



ANNO DECIMO QUINTO

GEORGI V REGIS.

A.D. 1924.

No. 1622.

An Act to authorise a Deviation of the Route of the Railway from Nairne to the Victorian Border, and for purposes incidental thereto or consequent thereon.

[Assented to, December 11th, 1924.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Nairne to Victorian Border Railway Deviation Act, 1924." Short titles.

(2) The Nairne to Victorian Border Railway Act, 1882 (hereinafter referred to as "the principal Act"), and this Act may be cited together as the "Nairne to Victorian Border Railway Acts, 1882 and 1924." No. 265 of 1882.

2. The Acts mentioned in the Schedule, so far as the same are severally applicable to the purposes of this Act and not inconsistent with this Act, but with the exceptions stated in the Schedule, are incorporated with this Act. Incorporation with other Acts.

3. In this Act—

Interpretation.

"Commissioner" means the South Australian Railways Commissioner :

"The said plan" means the plan deposited in the office of the Surveyor-General at Adelaide, signed "R. H. Chapman, Chief Engineer for Railways," and dated the third day of October, nineteen hundred and twenty-four :

"The said railway" means the railway constructed from Nairne to the Victorian Border pursuant to the principal Act.

4. The

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Authority to alter route of Nairne to Victorian Border Railway.

4. The Commissioner may alter the route of the said railway in manner shown on the said plan, and for that purpose, and for the purpose of working and maintaining the said railway as altered pursuant to this Act, may construct and maintain—

(a) a line of railway from a point at or near the point shown on the said plan and thereon marked "A" to a point at or near the point shown on the said plan and thereon marked "B", as the said line of railway is delineated in the said plan, or as the said line of railway is delineated in any plans after the passing of this Act deposited in the office of the Surveyor-General, pursuant to any law for the time being in force as to the deposit of such plans; and

(b) all proper works or conveniences connected with, or for the purposes of, the said railway as altered pursuant to this Act and any other railway, or either of them :

No. 32 of 1876.

Provided that in case the Houses of Parliament are not sitting when any plans and books of reference as to the said line of railway are deposited in the office of the Surveyor-General under section 9 of the Railway Clauses Act, 1876, the Commissioner may make deviations under the said section before causing copies of such plans and books of reference to be laid before Parliament; but such copies shall be laid before both Houses of Parliament within fourteen days after the next sittings of such Houses respectively.

New line to be regarded as part of the railways.

5. When the said railway is altered pursuant to this Act, the new route shall be deemed to be a part of the railways vested in the Commissioner pursuant to the Acts incorporated herewith.

Power to discontinue old route or dispose of materials thereof.

6. When the said railway is altered pursuant to this Act, or for the purpose of carrying out the alterations authorised by this Act, the Commissioner may—

(a) discontinue the working of the said railway, or any part thereof, from a point at or near the point shown on the said plan, and thereon marked "A", to a point at or near the point shown on the said plan, and thereon marked "B"; and

(b) take up and remove the part of the said railway the working of which is so discontinued or to be discontinued; and

(c) use the materials so taken up as he deems expedient, or sell or otherwise dispose of such materials or any of them as he deems proper.

Validating provisions.

7. (1) All works heretofore performed by the Commissioner in or incidental to the construction of the railway authorised by this Act

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Act and all lands heretofore acquired by the Commissioner for the purposes of that railway shall be deemed to have been lawfully performed and acquired and the performance of the said works and the acquisition of the said lands shall have the same effect as if this Act had been passed before the performance of the said works or the acquisition of the said lands.

(2) The provisions of the Railways Standing Committee Act, No. 1089 of 1912, shall not apply to this Act or to any of the works authorised by this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

TOM BRIDGES, Governor.

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THE SCHEDULE.

Section 2

Ordinance No. 6 of 1847.—The Lands Clauses Consolidation Act, except sections 9, 12 to 17 inclusive, 21 to 25 inclusive, 38 to 62 inclusive, 64 to 68 inclusive, 110, 114 to 120 inclusive, 136, and 137.

Act No. 26 of 1855-6, being an Act to amend the Lands Clauses Consolidation Act, except sections 1, 4, and 6.

Act No. 202 of 1881.—The Lands Clauses Consolidation Amendment Act, 1881, except sections 5 to 11 inclusive.

Act No. 1035 of 1911.—The Lands Clauses Consolidation Further Amendment Act, 1911.

Act No. 1163 of 1914.—The Lands Clauses Consolidation Further Amendment Act, 1914.

Act No. 1326 of 1918.—Lands Clauses Consolidation Further Amendment Act, 1918.

Ordinance No. 7 of 1847.—The Railways Clauses Consolidation Act.

Act No. 6 of 1858, being an Act to amend the Railways Clauses Consolidation Act.

Act No. 32 of 1876.—The Railways Clauses Act, 1876.

Act No. 1392 of 1919.—Railways Clauses Act Amendment Act, 1919.

Act No. 414 of 1887.—The South Australian Railways Commissioners Act, 1887.

Act No. 512 of 1891.—The South Australian Railways Commissioners Act Amendment Act, 1891.

Act No. 612 of 1894.—The South Australian Railways Commissioners Act Amendment Act, 1894.

Act No. 912 of 1906.—The South Australian Railways Commissioners Further Amendment Act, 1906.

Act No. 988 of 1909.—The South Australian Railways Commissioners Act Amendment Act, 1909.

Act No. 1144 of 1913.—The South Australian Railways Commissioners Act Amendment Act, 1913.

Act No. 1332 of 1918.—South Australian Railways Commissioners Act Further Amendment Act, 1918.

Act No. 1486 of 1921.—South Australian Railways Commissioners Act Further Amendment Act, 1921.

Act No. 265 of 1882.—The Nairne to Victorian Border Railway Act, 1882.