



Western Australia

The Guildford-Greenough Flats Railway Act 1886

Compare between:

[02 Sep 1886, 00-a0-02] and [01 Jul 2003, 00-b0-05]

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The Guildford-Greenough Flats Railway Act 1886

**An Act to confirm a certain Contract for the construction of a
Railway from Guildford to the Greenough Flats, and to amend
“*The Eastern Railway Extension Act, 1881.*”**

~~[Assented to 2 September 1886]~~

Preamble

Whereas certain Proposals having been made to the Government of Western Australia by John Waddington, Esquire, hereinafter called the Contractor, for the construction, management, and working by the Contractor of a Railway from Guildford to the Greenough Flats upon the Land Grant System, the said Government was empowered by the Legislative Council of the Colony to negotiate with the Contractor and to complete a Contract with him for the construction of the said Railway, upon certain terms and conditions agreed to by the said Council; And whereas the Government have, in pursuance of such authority, concluded a Contract with the Contractor, and such Contract has been signed by the Contractor and by the Governor of the Colony, and is dated the twenty-seventh day of February, 1886, and the same has been published in the “*Government Gazette*” of the thirteenth day of March, 1886; And it is expedient that such Contract should be confirmed, and that powers should be given to the Governor and Contractor to do all things which are necessary and proper to be done under the said Contract, for the purpose of carrying the same into effect: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows: —

s. 1

1. Short title

This Act may be cited for all purposes as
“*The Guildford-Greenough Flats Railway Act 1886.*”

2. Interpretation

The term “**Contractor**” shall mean and include the Contractor and his heirs and assigns, as expressed in the said Contract.

3. Confirmation of contract

The said Contract, published in the “*Government Gazette*” of the thirteenth day of March, 1886, and bearing date the twenty-seventh day of February, 1886, shall be and the same is hereby confirmed.

4. Governor may grant lands to contractor, & c.

It shall be lawful for the Governor, subject to the terms and conditions of the said Contract, to grant to the Contractor the lands mentioned in the said Contract, and to do all things necessary and proper to be done by the Governor, for the carrying into effect of the terms and conditions of the said Contract.

5. Contractor may enter on lands and do all other necessary things, under the contract

It shall be lawful for the Contractor, subject to the terms and conditions of the said Contract, to exercise all the powers, rights, and privileges which by “*The Railways Act 1878,*” or by any Act amending or incorporated with the said Railways Act, are or may be vested in the Commissioner of Railways in respect of the survey, the entry upon, and the taking of lands for the construction of the Railway, and to do all things necessary and proper to be done by the Contractor for the carrying into effect of the said Contract; but subject always to the duties, liabilities, and restrictions imposed upon the Commissioner by the said Act or Acts, and to the duties, liabilities, and restrictions

imposed upon the Contractor by the terms and conditions of the said Contract.

6. Additional powers to contractor

Subject to the terms and conditions of the said Contract, it shall be lawful for the Contractor, during the construction and after the completion of the said Contract, and in addition to the lands by the said Contract authorized to be taken by him, in like manner, and subject to the same liability as to payment of compensation, to enter upon and take in such places and to such extent as he, with the consent in writing of the said Commissioner, shall think fit, or as the said Commissioner in writing shall direct, such quantities of land at Perth, Fremantle, and Geraldton as shall be necessary and sufficient for the erection and construction of workshops, stations, sidings, goods and carriage sheds, warehouses, depots, wharves, station yards, and approaches thereto respectively, and such lands so taken shall, on the completion of the Railway, vest in and be granted to the Contractor in fee simple, and such lands shall be used for Railway purposes and no other.

7. Repeal

The third Section of "*The Eastern Railway Extension Act 1881*," is hereby repealed.

Notes

- ^{1.} This is a compilation of the *The Guildford-Greenough Flats Railway Act 1886* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>The Guildford-Greenough Flats Railway Act 1886</i>	24 of 1886 Vict. 50	2 Sep 1886	2 Sep 1886
<u>This Act was repealed by the <i>Public Transport Authority Act 2003</i> s. 201 (No. 31 of 2003) as at 1 Jul 2003 (see s. 2(1) and <i>Gazette</i> 27 Jun 2003 p. 2384)</u>			