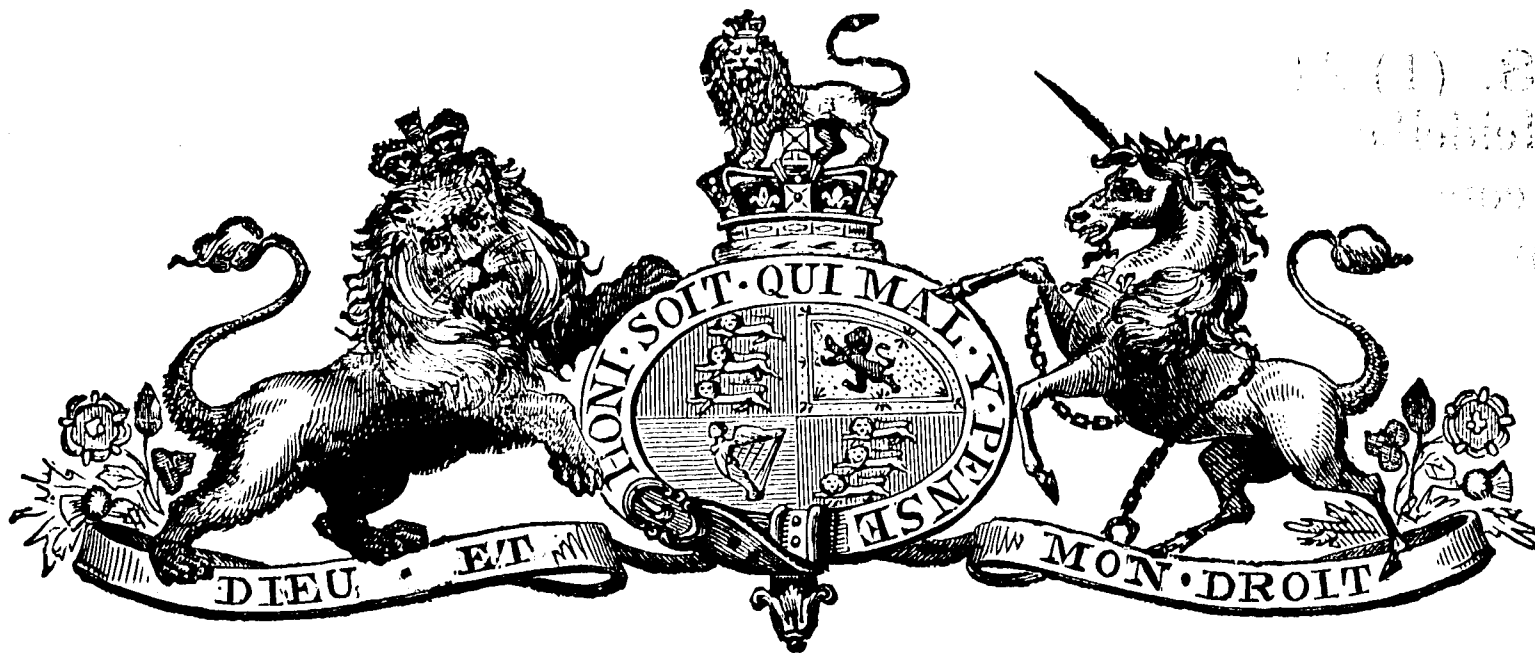


VICTORIA.



ANNO QUINQUAGESIMO SEPTIMO

VICTORIÆ REGINÆ.

No. 1353.

An Act to amend the *Heidelberg and Eltham Railway Construction Act 1893*.

[6th November, 1893.]

BE it enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Heidelberg and Eltham Railway Construction Amendment Act 1893*, and shall be read and construed as one with the *Heidelberg and Eltham Railway Construction Act 1893*.

Short title.
No. 1299.

2. In section three of the *Heidelberg and Eltham Railway Construction Act 1893* the following words shall be and the same are hereby repealed namely:—"After the sum of Five thousand pounds has been deposited with the Treasurer of Victoria on the condition that the said sum may be applied to meet any deficiency in the event of the revenue failing to cover the working expenses and Four pounds per centum per annum interest on the cost of construction of the railway herein mentioned for a period of five years from the opening of the said railway for traffic and the said sum or such part thereof as shall be requisite to meet such deficiency shall be so applied by such Treasurer."

Amendment of
section 3.
No. 1299.

3. (1) At

Board to obtain
materials from
land-owners free
of charge.

Board to obtain materials from land-owners free of charge.

3. (1) At any time or times before or during the construction of the Heidelberg and Eltham Railway the Board shall for the purposes of such construction demand and receive free of charge from the owners of any land which in the opinion of the Board will be benefited by the construction of the said line of railway such quantities of timber stone and gravel or of any of such materials as shall to the satisfaction of the Board be of the value of Five thousand pounds in the whole.

(2) In default of any such demand being complied with by any such owner within one month after demand in writing, then it shall be lawful for the Board without further or other authority than this Act to enter upon any such land and take and remove any such materials as aforesaid without being liable to such owners or any other persons beneficially interested in such land in any action in any court in respect of such entry or taking and removal or for the value of such materials.

(3) In case of any dispute arising as to the value quantity or quality of any of such materials so demanded and received taken and removed the Engineer-in-Chief of the Victorian Railways shall finally determine such dispute.

Interpretation.

4. The word "owner" shall include mortgagees and all persons having a lien or charge on such lands.

MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.