

An Act to further amend the “Silkstone Coal-mine Railway Act of 1889.” [26th April, 1894.]

SILKSTONE COAL-
MINE RAILWAY ACT
FURTHER
AMENDING.

WHEREAS by the “Silkstone Coal-mine Railway Act of 1889,” hereinafter designated the Principal Act, Richard Tilden Smith and John Thomas Mance, both therein described, their heirs, executors, administrators, or assigns were authorised, upon the condition and terms therein contained, to construct, subject to the liabilities therein imposed, a railway from the Silkstone Coal-mine, situated near Maitland, in the parish of Stanford, in the county of Northumberland, in the Colony of New South Wales, over and through certain portions of land of the Crown, bodies corporate, and private persons respectively, to the Great Northern Railway, for conveying coal and goods, and at their option passengers and live stock, provided that the said railway should be constructed and brought into use within three years from the passing of the said Principal Act: And whereas the whole of the respective authorities, powers, rights, and interests, and all and singular the lands and hereditaments conferred on and vested in the said Richard Tilden Smith and John Thomas Mance, their heirs, executors, administrators, and assigns, in and by the said Acts, have been vested in the “Clyde Coal, Land, and Investment Company (Limited),” hereinafter designated “the said Company”: And whereas by the “Silkstone Coal-mine Railway Act Amending Act of 1891” the period of time limited by the Principal Act for the construction of the said railway and for bringing the same into use was extended by the term of two years beyond the time limited by the said Act, namely,
until

Preamble.

Silkstone Coal-mine Railway Act Further Amending.

until the thirtieth day of September, one thousand eight hundred and ninety-four, and it was by the said Act provided that in the event of a portion of the said railway, not less than two miles in length, being constructed and brought into use within the period named in the said Principal Act and in the said Amending Act, so much of the lands thereby vested in the promoters of the said Acts as should have the railway actually constructed thereon, including Crown lands, should not revert to the Crown and original owners thereof but should remain vested in the said owners as provided by the said Principal Act : And whereas a portion only of two miles forty chains of the line authorised by the said Acts has been constructed and brought into use : And whereas it would be advantageous that such railway should be further extended in a south-westerly direction for a distance of four miles and forty chains or thereabouts from its terminal point authorised by the said Principal Act, and it is desirable to extend the time wherein the said railway together with the extensions hereby authorised is to be constructed and brought into use : 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 :—

Authority to extend railway.

1. It shall be lawful for the said "Clyde Coal, Land, and Investment Company (Limited)," subject to, and in accordance with the provisions of the "Silkstone Coal-mine Railway Act of 1889" and the "Silkstone Coal-mine Railway Act Amending Act of 1891" to make and construct a railway which shall be of the same gauge as the railway authorised by the said Principal Act, extending from the terminal point of the said railway and extending in a south-westerly direction from such terminal point, and passing through Crown lands to a point within mineral permit number nine, parish of Cessnock, in addition to and as an extension of the said railway.

Site of extension shall be vested in Clyde Company without grant.

2. The ground and soil of so much of the site of the railway as passes over Crown lands, together with such rights of ingress, egress, and regress upon the adjacent land, as may be necessary for the making and repair of such railway shall so far as is necessary for the purpose of this Act at such rent as shall be fixed by the Local Land Board be vested by virtue of this Act, and without the necessity of any conveyance or grant in the said Company for the purpose of the railway.

The time for completion of railway and extension to be extended for eighteen months.

3. The time limited by the said Principal Act and extended by the said "Silkstone Coal-mine Railway Act Amending Act of 1891" for the constructing and bringing into use of the said railway, and the time for the construction and bringing into use of the extension hereby authorised shall be, and as regards the portion of the line authorised by the said Acts which has not yet been constructed, the same is hereby extended until the thirtieth day of March, which will be in the year one thousand eight hundred and ninety-six.

Provisions of Principal and Amending Acts to apply to railways hereby authorised.

4. The provisions of the "Silkstone Coal-mine Railway Act of 1889" and the "Silkstone Coal-mine Railway Act Amending Act of 1891" shall apply to the railways authorised by this Act to be made and constructed and to all sites for the same, and to all owners of the ground or soil of such sites, and all the provisions of the first-mentioned Acts shall be binding on the said Company and upon all other persons as if the said railway was authorised by such first-mentioned Acts ; and nothing in this Act contained shall prejudice or affect any rights acquired or things done under the said Acts.

Short title.

5. This Act may for all purposes be cited as the "Silkstone Coal-mine Railway Act Further Amending Act of 1894," and shall be deemed to be incorporated with and construed as part of the said "Silkstone Coal-mine Railway Act of 1889" and the "Silkstone Coal-mine Railway Act Amending Act of 1891."