0
STAGING necessary for erection of girders at Longford, constructed on the drawings supplied by the Contractors for the iron work; the timber in which remains the property of the Company, being taken down and stacked at the expense of the Contractors, and worth from £400 to £500, forms a present extra sum of .....	..			2900	0	0
CARTAGE of the ironwork of the girders, which the Company have to cart to Longford; the rails not being laid in time will necessitate cartage by ordinary conveyances, say .....	..			1000	0	0
CROSSINGS and Gates are required to meet extra demands of farmers and others, beyond the number provided by contract with Overend and Robb, and included in the principal sum, say .....	..			1000	0	0
OFFICE management and Commissioners' salaries, rent, and other expenses, were put down at	4000	0	0			
But, to prevent disappointment, it is deemed desirable to provide for this at the nominal sum of	5000	0	0			
Being an approximate extra of				1000	0	0
THE amount expended prior to the contract being let was put down at	6719	0	0			
But the actual sum expended was	6830	0	0			
Forming an insignificant discrepancy; but for the purpose of this report, assuming the nature of an extra of				111	0	0
CONTINGENCIES .....	..			3352	0	0
Total of all extras on the original estimate.....	..			44,613	0	0

ADDITIONAL ROLLING STOCK:

The Engineers recommend that further rolling stock shall be at once provided, to secure economy in working the line; one of the principal features in which would arise from the "wear and tear" of engines, carriages, &c., being spread over a longer period, and not therefore falling altogether on the "working

expenses" in the early existence of the line, before traffic had been developed —and this arrangement would therefore greatly diminish the risk of the districts being called upon to pay a railway rate:

It is proposed to spend on additional locomotives, carriages, waggons, horse boxes, &c., extension of stations, workshops, &c., a total sum of

Being the total of .. £67,613 0 0

With reference to this estimate of the Company's Engineers, that to provide such additional rolling stock, &c. as above enumerated will require a further sum of £23,000, particular attention is directed to the fact that the professional Commissioner, Mr Kemp, in his Report to the Governor in Council of 24th July, 1868,* that the line could be opened for public traffic for the sum of £350,000, upon which Report the unprofessional Commissioners based their reports of that date to the same effect, stated in a Memorandum appended to his said report, that he considered "it would be indispensable to meet the requirements after opening the line for public traffic," that certain rolling stock and other items enumerated by him should be provided. The cost of such additional rolling stock and other items so enumerated by Mr. Kemp will involve an additional expenditure beyond the sum of £350,000 of an amount, at least equal to, if not more than that of £23,000, as estimated by the Company's Engineers. The Government, therefore, in deciding to sanction the construction of the line upon the Commissioners' Report, with such addenda, must be supposed to have fully calculated upon such additional sum being required as would provide for such additional rolling stock, &c.

A SUMMARY OF EXTRAS will show in which department they have arisen, and under what circumstances; and I desire especially to guard against the impression that the several items are to be accepted, as regards each work, as anything but approximate. The object of the present statement being to show that the total sum named will be required to open the line, not merely for public traffic, but also to ensure it being safely and economically worked from the commencement; but not limiting, in any case, the appropriation of the several sums to the items represented, as some may cost more, and some less, than stated.

The extras on the Engineers' estimates are—

	£	s.	d.	£	s.	d.
On the total purchases of materials in England	5083	0	0			
„ failure in standing of slopes at $\frac{1}{4}$ to 1	12,000	0	0			
„ staging for bridge at Longford	2900	0	0			
„ cartage, by common road	1000	0	0			
				20,983	0	0

The extras in the estimates of the Directors are—

On land purchases, severance, and tenant compensation	10,000	0	0			
„ freight, insurance, and commissions	6167	0	0			
„ agricultural crossings and gates	1000	0	0			
„ office and Commissioners' charges	1000	0	0			
„ moneys expended before contract	111	0	0			
				18,278	0	0

Contingencies .. 3352 0 0

And extras arising from new recommendations by the Engineers—

For extra rolling stock, &c.	23,000	0	0			
For telegraph throughout	2000	0	0			
				25,000	0	0

Being the total of .. £67,613 0 0

By Order of the Board,

H. DOWLING, Secretary.

Launceston, 1st September, 1869.

*Vide Parliamentary Paper, 1868, No. 16, p. 45.

622.

Colonial Treasury, 14th September, 1869.

SIR,

I HAVE the honor to acknowledge the receipt of your letter dated 11th instant, enclosing a Statement of Estimates prepared since the letter addressed to this Department by you on the 28th July last, which I have to thank you for.

I have, &c.,

(Signed)

THOS. D. CHAPMAN.

H. DOWLING, Esq., Secretary.

623.

Tasmania,

Colonial Treasury, Hobart Town, January 17th, 1870.

(Confidential.)

MEMORANDUM.

UNDER the provisions of the Launceston and Western Railway Act, No. 5, passed on the 22nd October last (33 Vict. No. 21), the Launceston and Western Railway Company are authorised to borrow the further sum of £100,000 in addition to the sum of £300,000, on condition that the said £100,000 is raised in the same manner as the £300,000 was raised.

As it is pretty certain that the whole of this £100,000 will be required to complete the Railway and Works, and that in all probability the greater portion of the money will be required during the ensuing twelve months, it appears to me very desirable that immediate measures should be taken for raising the sum of £100,000 on the most favourable terms by the sale of Debentures for £100,000 in the London market.

When the first £300,000 was borrowed by the Launceston and Western Railway Company, they forwarded the Bond of the Company for that amount to the Colonial Treasurer.

On receipt of that Bond, Debentures for £300,000 were forwarded to London for sale.

The Debentures were sold in London by Public Tender on the 28th April, 1868; the Debentures bearing interest at six per cent. from the 1st July, 1868, payable half-yearly, on the 1st January and the 1st July.

If agreeable to the Directors of the Launceston and Western Railway Company, I would follow the same course with regard to the raising of the additional £100,000 required to complete the Railway.

I have had Debentures for £100,000 prepared in the usual way, bearing interest at six per cent. from the 1st July, 1870, payable half-yearly, on the 1st January and the 1st July in every year, at the Consolidated Bank in London. The said Debentures being redeemable at the said Bank on the 1st July, 1901.

If the Directors concur with me in opinion that the same course should be followed as on the last occasion, I shall be glad to receive their Bond for the sum of £100,000 payable on the 1st February, 1901, the interest at the rate of six per cent. per annum being payable half-yearly on the 1st August and the 1st February in every year: by adopting this plan the interest on the new Bond for £100,000 will be payable on the same days in each year as the previous Bond for £300,000.

To enable me to forward the Debentures by the next outgoing mail, leaving here on Saturday, the 29th instant, I should like to have the Bond for £100,000 during the present week.

I shall be glad to know what portion of the £100,000 will be likely to be required by the Company in London for Railway purposes (exclusive of interest), so that I may arrange to get the proceeds out to the Colony on favourable terms. Until the funds are required to be paid over to the Railway Company for Railway Works, sanctioned by the Governor in Council, I should, of course, make the best arrangements in my power with our Bankers for allowing interest on the moneys left in their hands.

As the Directors of the Railway Company will, I understand, meet to-morrow, I wish you would be good enough to read this memorandum at the meeting, and state that I shall be glad to know whether they concur in the suggestions I have made; and if so, they will probably give the necessary instructions for the Bond for £100,000 to be prepared and executed and forwarded to me during the present week.

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

*The Hon. F. M. INNES, Commissioner Launceston and
Western Railway, Launceston.*

624.

*Launceston and Western Railway Company, Limited,
Launceston, 18th January, 1870.*

SIR, I AM instructed to inform you that, as it will soon be necessary for the Company to obtain funds from the Government under the Act No. 5 of 1869, the Board of Directors propose to give the Government a bond for £100,000, or such less sum as you in your discretion may deem sufficient, and simply await your concurrence before issuing the necessary instructions to the Solicitors for the preparation of the same.

I have, &c.,

(Signed) W. S. BUTTON, *Chairman.*

The Hon. the Colonial Treasurer, Hobart Town.

FORWARDED to the Hon. the Colonial Treasurer for his consideration.

J. M. WILSON.
19th January, 1870.

625.

*Tasmania,
Colonial Treasury, Hobart Town, 20th January, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 18th instant, intimating that your Company will soon require funds from the Government under the provisions of the Act of Parliament passed during the last Session, and that your Directors propose giving the Government a bond for £100,000.

In reply, I have the honor of informing you that on receiving from your Directors a bond duly executed for the sum of £100,000, payable on the first of February, 1901, with interest at the rate of six per cent. per annum, payable half-yearly on the first of August and the first of February in every year, I will obtain the authority of the Governor in Council for the issue of the Debentures of this Government for £100,000, redeemable at the Consolidated Bank in London on the 1st July, 1901.

The Debentures will bear interest from the 1st July next, payable half-yearly on the 1st of January and the 1st of July at the Consolidated Bank in London.

I propose sending the Debentures to the Bankers of this Government in London by the outgoing mail leaving Hobart Town on the 29th instant, with instructions to offer them for sale by public tender in the usual way towards the end of the month of April next; the parties tendering for their purchase being called upon to forward a deposit with their tenders, and a further deposit on allotment,—the balance of purchase money to be paid up on the 30th June next, when the Debentures will be delivered to the purchasers.

I shall endeavour to make satisfactory arrangements for bringing the proceeds of the Debentures out to the Colony, and also to obtain some allowance of interest from the Bankers of the Government until the funds are required to be paid away for interest or railway works sanctioned by the Governor in Council.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*W. S. BUTTON, *Esq., Chairman.*

626.

*Launceston and Western Railway Company, Limited,
Launceston, 22nd January, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your favour of the 20th instant, requesting that a bond for £100,000,—the amount likely to be required for the completion of this Railway,—may be at once executed and forwarded to you, in order that you may obtain the authority of the Governor in Council for the issue of the Debentures of the Government for that amount; and, in reply, have the honor to state that a bond has been duly executed for the same, and which bond I send you herewith.

Will you have the goodness to acknowledge the receipt of the same.

I have, &c.,

(Signed) W. S. BUTTON, *Chairman.*

The Hon. the Colonial Treasurer, Hobart Town.

627.

Colonial Treasury, 24th January, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 22nd instant, enclosing the bond of your Company for the sum of £100,000, in accordance with the terms of the letter from this department dated 20th instant.

The Hon. the Colonial Treasurer, who is to-day out of town, will officially address you on his return.

I have, &c.,

(Signed) W. LOVETT, *A. C. T.*W. S. BUTTON, *Esq., Chairman.*

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628.

*Tasmania,
Colonial Treasury, Hobart Town, 25th January, 1870.*

MEMO.

THE Colonial Treasurer forwards herewith a Bond he has received from the Chairman of the Launceston and Western Railway Company for £100,000. The Solicitor-General is requested to be good enough to peruse the said Bond and report whether it is properly executed in accordance with the provisions of the Launceston and Western Railway Acts, and whether the Governor will be justified in issuing Debentures for £100,000 in accordance with the other provisions of the said Acts.

The early attention of the Solicitor-General is requested to this matter.

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

The Solicitor-General.

THE Bond requires to be stamped, and the date should be filled in. By Section 4 of the Launceston and Western Railway Act, No. 5, it seems to have been contemplated that the Bond should be entered into with "the Governor in Council" and not the Queen; although Section 3 provides that the principal borrowed shall be secured and charged in such manner as the sum of £300,000 is secured and charged. But as it would be very inconvenient that the Bond should be entered into with the Governor in Council, and the former one was entered into with the Queen, I think this Bond had better remain as it is. In other respects the Bond is in conformity with Law.

(Signed) ROBT. P. ADAMS.
26 January, 1870.

629.

Colonial Treasury, Hobart Town, 26th January, 1870.

SIR,

I HAVE the honor of informing you that the Bond for £100,000, forwarded by you to this Department in your letter of the 22nd instant, was forwarded to the Law Officers of the Crown to report for the information of the Governor in Council whether it was properly executed in accordance with the provisions of the Launceston and Western Railway Acts; and I have now the honor of informing you that the Solicitor-General has just returned the same to this Department and pointed out that the Bond requires to be properly stamped, and the date filled in.

I have, therefore, to request that you will be good enough to have the date filled in and the document properly stamped, and returned to me in course of Post.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

W. S. BUTTON, *Esq., Chairman Launceston and
Western Railway Company, Launceston.*

630.

*Launceston and Western Railway Company, Limited,
Launceston, 27th January, 1870.*

SIR,

I AM instructed to return you the Bond of this Company for £100,000 with the date on which the Deed was executed duly filled in; I have also the pleasure to transmit you a cheque for £249 17s. 6d., being the amount due for stamping the Deed, and which the Directors desire me to ask you to be so good as to have done.

I have, &c.,

(Signed) R. W. LORD, *(for the Secretary).*

The Hon. the Colonial Treasurer, Hobart Town.

161

631.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Treasury, Hobart Town, 31st January, 1870.

THE Colonial Treasurer submits a Bond duly executed by the Chairman and Directors of the Launceston and Western Railway Company for £100,000 to Her Majesty the Queen, payable on the first of February, 1901, together with interest at the rate of six per cent. per annum, payable half-yearly on the first of August and the first of February in each year; and, in consideration for such Bond, submits that Debentures for £100,000, redeemable at the Consolidated Bank, London, on the first of July, 1901, bearing interest at the rate of six per cent. per annum from the first of July next, payable half-yearly on the first of January and the first of July in every year, be issued and forwarded to the Consolidated Bank and the Bank of New South Wales, the Bankers of the Government in London, for sale by Public Tender in the usual way. Such Debentures to be issued under the authority of the provisions of the Act of the Tasmanian Parliament, 33 Vict. No. 38, passed on the 22nd October last.

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

THE Governor in Council approves.

E. C. NOWELL.
31. 1. 70.

The Hon. the Colonial Treasurer.

632.

Colonial Treasury, Hobart Town, 31st January, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 27th instant, returning the Bond for £100,000 duly executed, the date having been filled in as requested in my letter of the 26th instant.

I have also the honor of informing you that the cheque for £249 17s. 6d., forwarded in your letter of the 27th instant, was appropriated to the payment of the Stamp Duty on the said Bond as requested.

I have also the honor of informing you that Debentures of this Government for £100,000, redeemable on the 1st July, 1901, bearing interest at the rate of six per cent. per annum from the 1st July, 1870, payable half-yearly on the 1st January and the 1st July in every year at the Consolidated Bank in London, have been issued in accordance with the provisions of the Act of Parliament 33rd Vict. No. 38, passed on the 22nd October last, and forwarded to the Bankers of the Government in London to be sold by Public Tender in the usual way; and I hope in due season to hear of their sale at a favourable premium.

I avail myself of this opportunity of informing you that the last mail from London brought advices from the Manager of the Consolidated Bank, London, reporting the receipt, on the 20th November last, of the sum of £18,000 from the Union Bank of Australia, for interest due by your Company to the Government of the Colony on the Railway Loan.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

*The Secretary Launceston and Western
Railway Company, Launceston.*

633.

*Launceston and Western Railway Company, Limited,
Launceston, 16th February, 1870.*

SIR,

I HAVE the honor to inform you that the Board of Directors have had under consideration the question of payments already made by the Company and Commissioners on account of the Launceston and Western Railway, and of payments to be provided for by them out of the new loan of £100,000; and the whole question having been submitted to a Committee, comprising Mr. Button (chairman), Mr. Crookes, Mr. Green, and Mr. Grubb, they have reported to the Board on the whole matter submitted, as follows:—

- “1. That, in view of the arrangements necessary to be made for the appropriation of the new loan of £100,000, the Colonial Treasurer be requested to retain in London, for the present,

the sum of £50,000, inclusive of the sum of £12,000 which he is authorised by law to retain for payment of interest; and that, out of this sum, £15,000 be transferred to the credit of the Company and the Commissioners in London."

- "2. That the Colonial Treasurer be further requested to provide, out of the said loan, to the credit of the Company and Commissioners in Launceston, the sum of £24,545 13s. 4d.; being the sum of £22,011 4s. 1d. paid out of the existing funds by the Company and Commissioners in excess of original estimates; and the sum of £2534 9s. 3d., amount of expenditure to be provided for in respect of work now in hand, also in excess of original estimates."

I am instructed to request your acquiescence in these proposals.

To elucidate the recommendations of the Directors I append two statements; No. 1 showing the amount required on account of moneys already paid in excess; and No. 2, the amount to be provided for, in excess of the original estimates, out of the £100,000 loan.

The further sum of £15,000 recommended to be transferred to the London account of the Company and Commissioners, it is perhaps necessary I should say, is intended for the purchase of materials yet to be ordered from London, and to which the consent of the Governor in Council will be from time to time asked by the Board.

The Directors are anxious to receive, as early as possible, your decision on this subject.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

No. 1.—*STATEMENT of Moneys required from the Hon. the Colonial Treasurer, on account of amounts paid by the Company and Commissioners in excess of original estimates.*

	£	s.	d.
Paid in London, to 30th Nov., 1869, as per vouchers from Union Bank	75,778	14	7
Paid in Launceston, account of London contract South Esk Bridge	1500	0	0
Paid for freight from Melbourne at Launceston and other expenses	3109	0	3
	80,387	14	10
Original estimate.....	78,450	0	0
	1937	14	10
Paid for land to date.....£13,496	0	0	
Original estimate.....	5000	0	0
	8496	0	0
Paid account slopes, cuttings, authorised at £9658 8s. 0d.	8727	11	9
Paid for stamp to Bond.....	249	17	6
Paid account Longford staging, authorised at £2915	2600	0	0
	£22,011	4	1

No. 2.—*STATEMENT of Moneys required from the Hon. the Colonial Treasurer on account of amounts authorised by the Government to be paid by the Company and Commissioners in excess of original estimates.*

	£	s.	d.
Balance slopes of cuttings in £9658 8s. 0d.—£8727 11s. 9d.....	930	16	3
„ Longford staging £2915—£2600.....	315	0	0
For points and cross-ings, Melbourne	345	0	0
„ over bridges £190 15s. 6d., £217 2s. 6d.	407	18	0
„ cartage trucks	45	15	0
„ further sum on account of London contract South Esk Bridge, to be paid in Launceston	500	0	0
	£2544	9	3

634.

Tasmania.

Colonial Treasury, Hobart Town, 21st February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 16th instant, informing me that your Directors have had under consideration the question of payments already made by the Company and Commissioners on account of the Launceston and Western Railway, and of payments to be provided for by them out of the new Loan for £100,000, and requesting that the sum of £50,000 may for the present be retained in London to meet payments there; and, further, requesting that out of such £50,000 the sum of £15,000 may be transferred to the credit of the Company and Commissioners in London; and, further, that the sum of £24,545 13s. 4d. may be paid over to the

credit of the Company and Commissioners in Launceston, to reimburse them for moneys paid out of existing funds for works executed in excess of original estimates.

In reply I have the honor to inform you that, under the provisions of "The Launceston and Western Railway Act, No. 5," it would not be lawful to pay the moneys over to the Company and Commissioners in the manner proposed.

The Fifth and Sixth Sections of that Act expressly declare that the proceeds of the Debentures for £100,000 shall be retained and kept by the Colonial Treasurer, who shall, out of such proceeds, pay such sums sanctioned by the Governor in Council as may from time to time be certified by the Directors and Commissioners to be due for or in respect of any works connected therewith, and also a sum not exceeding £12,000 for interest.

It appears to me, therefore, that the Company and Commissioners must first expend the whole of the existing funds under their control; viz.—

	£	s.	d.
The original capital of	50,000	0	0
And the proceeds of the Debentures for £300,000 paid over to the Company and Commissioners by the Colonial Treasurer	303,137	6	9
TOTAL	£353,137	6	9

And when further funds are required by the Company and Commissioners to pay for any material, plant, or works connected with the Railway that may have been sanctioned by the Governor in Council, the Colonial Treasurer will be prepared to pay the same either in London or Launceston as the case may be.

The above plan for making payments from the proceeds of the new Loan is, I believe, what Parliament intended when assenting to the Act passed during the last Session.

I trust, therefore, that the Company and Commissioners will see the propriety of following the plan I have proposed.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

635.

*Launceston and Western Railway Company, Limited,
Launceston, 23rd February, 1870.*

SIR,

I HAVE the honor to acknowledge your communication of the 21st instant, which I yesterday submitted to the Directors.

In order to save time, as the circumstances are pressing, the Board have referred it to the Committee named in mine of the 16th instant, that they may further communicate with you, and report to the Board.

I am instructed to say that, to carry out your views on the subject of their letter, it will be necessary for the Directors to limit their expenditure, at once, to the payment of Messrs. Overend & Robb, to whom the Company is under contract,—suspending the erection of stations and purchase of rolling stock, and refusing even the salaries of the Commissioners and officers; and, at the Meeting of the Board yesterday, a division was taken on the question whether some important accounts then before the Directors for payment should be authorised in the face of your communication of the 21st: the majority, however, were in favour of these payments being made, only pending further communication with you.

I am now to submit that the Act quoted nowhere enacts—nor does it seem to have been contemplated by any of its provisions—that all the original moneys shall be expended before any payment is made out of the £100,000, on the certificate of the Directors and Commissioners, as provided by the 6th clause, whilst I am to remind you that the previous Act provides for the repayment to the Colonial Treasury of any unexpended portion of the £300,000. The moneys of the Company and Commissioners are, however, now more than expended, or pledged by contract; and, if the extra expenditure out of the new Loan, in which the Commissioners and Government have concurred, is not now repaid, as I am to submit was the intention of the Legislature, the Committee cannot advise the Directory to go on paying any accounts whatever excepting those of the Contractors,—a course which the Committee feel assured you will desire that they should avoid.

The amount remaining to be paid to the Contractors on the completion of the Contract is upwards of £68,000; and, the repayment the Board ask not being made, they have only about £50,000 with which to meet this claim; and there remains to be provided for—station buildings, Engineers' fees, salaries to Commissioners and officers, land claims, and other pressing engagements, for which the original capital is liable.

To refer more particularly to your letter now under review, the Committee desire me to say,—that the respective sums of £22,011 4s. 1d. and £2544 9s. 3d. can of course be certified in pursuance of the 6th clause 33 Vict. No. 21.

The Committee beg now to submit that you should, upon being furnished with such certificate, give to the Directors and Commissioners an order on the Consolidated Bank in London, drawn at such date as would meet the sale date of the Debentures, for the sum of £24,545 13s. 4d.; and, upon each subsequent occasion of authorised expenditure, so certified from time to time by the Directors and Commissioners, give further orders in the same way.

That for each London order for material you shall give to the Company and Commissioners a draft on the Consolidated Bank in London, commencing with draft for the two locomotives and dating machines, approved by the Governor in Council, and already ordered; and I am to add that the Committee will feel bound to recommend that this order be countermanded by the outgoing mail unless such provision be made, as a promise to provide the necessary funds accompanied such order. Your commercial experience will have shown you that orders to England should be accompanied by a remittance.

To recapitulate—

1. The Committee request that, on receiving due certificates under clause 6 of the Act referred to, you will give drafts on London in favour of the Company and Commissioners for, say, £24,545 13s. 4d., at such dates as will meet the sale of the Debentures in London.

2. That on a similar certificate you will give a draft on the Consolidated Bank, to the order of the Company and Commissioners, to meet payment of locomotives and dating presses ordered.

3. That each future London order, duly authorised by Governor in Council, and amount certified as aforesaid, be accompanied by similar drafts on London.

By such arrangements all necessary protection will be afforded to the funds at your disposal, and the business of the Launceston and Western Railway Company will proceed on a satisfactory basis. I am, therefore, to express the hope of the Committee that their suggestions will meet your prompt approval.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

636.

Tasmania,
Colonial Treasury, Hobart Town, 28th February, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd instant, and regret to learn that your Directors should anticipate the slightest difficulty in carrying on the affairs of the Company by making future payments in accordance with the plan proposed in my letter of the 21st instant.

It is quite true, as you say, that the recent Act of the Legislature does not state that the whole of the funds now at the disposal of the Company and Commissioners shall be expended before any payments are made from the proceeds of the new loan for £100,000; but I feel no hesitation in stating that that was the intention of the Legislature when assenting to that Act, and as Colonial Treasurer I have to request that your Directors and Commissioners will clearly understand that after giving the subject my best consideration I feel that I should not be justified in parting with any of the funds derived from the new loan until the whole of the funds now at the disposal of the Company and Commissioners are expended. In conveying this decision to the Directors of your Company and the Commissioners, I desire to assure them that when the funds now at their disposal are expended every facility will be afforded by this department in the payment of moneys in accordance with the provisions of the recent Act of Parliament.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

165

637.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd March, 1870.*

SIR,

I HAVE the honor to inform you that your letter of the 28th ultimo was duly reported to the Board of Directors yesterday immediately on its receipt.

There were present, besides the Commissioners Mr. Bartley and Mr. Kemp, Messrs. Button, Crookes, Green, W. Gibson, W. Archer (Brickendon), Joseph Archer, Jas. Robertson, W. D. Grubb, G. Fisher, and Dodery; and after the reading of your communications, with the previous letters from the Board, it was unanimously resolved:—"That the Hon. the Colonial Treasurer be respectfully requested to hold a conference with this Directory respecting the financial questions involved in the late correspondence with him, having reference to the disposal of the £100,000 voted by the late Session of Parliament."

I have, therefore, most respectfully to ask you to meet the Directors and Commissioners at Launceston at your earliest convenience for the purpose referred to in said resolution, when all papers and other information respecting the views of the Directors on this question can be placed before you.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

638.

BY ELECTRIC TELEGRAPH.

Hobart Town, 5th March, 1870.

SIR,

HAVING to attend a meeting of the Executive Council in Launceston on Monday, I shall have much pleasure in receiving a deputation from the Directors of your Company at the Public Offices in Launceston at noon on Tuesday as requested in your letter of the 2nd instant.

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

639.

*Tasmania,
Colonial Treasury, Hobart Town, 14th March, 1870.*

SIR,

I HAVE the honor of informing you that, after having fully considered the various points raised by your Directors in the interview I had the honor of receiving from the deputation appointed to confer with me when in Launceston last week, I see no reason for altering the decision conveyed to you for the information of your Directors in my letters of the 21st and 28th ultimo.

I again avail myself of this opportunity of assuring your Directors that every facility will be afforded by this department in the payment of moneys in accordance with the provisions of the Acts of Parliament, and I see no reason whatever to apprehend the slightest difficulty in the matter.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

640.

*Launceston and Western Railway Company, Limited,
Launceston, 15th March, 1870.*

SIR,

I HAVE to acknowledge receipt of your communication of the 14th instant, and which I read to the Board to-day.

I desire to assure you that, from the information you gave to the deputation who had the honor of an interview with you on Tuesday last, the Directors will endeavour to fully co-operate with you in the proposed financial arrangements.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

641.

*Launceston and Western Railway Company, Limited,
Launceston, 21st March, 1870.*

SIR,

IN my letter to you respecting a conference on Finance, dated 2nd instant, I gave the names of the Directors present, including Mr. Bartley and Mr. Kemp, two of the Commissioners, and stated the Resolution to have passed unanimously. I have the honor to request to be allowed to supply an omission; namely, that on the occasion in question, Mr. Kemp informed the Chairman that he did not vote either way; and Mr. Dodery voted against, but did not ask a division.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

642.

*Tasmania,
Colonial Treasury, Hobart Town, 23rd March, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letters of the 15th and 21st instant, the contents of which have had my attention.

From information conveyed to me about a month since, I understood that the unexpended funds of your Company then available for expenditure under the authority of your Directors and the Commissioners amounted to £61,176 or thereabouts, of which sum £46,000 or thereabouts was at the Bankers of the Company in London, and £15,176 or thereabouts was in the hands of the Bankers in Launceston.

As your Directors and the Commissioners will rely on the Colonial Treasurer to place them in funds to meet their payments after the funds now at their Bankers have been expended, I have to request that you will be good enough to inform me by return of Post the probable date when any funds will be required to be provided by the Treasury, with an approximate estimate of the probable amount likely to be required to meet the payments of the Company in the Colony each month during the present year. At the same time be good enough to inform me the probable amount required to be provided by the Colonial Treasurer to meet the payments of the Company in England.

As the Debentures sent to London in January last will probably be sold by Public Tender about the 28th of April, I am desirous of sending instructions to the Bankers of the Government in London by the outgoing mail leaving here on the 26th instant respecting the disposal of their proceeds, and of making such other arrangements with the Bankers of the Government as will enable me to meet the wants of your Directors and the Commissioners from time to time. Waiting your reply,

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

643.

*Launceston and Western Railway Company, Limited,
Launceston, 24th March, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your letter dated yesterday with reference to the money requirements of the Company and Commissioners, and in which you request the information by return post.

It will be impossible to furnish this in time for the out-going mail. The whole subject, however, is before the Directory; and early in the ensuing postal month I hope to be in a position to furnish in a reliable form the information you now ask.

The funds now in England are sufficient for the orders now home, so that the loss of a mail is to the Company of no consequence.

I perhaps need scarcely express a hope that you will make the most advantageous arrangement the Money Market may afford with respect to interest on the proceeds of Debentures, as I

have already communicated to the Board your verbal assurance to this effect ; but it appears to me necessary to refer to the point in a formal communication on the subject of the sale of the Debentures, that the Company may not suppose so important a question has been neglected on my part.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

644.

Tasmania,

Colonial Treasury, Hobart Town, 26th March, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 24th instant, in which you inform me, in reply to my letter of the 23rd instant, that you were unable to furnish the information required by that post, but that the subject was before the Directors, and early in the ensuing month the information I required would be furnished in a reliable form. I shall rely on receiving the information as promised to enable me to make the necessary arrangements with the Bankers of the Government to meet the financial requirements of your Company.

You may assure your Directors and the Commissioners that arrangements will be made with the Bankers of the Government for allowing the current rate of interest on the proceeds of the Debentures until the money is required to be used to meet the payments of the Company.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

645.

*Launceston and Western Railway Company, Limited,
Launceston, 2nd June, 1870.*

SIR,

REFERRING to former correspondence on the subject of the probable money requirements of the Company, I have the honor now to inform you that the balance in Launceston is now under £10,000, a sum which I understood you when in Launceston to agree should be the lowest left at credit with the Bankers. I beg now to recommend that during the months of June and July, but principally during the latter, your banking arrangements should make provision for about £25,000 in addition to the present balance in Launceston, and about £2000 in London. Of the latter I cannot speak positively until I receive the next London balance sheet, but it will not exceed £2000.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

646.

*Launceston and Western Railway Company, Limited,
Launceston, 6th June, 1870.*

SIR,

SINCE my letter of the 2nd instant, I find that under arrangements now pending between the Directors and Messrs. Overend and Robb it is probable the final payment under the original contract will have to be made in July, only excepting maintenance, which will have to be paid during ensuing twelve months; and that you will have to provide, on their account, in all July, say, a further sum of £23,000 in addition to £25,000 comprised in my letter of the 2nd instant. I understood you to say that you only require an approximate sum in these cases.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

647.

BY ELECTRIC TELEGRAPH.

Colonial Treasury, Hobart Town, 6th June, 1870.

I HAVE much pleasure in informing you for the information of your Directors that I am in receipt of a telegram from the Bank of New South Wales, dated London, 29th April, as follows, viz. :—

“ Tasmanian Loan a great success, average premium seven pounds three shillings and sixpence per cent.”

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

648.

*Launceston and Western Railway Company, Limited,
Launceston, 9th June, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your Telegram informing me of the very acceptable communication received from London, advising the placing of the new loan at £7 3s. 6d. per cent.; an average sum which will be deemed very satisfactory by the Directors.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

649.

*Tasmania,
Colonial Treasury, Hobart Town, 14th June, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letters of the 2nd and 6th instant; and in reply I must confess my surprise at the statement therein contained; viz., that as the balance at the Union Bank of Australia in Launceston to the credit of the Directors and Commissioners was now under £10,000, a sum which you understood me when in Launceston to agree should be the lowest left to the credit of the bankers, &c.

No such agreement was ever come to with me, and I must beg to refer you to my letters of the 21st and 28th of February and the 14th of March last for my views on the subject of payments to the Directors and Commissioners of the Launceston and Western Railway under the provisions of the Launceston and Western Railway Act, No. 5.

I take note of the probable amounts likely to be required to meet the payments due by your Company, and I shall be prepared to pay such sums as may from time to time be certified by the Directors and Commissioners and sanctioned by the Governor in Council to be due for or in respect of the Railway or any works connected therewith.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

650.

*Launceston and Western Railway Company, Limited,
Launceston, 16th June, 1870.*

SIR,

Your letter of the 14th instant, duly received, will be submitted to the Directors at their next meeting. Meantime, I hasten to express my regret that I should have so greatly misunderstood our conversation some time ago, respecting the retention of a small floating balance out of the old account, to credit of the Company and Commissioners, at the Union Bank of Australia here.

You will, however, see that I could have had no object in view in writing as I did on the subject, beyond bringing the fact, as I supposed it, under your attention, in order to elucidate the question of your prospective banking arrangements, which you had asked me to advise you upon; and which arrangements would necessarily be affected by the disposition of the said balance.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

651.

*Launceston and Western Railway Company, Limited,
Launceston, 16th June, 1870.*

SIR,

THE balance in the Union Bank here to the credit of the Company and Commissioners is now £5000 (five thousand pounds), and the funds available in London are fully anticipated, if not exceeded, by the various authorisations by the Governor in Council already issued; and, under these circumstances, we most respectfully recommend to your consideration that the period has arrived when future payments should be met from the proceeds of the recent loan in accordance with the terms of the Act; leaving this small balance available to "the Company and Commissioners" for small but duly authorised payments which may become due from time to time.

We have, &c.,

(Signed) W. S. BUTTON, *Chairman.*

H. DOWLING, *Secretary.*

SAML. V. KEMP,

THEODORE BARTLEY, } *Commissioners.*

The Hon. the Colonial Treasurer, Hobart Town.

652.

*Tasmania,
Colonial Treasury, Hobart Town, 15th July, 1870.*

SIR,

WHEN passing through Launceston on the 17th of last month on my way to Melbourne, to attend the Intercolonial Conference in that City, I had the honor of receiving from the hands of Mr. Dowling your letter of the 16th ultimo, informing me that the balance at the Union Bank of Australia in Launceston to the credit of the Company and Commissioners was at that date £5000, and that the funds available in London were fully anticipated if not exceeded by the various authorisations by the Governor in Council already issued, and under those circumstances recommending that future payments should be met from the proceeds of the recent loan in accordance with the terms of the Act, leaving the small balance in the Bank available to the Company and Commissioners for small but authorised payments which might become due from time to time.

In an interview which Mr. Dowling had with me the same day, I informed him that when the balance at the Union Bank of Australia, Launceston, to the credit of the Directors and Commissioners of the Launceston and Western Railway was reduced below £5000 I should be prepared to make advances to the Company and Commissioners to meet payments for works that have received the approval of the Governor in Council, the cost of which may be certified by the Directors and Commissioners to be due and payable, on the distinct understanding that all accounts under £100 should be paid out of the balance at the Union Bank until such balance was reduced to £3000, leaving such an amount as a floating balance at the Bank as a working account until the close of the present year, unless circumstances should render it necessary to have the account closed earlier.

Mr. Dowling informed me that he believed such an arrangement would be perfectly satisfactory to the Company and Commissioners.

During the past week several Certificates from the Directors and Commissioners have reached this Department, and the several amounts certified to be due and payable have been forthwith remitted to the Union Bank of Australia in Launceston, to be placed to the credit of the Directors and Commissioners of the Launceston and Western Railway, to meet the payment of works due and payable.

Trusting that the arrangements I have made for meeting the wishes of the Directors and Commissioners of the Launceston and Western Railway will prove satisfactory,

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

W. S. BUTTON, *Esq., Chairman, Launceston and
Western Railway Company, Launceston.*

653.

*Launceston and Western Railway Company, Limited,
Launceston, 12th July, 1870.*

SIR,

ENCLOSED you will receive certificate for accounts, namely :—

	£	s.	d.
Overend & Robb, account contract	3425	10	0
W. H. Allen, stores	21	11	0
Overend & Robb, bridge scaffolding	315	0	0

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

654.

*Launceston and Western Railway Company, Limited,
Launceston, 2. st July, 1870.*

SIR,

THE Chairman has handed to me your letter of the 15th, which has been duly submitted to the Directory; and I am instructed to reply and acknowledge receipt, which I have now the honor to do.

Your instructions are duly noted, and will be acted upon as heretofore; since I had the honor of meeting you at Launceston.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

655.

Launceston and Western Railway, 23rd July, 1870.

SIR,

£250 account Water Supply. This sum being required in London, I hope you will let me have an order thereon. It would seem undesirable to pay for draft when you have the money there. If you agree I can get cheque drawn and exchange with you, your local cheque having now been passed, as advised this morning. You will find a memorandum, I think with the certificate, to the effect that I wanted draft on London.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

656.

Colonial Treasury, 26th July, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd instant with reference to the payment of £250 made on the 22nd instant, on account of Water Supply to the different stations, which amount you now state was required to be paid in London and not in the colony. In reply, I beg to state that on reference to the certificate transmitted to this office by you in support of such payment I find that there is nothing thereon to show this Department that the remittance asked for was required to be made in any other way than that usually adopted by sending the cheques direct to the Bankers of the Company and Commissioners in Launceston, to be placed to their account in due course.

I have now to inform you that I have decided to allow the sum deposited in the Union Bank, Launceston, on the 22nd instant, £250, to remain in such Bank, to meet any claims made against the Directors and Commissioners on account of the Water Supply approved by the Governor in Council (£1500); and, upon receiving from you the usual certificate notifying that the sum of £250 will be required in London to make payments falling due under the same authority, I will forward by first mail instructions to the Bank of New South Wales to pay the amount to such persons as you may name.

To prevent any inconvenience for the future you will be good enough to state upon the certificate whenever the sum is required to be paid in London.

I have, &c.,

(Signed)

THOS. D. CHAPMAN.

*The Secretary Launceston and Western
Railway Company, Launceston.*

657.

*Launceston and Western Railway Company, Limited,
Launceston, 27th July, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your communication of yesterday, and to thank you for the proposed arrangement with respect to the £250 water supply account.

In preparing a certificate, which is now under consideration, for payments in London, I will include the £250 for pumps as you direct.

I am at a loss to understand how it has been that the memorandum I thought I had prepared with former certificates came to be omitted.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

658.

Colonial Treasury, 28th July, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter dated 27th instant, with respect to the payment of £250 in London on account of water supply, and informing me that the necessary certificate for payments to be made in London on behalf of the Directors and Company is under consideration.

In preparing certificates for advances on London, I have to request that you will be good enough to take care that a separate certificate be forwarded to this Office for payments to be made under any particular authority of the Governor in Council; that is, expenses to be incurred on account of water supply must not be mixed up with other matters, but be dealt with upon a separate certificate chargeable against one authority.

I consider it necessary to call your attention to this, as I observe in your letter of the date referred to you state that "a certificate" is under consideration for other payments to be made in London.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

*The Secretary Launceston and Western
Railway Company, Launceston.*

659.

*Launceston and Western Railway Company, Limited,
Launceston, 4th July, 1870.*

SIR,

THE Directors have imported clocks for the stations of this Railway, upon which the Collector of Customs claims to exact the duty.

I have the honor to submit for your consideration that no station building can be complete, nor the railway itself safe for the use of the public, without these clocks, which are intended for the passenger platforms; and that they come within the exemptions provided by Law; and as if the duty were charged it would be borne by the funds provided for completing the railway, I have respectfully to request that the Collector may be authorised to pass "six clocks for station platforms" free of duty.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

REFERRED to the Collector of Customs, Launceston, for his observations.

W. LOVETT, *for the Colonial Treasurer.*
5. 7. 70.

As it does not appear to me that "clocks" can be properly considered to come within the meaning of the Exemption Clause,—"*all material . . . imported solely for the purpose of the construction of railways,*"—I declined to allow the goods in question to pass the Customs without the duty.

R. H. WILLIS, *Collector.*
Launceston, 6th July, 1870.

660.

3rd August, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 4th ultimo with reference to a demand made by the Customs authorities at Launceston for duty on certain clocks imported to the order of your Company and Commissioners.

In reply, I beg to inform you that the question has been fully considered, and I am of opinion that the Collector of Customs, Launceston, is right in demanding duty in accordance with the provisions of the Customs Duties Act, 1868, therefore your request cannot be complied with.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

The Secretary Launceston and Western Railway Company.

661.

Colonial Treasury, 10th August, 1870.

SIR,

I HAVE the honor to acquaint you that a cheque for £216 19s. 4d. has been forwarded by this night's post to the Manager of the Union Bank of Australia, Launceston, to be placed to the credit of the Directors and Commissioners of the Launceston and Western Railway Company, Limited, to meet payments on account of wages to workmen, &c.

With reference to the item £15 5s. 2d., I am directed to inform you that, as there is no authority for the expenditure, the claim must be settled out of the funds of the Directors and Commissioners in the Union Bank.

I have, &c.,

(Signed) W. LOVETT, *Assistant Colonial Treasurer.*

The Secretary Launceston and Western Railway Company, Limited.

662.

*Launceston and Western Railway Company, Limited,
Launceston, 11th August, 1870.*

SIR,

Your letter of yesterday respecting the certificate for £232 4s. 6d. I have duly received.

The authority for the two sums of £15 5s. 2d. and £216 19s. 4d. is precisely the same; namely,—“Station Buildings, £10,000, 14th April and 23rd May, 1870,” as you will observe on further examination of the certificate it was intended should apply, as it does apply in fact, to the whole sum comprised; namely, £232 4s. 6d. The sum of £15 5s. 2d. is an expenditure for freight and charges on timber used for purposes contemplated by the authority named.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

W. LOVETT, *Esq., Assistant Colonial Treasurer, Hobart Town.*

THE Assistant Colonial Treasurer replies to the effect that the authority of the Governor in Council must be quoted against each item introduced in a certificate for payment to the Contractors and Directors of the Launceston and Western Railway Company: this was not done in the cases referred to,—the authority, therefore, could not be traced. The Colonial Treasurer does not think it desirable to alter the arrangement.

12. 8. 70.

663.

Colonial Treasury, Hobart Town, 9th August, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of certificate dated the 29th ultimo, informing me that the sum of two thousand seven hundred and fifty pounds is due and payable to Messrs. George Willoughby Hemans and John Terry, Agents for the Company and Commissioners in London—viz: £2500 for tools, authorised by the Governor in Council, 20th April, 1870, and £250 for pumps on account of Water Supply, authorised by the Governor in Council, 21st June, 1870.

In reply, I have the honor of forwarding herewith a letter (in duplicate) dated this day, addressed to the Manager of the Consolidated Bank, 52, Threadneedle-street, London, instructing him to be good enough to pay over to Messrs. George Willoughby Hemans and John Terry the sum of two thousand seven hundred and fifty pounds, on presentation of the said letter to the Manager of the Consolidated Bank, Threadneedle-street, on or after the sixth of October next, the receipt of which you will be good enough to acknowledge in due course.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

664.

Tasmania,
Colonial Treasury, Hobart Town, 9th August, 1870.

SIR,

I HAVE the honor to request that, on presentation of this letter on or after the 6th of October next, you will be good enough to pay to Messrs. George Willoughby Hemans and John Terry the sum of two thousand seven hundred and fifty pounds, and charge the same to the debit of this Government in account current, in due course advising me of such payment. Messrs. Hemans and Terry are the agents in London for the Directors and Commissioners of the Launceston and Western Railway Company.

Mr. Hemans' address is No. 1, Westminster Chambers, Victoria-street; and Mr. John Terry's is No. 7, Great Winchester-street Buildings, Great Winchester-street.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

The Manager of the Consolidated Bank, Threadneedle-street, London.

665.

Launceston and Western Railway Company, Limited,
Launceston, 17th August, 1870.

SIR,

I HAVE the honor to advise that your letter and enclosures of the 9th instant, being letters of credit on Consolidated Bank, London, favour of Messrs. Hemans and Terry, were duly received, and forwarded by the overland mail.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

666.

Colonial Treasury, 15th August, 1870.

SIR,

I HAVE the honor to transmit herewith the certificate forwarded by you to this office in support of the payment to be made in London on account of tools authorised by the Governor in Council, which has been returned to this Department by the Auditor, with suggestions as to filling in the amount required from time to time by the Company and Commissioners.

I have to request that you will be good enough to adopt the course suggested by the Auditor, and fill in the amount required in words, instead of figures, after the word "namely," which will prevent the possibility of a mistake arising.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

667.

Tasmania,
Colonial Treasury, Hobart Town, August 25th, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of a certificate dated 24th instant, notifying the sum of £69 19s. 6d. to be due for and in respect of the Launceston and Western Railway or works connected therewith, viz: £38 19s. 6d. on account of printing, as per authority, 27th June, 1870, and £31 for station buildings, as per authority, 14th April and 23rd May.

In reply, I have the honor of informing you that as the sum of £38 19s. 6d. is required to meet the payment of an account for printing, &c. it cannot be recognised as a claim to be met from the proceeds of the loan for £100,000, which can only be paid out of the Treasury to defray the cost of completing the Railway and works; the account should, therefore, be paid out of the balance in the Union Bank at the disposal of the Directors and Commissioners; and in future certificates I have to request that you will be good enough only to include sums due for the completion of the Railway and works and not sums due for any matters connected with the future traffic accounts of the Line: by adopting such a course confusion in the accounts with the Treasury and the Company will be avoided.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

668.

*Launceston and Western Railway Company, Limited,
Launceston, 26th August, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 25th August, returning the certificate for £69 19s. 6d. forwarded by me on 24th instant.

The exception you take to the payment of £38 19s. 6d. on account of printing, as per authority of the Governor, 27 June, 1870, must, I think, have been taken under some misapprehension of the circumstances; which I therefore take the liberty to explain.

The concurrence of the Commissioners was obtained to the expenditure of £300 printing, to which the Governor in Council assented, on condition that it should be repaid from revenue; meantime being regarded as a mere advance from construction account. The same condition was attached to the advance of £200 for fuel, approved by the Governor in Council on 8th instant. Out of the concurrence for printing you have already paid the sum of £131 16s. 10d.; and the Company and Commissioners have incurred further liabilities for the balance of the said amount; and further, have purchased fuel to the amount of £200. I would therefore submit that the certificates for these amounts should be accepted by you, and cheques forwarded, as heretofore, to credit of Company and Commissioners; further accounts to be subject to the instructions conveyed to me by your letter of yesterday.

I respectfully submit that by this arrangement, by which the concurrence of the Governor will remain undisturbed, less confusion in the accounts with the Treasury and the Company will ensue than by now cancelling such authorities

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

669.

*Tasmania,
Colonial Treasury, Hobart Town, 10th September, 1870.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 26th ultimo, in reply to my letter of the previous day's date, respecting the payment of advances for defraying the cost of fuel and printing, &c., required for the working of the line; and, in reply, I have the honor of informing you that, after careful consideration, I feel that I should not be justified in making advances from the proceeds of the loan for £100,000 for such purposes.

I must therefore decline doing so. You will, however, be able to make such payments from the funds in the Union Bank at the disposal of your Directors and the Commissioners. It is quite true, as you state, that payments to the extent of £131 16s. 10d. have already been made,—viz., £32 8s. 6d. amount of Stephenson's account, and £99 7s. 4d. amount of Harris and Just's account; but these payments were made before my special attention was called to the Act of Parliament under which the last loan was raised. I must therefore request that you will be good enough to cause the sum of £131 16s. 10d. to be repaid into the Colonial Treasury in the course of the ensuing week, and thereby enable the accounts of this Department to be passed by the Audit Department.

I have, &c.,

(Signed) THOS. D. CHAPMAN, *Colonial Treasurer.*

H. DOWLING, *Esq., Secretary.*

175

670.

*Launceston and Western Railway Company, Limited,
Launceston, 14th September, 1870.*

SIR,

I HAVE the honor to acknowledge receipt of your letter of the 10th instant; and have been instructed by the Directors to submit to the Commissioners a cheque for the sum of £131 16s. 10d. as you request shall be paid to your Office. As soon therefore as this cheque has been completed it will be transmitted.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Treasurer, Hobart Town.

[671.]

24th September, 1870.

SIR,

I FORWARD herewith a receipt for the cheque enclosed in your letter of the 22nd instant, amounting to the sum of £131 16s. 10d., for which I have the honor to thank you.

I have, &c.,

(Signed)

THOS. D. CHAPMAN, *Colonial Treasurer.*

*The Secretary Launceston and Western
Railway Company, Launceston.*

[672.]

MEMORANDUM.

STATEMENT showing the Proceeds of the Loan for £100,000 under Act 33 Vict. No. 38, negotiated in London by the Consolidated Bank, Limited, and the Bank of New South Wales.

	£	s.	d.	£	s.	d.
Total Proceeds				107,158	16	0
Deduct Expenses—						
Bankers' Commission, 1 per cent. on £100,000.....	1000	0	0			
Brokerage paid	249	15	0			
Stamp Duty on Bonds and Scrip	127	10	0			
Advertising and Printing	67	11	9			
Telegrams	3	2	6			
Expenses preparing Debentures in the Colony	25	0	0			
Exchange on bringing out £50,000 to the Colony	125	0	0			
Petty Expenses	2	3	4			
				1600	2	7
				£105,558	13	5

Colonial Treasury, 15th September, 1870.

W. LOVETT, *Assistant Colonial Treasurer.*

[For Numbers 671 to 674, Reports of the Damage to the Railway by Floods, see Paper No. 108, H. A., and Paper No. 72, L. C.]

*Additional Correspondence with the Honorable Colonial Secretary.*COMPENSATION TO MR. NOAKE FOR LAND, AND HALF-YEAR'S STATIONERY
AND STAMP ACCOUNT. Nos. 675 to 677.**675.***Launceston and Western Railway Company, Limited,
Launceston, 24th August, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

Fourteen pounds for compensation to Mr. Noake for land as agreed with Mr. Bartley.
Seventeen pounds fifteen shillings and eleven pence, Walch Brothers and Birchall, half-yearly account for stationery and stamps.

I have, &c.,

(Signed) H. DOWLING, *Secretary.**The Hon. the Colonial Secretary, Hobart Town.*

WE beg to recommend the concurrence by the Governor in Council to the within-named authorities; viz.—£14 for land compensation, and £17 15s. 11d. for one quarter's stationery and stamps.

FRÉD. M. INNES.

SAML. V. KEMP.

24. 8. 70.

APPROVED.

J. M. WILSON.

26 August, 1870.

676.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 27th August, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the following items of expenditure be authorised—

Fourteen pounds for compensation to Mr. Noake for land, as agreed with Mr. Bartley.
Seventeen pounds fifteen shillings and eleven pence, being Walch Brothers and Birchall's half-yearly account for stationery and stamps.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.

29. 8. 70.

*The Hon. the Colonial Secretary.***677.***Colonial Secretary's Office, 29th August, 1870.*

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the following expenditure in connection with the Launceston and Western Railway; namely:—

Fourteen pounds for compensation to Mr. Noake for land, as agreed with Mr. Bartley.
Seventeen pounds fifteen shillings and eleven pence, being Walch Brothers and Birchall's half-yearly account for stationery and stamps.

I have, &c.,

(Signed) JAMES MILNE WILSON.

H. DOWLING, *Esq., Secretary.*

EXPENDITURE OF £10, PETTY CASH. Nos. 678 to 680.

678.

*Launceston and Western Railway Company, Limited,
Launceston, 29th August, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

Ten pounds for petty cash, for office disbursement.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend that authority be granted for ten pounds (£10) for petty cash.

F. M. INNES.

SAML. V. KEMP.

30. 8. 70.

679.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town,
1st September, 1870.*

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway Company, and with the recommendation of the Commissioners, the expenditure of the sum of ten pounds for petty cash for office disbursements be authorised.

(Signed)

J. M. WILSON

The Governor in Council approves.

E. C. NOWELL.

5. 9. 70.

The Hon. the Colonial Secretary.

680.

Colonial Secretary's Office, 5th September, 1870.

SIR,

I HAVE the honor to acknowledge the receipt of your communication of the 29th ultimo; and, in reply, to acquaint you that the Governor in Council has been pleased to sanction the expenditure of the sum of £10 for petty cash for office disbursement.

I have, &c.,

(Signed)

J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

COMPENSATION TO WILLIAM MOTTON FOR LAND AND WHARFAGE, AND
SHIPPING CHARGES ON GOODS EX GRASMERE. Nos. 681 to 684.

681.

*Launceston and Western Railway Company, Limited,
Launceston, 7th September, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely:—£12 for compensation for land, &c. to William Motton.

I have, &c.,

(Signed)

H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the authority herein asked for, viz.—twelve pounds (£12).

SAML. V. KEMP.

F. M. INNES.

7. 9. 70.

682.

*Launceston and Western Railway Company, Limited,
Launceston, 7th September, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure, namely:—£34 13s. 6d. for wharfage and shipping charges on goods ex *Grasmere*.

I have, &c.,

(Signed) H. DOWLING, *Secretary.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the authority herein asked for, viz. thirty-four pounds thirteen shillings and fourpence (£34 13s. 4d.)

SAML. V. KEMP.

F. M. INNES.

7. 9. 70.

683.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Colonial Secretary's Office, Hobart Town, 12th September, 1870.

SUBMITTED,

THAT, upon the application of the Directors of the Launceston and Western Railway, and with the recommendation of the Commissioners, the expenditure of the under-mentioned sums be authorised:—

Twelve pounds for compensation to William Motton for land, &c.

Thirty-four pounds thirteen shillings and sixpence for wharfage and shipping charges on goods ex *Grasmere*.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.

12th Sept., 1870:

The Hon. the Colonial Secretary.

684.

Colonial Secretary's Office, 13th September, 1870.

SIR,

IN reply to your letters bearing date the 7th ultimo, I have the honor to acquaint you that the Governor in Council has been pleased to sanction the following expenditure in connection with the Launceston and Western Railway, namely:—

Twelve pounds for compensation to William Motton for land, &c.

Thirty-four pounds thirteen shillings and sixpence for wharfage and shipping charges on goods ex *Grasmere*.

I have, &c.,

(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

ALTERATIONS TO THE COUPLINGS OF CARRIAGES AND WAGGONS, &c.;
AND WAGES FOR DAY WATCHMAN AT LAUNCESTON STATION YARD.
Nos. 685 to 688.

685.

*Launceston and Western Railway Company, Limited,
Launceston, 21st September, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

Thirty pounds (£30) for alterations to the couplings of carriages and waggons, &c.

I have, &c.,

(Signed) R. W. LORD, *for Secretary, absent.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the authority herein asked for; viz.—£30 for alterations to the screw couplings for rolling stock.

SAML. V. KEMP.
THEODORE BARTLEY.
21. 9. 70.

686.

*Launceston and Western Railway Company, Limited,
Launceston, 21st September, 1870.*

SIR,

I HAVE the honor to request the concurrence of the Governor in Council in the following expenditure; namely:—

25s. per week for a Day Watchman at the Station Yard, Launceston.

I have, &c.,
(Signed) R. W. LORD, *for Secretary, absent.*

The Hon. the Colonial Secretary, Hobart Town.

WE beg to recommend the concurrence of the Governor in Council to the payment of 25s. per week for a Watchman, until the opening of the line for general traffic.

SAML. V. KEMP.
THEODORE BARTLEY.
21. 9. 70.

687.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Colonial Secretary's Office, Hobart Town,
22nd September, 1870:*

SUBMITTED;

THAT, upon the application of the Directors of the Launceston and Western Railway, and with the recommendation of the Commissioners, the following expenditure be authorised:—

Thirty pounds for alterations to the couplings of carriages and waggons, &c.

Twenty-five shillings a week as wages for a Day Watchman at the Station Yard, Launceston.

(Signed) J. M. WILSON.

THE Governor in Council approves.

E. C. NOWELL.
26. 9. 70.

The Hon. the Colonial Secretary.

688.

Colonial Secretary's Office, 27th September, 1870.

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to approve of the following expenditure, as requested in your communications of the 21st instant; namely:—

£30 for alterations to the couplings of carriages and waggons, &c.

£1 5s. a week as wages for a Day Watchman at the Station Yard, Launceston.

I have, &c.,
(Signed) J. M. WILSON.

H. DOWLING, *Esq., Secretary.*

COPIES OF THE BONDS GIVEN BY THE LAUNCESTON AND WESTERN RAILWAY COMPANY (LIMITED) TO THE HONORABLE THE COLONIAL TREASURER.

689.

KNOW ALL MEN BY THESE PRESENTS that the Launceston and Western Railway Company (Limited) is held and firmly bound unto Her Majesty Queen VICTORIA, her heirs and successors, in the penal sum of Six hundred thousand Pounds of lawful British money to be paid to Her said Majesty, her heirs or successors, for which payment to be well and truly made the said Company binds itself firmly by these Presents. Sealed with the Common Seal of the said Company. Dated this Twenty-ninth day of January in the year of Our Lord One thousand eight hundred and sixty-eight.

WHEREAS the Launceston and Western Railway Company (Limited) is by law empowered upon performing certain conditions to borrow any sum of money not exceeding Three hundred thousand Pounds upon Railway Bonds to be issued by the said Company securing the repayment by the said Company of the sums so borrowed at a period of not less than Twenty-five nor more than Thirty years from the issue thereof, with interest thereon in the meantime at the rate of not more than Six pounds per cent. per annum, payable at intervals not exceeding One year: AND WHEREAS the said Bonds are by law required to be deposited with the Colonial Treasurer, who is to be deemed to be the holder thereof, and thereupon the Governor in Council is required to issue Debentures of the Government of Tasmania to the amount of the said Bonds: AND WHEREAS the said Company has performed all conditions necessary to entitle it to issue such Bonds as aforesaid: AND WHEREAS the said Company is desirous of borrowing the full sum of Three hundred thousand Pounds, and of securing the repayment of the same with interest by one Bond in manner following; (that is to say), One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-four; One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-six, and One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-seven, together with interest payable at the rate aforesaid on the said sums respectively on the First day of February and the First day of August in every year, or at such other earliest periods after such days as last aforesaid at which such half-yearly instalments of interest may be lawfully made payable until the said sums respectively are fully paid: the first of such half-yearly payments of interest to be made on the First day of February One thousand eight hundred and sixty-eight; or at the earliest day thereafter on which such payment may be lawfully made: AND WHEREAS for the purposes aforesaid the above-written Bond has been prepared: NOW THE CONDITION of the said Bond or obligation is such That if the said Company do and shall pay to the Colonial Treasurer for the time then being of Tasmania the sum of One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-four, the sum of One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-six, and the sum of One hundred thousand Pounds on the First day of January One thousand eight hundred and ninety-seven, and also interest at the rate of Six pounds per cent. per annum on the said sums respectively till the same are respectively satisfied by equal half-yearly instalments on the First day of February and the First day of August in every year, or on such other the earliest day after such days as last aforesaid on which such instalments of interest can be lawfully paid: the first of such instalments to be paid on the First day of February One thousand eight hundred and sixty-eight, or on such other the earliest day after such last-mentioned day as such first instalment can be lawfully paid, and do and shall make every such payment of principal or interest at the office of the Colonial Treasurer at Hobart Town in Tasmania aforesaid: Then the above-written Bond or Obligation is to be void, or else to remain in full force and virtue.

SEALED. The Common Seal of the said Company was
this day affixed hereto in the presence of

(Signed)

W. S. BUTTON, *Chairman.*

R. GREEN,

ISAAC SHERWIN, } *Directors.*H. DOWLING, *Hon. Secretary.*

Certified to be a true Copy.

W. LOVETT, *Assistant Colonial Treasurer.*

KNOW ALL MEN BY THESE PRESENTS that the Launceston and Western Railway Company (Limited) is held and firmly bound unto Her Majesty Queen VICTORIA, her heirs and successors, in the penal sum of Two hundred thousand Pounds of lawful British money to be paid to Her said Majesty, her heirs or successors, for which payment to be well and truly made the said Company binds itself firmly by these Presents. Sealed with the Common Seal of the said Company. Dated this Twenty-fifth day of January, in the year of Our Lord One thousand eight hundred and seventy.

WHEREAS the Launceston and Western Railway Company (Limited) is by law empowered to borrow a further sum not exceeding One hundred thousand Pounds for the purposes of the Launceston and Western Railway and Works, in addition to the sum of Three hundred thousand Pounds which the Company has already borrowed; such further sum of One hundred thousand Pounds to be raised in like manner as the said sum of Three hundred thousand Pounds is already authorised to be raised; namely—upon Railway Bonds to be issued by the said Company, securing the repayment by the said Company of the sum so borrowed at a period of not less than Twenty-five nor more than Thirty years from the issue thereof, with interest thereon in the meantime at the rate of not more than Six pounds per centum per annum, payable at intervals not exceeding one year: AND WHEREAS the said Bonds are by law required to be deposited with the Colonial Treasurer, who is to be deemed to be the holder thereof, and thereupon the Governor in Council is required to issue Debentures of the Government of Tasmania to the amount of the said Bonds: AND WHEREAS the said Company is desirous of borrowing the full sum of One hundred thousand Pounds and of securing the repayment of the same with interest by one Bond for the sum of One hundred thousand Pounds on the First day of February One thousand nine hundred and one, together with interest payable at the rate aforesaid on the said sum of One hundred thousand Pounds on the First day of February and First day of August in every year or at such other the earliest periods after such days as last aforesaid at which such half-yearly instalments of interest may be lawfully made payable, until the said sum of One hundred thousand Pounds is fully paid; the first of such half-yearly payments of interest to be made on the First day of August One thousand eight hundred and seventy, or at the earliest day thereafter at which such payment may be lawfully made: AND WHEREAS for the purposes aforesaid the above-written Bond has been prepared: NOW THE CONDITION of the said Bond or Obligation is such: that if the said Company do and shall pay to the Colonial Treasurer for the time then being of Tasmania the said sum of One hundred thousand Pounds on the First day of February One thousand nine hundred and one, and also interest thereon at the rate of Six pounds per cent. per annum until the said sum of One hundred thousand Pounds is satisfied by equal half-yearly instalments on the First day of February and the First day of August in every year, or on such other the earliest day after such days as last aforesaid on which such instalments of interest can be lawfully paid, the first of such instalments to be paid on the First day of August One thousand eight hundred and seventy or on such other the earliest day after such last-mentioned day as such first instalment can be lawfully paid, and do and shall make every such payment of principal or interest at the office of the Colonial Treasurer at Hobart Town, in Tasmania aforesaid: Then the above-written Bond or Obligation is to be void, or else to remain in full force and virtue.

THE Seal of the Company was affixed hereto in the presence of the undersigned Chairman and two of the members of the Board of Directors of the said Company, on the Twenty-first day of January One thousand eight hundred and seventy.

(Signed) W. S. BUTTON, *Chairman*.
 R. GREEN,
 JOHN CROOKES, } *Directors*.

Certified to be a true Copy.

W. LOVETT, *Assistant Colonial Treasurer*.