

A BILL INTITULED

AN ACT to remove Doubts as to the Authority of Superintendents of Provinces to construct Wharves and other Works for the benefit of Navigation.

Title.

WHEREAS by "The Marine Act 1867" it is enacted that it shall not be lawful for any person to commence or undertake the construction of any new or additional wharf quay dock pier or other harbour work in any port until he shall have laid before the Governor or Superintendent of the Province within which such port is situate detailed plans and specifications of such proposed work nor until the same shall have been approved of by the Governor or Superintendent and notice in writing of such approval shall have been given to such person accordingly and that no works executed with such approval shall render any person liable for indictment for nuisance or purpresture And whereas the several wharves quays piers and other harbour works particularly mentioned in the Schedule hereto and divers other wharves quays piers and harbour works aud works for the benefit of navigation have been constructed by the Superintendents of the respective Provinces in which such works respectively are situate or under the authority and at the expense of the Provincial Governments of such Provinces respectively And whereas doubts have arisen as to the legality of such constructions in certain cases and it is expedient that such doubts should be removed

Preamble.

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

1. The Short Title of this Act shall be "The Harbour and Navigation Works Protection Act 1868."

Short Title.

2. The construction of the wharves quays docks piers or other harbour works upon adjacent or opposite to the parcels of land particularly mentioned in the Schedule hereto and of all other wharves quays docks piers or other harbour or navigation works which may have been or may be constructed or in course of construction or which may hereafter be constructed from time to time by or under the authority of the Superintendent of any Province or under the authority and at the expense of the Provincial Government of such Province in any port within such Province shall be and be deemed to be and to have been as valid and legal to all intents and purposes as if the same had been from the commencement thereof respectively expressly authorized by any law or ordinance passed for that purpose

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And no such works executed or to be executed by the Superintendent or under the authority and at the expense of any Provincial Government as aforesaid shall render any person liable to any indictment or information for nuisance or purpresture.

SCHEDULE.

I.

PARCELS OF LAND in the Province of Canterbury reserved as Sites for Public Wharves &c.

Number of Reserve.	Locality.	Contents (more or less).			Description of Reserve.	Date and Nature of Reservation.
		A.	R.	P.		
32	Town of Lyttelton...	1	0	10	Wharves and store Lyttelton	27 February 1852. Deed of the Canterbury Association declaring reserves.
44	City of Christchurch	0	0	25	Christchurch Wharf ...	
47a	Heathcote River ...	0	1	12	Heathcote Wharf ...	
150 (in red)	Okain's Bay (Banks' Peninsula)	3	0	0	Site for wharves at Okain's Bay	24 July 1865. Grant under "The Public Reserves Act 1854."
151 (in red)	Okain's Bay (Banks' Peninsula)	1	2	0	Site for wharves at Okain's Bay	24 July 1865. Grant under "The Public Reserves Act 1854."
160 (in red)	Okain's Bay (Banks' Peninsula)	10	0	0	Site for a public wharf at Okain's Bay	24 July 1865. Grant under "The Public Reserves Act 1854."
206 (in red)	South Bank of River Selwyn where it runs into Lake Ellesmere	50	0	0	Reserve for wharf and timber depôt	29 October 1862. Reserve confirmed by Provincial Council (not yet granted).
207 (in red)	Mouth of Birdlings' Creek (Lake Ellesmere)	50	0	0	Reserve for wharves and timber depôts	29 October 1862. Reserve confirmed by Provincial Council.
208 (in red)	Mouth of Birdlings' Creek (Lake Ellesmere)	50	0	0	Reserve for wharves and timber depôts	29 October 1862. Reserve confirmed by Provincial Council.
382 (in red)	Akaroa (Banks' Peninsula)	2	2	26	Reserve for wharfage purposes and other purposes of public utility	24 July 1865. Grant under "The Public Reserves Act 1854"
383 (in red)	Lyttelton ...	3	2	35	Reserve for harbour improvement and other purposes of public utility	13 December 1864. Grant under "The Public Reserves Act 1854"
384 (in red)	Timaru	Reserve for landing service at Timaru and other purposes of public utility	13 December 1864. Grant under "The Public Reserves Act 1854."
402 (in red)	Town of Kaiapoi ...	0	0	18	Reserve for wharf &c. ...	22 October 1862. Grant under "The Public Reserves Act 1854."
680 (in red)	Lake Ellesmere ...	28	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council (not yet granted).
681 (in red)	Lake Ellesmere ...	200	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council.
682 (in red)	Lake Ellesmere and Ninety-Mile Beach	150	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council.
683 (in red)	Lake Ellesmere and Ninety-Mile Beach	240	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council.
684 (in red)	Lake Ellesmere (Hart's Creek)	175	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council.
685 (in red)	Lake Ellesmere (Hart's Creek)	70	0	0	Reserve for timber depôt and landing place	5 January 1867. Reserved upon recommendation of Provincial Council.
806 (in red)	Lake Ellesmere ...	70	0	0	Reserve for landing place ...	25 June 1867. Reserved upon recommendation of Provincial Council.
872 (in red)	Erskin Bay Lyttelton	9	3	0	Site for stations stores and other buildings in connection with railway and with the Harbour and Port of Lyttelton	
Not numbered	Pigeon Bay (Banks' Peninsula)	Unknown			Public wharf situate on the beach and public road fronting number 106 on the map of the Chief Surveyor of the Province	Not reserved. Occupied by permission of the General Government.

II.

WHARVES in the Harbour of Napier or Ahuriri Harbour in the Province of Hawke's Bay—

The Government Wharf commencing at the southern end of Custom-House Street in the Town of Napier

Private Wharf opposite and adjacent to section five hundred and sixteen (516) in the Town of Napier

Private Wharf opposite and adjacent to section five hundred and seventeen (517) in the Town of Napier.