

## CHAPTER 136.

# MARAMPA RAILWAY AND HARBOUR WORKS CONSTRUCTION.

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## CHAPTER 136.

### MARAMPA RAILWAY AND HARBOUR WORKS CONSTRUCTION.

2 of 1931. **An Ordinance to empower the Sierra Leone Development Company, Limited, to construct and own a jetty and shipping installation at Pepel Point on Pepel Island in the Port Loko Creek, and a railway from that point to the vicinity of Marampa in the Port Loko district; and to regulate the user, maintenance and operation of such jetty, shipping installation and railway.**

[7TH APRIL, 1931.]

Short title.

1. This Ordinance may be cited as the Marampa Railway and Harbour Works Construction Ordinance, and shall apply to the Colony and Protectorate.

Interpretation.

2. In this Ordinance, unless the context otherwise requires—  
 “the Company” means and includes the Sierra Leone Development Company, Limited, incorporated and registered in England under the Companies Act, 1929, and its successors and assigns being British subjects or companies incorporated and registered in Great Britain or Sierra Leone;

“Pepel Point” means the point of that name on Pepel island in the Port Loko creek in the Port Loko District of the Northern Province of the Protectorate;

“Marampa” means the chiefdom of that name in the Port Loko District aforesaid;

“lands” include Crown lands, public, tribal, common and waste lands, places, streets, highways, roads, ways, pathways, and all messuages and corporeal hereditaments whatsoever, but does not include the foreshore or bed of a navigable creek;

“railway” means a railway or tramway, whether worked by steam or otherwise, to be constructed, established or maintained under the provisions of this Ordinance, and includes unless specifically excepted all lands, works, bridges,

stations, houses, termini and rolling-stock required for or in connection with the operation and maintenance of a railway;

“ the Company’s Engineer ” means the officer from time to time appointed by the Company, with the approval of the Governor, to superintend the construction and maintenance of the railway to be constructed under this Ordinance;

“ goods ” include things of every kind conveyed upon or by a railway;

“ rolling-stock ” includes locomotive engines, motors, tenders, carriages, wagons, trucks and trollies of all kinds;

“ traffic ” includes rolling-stock of every description as well as passengers, animals and goods;

“ vessel ” includes ship, boat, lighter, and any kind of craft, and whether propelled by steam or otherwise.

3. (1) It shall be lawful for the Company to construct, own and maintain a jetty and shipping installation at Pepel point with all other necessary and convenient works connected therewith or incidental thereto including buildings, ore bunkers, plant, machinery, power stations, yards, embankments, roads, approaches and similar works in accordance with the plans, specifications and particulars deposited in the office of the Minister.

Power for Company to construct jetty, etc., at Pepel point.

(2) The said plans, specifications and particulars shall be open to inspection by any member of the public at the office of the Minister on payment of a fee of two shillings.

4. The Company shall have the exclusive right of loading and unloading vessels at the said jetty and shipping installation and it shall not be lawful for any person to use or enter upon the said jetty or other works as aforesaid, or to moor any vessel thereto without the consent of the Company’s duly authorised representative:

Company have exclusive right to use of jetty.

Provided that all vessels in the service of the Colonial Government, and all officers of the Colonial Government in the exercise of their duties shall, in so far as shall be reasonable, having regard to the nature of the works and the Company’s operations, have full and unrestricted use and right of access at all times to the said jetty and other works as aforesaid.

5. The Company, if required to do so by the Governor, shall erect on a suitable site near the said jetty and shipping installation, to be approved by the Comptroller of Customs, a suitable office and quarters for the use of a Sub-Comptroller of Customs

Company to erect Customs office at Pepel point if required.

or such other Customs officer or officers as the Comptroller of Customs may think fit to station at Pepel point. Any such offices and quarters shall be erected by the Company in accordance with plans and specifications approved by the Director of Public Works.

Power for Company to construct railway.

6. (1) It shall be lawful for the Company to construct, own and maintain a railway from Pepel point to its iron ore concessions at Marampa on the lines and according to the levels shown on the plans and sections deposited in the office of the Minister, with all proper bridges, viaducts, stations, sidings, approaches, junctions, roads, buildings, yards, telephone and telegraph lines, power stations, power lines, pipe lines and other works and conveniences connected therewith or incidental thereto:

Provided that it shall be lawful for the Company to deviate from the line and level of railway shown on the deposited plans, but so that no such deviation shall extend beyond the limits of deviation shown on the said plans save as may be allowed by the Governor in Council on the deposit of additional plans as aforesaid and within the limits of deviation shown on such additional plans:

Provided also that the bridge to carry the said railway over the Port Loko Creek at or near Port Loko shall be of a height of at least fourteen feet above high water at spring tides, and shall provide a safe and adequate footpath across the said creek for pedestrians only apart from the railway track.

(2) The said plans and sections shall be open to inspection by any member of the public at the office of the Minister on payment of a fee of two shillings.

No compensation for works constructed on foreshore or bed of creeks.

7. The Company may utilise and occupy such part of the foreshore and bed of the Port Loko creek or any other creek or waterway as it requires for the construction, establishment, maintenance and use of the said jetty, shipping installation and other works at Pepel point, and of the said railway within the said limits of deviation in accordance with the deposited plans, without payment of any consideration therefor and without incurring any criminal or civil liability in respect of any interference with public or private rights over and in the said creeks, waterways and foreshore.

Power to construct causeway across Sankin creek.

8. The Company may also construct a causeway or embankment over and in the creek known as the Sankin creek between Pepel island and the main land in accordance with the deposited plans, but there shall be a right of compensation in respect of

any interests in the said Sankin creek injuriously affected by the said causeway or embankment. Such compensation shall be assessed in accordance with the provisions of sections 15 to 17.

9. It shall be lawful for the Company's Engineer, with all necessary workmen and other servants, at all times to enter upon and to set out and appropriate, either for permanent or temporary use, any lands required for or in connection with the construction, establishment, maintenance and use of the said jetty, shipping installation and railway, including any temporary works in connection therewith.

Power to enter and take lands.

10. When the Company's Engineer shall set out, appropriate and take any lands for the purpose of the said jetty, shipping installation or other works or railway, he shall cause such lands to be marked out and a notice to be posted on some conspicuous part thereof in these words—"Taken for the Pepel point Shipping Installation" or "Taken for the Marampa Railway," as the case may be, and such notice shall be signed by the Company's Engineer. All such lands when so set out, appropriated and taken shall, unless only a shorter title is required and taken, be vested in the Company for a term of nine hundred and ninety-nine years free from all other estates and all liens, rights, charges and incumbrances whatsoever but subject to the provisions of sections 33, 34 and 35:

Marking out lands by Company's Engineer.

Provided that no lands outside the areas, lines and limits of deviation shown on the deposited plans shall be set out, appropriated and taken under this and the last preceding section without the consent of the Governor in Council first had and obtained.

11. Within one month after any such appropriation the Company's Engineer shall cause to be registered in the office of the Registrar General a plan of the lands so set out, appropriated and taken as aforesaid, together with a certificate under his hand to the effect that the same have been taken and appropriated for the purposes of the said installation or railway, as the case may be, and setting forth the term of years for which the same have been so taken.

Plan and certificate to be registered.

12. When any lands have been taken and appropriated for the purposes of the said installation or railway as aforesaid, the registration of a plan of such lands, together with the certificate in the office of the Registrar General as in the last preceding section mentioned, shall be conclusive evidence that

Registration of plans, etc., conclusive evidence of land taken.