



831d/03, Sched I  
882-105, —

ANNO VICESIMO SECUNDO

# VICTORIÆ REGINÆ.

A.D. 1858.

## No. 6.

*An Act to amend the Railways Clauses Consolidation Act, No. 7 of 1847.*

[Assented to, 24th December, 1858.]

WHEREAS by an Ordinance Enacted by the Governor of South Australia, with the advice and consent of the Legislative Council thereof, being No. 7 of 1847, to consolidate in one Ordinance certain provisions usually inserted in Acts authorizing the making of Railways," it was, amongst other things, provided that wherever any roads were crossed by any railway on the level, gates should be erected and maintained, and persons employed to open and shut such gates; and that certain regulations, for the safe enjoyment of such road so crossed on the level, should be in force: And whereas it is found that a great saving of expenditure would arise from the abolition of the said provisions relative to crossings on the level, and from the substitution of others in their stead—Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

*Left to its operation in*  
Preamble. *Gazette*  
*14<sup>th</sup> Jul, 1859.*

1. From and after twenty-one days after the passing hereof, the forty-second clause of the Ordinance No. 7 of 1847, shall be and is hereby repealed.

Repeal of clause of  
No. 7 of 1847.

2. From and after the coming into force of this Act, it shall be lawful for the Commissioner of Public Works, at his discretion, to direct the removal of the gates at the various level-crossings on the lines

Gates removed and  
ditches substituted.

lines of railways which have been hitherto or are hereafter to be constructed, and to make level-crossings without constructing gates upon any railway authorized to be constructed, substituting for such gates, an open ditch or open ditches as may be required across the railway sufficient to prevent the straying of cattle or horses on the line of railway: Provided that no gate shall be removed at any level-crossing upon any railway now existing, and no level-crossing shall be hereafter opened for use upon any railway, until the fence of the said railway shall be made good upon each side to the edge of the ditch or ditches so required to be substituted.

Amalgamation of  
Acts.

3. The "Railways Clauses Consolidation Act," as altered by this Act, and this Act shall be read as one Act.

Commencement of  
Act.

4. This Act shall take effect from the passing thereof.