

WESTERN AUSTRALIA.



ANNO SEPTIMO

EDWARDI SEPTIMI REGIS,

XXIV.

No. 24 of 1907.

AN ACT to authorise the construction of a Railway from Jarrahwood to Nannup as an extension of the Wonnerup-Jarrahwood Railway.

[Assented to 20th December, 1907.]

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:—

1. This Act may be cited as the *Wonnerup-Nannup Railway Act*, 1907. Short title.

2. It shall be lawful to construct a railway from Jarrahwood to Nannup along the line described in paragraph (b) of the Schedule to this Act as an extension of the existing railway from Wonnerup to Jarrahwood, and to maintain the said railway from Wonnerup to Nannup with all necessary, proper, and usual works and conveniences in connection therewith, along the line described in paragraphs (a) and (b.) of the schedule to this Act. Authority to construct.

Deviation.

3. Notwithstanding anything contained in the Public Works Act, 1902, it shall be lawful for the Minister for Works to deviate from the line as described in such Schedule to the extent of six miles on either side thereof.

Power to Governor to compulsorily purchase land within 15 miles of railway.

4. At any time after the passing of this Act, and until the expiration of twelve months from the publication of notice in the *Government Gazette* declaring the railway open for traffic, the Governor may, with the object of encouraging the cultivation and settlement of the land, compulsorily purchase any land in parcels of not less than one thousand acres, each parcel being the property of one person or two or more persons jointly or in common, and situated within fifteen miles on either side of the Jarrahwood-Nannup sections of the line of railway, and which land is certified by the Minister for Lands as suitable for closer agricultural settlement: Provided that no land shall be compulsorily purchased until the Land Purchase Board has favourably reported thereon.

Purchase money to be determined under Public Works Act, 1902.

5. On the determination by the Governor from time to time to exercise the power conferred by the last preceding section, any land within such defined limits may be taken under the Public Works Act, 1902, and the provisions of that Act shall apply, and the amount of the purchase money shall be determined as compensation is determined under that Act.

But no regard shall be had to any increased value occasioned by the railway, and the purchase money shall be assessed at the probable and reasonable price which the land, with any improvements thereon, or the estate or interest of the claimant therein, might have been expected to realise if offered for sale at the date the land was taken, and if the railway had not been constructed or authorised.

Governor may require surrender, etc., to be made.

6. Before the purchase money is paid for any land compulsorily purchased under the authority of this Act, the Governor may require the claimant to execute a surrender, conveyance, or transfer of the land to the Crown, or as the Governor may direct, free from all encumbrances.

Application of 60 Vict., No. 26.

7. All such land shall be dealt with under the provisions of the Agricultural Lands Purchase Act, 1896, and the purchase money may be paid out of any moneys authorised to be raised and expended by that Act, or as therein prescribed.

SCHEDULE.

DESCRIPTION OF LINE OF RAILWAY.

(a.) WONNERUP-JARRAHWOOD SECTION.

Commencing at a point in or near Wonnerup Railway Station on the Bunbury-Busselton Railway and proceeding thence in a generally South-Easterly direction for about 14 miles; thence in a generally Southerly direction for about 8 miles 20 chains, and terminating at a point in or near Southern boundary of Sussex Location 36 known as Jarrahwood, as more particularly delineated and coloured red on map marked P.W.D., W.A., 13280, deposited as provided for by Victoriae, No. 34, Section 10.

Total length about 22 miles 20 chains.

(b.) JARRAHWOOD-NANNUP SECTION.

Commencing at a point in or near the Southern boundary of Sussex Location No. 361, known as Jarrahwood, on the Wonnerup Railway, and proceeding thence in a generally Southerly direction for about $6\frac{1}{2}$ miles; thence in a generally South-Easterly direction for about $7\frac{1}{2}$ miles, and terminating in the Nannup townsite, as more particularly delineated and coloured red on map marked P.W.D., W.A., 13280, deposited as provided for by Victoriae, No. 34, Section 10. Total length about 14 miles.