

Act No. 35, 1906.

An Act to sanction the construction of a line of Railway from Mudgee to Dunedoo, via Canadian Lead; 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. [17th December, 1906.]

MUDGEE TO
DUNEDOO, VIA
CANADIAN LEAD,
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 Mudgee to Dunedoo, via Canadian Lead: 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 "Mudgee to Dunedoo, via Canadian Lead, Railway Act, 1906."

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.

Mudgee to Dunedoo, via Canadian Lead, Railway.

Plan of work.

3. The plan of the said work is the plan marked "Mudgee to Dunedoo, via Canadian Lead, 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.

Cost, how to be defrayed.

4. The cost of carrying out the said work, estimated at one hundred and seventy-five thousand nine hundred and eighty-nine pounds, shall be defrayed from such Loan Votes as are now or may hereafter be applicable to that purpose, or from appropriations of the Public Works Fund, or partly from such votes and partly from the said appropriations, 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, 1909, 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 Railway Commissioners; and for that purpose may run thereon any carriages or waggons propelled or drawn by any motive power.

SCHEDULE.

THIS line commences at the end of the existing Wallerawang-Mudgee railway line in the latter town, at one hundred and eighty-nine miles twenty-four chains fifty links from Sydney, and proceeds in a westerly direction between Nicholson and Inglis streets, and across Church, Perry, and Douro streets, and, bearing north-westerly, it crosses Inglis, Horatio, and Cox streets, and the main road to Gulgong; thence a northerly direction takes it across Cudgegong River, Pipeclay Creek, and up the valley of Woonambula Creek and across the main road to Wyaldra or Home Rule, two miles beyond which the line passes that town on the west and Canadian Lead on the east, and curving to the west a north-westerly course carries it about a mile to the north-east of Gulgong, and to the crossing of Wyaldra Creek; thence a more northerly direction is followed to the right bank of Tallawang Creek, which is ascended north-westerly, and after crossing that creek the watershed between it and Slap-dash Creek is traversed, and the descent northerly of about eleven miles towards the Talbragar River is made; thence a generally westerly bearing for about four miles takes the line to Dunedoo, and across Charlotte, Duncan, Helen, Caroline, and Alfred streets in that township, where it ends at two hundred and thirty-nine miles ten chains fifty links from Sydney, being a total length of forty-nine miles sixty-six chains; and subject to such deviations and modifications as may be considered desirable by the Constructing Authority.