

Act No. 10, 1909.

An Act to sanction the construction of a line of railway from Moree to Mungindi; 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.

[7th December, 1909.]

MOREE
TO MUNGINDI
RAILWAY.

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 Moree to Mungindi: 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:—

1. This Act may be cited as the "Moree to Mungindi Railway Act, 1909." Short title.

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, Constructing Authority within the meaning of the Public Works Act, 1900.

3. The plan of the said work is the plan marked "Moree to Mungindi 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.

Moree to Mungindi Railway.

Cost, how to be defrayed.

4. The cost of carrying out the said work, estimated at two hundred and eighty-nine thousand six hundred and forty-three 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.

Line may be constructed on road.

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

Fencing not required along the line.

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 and 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.

Constructing Authority may use 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 Chief Commissioner for Railways and Tramways, and for that purpose may run thereon any carriages or wagons propelled or drawn by any motive power.

SCHEDULE.

THE railway, 77 miles 12 chains 31 links in length, is an extension of the Narrabri to Moree Railway, and commences at the end of that railway in the latter township, at 314 miles 78 chains 69·4 links from Newcastle. Curving to the east from Moree it immediately crosses the Mehi River, and proceeds north-westerly for about 6 miles to the southern bank of the Gwydir River; thence a northerly course carries it across that river, $\frac{1}{2}$ mile beyond which it bears north-westerly and about 330 miles passes through the village of Bogree, or Ashley, and crosses Marshall's Ponds Creek, where the line deflects more to the north and, at about 340 miles, reaches Wallon Creek, the left bank of which, also the left bank of Gil Gil Creek, it closely follows to Garah; from there the line passes close to the southern boundary of that town, and proceeds south-westerly and north-westerly along travelling stock reserve No. 15,026 to, approximately, 1 mile beyond the crossing of Gil Gil Creek; and thence it bears westerly along the northern side of that creek, and traverses part of travelling stock reserve No. 26,225 to near the crossing of Whalan Creek, where it turns again north-westerly, crosses Whalan Creek, as also Boomi River and Goony Creek, and, about 2 miles beyond the latter, ends on the left bank of the Barwon River, at the north-eastern corner of the village of Mungindi, at 392 miles 11 chains from Newcastle; and subject to such modifications and deviations as may be considered desirable by the Constructing Authority.