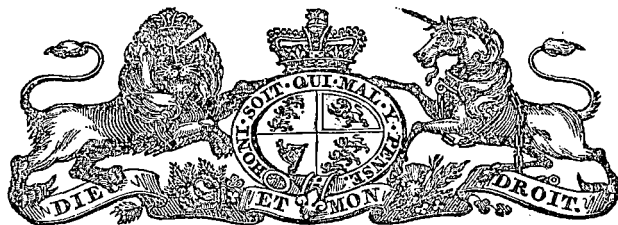


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T A S M A N I A .

LEGISLATIVE COUNCIL.

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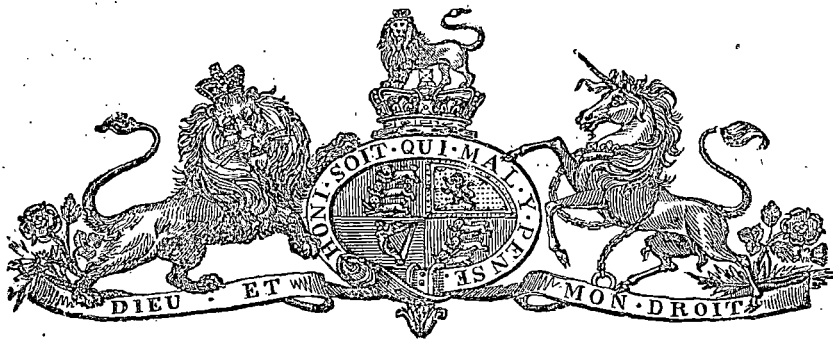
**LAUNCESTON AND WESTERN RAILWAY.**

CORRESPONDENCE IN REFERENCE TO APPOINTMENT OF  
COMMISSIONERS.

*Return to an Order of the Council dated August 21, 1867. (Mr. Whyte.)*

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Laid upon the Table by Sir R. Dry, and ordered by the Council to be printed,  
September 6, 1867.



Melbourne, Merchants' Chambers, Collins-street West,  
11th March, 1867.

SIR,

HAVING learned, by a perusal of the Amended Bill for the Launceston and Western Railway Act, that Commissioners are to be appointed to see that the conditions provided for in the said Act are faithfully carried out; and from the nature of the duties that they are to perform I conjecture that one of their number must be a professional man and possess a practical knowledge of Railways. Under this assumption I beg to inform you that, in the event of any such appointment being made, I should be glad to accept the post, providing that there is a fair remuneration attached to it: I further beg to enclose copies of testimonials from Mr. Darbyshire, the late Engineer-in-Chief, and Mr. Thos. Higinbotham, the present one, of this Colony.

I have the honor to be,

Sir,

Your most obedient Servant,

SAML. V. KEMP.

To Sir RICHARD DRY, Colonial Secretary, Tasmania.

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Temple Court, Melbourne, July 24, 1865.

MR. S. V. KEMP was employed as Engineer and Architect on the Victorian Railways, under my superintendence, from June, 1855, until May, 1860.

Mr. Kemp, in addition to being a thoroughly qualified professional man, is possessed of very superior business qualifications; and I have great pleasure in bearing testimony to his integrity in every capacity in which I had occasion to employ him.

In 1860 I resigned my position as Engineer-in-Chief, and therefore was not brought into professional communication with Mr. Kemp afterwards; but he continued in the employment of the Government Railway Department until the commencement of the present year, when, on the completion of the works on which he had been employed, he left the Public Service.

(Signed) GEO. C. DARBYSHIRE.

True Copy.

SIDNEY S. NUGENT, 11th March, 1867.

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Engineer-in-Chief's Office, Railway Department, Melbourne,  
24th July, 1865.

MR. S. V. KEMP was employed in the Engineer-in-Chief's branch of the Victorian Railway Department from 20th July, 1855, to 31st December, 1864, and was engaged principally in superintending the very large station works that were carried out during that period on the Geelong and Ballarat and Melbourne and Sandhurst Railways. Mr. Kemp has a thorough knowledge of building operations in all their details, and has had much experience both in the arrangement and construction of station works.

Mr. Kemp showed great energy and ability in the performance of his duties, which were discharged to my entire satisfaction.

Previously to my connexion with the Railway Department Mr. Kemp had been engaged on the preliminary surveys for the lines, and in the construction of the general works of a portion of the Williamstown Railway.

(Signed) T. HIGINBOTHAM, Engineer-in-Chief.

True Copy.

SIDNEY S. NUGENT, 11th March, 1867.

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*Tasmania, Colonial Secretary's Office, 12th April, 1867.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 11th ultimo, on the subject of the appointment of Commissioners to see that the conditions provided for in the amended Bill for the Launceston and Western Railway Act are faithfully carried out; and in reply to inform you that, in the event of the Government deeming it desirable to avail themselves of the services of a professional man as one of the Commissioners, your application will be promptly considered.

I have, &c.,

For the Colonial Secretary, B. TRAVERS SOLLY,  
Assistant Colonial Secretary.

S. V. KEMP, Esq., Civil Engineer, Melbourne.

*Launceston and Western Railway Co., Limited, 9th July, 1867.*

SIR,

THE Directors now wish for the appointment of Commissioners, as provided by Section 6 of the Launceston and Western Railway Act, No. 2, as they are of opinion it may be necessary soon to advise with them on points of some importance.

In the interests of the Company, however, I am directed to call your attention to the fact that the Parliament, in amending the provisions of the Bill as it passed the honorable the House of Assembly, by increasing the Commissioners to three gentlemen instead of one as proposed, has made it possible largely to increase the expenses of the Company; and I am desired, therefore, respectfully to beg that the Government will, as far as compatible with the public interests, protect the Company in this respect.

The Directors feel no hesitation in making this appeal, as it must be well known to the Government that, though designated a company, the organisation is entirely one of the landowners of the Districts through which the Railway will pass; that the work proposed is one of general importance to the country at large; and is to be constructed in the face of a possible local rate on the properties in the District, and should not be encumbered by unnecessary expenses such as might, perhaps, be fairly borne by a merely speculative company.

Allow me to point out that the duties of the Commissioner are limited (1) to certifying to the credit of £50,000 in a Bank in Tasmania; (2) that the works can be executed and the line opened for traffic within the sum of £350,000; and (3) that the £50,000 aforesaid has been expended prior to any portion of the money raised by the sale of the Company's debentures: and I desire to call your attention further to the fact that Nos. 1 and 2 comprise duties which must be settled before the Company can ascertain if their debentures can be sold, so as to go on with the construction of the line; and subjects the shareholders to the possible loss of the preliminary expenditure rendered necessary by the terms of the Act.

The Directors therefore desire me to convey to you the expression of their earnest hope that the Government will appoint only one professional gentleman, who must of necessity be well paid, and two gentlemen, non-professional or otherwise, at as low salaries as possible, perhaps to the extent of a fee for each daily attendance at the Board of Directors; and that arrangements may be made with the gentlemen appointed to receive, during the six months of preliminary investigation prior to commencement of construction, payments in respect only to such times as the public interests demand their services—of course at the rate of their permanent annual stipends.

The Directors are of opinion that the Government will find efficient men who will accept the appointment on these terms.

I remain, Sir,

Your obedient Servant,

H. DOWLING, *Honorary Secretary.*

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

*Colonial Secretary's Office, 23rd July 1867.*

SIR,

I HAVE the honor to inform you that His Excellency the Governor in Council has been pleased to appoint you one of the Commissioners under the Launceston and Western Railway Act.

I enclose a copy of the Act for your information and guidance as to the specific powers and

duties that will devolve upon you, and in the discharge of which His Excellency the Governor and his Responsible Advisers feel every confidence you will exercise that sound judgment and impartiality the possession of which qualifications has in great measure induced the Government to offer you the appointment.

The remuneration which it is proposed to attach to the Commissionership has been fixed at £200 per annum.

I have, &c.,

RICHARD DRY.

*The Hon. F. M. INNES, Esq., Newlands.*

*P.S.*—I omitted to state that, inasmuch as you are a resident on the Southern side of the Island, there will be an allowance granted to you, to be fixed by the Governor in Council, to meet your necessary travelling expenses.

I propose that your appointment should date from the 1st proximo.

R. D.

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*Colonial Secretary's Office, 23rd July, 1867.*

SIR,

I HAVE the honor to enquire if it will be agreeable to you to accept the appointment of Commissioner under the Launceston and Western Railway Act.

Your non-professional coadjutor will be the Hon. F. M. Innes: the other Commissioner has not yet been appointed.

I enclose for your information a copy of the Act which specifically points out the duties attached to the office.

The remuneration it is proposed to affix to the Commissionership is at the rate of £200 per annum.

I shall be glad to receive your reply at your earliest convenience; and in the meantime,

I have, &c.,

RICHARD DRY.

*T. BARTLEY, Esq., Launceston.*

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*Colonial Secretary's Office, 25th July, 1867.*

SIR,

I HAVE the honor to enquire if it will be agreeable to you to accept the appointment of Commissioner under the Launceston and Western Railway Company.

I enclose a copy of the Act and the Amendment for your information as to the nature of the duties which will appertain to the office; and fully appreciating your skill and ability, I shall be glad to hear that you are prepared to undertake their discharge.

The amount of salary has been fixed at £750 per annum.

I have, &c.,

RICHARD DRY.

*S. V. KEMP, Esq., Civil Engineer, Merchants' Chambers,  
Collins-street West, Melbourne, Victoria.*

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*Hobart Town, 23rd July, 1867.*

SIR,

I HAVE the honor to acknowledge your letter of this date, informing me that His Excellency the Governor has been pleased to appoint me one of the Commissioners under the Launceston and Western Railway Act.

In reply, I have the honor to express my readiness to discharge the duties of Commissioner, and to resign my seat (which I hereby do) in the Legislative Council as member for the South Esk District.

I take this step not understanding that it is obligatory upon me under the Constitution Act, but not wishing to retain my position in the Legislature under altered circumstances without an appeal to the constituency.

I have the honor to be  
Your obedient Servant,  
FRED. M. INNES.

*The Hon. the Colonial Secretary.*

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*Kerry Lodge, near Launceston, 24th July, 1867.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of yesterday, enquiring if it will be agreeable to me to accept the appointment of Commissioner under the Launceston and Deloraine Railway Act, and informing me that my non-professional coadjutor will be the Hon. F. M. Innes.

In reply, I beg to say that I shall have much pleasure in accepting such appointment, and in acting with Mr. Innes as my coadjutor; and hope to be enabled to discharge the duties specifically pointed out by the Act as attached to the office of Commissioner to the satisfaction of the Government, the Railway Company, and the public.

I have the honor to be,  
Sir,  
Your most obedient Servant.  
THEODORE BARTLEY.

*The Hon. Sir RICHARD DRY, Colonial Secretary,  
Hobart Town.*

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*Melbourne, 76, Collins-street West, 31st July, 1867.*

SIR,

WITH reference to your letter of the 25th instant, wherein you enquire if it will be agreeable for me to accept the appointment of Commissioner under the Launceston and Western Railway Company, and in reply thereto, I have the honor to inform you that I shall have much pleasure in accepting the appointment; and beg to tender you my thanks, and to say that I shall endeavour, at all times, to carry out faithfully the duties that the Act imposes upon me.

I have the honor to be,  
Sir,  
Your most obedient Servant,  
SAML. V. KEMP.

*To Sir RICHARD DRY, Colonial Secretary, Tasmania.*

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*Tasmania, Colonial Secretary's Office, 7th August, 1867.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 31st ultimo, and in reply to inform you that His Excellency the Governor has been pleased to appoint you a Commissioner under the Launceston and Western Railway Act, at a salary of £750 per annum.

The appointment to take effect from the 1st proximo.

I have, &c.,  
RICHARD DRY.

S. V. KEMP, *Esq., Merchants' Chambers, Collins-street West,  
Melbourne, Victoria.*

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*Colonial Secretary's Office, 31st July, 1867.*

SIR,

I HAVE the honor to acquaint you that the Governor in Council has been pleased to appoint you a Commissioner under the Launceston and Western Railway Act, at a salary of two hundred pounds per annum.

To take effect from the 1st proximo.

I have, &c.,  
RICHARD DRY.

THEODORE BARTLEY, *Esq., Launceston.*

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*Kerry Lodge, near Launceston, 5th August, 1867.*

SIR,

I HAVE the honor to acknowledge the receipt of your letter of the 31st ultimo, informing me that the Governor in Council has been pleased to appoint me a Commissioner under the Launceston and Western Railway Act, at a salary of two hundred pounds per annum; and would desire to return my acknowledgments for such an expression of confidence on the part of the Government.

I have the honor to be,

Sir,

Your most obedient Servant,

THEODORE BARTLEY.

*The Hon. Sir RICHARD DRY, M.L.C., Colonial Secretary,  
Hobart Town.*

*Launceston and Western Railway Company (Limited),  
7th August, 1867.*

SIR,

I AM requested by the Board of Directors to beg your attention to their letter of the 9th July last, to which no answer has been received.

Rumours are afloat to the effect that the appointments have been made, and salaries fixed — questions which cause anxiety in the minds of the Directors,—and they will be glad to be informed fully on the subject as early as possible.

I have the honor to be,

Sir,

Your obedient Servant,

H. DOWLING, *Hon. Secretary.*

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

*Colonial Secretary's Office, 7th August, 1867.*

SIR,

I AM directed to inform you that the Governor has been pleased to appoint the Hon. Frederick Maitland Innes, Esq., and Theodore Bartley, Esq., Commissioners under the Launceston and Western Railway Act at a salary of Two hundred Pounds per annum, and in the case of Mr. Innes the necessary travelling allowance, from the 1st instant.

His Excellency has further been pleased to appoint S. V. Kemp, Esq., Civil Engineer, a Commissioner under the said Act at a salary of £750 per annum, from the 1st proximo.

I have delayed making this notification until the arrangements were completed, Mr. Kemp's appointment only having been made on Monday last.

I have, &c.,

B. TRAVERS SOLLY, *Assistant Colonial Secretary.*

*The Secretary to the Launceston and Western Railway Company.*

*Launceston and Western Railway Company (Limited),  
13th August, 1867.*

SIR,

I HAVE to-day read to the Directors your communication of the 7th instant relative to the appointment of Commissioners, and considerable disappointment was expressed that the Government had made no reference in this letter to the appeal made to them in my letter of the 9th of July, that the payments to the Commissioners should be fixed to be made for such time only as the Commissioners might be engaged, until the preliminary business of the Company had been completed and the works put under construction, when the annual stipends should be payable.

If the Company are to be chargeable with the full amount of these stipends from the 1st of August and the 1st of September, respectively, a burden will be imposed on the funds which the

interests of the public do not demand, in the opinion of the Directors; seeing that a very prolonged delay must occur between the period when the Commissioners have to report on cost of construction, &c., and the acceptance of contracts.

On behalf of the Company, allow me to express a hope that some arrangement may have been made with the Commissioners to meet the wishes of the Board.

I am,  
Sir,

Yours very faithfully,

H. DOWLING, *Hon. Secretary.*

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