

No. XXVI.BERRIGAN TO
FINLEY RAILWAY.

An Act to sanction the construction of a line of Railway from Berrigan to Finley; to amend the provisions of the Public Works Act of 1888, so far as they relate to the duty of the Constructing Authority to make and maintain fences along the said line of Railway; to authorise the construction of the said line on certain public roads; to provide that such work shall not be commenced unless the private lands required for the construction of the line be contracted by instrument in writing to be conveyed by deed of gift, transfer, or exchange from the owners to the Crown, save and except in the case of town allotments; and for other purposes. [10th November, 1896.]

Preamble.

WHEREAS, in accordance with the provisions of the Public Works Act of 1888, the Legislative Assembly did, by resolution, declare that it was expedient to carry out a certain work, namely, the construction of a line of railway from Berrigan to Finley: And whereas on the passing of the said resolution a statutory duty was by the said Act imposed on the Secretary for Public Works to introduce a Bill into the said Assembly to sanction the carrying out of the said work: 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:—

Work sanctioned.

1. The carrying out of the said work (more particularly described in the Schedule to this Act) is hereby sanctioned; and the Secretary for Public Works, or the Member of the Executive Council for the time being performing the duties of the said Secretary, is hereby authorised to undertake and carry out the said work subject to the provisions of this Act: Provided that the said works shall not be commenced to be constructed unless the private lands required for the construction of the line (except town allotments) have been contracted, by instrument in writing, to be conveyed by deed of gift, transfer, or exchange from the owners to the Crown, or there has been paid to the Constructing Authority a sum equal to or greater than the amount estimated by the said authority to be required for the resumption of land for the said work. And the money so paid shall be applied for the purpose of the said resumption.

Plan of work.

2. The plan of the said work is the plan marked "Berrigan to Finley Railway," signed by the Secretary for Public Works and countersigned by the Engineer-in-Chief for Railways, and deposited in the public office of the said Secretary.

Cost, how to be
defrayed.

3. The cost of carrying out the said work, estimated at twenty-seven thousand two hundred and fifty pounds, may be defrayed from such

Public Service (Superannuation).

such Loan Votes as are now or may hereafter be applicable to that purpose, and shall not, under any circumstances, exceed the estimated cost by more than ten per centum.

4. Notwithstanding the provisions of section one hundred and six of the Public Works Act of 1888, the Constructing Authority shall not be required or compelled nor shall it be the duty of the said Authority to make or maintain any fence along the said line of railway for the accommodation of any person or for any purpose whatsoever; but the said Authority may, in its discretion, make and maintain such fences in connection with the said line of railway as it may think fit.

Constructing Authority not required to fence the line.

5. The said line of railway may be constructed on or along or by the side of any public road or highway.

Line may be constructed along a road.

6. This Act may be cited as the "Berrigan to Finley Railway Act, 1896."

Short title.

SCHEDULE.

Berrigan to Finley Railway.

This proposed extension leaves the Jerilderie to Berrigan Railway at Berrigan Station, four hundred and thirty-three miles seventy-eight chains from Sydney; thence curving round it runs in a general westerly direction to near four hundred and forty-seven miles from Sydney, where it turns and runs in a southerly direction through the township of Finley, ending in the same township at four hundred and forty-seven miles forty-eight chains from Sydney, being a total length of about thirteen miles fifty chains, and subject to such deviations and modifications as may be considered desirable by the constructing authority.
