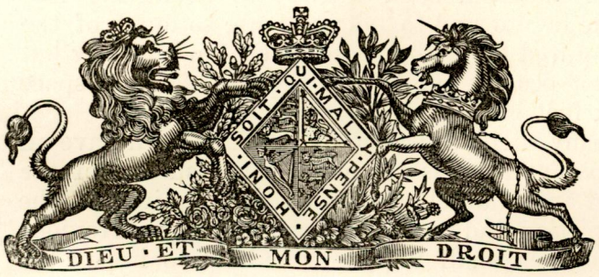
*This* PRIVATE BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

*Legislative Assembly Chamber,*
*Sydney,* 18 *May,* 1886.

F. W. WEBB,
*Acting Clerk of Legislative Assembly.*

# New South Wales.




ANNO QUADRAGESIMO NONO

# VICTORIÆ REGINÆ.

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An Act to enable the "Maryville Colliery Company (Limited)" to construct a Railway or Tramway from land at Wickham near Newcastle to and connect the same with the Government Railway to Bullock Island Newcastle.

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the said Preamble.

said proposed subdivision of land at Wickham aforesaid belonging to the said Peter Fleming and also across Hannell-street Wickham aforesaid upon terms and conditions to be determined by Parliament 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 :—

Authority to complete and construct Railway across Annie James Robert and Hannell Streets Wickham.

1. It shall be lawful for the said Company their successors or assigns upon the terms and conditions and subject to the provisoes and other enactments hereinafter contained to complete and construct the said railway already so commenced as above mentioned across certain proposed streets known as and to be called Annie-street James-street and Robert-street of a proposed subdivision of certain land at Wickham aforesaid belonging to one Peter Fleming and also across Hannell-street Wickham aforesaid such railway to be in the line described in the Schedule hereto and to take and use so much of the said streets as may be required for the purpose of the said railway but so that the same shall not occupy in any part thereof a greater space in breadth than sixty-six feet.

Power to enter upon said streets for construction repair completion and use of Railway subject to certain restrictions.

2. The said Company their successors and assigns shall have all necessary rights of ingress and egress to and over the surface of the said Annie James Robert and Hannell streets as are required for the construction repair completion and use of the said railway Provided that nothing herein contained shall impair or be held to impair the lawful authority of the Borough of Wickham or of any other corporation Company or person to make all entries and exercise all other powers necessary for the construction maintenance and preservation of gas-works water-works sewerage-works and other works lawfully constructed underground.

Liberty to cross Hannell-street on a level and precautions to be observed in that event.

3. The said Company their successors or assigns shall be at liberty to cross the said Hannell-street on a level and in that event they shall erect and at all times maintain good and sufficient gates across the said Hannell-street on each side of the railway crossing the same and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such street on both sides of the railway except during the time when horses cattle carts or carriages passing along the same shall have to cross such railway and such gates shall be of such dimensions and so constructed as when closed to fence in the railway and prevent cattle or horses passing along the road from entering upon the railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein Provided always that it shall be lawful for the Secretary for Public Works in case he shall be satisfied that it will be more conducive to the public safety that the gates over the said Hannell-street shall be kept closed across the railway to order that such gates shall be kept so closed instead of across the road and in such case such gates shall be kept constantly closed across the railway except when engines or carriages passing along the railway shall have occasion to cross such street in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the street.

Power to use railway locomotive engines &c.

4. It shall be lawful for the said Company their successors or assigns to use and employ on the said railway locomotives engines or other moving power and carriages and waggons to be drawn or propelled thereby.

Railway and locomotives to be open to public use on payment of a toll to company.

5. The railway and locomotives shall be open to public use upon payment of a toll to the Company their successors or assigns of the rate per ton per mile from time to time charged to the public on the

Great

Great Northern Railway the party seeking transit supplying and loading his own trucks or waggons and all trucks when emptied shall be conveyed on their return free of cost.

6. This Act shall be deemed and taken to be a public Act and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its dependencies without being specially pleaded.

Act to be deemed a public Act.

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SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

Sydney: Thomas Richards, Government Printer.—1886.

[3*d*.]

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*Legislative Assembly Chamber,*
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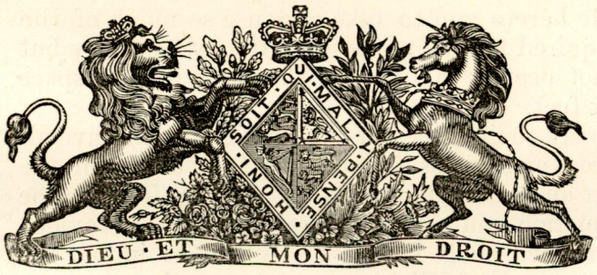


ANNO QUADRAGESIMO NONO

# VICTORIÆ REGINÆ.

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

An Act to enable the "Maryville Colliery Company (Limited)" to construct a Railway or Tramway from land at Wickham near Newcastle to and connect the same with the Government Railway to Bullock Island Newcastle.

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the said Preamble.

said proposed subdivision of land at Wickham aforesaid belonging to the said Peter Fleming and also across Hannell-street Wickham aforesaid upon terms and conditions to be determined by Parliament

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 :—

Authority to complete and construct Railway across Annie James Robert and Hannell Streets Wickham.

1. It shall be lawful for the said Company their successors or assigns upon the terms and conditions and subject to the provisoes and other enactments hereinafter contained to complete and construct the said railway already so commenced as above mentioned across certain proposed streets known as and to be called Annie-street James-street and Robert-street of a proposed subdivision of certain land at Wickham aforesaid belonging to one Peter Fleming and also across Hannell-street Wickham aforesaid such railway to be in the line described in the Schedule hereto and to take and use so much of the said streets as may be required for the purpose of the said railway but so that the same shall not occupy in any part thereof a greater space in breadth than sixty-six feet.

Power to enter upon said streets for construction repair completion and use of Railway subject to certain restrictions.

2. The said Company their successors and assigns shall have all necessary rights of ingress and egress to and over the surface of the said Annie James Robert and Hannell streets as are required for the construction repair completion and use of the said railway Provided that nothing herein contained shall impair or be held to impair the lawful authority of the Borough of Wickham or of any other corporation Company or person to make all entries and exercise all other powers necessary for the construction maintenance and preservation of gas-works water-works sewerage-works and other works lawfully constructed underground.

Liberty to cross Hannell-street on a level and precautions to be observed in that event.

3. The said Company their successors or assigns shall be at liberty to cross the said Hannell-street on a level and in that event they shall erect and at all times maintain good and sufficient gates across the said Hannell-street on each side of the railway crossing the same and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such street on both sides of the railway except during the time when horses cattle carts or carriages passing along the same shall have to cross such railway and such gates shall be of such dimensions and so constructed as when closed to fence in the railway and prevent cattle or horses passing along the road from entering upon the railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein Provided always that it shall be lawful for the Secretary for Public Works in case he shall be satisfied that it will be more conducive to the public safety that the gates over the said Hannell-street shall be kept closed across the railway to order that such gates shall be kept so closed instead of across the road and in such case such gates shall be kept constantly closed across the railway except when engines or carriages passing along the railway shall have occasion to cross such street in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the street.

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4. It shall be lawful for the said Company their successors or assigns to use and employ on the said railway locomotives engines or other moving power and carriages and waggons to be drawn or propelled thereby.

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Great

Great Northern Railway the party seeking transit supplying and loading his own trucks or waggons and all trucks when emptied shall be conveyed on their return free of cost.

6. This Act shall be deemed and taken to be a public Act and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its dependencies without being specially pleaded.

Act to be deemed a public Act.

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SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

Sydney: Thomas Richards, Government Printer.—1886.

# MARYVILLE COLLIERY COMPANY RAILWAY BILL.

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*SCHEDULE of Amendment referred to in Message of 27th May*, 1886.

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Page 3, clause 6. *Omit* clause 6.

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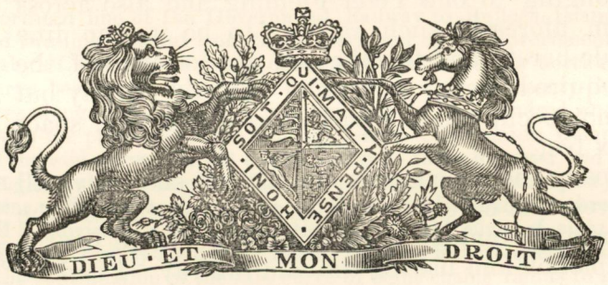

*This* Private Bill *originated in the* Legislative Assembly, *and, having this day passed, is now ready for presentation to the* Legislative Council *for its concurrence.*

*Legislative Assembly Chamber,*
*Sydney,* 18 *May,* 1886. }
F. W. WEBB,
*Acting Clerk of Legislative Assembly.*

*The* Legislative Council *has this day agreed to this Bill with an Amendment.*

*Legislative Council Chamber,*
*Sydney,* 27*th May,* 1886. }
JOHN J. CALVERT,
*Clerk of the Parliaments.*

# New South Wales.

ANNO QUADRAGESIMO NONO

# VICTORIÆ REGINÆ.

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Preamble.

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the

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6. This Act shall be deemed and taken to be a public Act and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its dependencies without being specially pleaded.

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Sydney: Thomas Richards, Government Printer.—1886.

[3*d*.]

# MARYVILLE COLLIERY COMPANY RAILWAY BILL.

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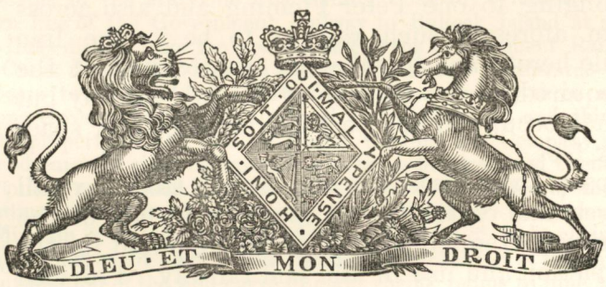

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# New South Wales.

ANNO QUADRAGESIMO NONO

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**Preamble.**

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6. This Act shall be deemed and taken to be a public Act and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its dependencies without being specially pleaded.

## SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

Sydney: Thomas Richards, Government Printer.—1886.

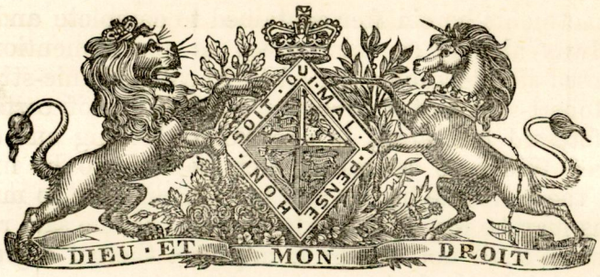
[3*d*.]

*I Certify that this* PRIVATE BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

*Legislative Assembly Chamber,*
*Sydney,* 4 *June,* 1886.

F. W. WEBB,
*Acting Clerk of Legislative Assembly.*

# New South Wales.




ANNO QUINQUAGESIMO

# VICTORIÆ REGINÆ.

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An Act to enable the "Maryville Colliery Company (Limited)" to construct a Railway or Tramway from land at Wickham near Newcastle to and connect the same with the Government Railway to Bullock Island Newcastle. [Assented to, 1st July, 1886.]

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the said Preamble.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. J. TRICKETT,
*Chairman of Committees of the Legislative Assembly.*

said proposed subdivision of land at Wickham aforesaid belonging to the said Peter Fleming and also across Hannell-street Wickham aforesaid upon terms and conditions to be determined by Parliament 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 :—

Authority to complete and construct Railway across Annie James Robert and Hannell Streets Wickham.

1. It shall be lawful for the said Company their successors or assigns upon the terms and conditions and subject to the provisoes and other enactments hereinafter contained to complete and construct the said railway already so commenced as above mentioned across certain proposed streets known as and to be called Annie-street James-street and Robert-street of a proposed subdivision of certain land at Wickham aforesaid belonging to one Peter Fleming and also across Hannell-street Wickham aforesaid such railway to be in the line described in the Schedule hereto and to take and use so much of the said streets as may be required for the purpose of the said railway but so that the same shall not occupy in any part thereof a greater space in breadth than sixty-six feet.

Power to enter upon said streets for construction repair completion and use of Railway subject to certain restrictions.

2. The said Company their successors and assigns shall have all necessary rights of ingress and egress to and over the surface of the said Annie James Robert and Hannell streets as are required for the construction repair completion and use of the said railway Provided that nothing herein contained shall impair or be held to impair the lawful authority of the Borough of Wickham or of any other corporation Company or person to make all entries and exercise all other powers necessary for the construction maintenance and preservation of gas-works water-works sewerage-works and other works lawfully constructed underground.

Liberty to cross Hannell-street on a level and precautions to be observed in that event.

3. The said Company their successors or assigns shall be at liberty to cross the said Hannell-street on a level and in that event they shall erect and at all times maintain good and sufficient gates across the said Hannell-street on each side of the railway crossing the same and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such street on both sides of the railway except during the time when horses cattle carts or carriages passing along the same shall have to cross such railway and such gates shall be of such dimensions and so constructed as when closed to fence in the railway and prevent cattle or horses passing along the road from entering upon the railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein Provided always that it shall be lawful for the Secretary for Public Works in case he shall be satisfied that it will be more conducive to the public safety that the gates over the said Hannell-street shall be kept closed across the railway to order that such gates shall be kept so closed instead of across the road and in such case such gates shall be kept constantly closed across the railway except when engines or carriages passing along the railway shall have occasion to cross such street in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the street.

Power to use railway locomotive engines &c.

4. It shall be lawful for the said Company their successors or assigns to use and employ on the said railway locomotives engines or other moving power and carriages and waggons to be drawn or propelled thereby.

Railway and locomotives to be open to public use on payment of a toll to company.

5. The railway and locomotives shall be open to public use upon payment of a toll to the Company their successors or assigns of the rate per ton per mile from time to time charged to the public on the

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SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

*In the name and on the behalf of Her Majesty I assent to this Act.*

CARRINGTON.

*Government House,*
1*st July*, 1886.

*I Certify that this* PRIVATE BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

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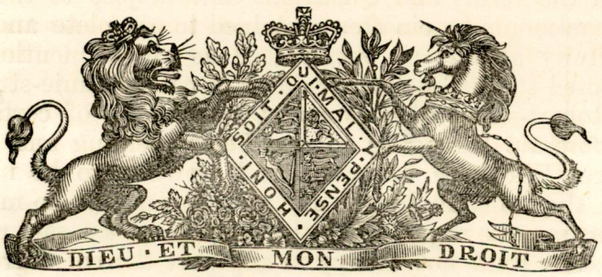
# New South Wales.




ANNO QUINQUAGESIMO

# VICTORIÆ REGINÆ.

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An Act to enable the "Maryville Colliery Company (Limited)" to construct a Railway or Tramway from land at Wickham near Newcastle to and connect the same with the Government Railway to Bullock Island Newcastle. [Assented to, 1st July, 1886.]

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the said Preamble.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

W. J. TRICKETT,
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1. It shall be lawful for the said Company their successors or assigns upon the terms and conditions and subject to the provisoes and other enactments hereinafter contained to complete and construct the said railway already so commenced as above mentioned across certain proposed streets known as and to be called Annie-street James-street and Robert-street of a proposed subdivision of certain land at Wickham aforesaid belonging to one Peter Fleming and also across Hannell-street Wickham aforesaid such railway to be in the line described in the Schedule hereto and to take and use so much of the said streets as may be required for the purpose of the said railway but so that the same shall not occupy in any part thereof a greater space in breadth than sixty-six feet.

Power to enter upon said streets for construction repair completion and use of Railway subject to certain restrictions.

2. The said Company their successors and assigns shall have all necessary rights of ingress and egress to and over the surface of the said Annie James Robert and Hannell streets as are required for the construction repair completion and use of the said railway Provided that nothing herein contained shall impair or be held to impair the lawful authority of the Borough of Wickham or of any other corporation Company or person to make all entries and exercise all other powers necessary for the construction maintenance and preservation of gas-works water-works sewerage-works and other works lawfully constructed underground.

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3. The said Company their successors or assigns shall be at liberty to cross the said Hannell-street on a level and in that event they shall erect and at all times maintain good and sufficient gates across the said Hannell-street on each side of the railway crossing the same and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such street on both sides of the railway except during the time when horses cattle carts or carriages passing along the same shall have to cross such railway and such gates shall be of such dimensions and so constructed as when closed to fence in the railway and prevent cattle or horses passing along the road from entering upon the railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings for every default therein Provided always that it shall be lawful for the Secretary for Public Works in case he shall be satisfied that it will be more conducive to the public safety that the gates over the said Hannell-street shall be kept closed across the railway to order that such gates shall be kept so closed instead of across the road and in such case such gates shall be kept constantly closed across the railway except when engines or carriages passing along the railway shall have occasion to cross such street in the same manner and under the like penalty as above directed with respect to the gates being kept closed across the street.

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SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

*In the name and on the behalf of Her Majesty I assent to this Act.*

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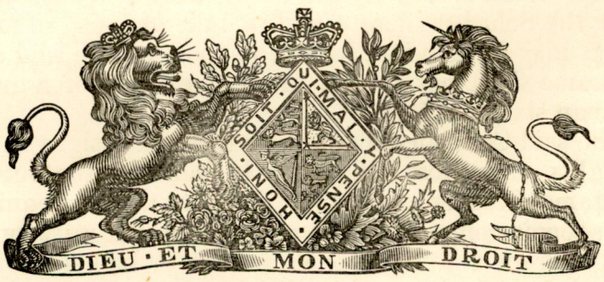

# New South Wales.

ANNO QUINQUAGESIMO

# VICTORIÆ REGINÆ.

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## An Act to enable the "Maryville Colliery Company (Limited)" to construct a Railway or Tramway from land at Wickham near Newcastle to and connect the same with the Government Railway to Bullock Island Newcastle. [Assented to, 1st July, 1886.]

**Preamble**

WHEREAS the "Maryville Colliery Company (Limited)" hereinafter designated the said Company have opened a coal-mine and established a colliery on a parcel of land situate at Wickham near Newcastle in the county of Northumberland And whereas the said Company have commenced and made considerable progress in the construction of a railway for conveying coals from the said mine and colliery across certain lands leased by them from one Peter Fleming and the "Wickham and Bullock Island Coal Company (Limited)" respectively to the Government Railway to Bullock Island near Newcastle aforesaid but are unable to complete the construction of their said railway in consequence of Hannell-street Wickham aforesaid and certain intended streets of a proposed subdivision of the said land belonging to the said Peter Fleming intersecting the line of their said railway And whereas the completion of the said railway will be of great public benefit in promoting the supply of coal for local consumption steam navigation and export And whereas it is essential to such completion that the said Company should be empowered to carry the line of the said railway across the said certain intended streets of the said

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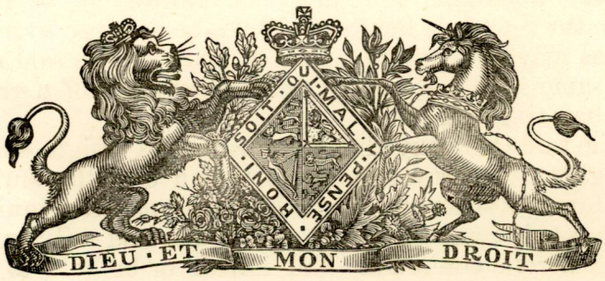
By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1886.

[3*d*.]



# New South Wales.

ANNO QUINQUAGESIMO

# VICTORIÆ REGINÆ.

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SCHEDULE.

The centre line of the Maryville Coal-mining Company's Railway branches off from the Northern line of the Government Railway to Bullock Island at a point two hundred and two links distant from the western end of the Government Railway bridge across Thorsby's Creek thence into a curve eight chains radius northwards the tangent of which curve bears two hundred and forty-four degrees twenty-three minutes and thirty degrees along Government Railway ground to two hundred and thirty-six links thence through the property of the Bullock Island Coal-mining Company in the continuation of the said curve of eight chains radius to three hundred and twenty-one links thence through a public road called Hannell-street in the continuation of the said curve of eight chains radius to three hundred and sixty-nine links thence through section G of the Linwood Subdivision in the continuation of the said curve of eight chains radius to seven hundred and twenty-eight links thence through Robert-street of the Linwood subdivision in the continuation of the said curve of eight chains radius to nine hundred and twenty-two and a half links thence through section H of the Linwood Subdivision in the continuation of the said curve of eight chains radius to one thousand and sixty links thence through James-street of the Linwood Subdivision in a straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and seven links thence through section J of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand two hundred and thirty-one links thence through Annie-street of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand three hundred and sixty-six links thence through section L of the Linwood Subdivision in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes to one thousand four hundred and sixty-seven and a half links and lastly into and through the property of the Maryville Coal-mining Company in the continuation of the said straight line bearing three hundred and nineteen degrees ten minutes.

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By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1886.

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