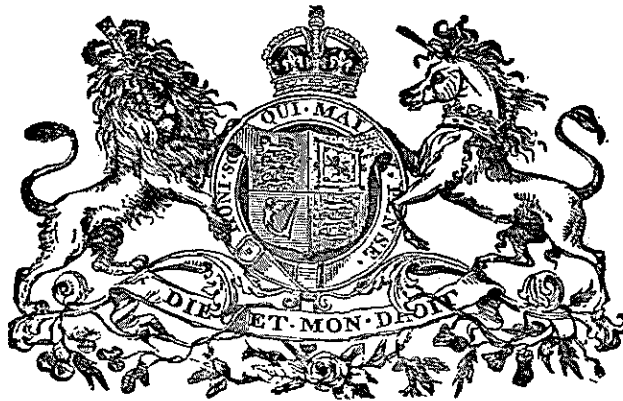


WESTERN AUSTRALIA.



ANNO TERTIO

EDWARDI SEPTIMI REGIS,

XX.

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**No. 5 of 1904.**

AN ACT to confirm a Further Provisional Order to amend, extend, or vary a Provisional Order and a Further Provisional Order authorising the construction of Tramways in the Municipality of Kalgoorlie.

[Assented to 16th January, 1904.]

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 *Kalgoorlie Tramways Act* short title.  
*Amendment Act, 1904.*
2. THE Further Provisional Order made by the Minister for Works for Western Australia on the sixteenth day of November, 1903, and set forth in the Schedule to this Act, is hereby confirmed. Confirmation of Provisional Order.
3. THE Schedule hereto shall form part of this Act. Schedule.

Incorporation with  
64 Vict., No. 43.

4. THIS Act shall be deemed to be incorporated with the Kalgoorlie Tramways Act, 1900, as amended by the Kalgoorlie Tramways Act, 1900, Amendment Act, 1902, and the said two Acts and this shall be read together as one Act.

Deposit.

5. THE deposit paid by the Promoter to the Colonial Treasurer under section eleven of the Tramways Act, 1885, shall be forfeited unless the works are duly commenced and completed in accordance with the provisions of paragraph three of the said Further Provisional Order.

## SCHEDULE.

## FURTHER PROVISIONAL ORDER.

WHEREAS THE KALGOORLIE ELECTRIC TRAMWAYS, LIMITED, a Company incorporated in England, and registered and carrying on business in Western Australia, and having its registered office in that State, at Boulder Road, Kalgoorlie, and being a Company within the meaning of the expression the Promoters, as defined by the Tramways Act, 1885, Section 3, Subsection 2, has made an application to me for a Further Provisional Order to revoke, amend, extend, and vary, as hereinafter appears, the Provisional Order made by the Commissioner of Railways on the 18th day of December, 1899, which said Provisional Order is set forth in the Schedule to and is confirmed by the Kalgoorlie Tramways Act, 1900 (64 Vict., No. 43), and also a Further Provisional Order made by the Commissioner of Railways on the 23rd day of January, 1902, and which said Further Provisional Order is set forth in the Schedule to and is confirmed by the Kalgoorlie Tramways Act, 1900, Amendment Act, 1902 (1 and 2 Edward VII., No. 10); AND WHEREAS I have considered the said application and it appears to me expedient and proper that the said application should be granted: NOW, THEREFORE, I, the undersigned Minister for Works for the State of Western Australia, do hereby in pursuance of the provisions of the Tramways Act, 1885, make a Further Provisional Order, and I do order as follows:—

1. The Promoter shall be and is hereby empowered to take up the tramway rails and sleepers, and the brackets, wires, and fastenings on the poles, on the North side of Hannan Street, from Maritana Street to Outridge Terrace; and to take up the tramway rails and sleepers, and the brackets, wires, and fastenings on the poles, along Outridge Terrace to Egan Street, all in the Municipality of Kalgoorlie.

2. The Promoter shall be and is hereby empowered to make, form, lay down, construct, and maintain and work tramways in, upon, and along such of the streets and roads in the District of the Municipality of Kalgoorlie as are mentioned in the Schedule hereunder written.

3. That the Promoter shall, within nine months from the confirmation hereof by Parliament, or within such extended time as the Local Authority may approve, substantially commence the work in connection with the said tramway, as shown on Plans P.W.D., W.A., Nos. 10367/22 and 7148, Sheets 2, 3, and 4 (subject to provisions herein contained), and complete the same within six months after such commencement. The Promoter shall run cars by electric power or other power approved by the Local Authority.

4. That the said tramway shall be constructed on a three feet six inch gauge. The tramway shall be laid with not less than 60lb. steel rails on the girder groove pattern, or, with the approval in writing of the Minister for Works, of the 60lb. "T" rail pattern: Provided they be replaced by the Promoter with not less than 60lb. girder groove rails on the Minister for Works giving the Promoter twelve months' notice so to do.

5. All sleepers and ties shall be bedded on metal or gravel to a depth of three inches if required, and the space between sleepers shall be filled with three inch blue metal or screenings.

6. All construction work, including cables and electric poles, brackets, etc., shall be carried out in conformity with Clause 16 of Original Provisional Order of 18th December, 1899, confirmed by 64 Vict., No. 43.

7. The Promoter may, upon receiving the approval, in writing, of the Minister for Works, reinstate the tramway on the North side of Hannan Street which he is by this Further Provisional Order allowed to take up, and, if required

by the Local Authority, shall reinstate the same and complete such reinstatement in every respect within twelve months after receiving notice in writing from the Minister for Works so to do.

8. The tramway along Route 3 in the Schedule hereto may be constructed with single or double lines, as may be agreed upon between the Local Authority and the Promoter, with the approval of the Minister for Works.

9. The tramways hereby authorised to be constructed shall be used for the carriage of passengers and passengers' luggage only.

10. Nothing herein contained shall prejudice or affect an agreement made the 25th day of September, 1903, between the Local Authority and the Promoter, except so far as the same is contrary to or in conflict with the provisions of this Order or the Tramways Act, 1885.

11. Save as hereby revoked, amended, extended, or varied, the said Provisional Order of the 18th day of December, 1899, and the Further Provisional Order of the 23rd day of January, 1902, and the Acts confirming the same, shall remain in full force and virtue.

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THE SCHEDULE ABOVE REFERRED TO.

1. To build a new tramway line in Hannan Street from Wilson Street to Lionel Street, all in the Municipality of Kalgoorlie, and forming a duplication of the line already laid.
2. To build a new tramway line from the junction of Hannan and Lionel Streets along Lionel Street to the junction of Lionel and Macdonald Streets; thence along Macdonald Street to the Northern boundary of the Kalgoorlie Racecourse, all in the Municipality of Kalgoorlie, and forming a duplication of the line already laid.
3. To build a new tramway line from the terminus of the present line in Macdonald Street to the Northern boundary of the Kalgoorlie Racecourse; all in the Municipality of Kalgoorlie.

Given under my hand at Perth this 16th day of November, 1903.

C. H. RASON,  
Minister for Works.