



Western Australia.

ANNO SECUNDO

EDWARDI VII. REGIS.

No. XXXVIII.

AN ACT to confirm a Further Provisional Order to amend, extend, and vary certain Provisional Orders authorising the Construction of Tramways in the City of Perth.

[Assented to, 20th December, 1902.]

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 City of Perth Tramways Act Amendment Act, 1902, and shall be read as one with the City of Perth Tramways Act, 1897, and the amendments thereof.

Short title and incorporation with principal Act.

2. THE Further Provisional Order, made by the Commissioner of Railways for Western Australia on the eighteenth day of November, 1902, and set forth in the Schedule to this Act, is hereby confirmed.

Confirmation of Further Provisional Order.

2° EDWARDI VII., No. 38.

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Schedule incorporated.

3. THE Schedule hereto shall form part of this Act.

Saving rights under agreement between Mayor, etc., of Perth and promoter.

4. NOTHING in the said Further Provisional Order or in this Act contained shall prejudice or affect a certain agreement, dated the fourth day of November, 1902, and made between the Mayor and Councillors of the City of Perth of the one part and Perth Electric Tramways, Limited, by its Attorney, Ernest Edward Rogers, of the other part, except so far as the said agreement is contrary to, or in conflict with, the provisions of this Act or of the Tramways Act, 1885.

Amendment of Sec. 3 of 63 Vict., No. 42.

5. SECTION three of the City of Perth Tramways Amendment Act, 1899, is amended by striking out the words "these Schedules," and inserting in lieu thereof the words "the Schedules hereto."

In the name and on behalf of the King I hereby assent to this Act.

E. A. STONE, Administrator.

THE SCHEDULE.

FURTHER PROVISIONAL ORDER.

WHEREAS PERTH ELECTRIC TRAMWAYS, LIMITED, a Company within the meaning of the expression "The Promoters," as defined by the third section of the Tramways Act, 1885, has made application to me for a Further Provisional Order to amend, extend, and vary the Provisional Order made by the Commissioner of Railways for Western Australia on the 16th day of December, 1897, and set forth in the Schedule to and confirmed by Act 61 Vict., No. 30, and the Further Provisional Order made by the said Commissioner on the 2nd day of November, 1899, and set forth in the First Schedule to and confirmed by Act 63 Vict., No. 42: 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, the Commissioner of Railways for 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. Subject to the provisions of this Further Provisional Order, the lines of tramway mentioned and described in the Schedule hereunder written shall be deemed to be and shall form part of the lines of tramway mentioned and described in the Schedule to the said Provisional Order, dated the 16th day of December, 1897, and of the Act confirming the same (61 Vict., No. 30), as amended by the said Further Provisional Order, dated the 2nd day of November, 1899, and by the Act confirming the same (63 Vict., No. 42).

2. The Promoter shall, within three calendar months after this Further Provisional Order shall have been confirmed by Act of Parliament, in accordance with the requirements of the Tramways Act, 1885, completely construct the Mounts Bay Road line of tramway numbered 2, and mentioned and described in the Second Schedule to the said Act (63 Vict., No. 42).

3. The Promoter shall, within six months after the confirmation of this Further Provisional Order, by Act of Parliament as aforesaid, extend the Central Perth line of tramway numbered 2, and mentioned and described in the First Schedule to the said Act (63 Vict., No. 42), from its present terminal point at the junction of William Street and Saint George's Terrace so as to connect with the said Mounts Bay Road line of tramway, to be constructed by the Promoter as provided by the last preceding paragraph hereof.

4. The Promoter shall macadamise with macadam of the best quality the roads or streets over which the tramways numbered 1 in the Schedule hereunder written and the tramway mentioned in paragraph 2 of this Order shall pass, in the manner and to the extent prescribed by Clause 5 of the said Provisional Order of the 16th day of December, 1897, with respect to lines outside the radius of half-a-mile therein referred to.

5. In addition to wood-blocking in manner prescribed by Clause 5 of the said Provisional Order of the 16th day of December, 1897, that portion of the Wellington Street line of tramway numbered 1, and mentioned and described in the Second Schedule to the said Act (63 Vict., No. 42), which lies within a radius of half-a-mile from the Town Hall of the City of Perth, the Promoter shall, in the manner and to the extent prescribed by the said Clause 5, block the route of the said Wellington Street line of tramway Westerly as far as the West side of the intersection of Wellington Street and Melbourne Road, with well-seasoned jarrah wood blocks.

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6. The Promoter shall not begin the construction of that portion of the said Wellington Street line of tramway which lies to the West of the Westerly side of the intersection of William and Wellington Streets until such date as shall be fixed for the purpose by the Mayor and Councillors of the City of Perth hereinafter referred to as the Local Authority, but shall proceed with such construction within six calendar months after receipt of reasonable notice in writing from the Local Authority in that behalf: Provided always, that unless such notice be given on or before the thirtieth day of June, 1904, the Promoter shall be at liberty to commence the construction of the said portion of the Wellington Street line of tramway without any such notice as aforesaid.

7. The said Mounts Bay Road line of tramway, and the lines authorised to be constructed in terms of this Order, shall be constructed with single lines on the 3ft. 6in. gauge, and shall be laid with steel rails: PROVIDED ALWAYS that the Promoter shall be at liberty to lay such lines in the same position as if it were intended to make the same double lines in the first instance, so as to facilitate the duplication hereafter of such lines in the event of the Local Authority consenting to such duplication.

8. The promoter shall submit, for the inspection and approval of the Commissioner of Railways and of the Engineer of the Local Authority, plans, specifications, and drawings of the lines and extensions mentioned in the Schedule hereto and in the Second Schedule to the said Act, 63 Vict., No. 42, and before commencing the construction thereof shall in each case obtain the written approval of the said Commissioner and Engineer of such plans, specifications, and drawings. All work in and about the laying down, constructing, and completing of the said lines and extensions shall be carried out and finished to the entire satisfaction of the Local Authority and its Engineer.

9. In estimating the mileage in Clause 2 of the said further Provisional Order, dated the second day of November, 1899, the new line of tramway from the junction of Barrack Street and Bazaar Terrace to the South Perth Wharf, numbered 2, and mentioned and described in the Schedule hereunder written, shall not be taken into account.

10. The provisions of the said Provisional Orders of the 16th day of December, 1897, and of the 2nd day of November, 1899, save as the same are hereby modified, shall apply to the lines and extensions mentioned in the Schedule hereto, and in the Second Schedule to the Act 63 Vict., No. 42.

SCHEDULE ABOVE REFERRED TO.

1. From the junction of William Street and Saint George's Terrace, along William Street to Bazaar Terrace.
2. From the junction of Barrack Street and Bazaar Terrace along Barrack Street to the South Perth Wharf.

Given under my hand this 18th day of November, 1902.

(Signed) W. J. GEORGE,
Commissioner of Railways.