ANNO SEXAGESIMO TERTIO ET SEXAGESIMO QUARTO

VICTORIÆ REGINÆ. A.D. 1900.

*******************************************************************************************

Private Act.

An Act to enable the Trustees of the Estate of William Henry Gray, deceased, to erect and construct, at the expense of the said Estate, a Bridge, for the purposes of the free public use thereof for general traffic over the Patawalonga Creek, with approaches over Wigley Reserve, in the Town of Glenelg, and to construct for the like purpose a certain Esplanade and Roadway.

[Assented to, December 5th, 1900.]

WHEREAS Franklin James Gray, of Frogmore, Fulham, in the province of South Australia, grazier, Beaumont Arnold Moulden, of Adelaide, in the said province, solicitor, and John Lancelot Stirling, of "The Lodge," Strathalbyn, in the said province, pastoralist, the present trustees under the last will and testament, bearing date the fourth day of September, one thousand eight hundred and ninety, and five codicils thereto, of William Henry Gray, formerly of Reedbeds, in the said province, but late of West Terrace, in the City of Adelaide, in the said province, sheepfarmer, deceased, are seized of an estate in fee simple in trust in, inter alia, the section of land numbered 203, in the Hundred of Adelaide, and, as such trustees, are desirous of erecting and constructing, for the purpose of more convenient access to the said section, a bridge over the Patawalonga Creek, near the mouth of such creek, and approaches over Wigley Reserve, in the Town of Glenelg, and are also desirous of forming, constructing, and making an esplanade upon the public road situate between the said section and the sea, and of forming, constructing, and making a roadway upon the public road situate between
between the said section and the Patawalonga Creek, which bridge, approaches, esplanade, and roadway will be of benefit and advantage to the general public as well as to the estate of the said William Henry Gray: And whereas the authority of Parliament is necessary to enable the lawful erection and construction of the said bridge, approaches, esplanade, and roadway, and it is desirable that such authority be granted—Be it therefore Enacted by the Governor, with the advice and consent of the Parliament of South Australia, as follows:

1. This Act may be cited for all purposes as "The Patawalonga Bridge Act."

2. The said Franklin James Gray, Beaumont Arnold Moulden, and John Lancelot Stirling, as such trustees as aforesaid, or other the trustees for the time being of the estate of the said William Henry Gray, deceased, shall be deemed to be the promoters of the said works and of the works and undertaking hereby authorised.

3. From and after the passing of this Act it shall be lawful for the promoters, their agents, servants, contractors, and workmen, and all others thereunto lawfully authorised by them, to enter into and upon the said Patawalonga Creek and also upon the reserve usually known as the Wigley Reserve, in the Town of Glenelg, being the lands described as number 2 in the land grant thereof registered in the Lands Titles Registration Office, at Adelaide, vol. 213, folio 236, and upon the public roads bounding the said section numbered 203, hundred of Adelaide, on the east, west, and south thereof, and to make all such surveys and take all such levels and do, perform, and execute all such works, acts, matters, and things as may be necessary or expedient for—

(a) The erection, construction, and making of the said bridge, in accordance with the deposited plans and sections; and

(b) The formation, construction, and making of a roadway and proper approaches over Wigley Reserve aforesaid from either Adelphi Terrace or Liverpool Terrace, in the said Town of Glenelg, to the said bridge, at such level, of such width, and according to such specifications and in such position as may be approved of by the Corporation of the said Town of Glenelg; and

(c) The formation, construction, and making of an esplanade and of a roadway respectively upon the public roads respectively situate between the said section and the sea and the said section and the Patawalonga Creek along the whole length of the said roads so far as they bound the said section on its easterly, westerly, and southerly boundaries, at such level, of such width, according to such specifications, and in such position as may be approved of,
of by the corporate, or municipal, or other local authority or authorities having the control and management thereof respectively, including in such works the levelling and removal of all sandhills, the sloping of all banks, and protection of such works against sand drift as shall be necessary or expedient.

4. The promoters shall not, except as hereinafter named, without the consent of the Corporation of the Town of Glenelg, pull down, remove, or alter, or utilise any part of the works constructed by the said Corporation under and by virtue of the provisions of "The Patawalonga River Improvement Act, 1883-4," but it shall be lawful for the promoters to adopt, as supports of the south-eastern end of the said bridge, such portions of the last-named works as may be approved by the said Corporation, and also to demolish and remove, for the purpose of the erection and construction of the said proposed bridge, such part or parts of the footbridge as now overlap or exist over portion of the site of the said proposed bridge, and shall deliver to the Corporation of the Town of Glenelg all timber, iron and other material and spoil of such portion or portions of the said footbridge as shall be removed, to be held, retained, or disposed of by the said Corporation as its own and absolute property.

5. The works and undertaking authorised by this Act shall be carried out in all respects at the expense and out of the moneys of the estate of the said William Henry Gray, and the promoters, as such trustees of the said estate, may lawfully apply such moneys accordingly: Provided that no greater sum or sums than Three Thousand Pounds shall be so applied out of the said estate, except with the consent of the majority in number of the beneficiaries entitled for the time being to the income of the said estate. The promoters shall not (except as herein specifically granted or authorised) acquire any property in or rights over the site of the said bridge or the said Wigley Reserve or public roads, other than the user thereof in common with the general public, nor shall the powers hereby vested in the promoters limit the statutory powers of any municipal or other local authority within whose boundaries or under whose control and management the said public roads are or may hereafter be, which statutory powers shall be and remain paramount.

6. The said bridge hereby authorised to be erected shall, when completed, be vested in the said Corporation of the Town of Glenelg, who shall thereupon have the sole and absolute ownership of and property in the said bridge and material thereof, and the care, control, and management thereof; and, so soon as the said bridge shall so become vested in the said Corporation, the same shall thenceforth be repaired and maintained by the said Corporation; and, so soon as the said roadway over Wigley Reserve shall be completed, the same shall be deemed one of the public streets of the Town of Glenelg.

7. The
The Patuwalonga Bridge Act.—1900.

7. The works authorised by this Act shall, as regards the works mentioned in sub-clauses (a) and (b) of clause 3, be completed within three years from the passing of this Act, and, as regards the works mentioned in sub-clause (c) of the said clause 3, be completed within twenty years from the passing of this Act; and upon the expiration of such respective terms of three years and twenty years the powers under this Act granted for constructing the said respective works shall cease to be exercisable.

8. The sum of Sixty Pounds, deposited with the Treasurer of the Province in pursuance of the thirty-fifth Standing Order of the Joint Standing Rules and Orders of the Houses of Parliament relating to Private Bills, shall be returned to the promoters on the completion of the work referred to in sub-clause (a) of clause 3 hereof.

9. This Act shall not be deemed to amend or vary the provisions of "The Patuwalonga River Improvement Act, 1883-4," or any amendment thereof, nor to limit the powers and authorities therein respectively contained.

10. Clauses 61 and 62 of "The Railway Clauses Consolidation Act," No. 7 of 1847, shall, so far as the same are applicable, be deemed incorporated with and as forming portion of this Act, excepting that the word "railway" in such clause 61 shall read "bridge" and the word "company" shall read "promoters".

11. The words "deposited plans and sections" shall be deemed to mean and include the plans and sections of the said bridge deposited in accordance with the Joint Standing Rules and Orders of the Houses of Parliament relating to Private Bills in the office of the Examiner of Private Bills, and in the office of the Surveyor-General of the Province, and in the respective offices of the Town Clerk of the Corporation of the Town of Glenelg and Clerk of the District Council of West Torrens.

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

TENNYSON, Governor.