

No. XVI.

An Act to amend the "Mount Keira Tramway Acquisition Act." [25th September, 1890.]

MOUNT KEIRA
TRAMWAY
ACQUISITION ACT
AMENDMENT.

WHEREAS the purchase money of Seven thousand five hundred pounds directed by the "Mount Keira Tramway Acquisition Act" (fifty-three Victoria number three) to be paid by the Colonial Treasurer to the Mount Keira Coal Company, in completion of an agreement for the purchase by the Railway Commissioners of New South Wales of the portion of land described in the Schedule to the said Act, together with the tramway and all other works and structures used in connection therewith and being on such land, cannot be paid over to the said Company or to any person appointed by the Directors to receive the said money pursuant to the said Act, because no such Company is in existence, and there are therefore no Directors competent to appoint any such person as aforesaid: And whereas the entire property, right, and interest in and to the land so purchased (and erroneously described in the said Act as of the "Mount Keira Coal Company") were at the time of the passing of the said Act exclusively vested in Captain Frank Osborne, and the said purchase money of Seven thousand five hundred pounds belongs of right and should be paid to him or to his representatives: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Mount Keira Tramway Acquisition Act Amendment Act, 1890." Short title.

2. The third section of the "Mount Keira Tramway Acquisition Act" is hereby repealed, and in lieu thereof the following section shall take effect. Repeal and substitution of section, &c.

3. (i) Within thirty days after the passing of this Act the Colonial Treasurer shall pay to Captain Frank Osborne, or to his duly appointed attorney, or to his personal representatives (in case of his decease), out of the General Loan Account the sum of Seven thousand five hundred pounds which was directed by the Act hereby amended to be paid to the Mount Keira Coal Company, or to such person as the Directors for the time-being of the said Company should, by writing, appoint in that behalf to receive such sum. Purchase money of £7,500 to be paid to Captain F. Osborne, &c.

(ii) Such sum so to be paid shall be in full satisfaction of any claim or demand of the said Captain Frank Osborne, or any person or persons claiming through or under him, or under the private Act of Parliament mentioned in the Act hereby amended, in respect of the portion

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portion of land, and the tramway works and structures vested in the Commissioners pursuant to the said last-mentioned Act; and the receipt of the said Captain Frank Osborne, or of his duly appointed attorney, or, in case of the decease of the said Captain Frank Osborne, of his legal personal representatives, for the said sum of Seven thousand five hundred pounds, shall be a full and complete discharge in respect of the said purchase money, for all purposes of this Act, and the Act hereby amended.

(III) All references to the "Mount Keira Coal Company" or to the "Company" contained in the Act hereby amended shall be read as if instead of those expressions, respectively, the words "Captain Frank Osborne" were substituted.
