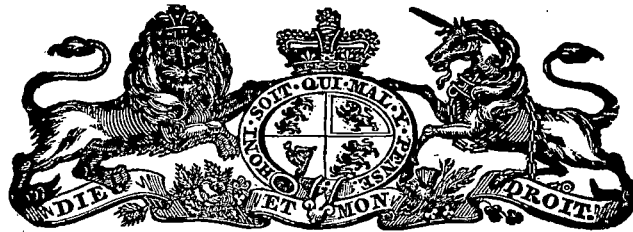


(No. 61.)



1877.

SESSION IV.

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TASMANIA.

HOUSE OF ASSEMBLY.

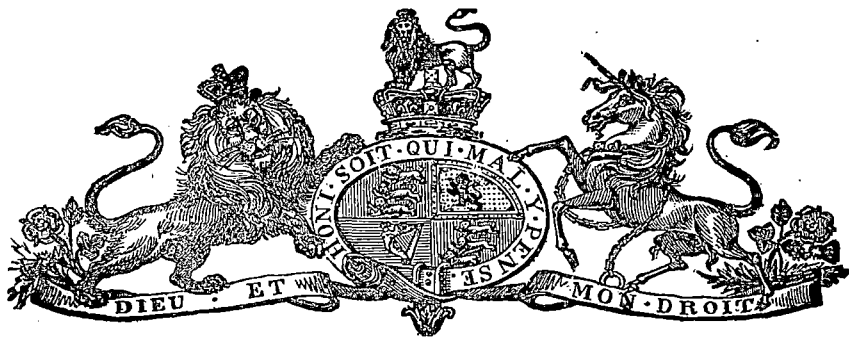
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MAIN LINE ROUTE.

PETITION FROM OATLANDS FOR ACTION TO BE TAKEN AGAINST THE  
COMPANY FOR BREACH OF CONTRACT.

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Presented by Mr. Balfe, and ordered by the House to be printed, December 6, 1877.



*The Honorable the Speaker and the Honorable the Members of the House of Assembly of Tasmania, in Parliament assembled.*

The humble Petition of your Petitioners, Representatives of the Residents and Landholders of the District of Oatlands.

RESPECTFULLY SHOWETH:

1st. That your Petitioners were appointed a Committee to carry out the objects of a Public Meeting of the Inhabitants of the Oatlands District, held on the 5th of November last, to consider the Contract rights of the Colony with regard to the Main Line Railway Contract in reference to route, and to take all legitimate and constitutional means to secure the same.

2nd. That your Petitioners, as such Committee, have engaged Solicitors to state a Case embodying the Contract rights of the Colony as contained in "The Main Line Railway Act," and the amended Main Line Railway Acts, and the Main Line Railway Contract; and also showing the great and grievous wrongs which your Petitioners have suffered by the departure by the Company from the terms of the Contract, by which a new route has been taken altogether (such statement of Case as also Counsel's opinion being now in the hands of the Government),—such Case being stated for the opinion of Counsel thereon, with a view of ascertaining whether it was open to your Petitioners to appeal to the Supreme Court of the Colony for the redress of these wrongs under which your Petitioners feel they are so unjustly suffering.

3rd. That such Counsel's opinion having been given upon such Case so stated, although it clearly reveals the fact that the Main Line Railway Company have departed from the terms of the Contract by such alteration of the route agreed to be taken by them for the Main Line Railway leading from Hobart Town to Launceston, it also as clearly reveals the fact that the Main Line Railway Contract empowers the Attorney-General only to take proceedings in the Supreme Court for any breach of the Contract by the Company, and so shuts out your Petitioners from further action in that way.

4th. That the opinion of Counsel also clearly sets forth and reveals a fact hitherto unknown to the bulk of the colonists; viz., that as the Main Line Railway Contract is not drawn up in strict accordance with the Main Line Railway Acts, which compelled the Company to take the route passing through the existing centres of population along the Main Line of Road from Hobart Town to Launceston, it is consequently *ultra vires*; and that the Governor, in signing such a Contract, did that which he was not empowered to do by the Main Line Railway Acts.

Your Petitioners would therefore pray that the Attorney-General be instructed by your Honorable House to use the powers vested in him by the Main Line Railway Acts and proceed against the Company for a breach of the Contract.

And your Petitioners, as in duty bound, will ever pray.

William Jones, *Chairman.*  
N. A. Woods, *Secretary.*  
William Nelson, *Treasurer.*

William Ryan.  
R. Jones.  
William Exton.

Joseph Madden.  
Geo. Rodda.  
Edwin Harding.

Jos. Bradshaw.  
W. C. Horton.  
R. Jones.