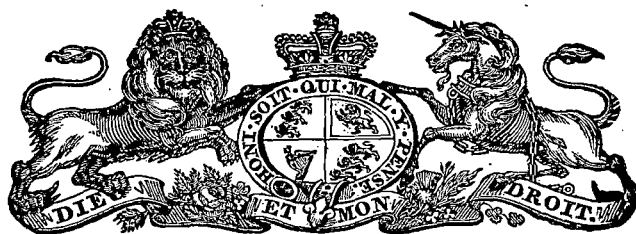


(No. 100.)



1878.

TASMANIA.

LEGISLATIVE COUNCIL.

MAIN LINE RAILWAY:

**CORRESPONDENCE RELATING TO INSPECTION, UNDER CLAUSE 5 OF THE
MAIN LINE RAILWAY AMENDMENT ACT, (34 VICT. No. 18.)**

Laid upon the Table by Mr. Crowther, and ordered by the Council to be printed,
January 29, 1879.



MAIN LINE RAILWAY.

*Tasmania,
Lands and Works Office, Hobart Town, 18th September, 1878.*

SIR,

You will observe on perusing Parliamentary Paper No. 76, herewith, that the Government of Tasmania have reluctantly consented to pay to the Main Line Railway Company interest from the first of November, 1876, having been advised by very high legal authorities that the various breaches of contract on the part of the Company did not afford any legal justification for withholding the interest for the period since the trains ran through to Launceston.

Being thus legally compelled to admit the line as open, we desire at once to exercise the powers conferred by "The Main Line Railway Amendment Act," (34 Vict. No. 13), and will be glad to avail ourselves of your services in doing so. On reference to the fifth Section of that Act you will perceive that the Government have power to appoint an officer to report upon the "repairs and works" necessary to put the line into "good and efficient repair and working condition."

I shall be glad to be informed at your earliest convenience whether you will accept such appointment; and if so, the terms upon which you will undertake the duties of such office, and also the time when you could enter upon their performance.

I presume that you would necessarily be engaged upon this work for say three months.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

W. H. GREENE, *Esq., C.E., Kyneton, Victoria.*

Kyneton, Victoria, 23rd September, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 18th instant, enclosing Parliamentary Paper, No. 76, House of Assembly, Tasmania, relating to the Main Line Railway, and informing me that the Government purpose to appoint an officer to report upon the working condition of the line, in accordance with the 5th Clause of the Tasmanian Main Line Railway Amendment Act, (34 Vict. No. 13), and you are good enough to enquire if I will accept this appointment.

In reply, I beg to say that I shall be happy to do so.

With regard to the remuneration, I would name Four Guineas (£4 4s.) a day, including all expenses, except the actual costs of transit.

In naming this rate I am guided by the supposition that the duties would necessarily occupy me about three months.

I shall be ready to leave for Tasmania by the first opportunity after the 30th instant.

I have, &c.

W. H. GREENE,

The Hon. NICHOLAS J. BROWN, Minister of Lands and Works, Tasmania.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

*Lands and Works Office, Hobart Town,
30th September, 1878.*

SUBMITTED,—

THAT, under and by virtue of the power conferred by Section 5 of "The Main Line of Railway Amendment Act," 34 Vict. No. 13, Mr. William Henry Greene, Civil Engineer, of Kyneton in Victoria, be appointed to examine and report whether the Works of the Tasmanian Main Line of Railway are in good and efficient repair and working condition.

NICHOLAS J. BROWN, *Minister of Lands and Works*

THE Governor in Council approves.

E. C. NOWELL.
29. 9. 78.

MINUTE PAPER FOR THE EXECUTIVE COUNCIL.

Lands and Works Office, Hobart Town, 30th September, 1878.

SUBMITTED,—

As a case of emergency, that Mr. William Henry Greene, C.E., appointed to examine and report whether the works of the Tasmanian Main Line Railway are in good and efficient repair and working condition, be allowed remuneration at the rate of Four Guineas per diem from the date to which the Minister of Lands and Works may certify.

To be provided for upon a Supplementary Estimate.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

THE Governor in Council approves.

E. C. NOWELL.
30. 9. 78.

*Tasmania,
Lands & Works Office, Hobart Town, 1st October, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 23rd ultimo, on the subject of an inspection of the Tasmanian Main Line of Railway.

In reply, I have the honor to inform you that His Excellency the Governor in Council has been pleased to appoint you an officer to examine and report "whether the works of the Tasmanian Main Line of Railway are in good and efficient repair and working condition," under Clause 5 of "The Main Line Railway Amendment Act," 34 Vict. No. 13.

The remuneration has been fixed at the rate mentioned in your communication, viz., £4 4s. 0d. per diem, with travelling expenses to and fro; and I will advise you by telegram or letter when the Government have arranged as to the time when your examination of the line is to be proceeded with.

I have, &c.

NICHOLAS J. BROWN,

W. H. GREENE, *Esq., C.E., Kyneton, Victoria.*

Minister of Lands & Works.

Lands & Works Office, Hobart Town, 8th October, 1878.

SIR,

I HAVE the honor to acquaint you that the Government have, in accordance with the provisions of the fifth Section of the Main Line Railway Amendment Act, 34 Vict. No. 13, appointed an officer to carry out an inspection of the Main Line of Railway, and are desirous that such inspection should be commenced forthwith.

Will you, therefore, be good enough to inform me upon what terms you can place at the disposal of the inspecting officer a ballast engine or trolley whenever either may be required for the purpose of effecting the inspection?

I have, &c.

NICHOLAS J. BROWN,

C. H. GRANT, *Esq., C.E., General Manager of
Tasmanian Main Line of Railway, Hobart Town.*

Minister of Lands & Works.

*Tasmanian Main Line Railway Company, Limited,
General Manager's Office, Hobart Town, 10th October, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 8th instant, to which my absence at Campbell Town prevented an immediate reply being given.

You desire to know upon what terms the Main Line Railway Company can place at the disposal of the inspecting officer—to be appointed by the Government in accordance with the provisions of the Main Line Railway Amendment Act—a ballast engine or trolley, whenever either may be required. But before replying to this question, it is my duty to make some enquiries respecting this inspection.

You are aware how very much the Company have been both injured and aggrieved by former inspections, to which they had in good faith given their sanction and assistance; for, although the reports of the inspectors were proved fallacious, and altogether exceeding the terms of the published instructions given, they have been used as the justification of the Government for an illegal and indefensible breach of contract, which is not yet condoned, but in respect to which the Company are now compelled to take legal proceedings.

I have, therefore, to ask that you will kindly favour me with the name of the inspecting officer you propose to appoint,—who, I trust, will not be one who has already been proved mistaken in his judgment of the line; and also with an exact copy of the instructions it is proposed to give him,—on receipt of which I will at once inform you if the Company are able to meet your desires.

I have, &c.

C. H. GRANT.

The Hon. N. J. BROWN, Minister of Lands.

Lands and Works Office, Hobart Town, 16th October, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 10th instant, making certain enquiries with regard to the inspection mentioned in my letter to you of the 8th instant.

In reply, I beg to inform you that the Government have appointed Mr. W. H. Greene, C.E., of Victoria, as the Officer to make the necessary inspection; the appointment having been made under the 5th Section of "The Main Line Railway Amendment Act." Mr. Greene's instructions are in exact accordance with the terms of that Section.

My absence from town has prevented my sending a reply to your letter at an earlier date.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *Esq., C.E.,
General Manager T. M. L. Railway.*

*Tasmanian Main Line Railway Company, Limited,
General Manager's Office, Hobart Town, 17th October, 1878.*

SIR,

I HAVE the honor to acknowledge the due receipt of your letter of the 16th instant, in which you inform me that the Government have, under the powers conferred by the 5th Section of the Main Line Railway Amendment Act, appointed Mr. W. H. Greene, C.E., of Victoria, as the Officer to inspect the Main Line Railway.

I cannot but regret and protest against the selection, since, without having the least personal objection to Mr. Greene, whom I highly respect, I feel that it indicates a strong *animus* against the Company; and that the Government have no desire to heal up the very unhappy differences for long past and still subsisting, and which their recent action proves were created by themselves.

Any recommendations made by Mr. Greene could not now obtain the concurrence and support either of the Colony or of the Company, and would therefore only be embarrassing to both; in fact his inspection could lead to no good result, but might be—like all the previous inspections—powerful in evil, but impotent for good, to either side.

Although the Government cannot expect—in consideration of the past, but ever to be regretted, disputes—that the Company will volunteer any other facilities for the inspection than they are legally required to do under the Contract; or allow of its exceeding the limitations expressed in the 5th Section of the Act; I beg you will feel assured that no advantage whatever will be taken of the

Government in the terms demanded for any special service. If, therefore, a trolley be supplied, the time of the men attending it only will be charged; similarly for a locomotive engine and carriage, the repayment of the actual cost out of the pocket of the Company will suffice,—unless you prefer to pay the same fixed sum per day as on a former inspection.

I have, &c.

C. H. GRANT.

The Hon. N. J. BROWN, M.H.A., Minister of Lands.

BY ELECTRIC TELEGRAPH.

Lands and Works Office, 18th October, 1878.

PLEASE come at earliest convenience to proceed with inspection Main Line Railway.

NICHOLAS J. BROWN.

W. H. GREENE, *Esq., C.E., Kyneton, Victoria.*

*Lands and Works Office, Hobart Town,
19th October, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 17th instant, on the subject of the inspection of the Main Line Railway.

In reply, I have to acquaint you that Mr. Greene is expected to arrive in Tasmania at an early date, and will avail himself of the facilities for proceeding with the necessary examination of the line which you have intimated will be placed at his disposal.

With regard to the terms of payment for such service as may be required in carrying out the inspection, the Government accept your proposal to charge for the time of the men who may be employed with a trolley, or the actual cost to the Company of a locomotive and carriage when either may be required.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands & Works.*

C. H. GRANT, *Esq., C.E., General Manager,
Tasmanian Main Line Railway, Hobart Town.*

BY ELECTRIC TELEGRAPH.

Kyneton, 19th October, 1878.

CANNOT leave before Thursday, being detained by Supreme Court Action.

The Hon. the Minister of Lands.

W. H. GREENE.

BY ELECTRIC TELEGRAPH.

Ballarat, 22. 10. '78.

STILL unavoidably detained here. Will leave by *Tasman* on Saturday.

W. H. GREENE,
Kyneton.

The Hon. the Minister of Works, Hobart Town.

Lands and Works Office, 30th October, 1878.

SIR,

I HAVE the honor to inform you that Mr. W. H. Greene, C. E., the Officer appointed by the Government to inspect and report upon the present condition of the Main Line of Railway under the provisions of the 5th Section of "The Main Line Railway Amendment Act," 34 Vict. No. 13, has arrived in Hobart Town, and will proceed with the work of inspection to-morrow morning.

Will you please inform me whether you desire to meet Mr. Greene at the Hobart Town Railway Station to confer with him on any matter connected with the inspection; and if so, at what hour to-morrow it will be convenient for you to do so?

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *Esq., C.E., General Manager
Tasmanian Main Line of Railway, Hobart Town.*

*Tasmanian Main Line Railway Company, Limited,
General Manager's Office, Hobart Town, 30th October, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of this date, and thank you for the information as to Mr. Greene's arrival in Tasmania for the purpose of inspecting and reporting upon the good and efficient repair and working condition of the Main Line Railway, under the provisions of the 5th Section of the Act, 34 Vict. No. 13.

It is certainly essential that, before the inspection is made, I should meet and confer with Mr. Greene respecting it; but I have, unfortunately, arranged to be in Launceston to-morrow, and am quite unable to postpone my journey.

It would be quite convenient for me to meet Mr. Greene at this office at 12 noon on Friday; and I shall also be here until 4 o'clock this afternoon.

I have, &c.

C. H. GRANT.

The Hon. N. J. BROWN, M.H.A., Minister of Lands and Works.

Lands and Works Office, Hobart Town, 1st October, 1878.

SIR,

HAVING arrived, and reported yourself to me at this office, I desire that you will proceed with the inspection of the Tasmanian Main Line of Railway to-morrow, in the terms of my letter to you of the 1st October instant, and place yourself in communication with Mr. Grant, the Manager, with whom I have arranged that you shall have an interview.

I have, &c.

NICHOLAS J. BROWN,
Minister of Lands and Works.

W. H. GREENE, *Esq., C.E., "Ship Hotel," Hobart Town.*

Lands and Works Office, Hobart Town, 31st October, 1878.

MEMO.

WILL the Hon. the Colonial Treasurer please arrange for official telegrams from Mr. Greene to this Department passing free during the inspection of the Main Line of Railway by that officer?

NICHOLAS J. BROWN.

The Hon. the Colonial Treasurer.

Lands and Works Office, Hobart Town, 1st November, 1878.

MEMORANDUM.

MR. W. H. GREENE, C.E., having been appointed by the Governor to inspect and report upon the present condition of the Main Line Railway; and as it is very desirable to avoid any unnecessary misunderstanding as to the nature of the duties which such appointment imposes upon Mr. Greene, will the Engineer-in-Chief please advise me what kind of inspection he would deem it necessary to have made in order to enable the inspecting officer to report whether the works of the Main Line Railway are "in good and efficient repair and working condition" in terms of the 5th Section of "The Main Line Railway Amendment Act?"

NICHOLAS J. BROWN, *Minister of Lands and Works.*

JAMES FINCHAM, *Esq., C.E., Engineer-in-Chief for Tasmania.*

Lands and Works Office, Hobart Town, 1st November, 1878.

MEMO.

IN my opinion, the character of inspection of the Main Line Railway by any engineer appointed by the Government under the 5th Section of "Main Line Railway Amendment Act" should be such as the Resident Engineer of any Railway would deem it his duty to make in order to ascertain thoroughly if the work under his charge were really in good and safe order.

For this purpose he must necessarily closely examine the substructures as well as tops of bridges, open out sleepers in places, and take all other requisite means to satisfy himself that the works as a whole are in good order.

This would be such an inspection as is made from time to time by all resident engineers, either personally or by their assistants, on most Railways, and without it I certainly should not consider the inspection under the clause in question complete or satisfactory.

J. FINCHAM.

WILL the Hon. the Attorney-General please advise me whether, in his opinion, the view of the Engineer-in-Chief is such as the legal interpretation of the 5th Section of "The Main Line Railway Amendment Act" will allow?

NICHOLAS J. BROWN.
1. 11. 78.

The Hon. the Attorney-General.

THE nature of any inspection made with a view to ascertain whether the Railway is in "good and efficient repair," is rather a question for engineering experts than a legal question. As the Engineer-in-Chief has reported that a certain kind of inspection is necessary to carry out the provisions of the 5th Section of the Act, I advise that an inspection should be made in accordance with his recommendation.

ALFRED DOBSON,
2 Nov. '78.

Hobart Town, 2nd November, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 30th ultimo, and to inform you that, in accordance with the instructions therein, I had an interview yesterday morning with Mr. Grant, Manager of the Tasmanian Main Line Railway.

Mr. Grant then informed me that the inspection of the Line must be confined strictly within the terms of the 5th Section of "The Main Line Railway Amendment Act," 34 Vict. No. 13; and for his interpretation of the section he referred me to an official letter which he had addressed to me in Victoria, a copy of which is herewith enclosed.

Mr. Grant at the same time stated that he was the more determined upon the strict reading of the 5th Section of the Amendment Act as he was preparing an Equity Suit against the Government of Tasmania.

I have, &c.

W. H. GREENE.

The Honorable NICHOLAS J. BROWN,
Minister of Lands and Works.

(Copy.)

Hobart Town, 29th October, 1878.

MY DEAR SIR,

I AM informed that you arrived in Hobart Town by the s.s. "Mangana," and much regret that you experienced such a very unpleasant detention.

Directly I heard from the Hon. the Minister of Lands that you were likely to arrive soon, I addressed you a letter at Kyneton, which, however, you could not have received. I therefore forward a copy herewith, since its contents are important.

I hope I need not assure you that I have no petty or narrow feeling in the matter, and that it is my earnest desire to be as courteous and considerate to you as the strict fulfilment of my duty to the Company will permit.

I have, &c.

C. H. GRANT.

W. H. GREENE, *Esq., Ship Hotel.*

(Copy.)

*Tasmanian Main Line Railway Company, Limited, General Manager's Office,
Hobart Town, 25th October, 1878.*

MY DEAR SIR,

HAVING had official notice from the Minister of Lands of this Colony that you have been appointed by the Government to inspect the Main Line Railway, a correspondence ensued thereon as to the instructions you would receive, which ended in a positive assurance being given me that your inspection would be strictly limited to ascertaining whether the works, in any part, are in good and efficient repair and working condition; to which I replied that the Company, while accepting these terms, would certainly not allow of any examination that went beyond them in the very smallest degree.

The Company were compelled to take up this position because each Minister in his public utterances has caused it to be understood that your inspection was to be of a punitive character, to make amends to the Government for

some fancied slight or wrongs they had received; and they have all recently manifested such an *extreme animosity* to the Company, that it is quite clear that your Report—whatever may be its character—will scarcely be strong enough to mollify their antagonism and restore their equanimity, so that they can look equitably on the matters in dispute.

The fact is that the Contract was entered into with an astounding ignorance of such matters on the part of the Government, who now seek to make the Company responsible for the natural effect.

I trust it is unnecessary I should state the great pleasure it will give me to see you here, and to discuss engineering matters with you on the line; but you would then think, and with reason, that I had been wanting in courtesy had I permitted you to actively engage in an inspection which you may probably assume to be of a general character, but which I must hold only applies to the running top of the line and to the safety of the bridges, and does not permit any portion of the work being touched for examination, unless evidently in an improper condition and as a necessity to discover the cause.

Trusting that you will have a pleasant voyage over and reach Tasmania in good health,

I have, &c.

C. H. GRANT.

W. H. GREENE, *Esq., Kyneton, Victoria.*

THE original of this letter was posted to Kyneton, Victoria, and has not reached me.—W. H. G.

Lands and Works Office, 2nd November, 1878.

SIR,

IN order to prevent any misunderstanding as to the nature of the duties which are imposed upon you by your appointment under the 5th Section of "The Main Line Railway Amendment Act," to inspect and report upon the present condition of the Main Line Railway, I desire to point out that what the Government require is such an inspection as the Resident Engineer of any line of Railway would deem it his duty to make of the works under his charge had the repair and working condition of such works been called in question.

For this purpose it will be necessary for you to open out the ballast and examine the sleepers at various points on the line, and to adopt such other means of examination as will enable you to thoroughly satisfy yourself whether the whole undertaking, including of course the Rolling Stock, is in good and efficient repair and working condition.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

W. H. GREENE, *Esq., C.E.*
Ship Hotel, Hobart Town.

Lands and Works Office, Hobart Town, 4th November, 1878.

SIR,

MR. GREENE, the officer appointed by the Governor to report upon the repair and working condition of the Main Line Railway, having informed me that he believed you wished the examination to be restricted exclusively to the "running top" of the Line, and as such an examination would not enable the state of repair and working condition of the Line to be ascertained by any engineer, I have to intimate that Mr. Greene has received such instructions as I trust will obviate any misunderstanding as to the sort of inspection which the Government deem necessary in order to enable that officer to report upon the state of repair and working condition of the Line.

As in your communication of the 10th ultimo you expressed a desire to have a copy of any instructions given to Mr. Greene, I herewith forward you a copy of a letter which I addressed to that gentleman as soon as I was made aware of your views on the mode of inspection which you desired him to adopt.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *Esq., C.E., General Manager,*
Tasmanian Main Line Railway, Hobart Town.

(COPY of letter of 2nd, addressed to W. H. Greene, Esq., C.E., enclosed.)

Lands and Works Office, Hobart Town, 4th November, 1878.

MEMORANDUM.

WILL the Honorable the Colonial Treasurer have the goodness to cause a return to be furnished to this Department of the quantity and weight of iron and steel rails imported by the Tasmanian Main Line Railway Company, Limited, since the works were commenced, such rails being landed at the ports of Hobart Town or Launceston, and entered at the Customs as imports? This information is required by the officer appointed to report upon the Main Line Railway.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

FORWARDED to the Collector of Customs. Can this be supplied?

W. R. GIBLIN, *Colonial Treasurer.*
4th Nov., 1878.

THIS return cannot be furnished, as rails are not kept separate from other iron. No return of any value can be supplied.

THOMAS T. WATT, *Collector.*
5. 11. 78.

FORWARDED to the Hon. the Minister of Lands and Works.

W. R. GIBLIN, *Colonial Treasurer.*
5. 11. 78.

Tasmanian Main Line Railway Company, Limited,
General Manager's Office, Hobart Town, 4th November, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of this date, with which you favour me with a copy of the instructions given to Mr. Greene, dated the 1st inst., respecting his inspection of the Main Line Railway.

While not desiring to offer the slightest obstruction to any examination of the line under the Contract conditions, I must remind you that the Company are its sole owners, and work it themselves at their own pecuniary loss; the interest of the Government is therefore only in the general safety of the line.

Under these circumstances I have no hesitation in stating professionally that the line can be "thoroughly" inspected from end to end as to its good and efficient repair and working condition without opening up the ballast and examining the sleepers, for which the labours of each of the numerous gangs along the line give ample opportunity. In my remarks upon this subject I acknowledged that where the state of the line gave occasion for reasonable doubt, I thought that any necessary measures should be taken to thoroughly understand the cause of imperfections.

I have not been informed that the state of this line has been called in question, and am not therefore in a position to acknowledge that it requires an inspection by a resident engineer.

I have, &c.

C. H. GRANT, *General Manager.*

Hon. N. J. BROWN, *M.H.A., Minister of Lands and Works.*

Lands and Works Office, Hobart Town, 5th November, 1878.

SIR,

I HAVE the honor to acknowledge the receipt to-day of your letter of yesterday's date, in which you state "professionally" that "the line can be thoroughly inspected from end to end as to its good and efficient repair and working condition without opening up the ballast and examining the sleepers."

I regret that, although you inform me that you do not desire "to offer the slightest obstruction to any examination of the line under Contract conditions," we should yet be at issue as to the extent to which that examination is to proceed.

The Government being "professionally" advised that an examination of the line, limited in the manner indicated by you, would not be such an examination as it is their right and duty to institute,

I have to intimate to you that the inspection must be proceeded with in accordance with the terms of my letter to Mr. Greene of the 2nd inst., the receipt of a copy of which you acknowledge in your letter under reply.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *Esq., Manager T.M.L.R.*

*Tasmanian Main Line Railway Company, Limited,
General Manager's Office, Hobart Town, 6th November, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of yesterday's date, and regret that there should be any misunderstanding between us as to the interpretation to be attached to the contract conditions, which may, however, be cleared up if you will kindly favour me with a copy of the professional opinion you have received, which states that it will be necessary to generally open up the ballast and examine the sleepers.

At present I cannot but consider that such a proceeding indicates the desire to very unduly extend the scope of the proper inspection allowed by the contract; and I may add that, in a conversation with Mr. W. H. Greene before he commenced to examine the line, that gentleman informed me that he would not expect or desire the facilities you now require.

I must also take exception to your intimation that the inspection must be proceeded with in accordance with the terms you specify, if such can be proved beyond your contract rights.

I have, &c.

C. H. GRANT.

Hon. N. J. BROWN, M.H.A., Minister of Lands & Works.

Lands and Works Office, Hobart Town, 7th November, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 6th inst., and in reply beg to enclose herewith, as requested by you, a copy of the opinions on the subject of the character of the inspection authorised by Section 5 of "The Main Line Railway Amendment Act," to which I referred in my communication of the 5th instant.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *C.E., General Manager,
T.M.L.R., Hobart Town.*

[Copy of Engineer-in-Chief and Attorney-General's opinion of the 1st and 2nd instant enclosed.—G. F. L.]

Lands and Works Office, Hobart Town, 8th November, 1878.

SIR,

IN a communication I yesterday received from Mr. C. H. Grant the following paragraph occurs:—

"At present I cannot but consider that such a proceeding indicates the desire to very unduly extend the scope of the proper inspection allowed by the contract; and I may add that, in a conversation with Mr. W. H. Greene before he commenced to examine the line, that gentleman informed me that he would not expect or desire the facilities you now require."

As a direct reference is therein made to a conversation which took place before you commenced the inspection, I consider it only fair to afford you an opportunity of perusing Mr. Grant's version of what transpired at the interview alluded to.

Will you please inform me whether Mr. Grant's statement correctly represents what passed between you at that interview?

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

W. H. GREENE, *Esq., C.E.,
Ship Hotel, Hobart Town.*

Saturday, 2 o'clock,
9. 11. 78.

MEMORANDUM.

WAITED upon Mr. C. H. Grant in company with Mr. W. H. Greene at noon to-day, with reference to the mode of examination of the Main Line Railway.

Mr. Grant expressed himself to the effect that Clause 5 of the Amendment Act undoubtedly gave the Government the right to inspect the rolling stock, and that every facility would be given the officer appointed under that clause. On that point he gave way.

Mr. Grant also expressed his willingness to allow Mr. Greene to open up the ballast and examine the state of the sleepers at any point on the line he chose, that is, at such points as an apparent defective state might warrant; but he objected to an indiscriminate opening out of the line at every few chains; he could not limit Mr. Greene in any way as to where he should open out.

Mr. Greene considered that he could not fairly expect more—it gave him ample power to make a thorough examination—the matter was therefore agreed to, subject to the approval of the Government.

G. F. LOVETT.

APPROVED.—W. R. GIBLIN.
13. 11. 78.

Hobart Town, 15th November, 1878.

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 8th instant, containing an extract from a communication addressed to you by Mr. Grant with reference to the inspection of the Main Line Railway.

Mr. Grant refers to an interview which, in compliance with the request contained in your letter to me of the 30th ultimo, I had with him. At that interview I was accompanied by Mr. G. Lovett, and I informed Mr. Grant that my instructions were to make such a thorough examination as would enable me to report to the Government as to the condition of the whole undertaking.

I told him I should not require the use of any special engines, &c. for going over the Railway, as I intended to walk from end to end of the line, and that my examination would have reference to all matters of maintenance, repairs, and renewals, the cost of which would properly be chargeable to revenue.

Mr. Grant concurred, adding that the capital or construction account of the Railway was closed.

On the 9th instant, after receipt of your letter of the previous day, I again called upon Mr. Grant with the view of definitely ascertaining how far the inspection could be carried out with his concurrence, and he then informed me that he had no objection to any portions of the works which appeared to me to require examination as to their condition being opened out, and that facilities would be afforded me for that purpose, as well as for the inspection of the condition of the rolling stock. I do not therefore anticipate that there will be any difficulty in making such an inspection of the works and stock as is authorised by the 5th Clause of the T. M. L. Railway Amendment Act. Should, however, any difficulty arise, I will at once bring it under your notice.

I have, &c.

W. H. GREENE.

The Hon. NICHOLAS J. BROWN, *Minister of Lands and Works.*

Lands and Works Office, 3rd December, 1878.

SIR,

I HAVE the honor to request that you will be good enough to place one of your heaviest engines, with carriage and guard, at the disposal of Mr. W. H. Greene, the officer now inspecting the Main Line of Railway: he will require them on Tuesday, the 10th inst., and following days, of which he will give you due notice.

I have to acquaint you that your account for season ticket for one month from the first week in November, issued to Mr. Greene, has been forwarded to the Treasury for payment, and that he requires it renewed for another month.

I have, &c.

NICHOLAS J. BROWN, *Minister of Lands and Works.*

C. H. GRANT, *Esq., Manager T.M.L.R.*

*Tasmanian Main Line Railway Company, Limited, General Manager's Office,
Hobart Town, 4th December, 1878.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 3rd instant, in which you desire that one of the heaviest engines on the Main Line Railway, with carriage and guard's van, should be placed at the disposal of Mr. W. H. Greene on and after the 10th instant; and in reply have to assure you that the engine specially selected by Mr. Greene shall be prepared for him at the time he has fixed, on Tuesday next.

In accordance with your instructions I have sent Mr. Greene a renewal of his season ticket to Launceston for one month, and herewith send you account for the same, amounting to £13 10s.

I have, &c.

C. H. GRANT.

*The Hon. N. J. BROWN, M.H.A.,
Minister of Lands and Works.*

Lands and Works Office, 21st December, 1878.

SIR,

I HAVE the honor to forward for your information a copy of Mr. W. H. Greene's report* as to the state of repair and working condition of the Tasmanian Main Line Railway, made under powers conferred by the 5th Section of "The Main Line Railway Amendment Act," under instructions given by my predecessor, to which I desire to call your special attention.

I have, &c.

C. O'REILLY, *Minister of Lands and Works.*

C. H. GRANT, *Esq., C.E., General Manager, T.M.L. Railway,
Hobart Town.*

* See Report, Paper No. 99 L.C., and No. 110 H.A.

Lands and Works Office, Hobart Town, 2nd January, 1879.

SIR,

I HAVE the honor to forward to you a copy of Mr. Grant's reply to your report of the 19th ultimo, as to the state and condition of the Tasmanian Main Line Railway.

I have, &c.

C. O'REILLY, *Minister of Lands and Works.*

W. H. GREENE, *Esq., C.E., Kyneton, Victoria.*