

## Act No. 11, 1911.

MUSWELLBROOK  
TO MERRIWA  
RAILWAY.

An Act to sanction the construction of a line of railway from Muswellbrook to Merriwa; 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 November, 1911.]

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 Muswellbrook to Merriwa: 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 "Muswellbrook to Merriwa Railway Act, 1911."

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.

Plan of work.

3. The plan of the said work is the plan marked "Muswellbrook to Merriwa 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.

*Muswellbrook to Merriwa Railway.*

4. The cost of carrying out the said work, estimated at two hundred and thirty-three thousand five hundred and thirty 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.

Costs, 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 Chief Commissioner for Railways and Tramways, 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 branch railway commences at the centre of Muswellbrook railway platform on the Great Northern Line, at 79 miles 73 chains 98 links from Newcastle, it proceeds south-easterly for about 13 chains parallel to and on the south-western side of that railway; thence in curving sharply it crosses Musclee Creek, a quarter of a mile beyond which the main road from Maitland is crossed, and a south-westerly and southerly direction is taken for about 9 miles, in close proximity to the main road to Denman, the Hunter River is crossed at about 90 $\frac{3}{4}$  miles; thence the south-westerly direction is continued for about 6 miles to Denman, where a westerly course is taken to Goulburn River, the eastern side of which is followed northerly for about 6 miles, to its confluence with Wybong Creek, a westerly direction is then taken across that creek, and onward for about 7 miles or to a point about 2 miles beyond where it crosses Hall's Creek; thence the line turns sharply to the north-west, and ascends the right bank of that creek, and passes through Gungal, reaches and ascends the left and right banks of Worondi Creek; thence a generally westerly bearing takes it across the main road from Scone and to the north-eastern portion of the town of Merriwa, where the line ends at 131 miles from Newcastle, or thereabouts, being a total length of 51 miles 6 chains 2 links;—and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.