

Act No. 85, 1900.

An Act to sanction the construction of a line of railway from Culcairn to Germanton; to amend the provisions of the Public Works Act, 1900, so far as they relate to the duty of the Constructing Authority to make and maintain fences along the said line; to authorise the construction of the said line on public roads; to provide for the imposition of a tax on certain lands in connection with such line; and for other purposes. [11th December, 1900.]

CULCAIRN TO  
GERMANTON  
RAILWAY.

**W**HEREAS, in accordance with the provisions of the Public Works Act, 1900, 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 Culcairn to Germanton: 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

Preamble.

the

*Culcairn to Germanton Railway.*

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:—

Short title.

1. This Act may be cited as the "Culcairn to Germanton Railway Act, 1900."

Work sanctioned.

2. 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, and for that purpose shall be, and shall have the powers and duties of, a Constructing Authority within the meaning of the Public Works Act, 1900:

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.

It shall be lawful for all parties being seised, possessed of, or entitled to any such land or any estate or interest therein, to contract to give and convey, or release, and to give and convey or release the same to the said Secretary or member for and on behalf of Her Majesty, and the parties who are by section forty-six of the Public Works Act, 1900, empowered to sell and convey or release lands which may be acquired under that Act are, if so seised, possessed, or entitled as aforesaid, hereby empowered to contract to give and convey or release, and to give and convey or release land so required for the carrying out of the said work for and on behalf of the same persons respectively for and on behalf of whom they are empowered to sell and convey or release lands under that section.

Plan of work.

3. The plan of the said work is the plan marked "Culcairn to Germanton Railway" signed by the Secretary for Public Works and countersigned by the Engineer-in-Chief for Railway Construction, and deposited in the public office of the said Secretary.

Cost, how to be defrayed.

4. The cost of carrying out the said work, estimated at fifty-three thousand nine hundred and fifty-seven pounds, may be defrayed from 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.

Constructing Authority not required to fence the line.

5. Notwithstanding the provisions of section eighty-four of the Public Works Act, 1900, the Constructing Authority shall not be required nor compelled nor shall it be the duty of the said Authority to make or maintain

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*Sydney Harbour Trust.*

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maintain any fence along the said line of railway for the accommodation of any persons 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.

6. 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.

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SCHEDULE.

This line begins by a junction with the Great Southern Railway at three hundred and fifty-six miles eighteen chains sixty-five links from Sydney, about thirty-two chains south of Culcairn Station, and takes a generally easterly direction, passing about one mile south of Moven township at three hundred and sixty-one miles; thence following the general direction of the main road to Germanton it ends beyond the cricket ground, which it adjoins on its south side at Albury-street, at three hundred and seventy-two miles sixty-seven chains twenty-two links from Sydney; being a total distance of sixteen miles forty-eight chains fifty-seven links; and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.

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