

AJANA-GERALDINE RAILWAY.

10° GEO. V., No. XXXIV.

No. 46 of 1919.

AN ACT to authorise the construction and working of a Railway from the "Surprise" Mine at Geraldine to Ajana.

[Assented to 17th December, 1919.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Ajana-Geraldine Railway Act*, 1919.

Authority to construct railway.

2. It shall be lawful for the owners of Mining Lease No. 150 at Northampton, known as the "Surprise" Lead Mine, to construct and maintain a railway from the land demised by the said mining lease to Ajana, on the Northampton Railway, along the line described approximately in the Schedule to this Act.

Lands may be reserved.

3. The Minister for Lands may set apart and reserve such portions of unalienated Crown land as may be required for the construction of the railway; and may, under and subject to the provisions of the Public Works Act, 1902, compulsorily acquire any alienated land that may be required for the purpose, subject to the payment by the owners of the said lease of the cost of acquisition and such compensation, if any, as may be payable to the owners or lessees of such alienated land.

4. (1.) The land so reserved or acquired for the purpose of the railway may be demised by the Minister for Lands to the owners of the said mining lease, for such term and on such conditions as the Minister may think fit.

Land reserved or acquired may be demised.

(2.) Such lease shall be granted subject to the condition that it shall be lawful for the Governor, at any time during the term thereof, to purchase the said railway at a sum to be determined by the Engineer-in-Chief, or such other officer as, for the time being, shall be in charge of the construction of Government railways, and not to exceed the cost of construction less depreciation.

(3.) Such lease may at any time during the term thereof be surrendered by the lessee, and thereupon the rails and material may be removed by the lessee, but the road shall be restored by the lessees to the satisfaction of the Minister.

5. (1.) The survey shall be made by the Department of Public Works, and the owners of the said mining lease shall lay out, and construct the railway under the supervision and to the satisfaction of the Engineer-in-Chief or such officer of the Department of Public Works as may be acting under him.

Survey, construction, maintenance, and use of railway.

(2.) The whole of the cost of surveying, laying out, constructing, and maintaining the railway shall be borne by the said owners, who shall at all times during the term of the lease thereof keep the railway and rolling stock in good and substantial repair to the satisfaction of the Commissioner of Railways.

(3.) The connection of the railway with the Government railway at Ajana shall be subject to the conditions of the usual siding agreement, as required by the by-laws of the Commissioner of Railways in force for the time being.

(4.) It shall be lawful for the owners of the said mining lease and their transferees to use locomotive engines on the said railway, and to draw and propel thereby wagons, carriages, and other vehicles.

6. The owners of the said mining lease and their transferees shall during the continuance of the lease of the railway, carry goods and passengers over the railway, at such charges, and subject to such conditions as are prescribed by by-law under this Act.

Carrying goods and passengers.

By-laws.

7. The Governor may make by-laws for the regulation of traffic on the said railway, and prescribing the charges to be made for the carriage of passengers and goods, and imposing penalties not exceeding twenty pounds for the breach of any of such by-laws.

THE SCHEDULE.

Ajana-Geraldine Railway.

Description of Line of Railway.

Commencing at a point in or near Ajana Station, on the Northampton-Ajana Railway, and proceeding thence in a generally Northerly direction for about seven miles; thence in a generally North-Easterly direction for about four miles, and terminating at a point in or within three miles of the Surprise Mining Lease No. 150, Northampton Mining District, as more particularly delineated and coloured red on Map marked P.W.D., W.A., 21000; total length, about 11 miles; with the right to deviate three miles on either side of such line.
