An Act to authorize the raising of a Sum of One Hundred and Fifty Thousand Pounds for the construction of the Adelaide City and Port Railway, and to authorize the Undertakers to deviate from the original line of such Railway; and for other purposes therein mentioned.

[Assented to, December 9, 1853.]
of articles to be used in the construction of the said Railway, the sum of Sixty Thousand Pounds by the said last recited Act authorized to be raised, is not sufficient for the purposes to which the same is to be applied, and it is expedient to authorize the raising of a sum of One Hundred and Fifty Thousand Pounds for such purposes, and it is also expedient to authorize certain deviations to be made from the line sanctioned by the said "Adeladite City and Port Railway Act"—Be it enacted by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council of the same, as follows:

1. It shall be lawful for the Treasurer aforesaid, as he may be required by the said Undertakers, to issue bonds for the respective amounts in the said last recited Act specified, in such form as may be approved by the Governor in that behalf, to an amount not exceeding in the aggregate the sum of One Hundred and Fifty Thousand Pounds, instead of the sum of Sixty Thousand Pounds, by the said Act authorized, and to pay over the money raised by means of such bonds to the said Undertakers, to be by them employed in the construction of the works authorized by the said firstly recited Act, No. 1 of 1851, as modified by the provisions hereinafter contained.

2. Instead of the sum of Three Thousand Pounds, by the said last recited Act, No. 12 of 1852, authorized to be set apart half yearly by the Colonial Treasurer, there shall be set apart by the said Colonial Treasurer half yearly, a sum of Seven Thousand Five Hundred Pounds, and instead of the sum of Six Thousand Pounds by such Act directed to be annually appropriated from the General Colonial Revenue, the sum of Fifteen Thousand Pounds shall be so annually appropriated, and all the provisions of such last recited Act as to the application of the said respective sums of Three Thousand and Six Thousand Pounds, and as to the payment of interest and redemption of moneys borrowed shall apply to the said respective sums of Seven Thousand Five Hundred Pounds and Fifteen Thousand Pounds, and to the moneys to be raised under the authority hereof: Provided that no money shall be raised under the authority of this or the last-mentioned Act at a rate of interest exceeding six per cent. per annum upon the amount so raised.

3. It shall be lawful for the Governor from time to time, before any money shall have been raised by the Colonial Treasurer by the issue of such bonds as aforesaid, by warrant under his hand, to authorize the said Colonial Treasurer from time to time, to advance and pay to the said Undertakers, out of the General Revenue of the said Province, such sums of money as shall not exceed the sum of One Hundred and Fifty Thousand Pounds, to be by the said Undertakers applied in the manner hereinbefore prescribed, with regard to the sum authorized to be raised by the issue of bonds; and in the event of any money being so advanced and paid, then any moneys to be raised by the issue of such bonds shall, in the first instance, be applied in the repayment thereof.

4. It
4. It shall be lawful for the said Undertakers, and they are hereby required to construct the said Railway, and the branches and works thereof, according to the plans of the said Railway, signed by the Speaker of the Legislative Council, and deposited with the Surveyor-General, and the termini set forth in such plans shall be the termini of the said Railway, in the place of the termini prescribed by “The Adelaide City and Port Railway Act;” and all the powers and authorities of “The Adelaide City and Port Railway Act” and of “The Lands Clauses Consolidation Act” shall apply to the line of Railway and branches as shown by such plans, and to all the lands affected thereby, and to the owners and occupiers of such lands, in the same manner as though such plans had been directly referred to in “The Adelaide City and Port Railway Act,” instead of the plans therein specified and referred to, and such powers may be exercised at any time previously to the period fixed for the completion of the said undertaking.

5. The gauge of the said railway shall be five feet and three inches instead of four feet eight inches and a half as enacted by the said “Adelaide City and Port Railway Acts;” Provided that it shall be lawful for the said Undertakers, with the consent of the Governor, to alter the said gauge so as to bring the same into conformity with any gauge which may be adopted in the neighboring Colonies.

6. Subject to the provisions in the “Railways Clauses Consolidation Act” in reference to the crossing of roads on a level, it shall be lawful, for the Undertakers in the construction of the said Railway and branches, to carry the same on the level across the several roads lettered on the plan hereinafter mentioned, as follows, that is to say—A, B, C, D, E, F, and G; and the said Undertakers shall not be required to keep open any roads, streets, or footpaths, excepting those designated by the above letters: Provided that the said Undertakers shall construct convenient footways under the railway, at the points marked Y and Z, so as to keep up a safe communication between those portions of the Townships of Bowden and Brompton, which will be separated by the said railway: Provided also, that a bridge for the passage of carts to and from the River Torrens, having a clear headway of eight feet and a width of twelve feet, shall be made under the railway, at the point marked X on the plan, and that the road, commonly called the Yatala Road, shall be diverted, as shown upon the plan, at M, so as to lead to the level crossing at G.

7. It shall be lawful for the Undertakers, with the consent of the Governor, signified in writing under his hand, to increase the tolls for the use of the railway, by “The Adelaide City and Port Railway Act” authorized to be demanded, in respect of the transit of all articles conveyed upon the railway, to One Shilling per ton per mile; and it shall not be incumbent upon the said Undertakers to deliver goods and merchandise to be delivered in Adelaide
at any other level than that of the terminus of the said railway, as shown by the said plans hereinbefore referred to.

8. So much of the Adelaide City and Port Railway Act as provides that between the termini of the line and the wharfs, the Railway Company shall provide conveyance of goods at the same charges as on the railway; and that any proprietor or occupier laying down sufficient and proper rails over his wharf, shall be entitled to have the Company's carriages run upon such rails, shall be, and the same is hereby repealed.

9. It shall be lawful for the said Undertakers, with the consent of the Governor, to regulate and prescribe the speed of trains, not being passenger trains, although the rate so prescribed shall be less than fifteen miles in the hour.