

Act No. 18, 1908.

KYOGLE TO CASINO
RAILWAY.

AN Act to sanction the construction of a line of railway from Kyogle to Casino ; to authorise the construction of the said line on public roads ; to amend the Public Works Act, 1900, so far as it relates to the making and maintaining of fences along the said line ; to provide for the use of the said line by the Constructing Authority, or by persons authorised by him ; and for other purposes consequent thereon or incidental thereto. [16th December, 1908.]

Preamble.

WHEREAS, 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 Kyogle to Casino : 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 King'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 :—

Short title.

1. This Act may be cited as the "Kyogle to Casino Railway Act, 1908."

Work sanctioned.

2. The carrying out 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.

Plan of work.

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

4.

Kyogle to Casino Railway.

4. The cost of carrying out the said work, estimated at eighty-seven thousand one hundred and eighteen pounds, shall 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.

Cost, how to be defrayed.

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 on road.

6. Notwithstanding the provisions of section eighty-four of the Public Works Act, 1900, 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 his discretion, make and maintain such fences in connection with the said line of railway as he may think fit.

Fencing not required along the line.

7. The Constructing Authority and any persons authorised by him may use the said line, or any part thereof, before it is transferred to the Railway Commissioners, and for that purpose may run thereon any carriages or waggons propelled or drawn by any motive power.

Constructing Authority may use line.

SCHEDULE.

This line commences by a junction with the existing Grafton to the Tweed Railway, on the western side of Queensland-road, in the town of Casino, at sixty-six miles sixty-eight chains seventy-five links from Grafton and about twenty-six chains westerly from Casino Railway Station; it proceeds in a north westerly direction to sixty-nine miles, where it crosses the main road from Casino to Kyogle, and onwards that direction is maintained to seventy-three miles; thence the line bears northerly, westerly, and north-westerly for short lengths, to where it reaches the valley in close proximity to the left side of Richmond River, which it ascends in a generally northerly direction for about six miles to Kyogle, where the line ends on the western side of Etrick-street at eighty-six miles seven chains seventy-five links from Grafton;—being a total length of nineteen miles nineteen chains; and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.