



## WESTERN AUSTRALIA.

ANNO TRICESIMO QUARTO

## VICTORIÆ REGINÆ.

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No. XIII.

AN ACT to guarantee the payment of Interest upon the paid-up Capital of the Electro-Magnetic Telegraph Company.

[ 2nd January, 1871. ]

**W**HEREAS a Company has been formed and registered under the “Limited Liability” Act, called the “Electro-Magnetic Telegraph Company,” for the purpose of erecting and maintaining lines of Telegraph from Perth to Narrogin, Pinjarrah, Bunbury, Bridgetown, and Albany, and from Perth to Guildford, Newcastle, Northam, and York; And whereas it is expedient to guarantee the due payment of the Interest on the paid-up Capital of the Company, at the rate of six per centum per annum, for a term of nine years; And whereas the following Articles have been submitted to and approved by the Governor, namely:—

Preamble.

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*Electro-Magnetic Telegraph Company—Guarantee.*

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- ARTICLE 1.—A Company, to be known as “The Electro-Magnetic Telegraph Company,” with a status satisfactory to the Government, and a paid-up Capital of Twelve Thousand Pounds, undertaking to erect substantial single-wire lines of Telegraph from Perth to Narrogin, Pinjarrah, Bunbury, Bridgetown, and Albany, and from Perth to Guildford, Newcastle, Northam, and York, being four hundred statute miles, more or less, of Telegraph.
- ARTICLE 2.—The Government to grant the exclusive right to the Company to have and to hold lines of Telegraph between Perth and Albany, and between Perth, Guildford, Newcastle, York, and Northam, and between Perth and Bunbury, and between Perth and Champion Bay, for a term of nine years, provided that the last mentioned section be established within three years from the opening of the three first mentioned sections.
- ARTICLE 3.—The Capital necessary for the erection of last mentioned section, when raised by the Company, to be added to the said Capital of Twelve Thousand Pounds, and to be considered as, and share in the like provisions made for, the original Capital.
- ARTICLE 4.—The Government to supplement the net earnings of the Company, by a half-yearly grant to the Company of such sum as will, when added to the net earnings, pay six per centum per annum on the Capital subscribed and actually invested by the Company; and this for a term of nine years.
- ARTICLE 5.—The supplementary grant to be deemed in operation upon such portion of the Capital above mentioned as may be required and be invested by the Company in commencing and carrying on the works, provided that such portion shall not exceed one-half the amount of said Capital before the lines between Perth, Guildford, Newcastle, Northam, and York, and between Perth, Narrogin, Pinjarrah, and Bunbury, are completed and opened.
- ARTICLE 6.—The utmost amount of such grant to be paid to the Company not to exceed, in any one year, the sum of Seven Hundred Pounds.

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*Electro-Magnetic Telegraph Company—Guarantee.*

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- ARTICLE 7.—Whenever the net earnings in any one year amount to such sum as would pay six per centum per annum on the Company's Capital, the Government to supplement such sum by a grant which, when added to the earnings, would pay eight per centum per annum to the Company.
- ARTICLE 8.—Whenever the net earnings in any one year are such as would pay more than eight per centum per annum on the Capital of the Company, a sum equivalent to eight per centum per annum to be paid to the Company from out these earnings, and the difference over and above such sum to go to a Renewal Fund, appropriated from time to time for such repairs and renewals of the lines, instruments, or batteries as recommended by the Line Inspector, and approved by the Company.
- ARTICLE 9.—The Telegraph station at each of the before-mentioned towns to be attached to the Post-office, or other convenient department, as to the Government shall seem fit, and all the Telegraph duties to be attended to and performed in such departments at Government expense, and by such officers as the Government think fit to appoint to the duties.
- ARTICLE 10.—The Company to keep the lines, etc., at all times in good working order; and all supplementary grants to cease should the line, through imperfection, or culpable neglect of the Company, be thrown out of working order for twenty consecutive days, and only to be renewed at the pleasure of the Government.
- ARTICLE 11.—In the discharge of such engagements, the Company not empowered, without consent of the Government, to appoint servants at an expense that exceeds, in the aggregate, Three Hundred Pounds per annum; and all incidental charges for working materials, repairs, etc., to be subject to approval of Government.
- ARTICLE 12.—The stations to be open to the public, for the transmission and receipt of messages, during the usual public office hours; and every reasonable exertion to be used for promptness, accuracy, and despatch, in carrying on the Telegraph duties; and no responsibility to the public to be undertaken for errors,

*Electro-Magnetic Telegraph Company—Guarantee.*

omissions, or delays in the transmission or non-transmission of any messages, from whatsoever cause the same arise.

ARTICLE 13.—The scale of charges to the public to be subject to the approval of the Government.

ARTICLE 14.—The Government to cause a half-yearly return to be issued to the Company, of all monies received from the public on account of such charges.

ARTICLE 15.—All messages on Her Majesty's Service to be transmitted free of charge, and take precedence.

ARTICLE 16.—Whenever the Perth and Albany section be required as part of a line of through communication between the Colonies, the Company to be subject to such arrangements as to mileage rates, etc., as the Government think fit to make; and the Company to affix a second wire for the special use of such communication, if required to do so; the cost of which to be added to and considered as the Company's Capital, and come under all the provisions proposed in respect to original capital.

ARTICLE 17.—The Company to be prepared, at the expiration of said term of nine years, or at any time within its limits, to sell and transfer all the Telegraph lines, and all property thereof, or thereunto attached, to the Government, at a fair and equitable valuation, but which shall not be less than the original cost outlaid by the Company in respect of such lines and property.

ARTICLE 18.—Such sale and transfer not being made before, or at the expiration of, said term, the Government to renew, for another term of nine years, all the provisions made to the Company, as herein mentioned, and the Company to come under the like responsibilities and engagements, unless otherwise by mutual consent.

Be it therefore enacted, by the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

**1** IT shall be lawful for the Governor to guarantee, on the terms and conditions set forth in the said Articles, the payment of Interest, at a rate not exceeding six per centum per annum, on the paid-up Capital of the Electro-Magnetic Telegraph Company.

Governor to guarantee payment of interest.

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**2** THAT the amount of Interest so guaranteed, as aforesaid, shall be and is hereby charged upon, and made payable out of, all the revenues of the Colony.

Interest charged upon and made payable out of all the revenues of the Colony.

**3** THE Governor may from time to time, by warrant under his hand, cause to be issued out of the Treasury of the Colony, any sum of Money for the time being requisite for giving effect to the guarantee authorised by this Act.

Governor by warrant to authorise issue of money out of the Treasury.

**4** THIS Act may be cited as "The Electro-Magnetic Telegraph Guaranteed Interest Act, 1871."

Title of Act.

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P E R T H :

By Authority: RICHARD PETHER, Government Printer.