

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

W. S. MOWLE,
Acting Clerk of the Legislative Assembly.
Legislative Assembly Chamber,
Sydney, 7 April, 1916, A.M.

New South Wales.



ANNO SEXTO

GEORGI V REGIS.

Act No. , 1916.

An Act to sanction the construction of a line of Railway from Hermidale to Nymagee; to authorise the construction of the said line on public roads; to amend the Public Works Act, 1912, 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; to amend the Government Railways Act, 1912, with respect to the tolls and charges on such line; and for other purposes consequent thereon or incidental thereto.

Hermidale to Nymagee Railway.

- W**HEREAS in accordance with the provisions of Preamble.
the Public Works Act, 1912, the Legislative
Assembly did, by resolution, declare that it was expedient
to carry out a certain work, namely, the construction of
5 a line of railway from Hermidale to Nymagee: 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
10 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:—
- 15 **1.** This Act may be cited as the "Hermidale to Short title.
Nymagee Railway Act, 1916."
- 2.** The carrying out of the said work (more par- Work
ticularly described in the Schedule to this Act) is hereby sanctioned.
sanctioned.
- 20 **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, and for that
purpose shall be, and shall have the powers and duties
25 of a Constructing Authority within the meaning of the
Public Works Act, 1912.
- 3.** The plan of the said work is the plan marked Plan of work.
"Hermidale to Nymagee Railway," signed by the
Secretary for Public Works and countersigned by the
30 Chief Engineer for Railway and Tramway Construction,
and deposited in the public office of the said Secretary.
- 4.** The cost of carrying out the said work, estimated at Cost, and
one hundred and twenty-three thousand six hundred and how to be
thirty-eight pounds, shall be defrayed from such Loan defrayed.
- 35 **5.** 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 such
appropriations, and shall not under any circumstances
exceed the estimated cost by more than ten per centum.
- 40 **5.** The said line of railway may be constructed on or Line may be
along or by the side of any public road or highway. constructed
6. on road.

Hermidale to Nymagee Railway.

- 6.** Notwithstanding the provisions of section ninety-one of the Public Works Act, 1912, the Constructing Authority shall not be required or compelled, nor shall it be the duty of the said authority to make or maintain
5 any fence along the said line of railway for the accommodation of any person or for any purpose whatever; but the said authority may, in his discretion, make and maintain such fence in connection with the said line of railway as he may think fit.
- 7.** The Constructing Authority and any persons
10 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 wagons propelled or
15 drawn by any motive power.
- 8.** When the said line of railway has been handed
20 over to the Chief Commissioner for Railways and Tramways the said Chief Commissioner may demand such tolls and charges, not exceeding double those prescribed in the railway by-laws, as he may think fit.

Fencing not
required
along the
line.

Constructing
Authority
may use line.

Tolls and
charges on
line.

SCHEDULE.

- THIS railway commences by a junction with the existing railway from Nynган to Cobar, a short distance west of Hermidale Railway Station; it proceeds south-westerly through the village of the same name, and
25 continuing in a south-westerly direction closely adjoins the western side of the main road to Nymagee for about 13 miles, or to a point 2 miles beyond where it crosses Cowal Creek; thence the line traverses south-westerly the right bank of that creek for about 21 miles, and
30 onwards between it and the main road the line bears more to the south for about 7 miles; thence it turns almost due west, and enters the town of Nymagee, where it terminates at the eastern boundary of the property of the Nymagee Copper Company, Limited, near the Police Station;—being a total length of about 45 miles from Hermidale, and
35 desirable by the Constructing Authority.

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WHEREAS