

Mr. Rolleston.

Canterbury New Brighton Bridge.

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A BILL INTITULED

AN ACT to enable the Superintendent of the Province of Canterbury to maintain the new Bridge over the River Avon. Title.

WHEREAS by an Act of the General Assembly of New Zealand intituled "The Highways and Watercourses Diversion Act, 1858," it is enacted that it shall be lawful for the Superintendent of any Province, with the advice and consent of the Provincial Council thereof, by any law or ordinance to be made or ordained for that purpose, to authorize and empower the Superintendent to divert or stop up any river stream or creek in such Province, and to build bridges and other erections on the banks or on the beds of any such river stream or creek: And whereas a bridge known as "The New Brighton Bridge" has been constructed over the River Avon, in the Province of Canterbury, and approaches thereto made by the Superintendent of the said Province, which said bridge and approaches thereto stand upon all that piece or parcel of land being situated on the River Avon, in the Christchurch District, and commencing on the southern boundary of the Road Reserve on the north bank of the said River Avon, at a point situated seven hundred and two links distant from and to the westward of its intersection with the road forming the eastern boundary of Rural Section number three thousand and ninety-six, and continuing thence westward a distance of one hundred and seven links along the southern boundary of the said road on the north bank of the River Avon; and thence at an angle of one hundred and nine degrees thirty-six minutes across the said River Avon for a distance of two hundred and ninety links to the termination of a road dedicated by deed to His Honor the Superintendent of Canterbury by Peter Kerr, the fourteenth day of December, one thousand eight hundred and seventy-four; and thence along the north-eastern boundary of the said dedicated road a distance of one hundred links

Preamble.

in a south-easterly direction; and thence at an angle of ninety degrees in a north-easterly direction a distance of three hundred and twenty links to the starting point; and containing by admeasurement one rood and nine perches, be the same a little more or less: And whereas a large proportion of the moneys expended in the construction of the said bridge and approaches was paid out of the public revenues and moneys of the said province, pursuant to appropriation in that behalf by an Ordinance of the said Superintendent and Provincial Council of the said Province intituled "The Appropriation Ordinance, 1875 and 1876," but no special Ordinance was made or passed by the said Superintendent and Provincial Council authorizing the construction of the said bridge and approaches thereto:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be "The Canterbury New Brighton Bridge Act, 1876."

Superintendent may maintain bridge over River Avon and approaches thereto.

2. It shall be lawful for the Superintendent of the Province of Canterbury, with the advice and consent of the Executive Council thereof, to maintain and repair the said bridge and the approach thereto for the general purposes of traffic, foot passengers and animals, carriages and vehicles of all descriptions, and for such purpose to obstruct the navigation of the said river, and to occupy such portion of land in the bed thereof and upon either bank thereof as is set out and included in the description set forth in the preamble to this Act, as fully and effectually, to all intents and purposes, as if the erection and maintenance thereof had been authorized by an Ordinance of the Superintendent and Provincial Council of the said province.

May levy tolls and lease same for three years.

3. It shall be lawful for the said Superintendent, with the like advice and consent, to levy from all persons passing over the said bridge, and in respect of all animals carriages and vehicles, tolls according to a rate to be agreed upon by the Road Boards on either side of the river; and to let the said bridge and tolls to any Road Board person or persons whomsoever, for any term not exceeding three years in possession, at such annual rent and upon such terms and conditions as the said Superintendent, with such advice and consent as aforesaid, shall think fit.

Tolls to be summarily recoverable.

4. All tolls imposed under the authority of this Act shall be recoverable in a summary way.

Penalty for evasion of toll.

5. Any person refusing or evading or attempting to evade any toll leviable under this Act shall forfeit and pay for every such offence any sum not exceeding five pounds, to be recoverable in a summary way.

Persons injuring or destroying bridge or approaches guilty of felony.

6. If any person shall pull down or in anywise injure or destroy the said bridge or the approaches thereto, or aid or abet any other person or persons in injuring or destroying the same, with intent and so as thereby to render such bridge or the approaches thereto dangerous or impassable, every such offender shall be guilty of felony, and, being convicted thereof, shall be liable, at the discretion of the Court, to be imprisoned in any public gaol of the colony for any term not exceeding years, with or without hard labour.

Persons injuring or destroying toll-houses or gates guilty of misdemeanour.

7. If any person shall throw down level or otherwise destroy, in whole or in part, any toll-gate house post bar or fence set up or erected to prevent passengers animals carriages or vehicles passing by without paying any toll leviable under the provisions of this Act, every such offender shall be guilty of a misdemeanour, and, being convicted thereof, shall be punished accordingly.