



ANNO NONO

EDWARDI VII REGIS.

A.D. 1909.

No. 984.

An Act to amend "The Gawler to Angaston Railway Act, 1907," and for other purposes.

[*Assented to, December 11th, 1909.*]

WHEREAS by "The Gawler to Angaston Railway Act, 1907," Preamble. it is provided, amongst other things, that if the results of the polls of ratepayers to be taken thereunder were that two-thirds or more of the votes of all the ratepayers voting approved of the railway therein mentioned being constructed in pursuance of the said Act, the Governor might make an order that the said railway should be constructed in pursuance of the said Act: And whereas polls have been taken under the said Act, and more than two-thirds of the votes of all the ratepayers voting thereat approved of the said railway being so constructed, and the Governor has made an order that the said railway shall be constructed as aforesaid: And whereas ratepayers who would have been entitled, at a poll taken under the said Act, to more than three-fourths of the votes in respect of the area of land hereinafter described if such area had been included in the Railway District constituted by the said Act have signed the agreement a copy whereof is set out in the First Schedule to this Act—

Be it therefore Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited alone as "The Gawler to Angaston Short title. Railway Act Amendment Act, 1909;" and "The Gawler to Angaston Railway Act, 1907" (hereinafter called "the principal Act"), and this Act may be cited together as "The Gawler to Angaston Railway Acts, 1907 and 1909."

The Gawler to Angaston Railway Act Amendment Act.—1909.

Incorporation with principal Act.

2. This Act is incorporated with the principal Act and all Acts incorporated therewith, and the principal Act and this Act shall be read together as one Act.

Validity of anything done under principal Act not affected.

3. Neither the passing of this Act nor anything in or done under this Act shall render invalid anything heretofore done under the principal Act, or affect anything hereafter to be done under the principal Act, except so far as may be necessary for giving effect to this Act.

Agreement in First Schedule to have effect of poll.

4. The agreement mentioned in the First Schedule to this Act shall be deemed to have the same effect as if the polls taken, pursuant to the provisions of the principal Act, had been taken of the ratepayers who, if the area of land defined in the plan in the Second Schedule to this Act had been included in the Railway District as defined by the principal Act, would have been entitled to vote at such polls as well as of the ratepayers who were under the principal Act entitled to vote at such polls, and as if the results of such polls had been that two-thirds or more of the votes of all the ratepayers voting approved of the railway being constructed in pursuance of the principal Act.

Power to construct extension of railway

5. The Commissioner may, in addition to the railway, works, and conveniences authorised by the principal Act, construct and maintain—

- i. An extension of the said railway to such point in the township of Angaston as he deems proper, as the said extension is delineated in the plan deposited in the office of the Surveyor-General, in Adelaide, signed "Walter Rutt, Chief Engineer for Railways," and dated the seventeenth day of November, one thousand nine hundred and nine; or as the said extension is delineated alone or with the said railway in any plans after the passing of this Act so deposited, pursuant to any law for the time being in force as to the deposit of such plans; and
- ii. All proper works and conveniences connected with, or for the purposes of, the said extension and the said railway, or either of them:

Provided that in case the Houses of Parliament are not sitting at the time when any plans and books of reference are deposited in the office of the Surveyor-General under section 9 of "The Railways Clauses Act, 1876," the Commissioner may make deviations under the said section before causing copies of such plans and books of reference to be laid before Parliament; but such copies shall be laid before both Houses of Parliament within fourteen days after the next sittings of such Houses respectively.

Increase of authorised cost of the railway.

6. Section 6 of the principal Act is hereby amended by substituting the words "Forty-four" for the word "Fourteen" in the last line thereof.

7. (1) Except

The Gawler to Angaston Railway Act Amendment Act.—1909.

7. (1) Except for the purposes of any thing done under the principal Act before the passing of this Act, the said extension shall be deemed to be part of the railway by the principal Act authorised to be constructed; and, except as aforesaid, or where the context requires a different construction, the meaning of the word "railway," wherever used in the principal Act, is hereby extended so as to include the said extension: Provided that nothing in this Act shall affect any contract heretofore made for or with reference to the construction of the said railway, and that the Commissioner need not call for tenders for the construction of the said extension.

Extension of railway to be deemed part of railway.

(2) Without in any way diminishing the effect of this section, it is hereby declared that, except as aforesaid, the word "railway," wherever used in the principal Act, shall have the meaning assigned to it by this section for the purposes of estimating the cost of the railway and the interest thereon, the accounts of receipts and working expenses to be kept under section 18 of the principal Act, and the railway rates to be declared under the principal Act.

8. (1) Except for the purposes of any thing done under the principal Act before the passing of this Act, the area of land defined in the plan in the Second Schedule to this Act and enclosed within the outer edge of the green line shown on such plan is hereby added to and shall be deemed to be situated and comprised within "The Angaston Railway District" constituted by the principal Act; and, except as aforesaid, the meaning of the expression the "Railway District," wherever used in the principal Act, is hereby extended so as to include the said area of land.

Additional area added to the railway district.

(2) Without in any way diminishing the effect of this section, it is hereby declared that the ratepayers in respect of all the land within the Railway District as extended by this section shall be liable to pay the railway rates to be declared under the principal Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

DAY H. BOSANQUET, Governor.

THE SCHEDULES.

THE FIRST SCHEDULE.

Copy of Agreement.

Sec. 4.

We the undersigned ratepayers resident in that portion of the District of Angaston marked green in the plan attached hereto and not included in the Railway District defined by the Gawler to Angaston Railway Act No. 942 of 1907 in consideration of the line being extended to the station site in the Town of Angaston unanimously approved at a meeting of ratepayers held at Angaston Institute on the twenty-fifth day of May 1909 hereby agree to join with the ratepayers in the portion of the district already included in the provisional guarantee required by the said Act and assented to by the ratepayers at a poll held on the fifteenth day of March 1908.

[Here follow the signatures of ratepayers, particulars of properties assessed, annual assessment values, and numbers of votes to which the signatories would have been entitled under the principal Act.]

I hereby certify that the total number of votes in the addition to the Gawler and Angaston Railway District and marked green in the plan attached hereto is one hundred and eighty-eight (188) and that the signatures on the three sheets attached are those of ratepayers representing one hundred and fifty-one (151) votes—equal to three-fourths of the total number.

Dated this 26th day of October, 1909.

(Signed) JOHN DALLWITZ,

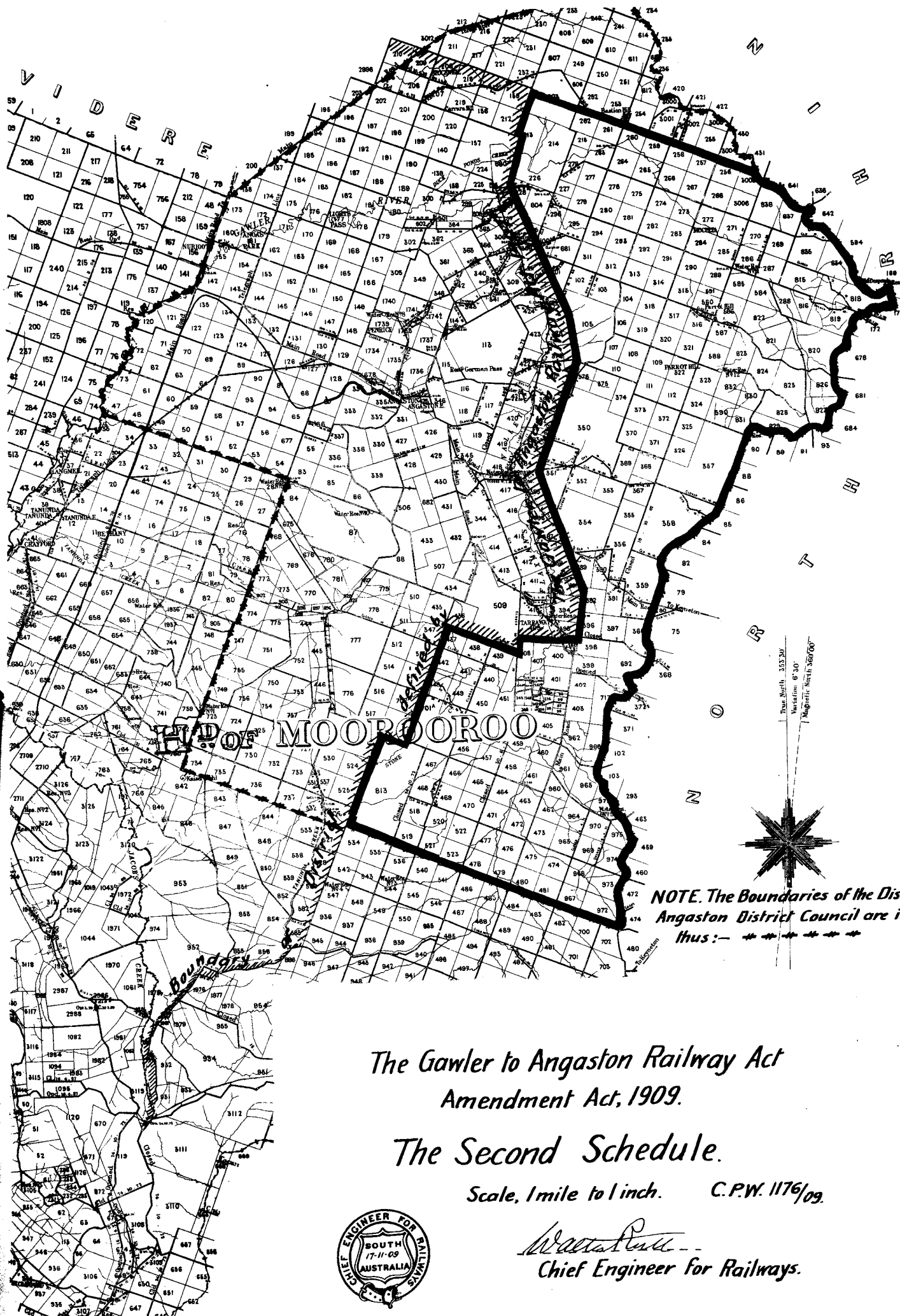
Clerk, District Council of Angaston.

[The plan attached to the agreement is a copy of the plan in the Fifth Schedule to the principal Act, with the area of land mentioned in section 8 of this Act indicated by a green boundary line.]

THE SECOND SCHEDULE.

[PLAN.]

PLAN



HEAD OF MOOROORO

True North, 353.20
 Variation 8° 30'
 Magnetic North 360° 00'



NOTE. The Boundaries of the District of the Angaston District Council are indicated thus: — + + + + +

*The Gawler to Angaston Railway Act
 Amendment Act, 1909.*

The Second Schedule.

Scale, 1 mile to 1 inch. C.P.W. 1176/09.



Wassell
 Chief Engineer for Railways.