

Legislative Council.

1898.

A BILL

To enable Richard Read, of Singleton, doctor of medicine, William Longworth, of Lithgow, mine-manager, and Thomas Longworth, of Cobar, mine-manager, their executors, administrators, and assigns to construct and maintain a line of railway from the mines of the Great Cobar Copper-mining Company (Limited), at Cobar, to communicate with the Great Western Railway, Nyngan to Cobar branch; and for other purposes connected therewith.

(As amended and agreed to in Select Committee.)

WHEREAS Richard Read, of Singleton, doctor of medicine, William Longworth, of Lithgow, mine-manager, and Thomas Longworth, of Cobar, mine-manager, their executors, administrators, and assigns, hereinafter called "the promoters," are the lessees of the mines

Preamble.

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mines

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

mines of the Great Cobar Copper-mining Company (Limited), situated at Cobar, in the parish of Cobar, county of Robinson, in the Colony of New South Wales, and are engaged in the work of copper-mining at the said mines : And whereas the promoters are desirous of constructing a railway from the said mines to the Great Western Railway for the purpose of more beneficially working the said mines and carrying thereon ore, matte regulus, goods, chattels, and such other materials as the promoters may desire : And whereas the promoters are the owners in fee simple of all the land required for the construction of the said railway up to its place of connection with the land of the Railway Commissioners of New South Wales where it is desired to communicate with the Great Western Railway, Nyngan to Cobar Branch, as aforesaid, with the exception of certain streets or highways mentioned in the Schedule hereto, and of a strip of Crown land of the width of ten feet reserved alongside Conduit-street, one of the streets or highways aforesaid : And whereas the promoters have obtained the consent of their lessors, the Great Cobar Copper-mining Company (Limited), and of the Council of the Municipality of Cobar, having the care and management of the streets or highways aforesaid, for the construction and maintenance of the said railway : And whereas it is expedient that the promoters, their executors, administrators, and assigns should have power to construct and maintain the said proposed railway, but by reason of the course thereof crossing the said streets or highways and the said strip of Crown land, such power cannot be obtained without legislative enactment : 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 :—

Short title and interpretation.

1. This Act may be cited for all purposes as the "Great Cobar Copper-mine Railway Act" in its interpretation ; and the word "promoters" shall mean the said Richard Read, William Longworth, and Thomas Longworth, their executors, administrators, and assigns.

Authority to construct and maintain railway.

2. (1) It shall be lawful for the promoters to construct and maintain a railway from the mines of the Great Cobar Copper-mining Company (Limited), situate at Cobar, in the parish of Cobar, and county of Robinson, to communicate with the ~~Great Western Railway~~ **Government Railways** at a point to be approved by the Railway Commissioners of New South Wales. **The gauge shall be the standard gauge of the New South Wales Railways.**

Connection with Great Western Railway. **Government Railways.**

(2) It shall also be lawful for the promoters to contract with the Railway Commissioners of New South Wales to effect a communication between the railway hereby authorised and the ~~Great Western Railway~~ **Government Railways** in the manner provided for in the one hundred and twelfth section of the Public Works Act, 1888.

(3)

(3) The railway hereby authorised shall be in the direction described in the Schedule hereto, but so that the same shall not occupy at the crossing of any of the streets or highways aforesaid or at the crossing of the said strip of Crown land the greater space in breadth than one hundred and thirty-two feet.

Direction and breadth of railway.

3. (1) For the purposes and subject to the provisions of this Act it shall be lawful for the promoters, their deputies, agents, servants, and workmen, and all other persons authorised by them to divert or alter the course of any road or way crossing the said railway, or to raise or sink any road or way in order the more conveniently to carry the same over or under or by the side of the said railway.

Power to alter roads.

(2) If in the exercise of the powers hereby granted it be necessary to cross-cut-through, sink, raise, or use any part of any road, so as to render it impassable for or dangerous or inconvenient to the persons entitled to the use thereof, the promoters shall before the commencement of any such operations cause a sufficient road to be made instead of any road interfered with, and shall at their own expense maintain such substituted road in a state as convenient as the road interfered with or as nearly as may be.

Substitution of roads.

(3) If in the course of making the said railway the promoters shall use or interfere with any road, they shall from time to time make good all damages done by them to such road, and if any question shall arise as to the damage done to any such road by the promoters or as to the repair thereof by them, such question shall be referred to the determination of two justices in petty sessions, who may direct such repairs to be made upon such road in respect of damage done by the promoters, and within such period as the said justices may deem reasonable, and may impose upon the promoters for not carrying into effect such directions any penalty not exceeding five pounds as to such justices shall seem fit: Provided always that the said justices shall have regard to and make full allowance for any tolls that may have been paid by the promoters on such road in the course of using the same.

Damages to roads to be made good.

(4) If the said railway shall cross any road on a level the promoters shall erect and at all times maintain good and sufficient gates across the said railway on each side of such road where the same shall communicate therewith, and such gates shall be kept constantly closed across the said railway on both sides of such road, except when engines or carriages or other vehicles passing along the said railway shall have occasion to cross such road, and such gates shall be of such dimensions and so constructed as when closed to fence in the said railway and prevent horses and cattle passing along such road from entering upon the said railway as aforesaid, and if any person omits to shut and fasten any such gates as soon as he and the engines, carriages, or vehicles under his charge shall have passed through the same, he shall, on conviction thereof before any two justices, forfeit and pay the sum of forty shillings.

Level crossings.

The Secretary of the Interior is authorized to issue such orders as may be necessary to carry out the purposes of this Act, and to make such regulations as may be necessary to carry out the provisions of this Act.

9. At any time after two years from the date of the purchase of rail-roads by the Government, the Secretary of the Interior may, if he deems it to be in the public interest, cause any such railroad to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person.

10. If the Secretary of the Interior determines that it is in the public interest to sell any such railroad to the original owner or to any other person, he may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person.

11. If the Secretary of the Interior determines that it is in the public interest to sell any such railroad to the original owner or to any other person, he may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person.

12. If the Secretary of the Interior determines that it is in the public interest to sell any such railroad to the original owner or to any other person, he may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person, and may cause the same to be sold to the original owner or to any other person.