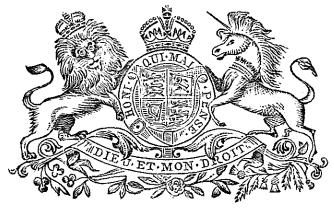
AUSTRALIA. WESTERN



NONO ANNO

REGIS, SEPTIMI EDWARDI

XXXIV. ***

No. 38 of 1909.

AN ACT to authorise the Construction of a Railway from Boyup to Kojonup.

[Assented to 21st December, 1909.]

B E it enacted by the King's Most Excellent Majesty, by and with the advice and concert of the 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 Boyup-Kojonup Railway Act, short title. 1909.

2. It shall be lawful to construct and maintain a railway from Authority to con-Boyup to Kojonup, with all necessary, proper, and usual works struct. and conveniences in connection therewith, along the line described in the Schedule to this Act.

3. Notwithstanding anything contained in the Public Works Deviation. 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 five miles on either side thereof.

4. At any time after the passing of this Act, and until the Power to Government expiration of twelve months from the publication of notice in the to compulsorily nurchase land Government Gazette declaring the railway open for traffic, the within 15 miles Governor may, with the object of encouraging the cultivation and of railway.

Boyup-Kojonup Railway.

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 of any part 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.

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.

Before the purchase money is paid for any land compul-6. sorily 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.

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.

BOYUP-KOJONUP RAILWAY,

Description of Line of Railway.

Commencing at a point in or near the townsite of Boyup on the Donnybrook-Preston Valley Railway, 73 miles 40 chains from Bunbury, and proceeding thence in a generally Easterly direction for about 52 miles and terminating at a point in or near the Western boundary of the Kojonup Station Yard in the Townsite of Kojonup as more particularly delineated and coloured red on map marked P.W.D., W.A. 14667, deposited pursuant to 2 Edw. VII., No. 47, Sec. 96,

Total length about 51 miles.

----By Authority: A. CURTIS, Acting Government Printer, Perth.

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

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

Application of 60 Viet., No. 26.