

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO OCTAVO

VICTORIÆ REGINÆ

No. 22

An Act to further amend 'The Railways Act, 1878.'  
[Assented to 23rd November, 1894.]

Preamble

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title and incorporation

1. This Act may be cited as 'The Railway Acts Amendment Act, 1894,' and shall be read and construed with and as part of 'The Railways Act, 1878' (hereinafter called 'the Principal Act'), and the Acts amending the same.

2. (1) Section ten of the Principal Act is hereby repealed, and the following provision enacted in lieu thereof:—

Map or plan of proposed railway to be deposited and open to inspection

A map or plan, showing the course to be taken by the railway, together with a book of reference in the form A in the Schedule to the Principal Act, certified as correct under the hand of the Commissioner, shall be deposited and kept at the office of the Commissioner in Perth; and in case any material deviation from the said line indicated in such map or plan shall at any time afterwards be determined upon by the Commissioner, he shall forthwith mark, or cause to be marked, the same on such map or plan. Such map or plan and book of reference shall be open to inspection at all reasonable hours by any owner of land affected by the railway.

(2) A compliance with this enactment shall be held to be, and to have been, in all cases which have hitherto arisen, a sufficient compliance with the enactment hereby repealed.

Commissioner empowered to sell goods or animals in certain cases

3. (1) If the person liable to pay any tolls, rates, or charges payable for the carriage of any goods or animals be unknown to the Commissioner, or, if known, cannot be found; or

---

*Railways Amendment Act, 1894*

---

(2) If any goods or animals, whether carried on the railway or not, and whether liable or not to any tolls, rates, or charges (including passengers' luggage and effects), shall be found at or upon any station, premises, or other portion of a railway, or in any carriage used upon a railway, and the owner of such goods or animals be unknown to the Commissioner, or, if known, cannot be found,

(a) The Commissioner may, at the expiration of one month after advertising particulars of such goods and animals in some newspaper circulating in the neighbourhood of the station or place where the same were found, sell such goods and animals, and the moneys arising from any such sale shall go to, and form part of, the Consolidated Revenue Fund. Provided always, that in the event of any person satisfying the Commissioner of his right to the possession of any such goods or animals, such person shall be entitled to receive the same on payment of such tolls, rates, charges, and expenses as may be due, or have been incurred in respect of the same, and no action shall lie against the Commissioner in respect of anything done by him or his servants in pursuance, or purporting to be in pursuance, of the provisions of this section.

ALEX. C. ONSLOW,  
GOVERNOR'S DEPUTY.

---