

No. XXXI.

An Act to sanction the construction of a line of Railway from Tamworth to Manilla; to amend the provisions of the Public Works Act of 1888, so far as they relate to the duty of the Constructing Authority to make and maintain fences along the said line of Railway; to authorise the construction of the said line on certain public roads; to provide that such work shall not be commenced if the compensation to be paid for the land required to be resumed is estimated to exceed the sum of two thousand pounds, unless there has been paid to the Constructing Authority a sum equal to or greater than the amount estimated in excess of that sum; and for other purposes. [13th November, 1896.]

TAMWORTH TO
MANILLA RAILWAY.

WHEREAS, in accordance with the provisions of the Public Works Preamble. Act of 1888, 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 Tamworth to Manilla: 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 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:—

1. The carrying out of the said work (more particularly Work sanctioned. 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:

Provided that the said work shall only be commenced to be constructed if—

- (a) the estimated compensation for lands required to be resumed for the purposes of the work does not exceed the sum of two thousand pounds, or
- (b) there has been paid to the constructing authority a sum equal to or greater than the amount by which the estimate exceeds the said sum of two thousand pounds.

2. The plan of the said work is the plan marked "Tamworth to Plan of work. Manilla Railway," signed by the Secretary for Public Works and countersigned by the Engineer-in-Chief for Railways, and deposited in the public office of the said Secretary.

Loan.

Cost, how to be defrayed.

3. The cost of carrying out the said work, estimated at seventy-three thousand one hundred and seventy pounds, may 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.

Constructing Authority not required to fence the line.

4. Notwithstanding the provisions of section one hundred and six of the Public Works Act of 1888, 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 its discretion, make and maintain such fences in connection with the said line of railway as it may think fit.

Line may be constructed along a road.

5. The said line of railway may be constructed on or along or by the side of any public road or highway,

Short title.

6. This Act may be cited as the "Tamworth to Manilla Railway Act, 1896."

SCHEDULE.

Tamworth to Manilla Railway.

This line begins by a junction with the Great Northern Railway at the south end of West Tamworth Station at one hundred and eighty-one miles forty-seven chains from Newcastle, and runs more or less parallel to the Peel River, which it crosses near its junction with Attunga Creek; thence north-westerly generally parallel to the Travelling Stock Reserve, No. 662, but at a distance from it for the first nine miles, following it closely however for the last seven miles into Manilla, where it ends at two hundred and ten miles seventy-seven chains from Newcastle, being a total length of twenty-nine miles thirty chains, and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.
