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(Hon. Mr. Ormond.)

Immigration and Public Works.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Immigration and Public Works Acts. Title.

BE IT 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 Immigration and Public Works Act, 1872;" it is divided into Parts, as follows:— Short Title.

PART I.—Preliminary and Miscellaneous.

PART II.—Surveys.

PART III.—Railways and Acquisition of Land for Railways.

No. 112—1.

PART IV.—Provisions relating to Assessment of Compensation for taking Land, &c.

PART V.—Conveyances of Lands for Railways and Roads, &c.

PART VI.—Construction and Management of Railways, &c.

PART VII.—Appropriations for Roads in Nelson South-West Gold Fields and Westland. 5

PART VIII.—Appropriations out of Moneys applicable to purchase of lands in North Island.

PART IX.—Aiding Waterworks on Gold Fields.

PART X.—Appropriations for Telegraphs. 10

PART XI.—Immigration.

PART I.

MISCELLANEOUS.

Interpretation.

2. Wherever in this Act the words terms and expressions occur which have a meaning assigned to them in "The Immigration and Public Works Act, 1870," or "The Immigration and Public Works Act Amendment Act, 1871," or "The Railways Act, 1871," such words terms and expressions shall respectively have in this Act the meanings assigned to them in the said Acts or either of them. 15

All Stamp Duties Acts to be included where the said Act mentions "The Stamp Duties Act, 1866."

Whenever in the said Acts "The Stamp Duties Act, 1866," is mentioned or referred to, then "The Stamp Duties Act Amendment Act, 1870," and "The Stamp Duties Act Amendment Act, 1871" and "The Stamp Duties Act Amendment Act, 1872," shall also be deemed to have been mentioned and referred to. 20

Provisions relating to Board of Advice repealed.

3. So much of the ninety-first section of the said Act as requires that the Minister of Public Works shall be assisted in the administration of the said Act by a Board of Advice, and the fifth section of the said amending Act, are hereby repealed. 25

PART II.

SURVEYS.

Surveys may be made on notice given.

4. Any Government Surveyor, after notice in writing of his intention of entering shall have been given to any owner or occupier of land, or, if there be no occupier, shall have been posted on the ground, may from time to time enter with his servants and assistants into and upon any lands within New Zealand for the purpose of carrying on any authorized survey or taking levels of or for any such authorized survey, and for the purpose of fixing or setting up any survey marks or object to be used in such survey, and may fix and place any such survey mark or object or peg in or on any such lands, and may dig up any ground for the purpose of fixing or placing any such mark object or peg, and may bore or probe into any such lands for the purpose of ascertaining the nature of the soil, and may set out the line of any works, and may also enter upon or on any such lands through which he shall deem it necessary to carry any survey line for the purposes aforesaid, at any reasonable time during the day. 35

Terms "Government Surveyor" and "authorized survey" interpreted.

5. The term "Government Surveyor," when used in this Part, shall mean and include any Surveyor or other person appointed by the Minister for Public Works for the purpose; and the term "authorized survey," where used in this Part, shall include the survey of any line of railway authorized by the General Assembly to be constructed under the said Acts or any of them, and any survey under sections six or seven of the said Act, and any survey of or for any railway road or waterworks or other work proposed or intended to be constructed or carried out under the provisions of the said Acts or any of them, and any survey whatever directed by the Governor or the Minister for Public Works to be made; and if any question shall be raised as to the authority of any person to enter any lands for any of the purposes aforesaid, or to make any such survey, or do any such 50 55 60

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thing as aforesaid, the certificate in writing of the Minister, that such person was or is a "Government Surveyor" for the purposes of this Act shall be conclusive evidence of his authority, and that the survey is an "authorized survey" within the meaning of this Act.

6. Every such Government Surveyor shall do as little damage as may be in the execution of the powers granted by the preceding sections of this Act, and every such Surveyor shall make compensation, in case the same shall be demanded, to the owners or occupiers of any lands or of any garden orchard or pleasure-ground for any damages to be by them sustained in or by the execution of all or any of the powers given by the preceding sections of this Act, and in such amount as shall be authorized by the Minister, and be agreed upon, and such compensation shall be paid out of any moneys at the credit of the Public Works Account.

Compensation for damage to be paid if demanded.

7. No Surveyor or other person acting under authority of the fifth section of this Act shall destroy or cut down lop or injure any exotic or ornamental tree or shrub in any enclosed garden orchard or pleasure-ground without the consent of the owner thereof.

Shrubs &c. in enclosures not to be damaged.

8. If any person not duly authorized shall take away remove destroy displace or alter the position of any survey mark peg or post which shall be fixed placed or set up for the purposes of any such survey or other purposes as aforesaid, or shall wilfully deface mutilate break or destroy any such mark peg or post, every person so offending shall for every such offence forfeit and pay any sum not exceeding fifty pounds, to be recovered in a summary way before any two or more Justices of the Peace.

Penalty of £50 for removal of survey marks.

9. If any person shall wilfully obstruct or hinder any Government Surveyor, or any servant or assistant of his, in the execution of his duty in or about ascertaining or marking out any survey lines, or in or about the fixing placing or setting up any survey mark peg or post for the purposes aforesaid, or shall in any way resist such Surveyor or other person as aforesaid in the performance of his duty as aforesaid, every person so offending shall forfeit and pay any sum not exceeding fifty pounds, to be recovered in a summary way before any two or more Justices of the Peace.

Penalty of £50 for hindering surveyor.

10. Every owner or occupier of any land house or building, and every other person who shall incur or suffer any loss or damage by any act or thing done by any Government Surveyor or person acting under his orders in the prosecution of any such survey or other matter as in this Part of this Act aforesaid, shall be entitled to compensation for the same, and the amount of such compensation shall in case of dispute be settled and determined by two Justices in the manner hereinafter provided.

Owners of land or houses injured entitled to compensation.

11. It shall be lawful for any Justice, upon the application of any person claiming compensation for any loss or damage incurred or suffered as in the last preceding section mentioned, to summon the Surveyor by whom or by whose act or order such loss or damage shall have been so incurred or suffered, to appear before two Justices at a time and place to be named in the summons, and upon the appearance of the parties, or, in the absence of either of them, upon proof of due service of the summons, it shall be lawful for such Justices to hear and determine the question of compensation and the amount thereof, and for that purpose to examine the said parties or either of them and their witnesses upon oath, and the costs of every such inquiry shall be in the discretion of such Justices, and they shall settle the amount thereof.

Compensation to be settled by Justices.

12. It shall be lawful for the Colonial Treasurer, out of any moneys standing to the credit of the Public Works Account, to pay on behalf of the Government the amount of compensation authorized,

Out of what funds compensation to be paid.

as by this Part of this Act required, and the amount of compensation and costs in case of dispute so settled by the Justices as aforesaid, and given against the Surveyor.

PART III.

RAILWAYS AND ACQUISITION OF LANDS FOR RAILWAYS. 5

Where line of railway not defined by Act, Governor may define by Proclamation.

13. Whenever by any Act heretofore or hereafter to be passed it is provided that the Governor may construct, or contract for the construction of any railway, and it is not expressly defined by an Act of the General Assembly at what point the same shall commence and at what point the same shall end and what shall be the line thereof, the Governor may, by Proclamation, fix the commencing and terminating points and the line of such railway. 10

Sections 70 to 76 of "Land Clauses Consolidation Act, 1863," not to apply.

14. The sections of "The Lands Clauses Consolidation Act, 1863," numbered from seventy to seventy-six, both inclusive, shall not henceforth be incorporated in the said Acts or either of them, and shall be deemed not to have been incorporated therein at any time heretofore. 15

Proclamations of portions of railway may be made instead of the whole line at one time.

15. As to any railway which the Governor has heretofore been or shall hereafter be authorized to construct, and to fix the commencing and termination points and line thereof, it shall be competent for him, if he thinks fit, instead of fixing and proclaiming such points and the whole line at one time, to fix and proclaim portions of such line from time to time, and the commencing and termination points of any such portion or portions, and the limits and description of any such portion or portions, and the lands proposed to be taken for the purpose of any such portion or portions, and to construct any portion or portions so fixed, and to take the lands for the same, and any such portion so proclaimed shall be deemed to be a railway within the meaning of the said Act and the said amending Act and this Act. 20 25

And ten days after issue of Proclamation Governor may take possession of the land.

16. At any time after the expiration of ten days from the publication in the *New Zealand Gazette* of a Proclamation under the thirteenth section of the said Act, whether of the whole or a portion or portions of a line of railway, the Governor, on behalf of Her Majesty, may enter upon, take possession of, use and hold, or cause to be entered upon, taken possession of, used and held, so much of the lands defined in such Proclamation as proposed to be taken as shall be required to be taken purchased or permanently used for the purposes of such railway, notwithstanding that an agreement shall not have been come to or an award made for the purchase, or compensation money to be paid in respect of such lands. 30 35

And if possession refused, Sheriff to give possession.

17. If at any time after the expiration of the said period of ten days the owner or occupier of any such lands, or any other person, refuse to give up possession thereof, or hinder the Governor or any person appointed by him, or by the Minister, from entering or taking possession of any such land, the Minister for Public Works may issue his warrant to the Sheriff of the Sheriff's district within which the land is to deliver possession of the same to the person appointed in the warrant to receive the same; and upon the receipt of the warrant the Sheriff shall deliver possession of any such lands accordingly. 40 45

Costs.

18. The costs accruing by reason of the issuing and execution of such warrant, to be settled by the Sheriff, shall be paid by the person refusing to give possession, and the amount of such costs shall be deducted and retained from the compensation, if any, then payable to such party, or if no such compensation be payable to such party, or if the same be less than the amount of such costs, then such costs or the excess thereof beyond such compensation, if not paid on demand, 50

shall be levied by distress, and upon application by any person appointed in that behalf by the Minister for Public Works to any Justice for that purpose, he shall issue his warrant accordingly, and such costs shall be paid into the Public Works Account.

5 **19.** Whenever the Governor shall have heretofore been or shall hereafter be authorized to construct any railway, then, notwithstanding anything to the contrary in the said Acts, it shall not be necessary that the commencing and termination points or the line of such railway be fixed or proclaimed in order to authorize the entry
10 upon lands for the purpose of making surveys, taking levels, or any of the purposes mentioned in the fifth section of this Act.

As to authorized railways, lands may be entered for purpose of survey before proclamation of the line.

20. In case any lunatic or idiot whose lands are taken required or injuriously affected has no legal committee of his property resident in New Zealand, the word "committee," where used in "The Lands
15 Clauses Consolidation Act, 1863," and any Act or Acts amending the same, shall be held to mean the Registrar, or if there be no Registrar the Deputy Registrar, of the Supreme Court, appointed to act in the Province within which the lands affected are.

Where no Committee of lunatic, Registrar of Supreme Court to act.

21. As to any railway which the Governor has heretofore been
20 authorized to construct, and to fix the commencing and termination points thereof, it shall be deemed to have been competent for him, instead of fixing and proclaiming such points and the whole line at one time, to fix and proclaim portions of such line from time to time, and the commencing and termination points of any such portion or
25 portions, and the limits and description thereof, and the lands proposed to be taken for the same, and to construct any portion or portions so fixed, and to take the lands for the same; and any such portion so proclaimed shall be deemed to have been a railway within the meaning of the said Act and the said amending Act, and to be a
30 railway within the meaning of this Act.

Governor declared to have had power to proclaim portions of lines.

PART IV.

PROVISIONS RELATING TO ASSESSMENT OF COMPENSATION FOR TAKING LAND, ETC.

22. The expression "verdict of a jury," where used in the fifth
35 section of "The Lands Clauses Consolidation Act Amendment Act, 1866," shall include, for the purposes of the said Acts, an award by a Judge or Magistrate under Part VI. of the said amending Act.

Expression "verdict of a jury" in section 5 of "Lands Clauses Consolidation Act Amendment Act, 1866," interpreted.

23. The Governor may from time to time make regulations fixing a scale of expenses for travelling maintenance and otherwise to
40 be allowed to witnesses attending to give evidence at any inquiry held under Part VI. of the said amending Act, and may from time to time revoke or alter any such scale so fixed.

Scale of allowances to witnesses on compensation inquiries.

24. In inquiries held under Part VI. of the said Act, the Judge or Magistrate shall not allow for costs, exclusive of witnesses' expenses,
45 any sum exceeding the limit following (that is to say),—

Scale of costs to be allowed on compensation inquiries.

Where the amount awarded does not exceed one hundred pounds, a sum not exceeding ten pounds.

50 Where such amount exceeds one hundred pounds and does not exceed three hundred pounds, a sum not exceeding twenty pounds.

Where such amount exceeds three hundred pounds and does not exceed five hundred pounds, a sum not exceeding thirty pounds.

55 Where such amount exceeds five hundred pounds and does not exceed one thousand pounds, a sum not exceeding fifty pounds.

Where such amount exceeds one thousand pounds, a sum not exceeding five pounds per cent. on the amount awarded.

Compensation clauses of amending Act to be served in lieu of clauses of "Lands Clauses Consolidation Act, 1863."

25. In lieu of the copy of the provisions of "The Lands Clauses Consolidation Act, 1863," referred to in the seventy-fourth section of the said Act, a copy of the sections of the said amending Act numbered from twenty-eight to thirty-eight shall be served left or affixed as in the said seventy-fourth section provided.

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PART V.

CONVEYANCE OF LAND FOR RAILWAYS AND ROADS, ETC.

Map of land required for railway to be prepared and authenticated.

26. Whenever it shall become necessary that any lands which the Governor or the Minister is, by or under the said Acts or any Act authorizing the construction of any railway by the Governor or Minister, authorized to purchase or take for such railway or any portion thereof, on or over which a railway authorized by the said Acts, or any Act to be passed in pursuance thereof, has been or may hereafter be constructed, should be vested in Her Majesty the Queen, it shall be lawful for the Governor or the Minister to cause a map of all such lands as may have been taken or purchased under the said Acts, or any Act authorizing the construction of any railway as aforesaid, or any portion of such railway, to be prepared. Such map shall fully and accurately set forth the pieces or parcels of land intended to be taken and permanently used, or which have been purchased or taken or are required to be vested in Her Majesty for the purposes of any such railway, and shall be authenticated by the signature of the Minister or by that of some person to be appointed by him for that purpose from time to time.

Map to be deposited in office of Registrar of Deeds in the district where lands situated.

27. The Minister shall cause the map to be deposited in the office of the Registrar of Deeds for the Registration District within which the lands shall be situated, or, if the lands set forth on any such map shall extend beyond the boundaries of any one district, then such map shall be prepared in so many parts as shall be requisite to delineate the lands within each such district, and the map or the parts thereof as aforesaid shall be deposited in the office of the Registrar of Deeds in each Registration District where the lands shall be situated to which such map relates. But for the purposes of this Act, such map, although consisting of several parts, shall only be deemed to be one map.

Governor may proclaim that lands set forth in map have been taken or acquired, &c.

28. It shall thereupon be lawful for the Governor, from time to time, by Proclamation in the *New Zealand Gazette*, to declare that the lands set forth in such map, or any of them, have been taken or acquired for the purposes of the railway in respect of which the same shall have been taken or acquired under the said Acts or any Act authorizing the same to be taken or acquired, and in such Proclamation the lands intended to be affected shall be therein described by reference to such map so to be deposited as aforesaid.

Effect of Proclamation.

29. The effect of every such Proclamation shall be, that the lands therein mentioned and described, and the fee-simple and inheritance thereof, together with the yearly profits thereof, and all the estate use trust and interest of every person therein shall thenceforth be vested in the Queen, her heirs and successors for ever, as fully and effectually to all intents and purposes as if the same had been conveyed by the persons legally entitled to sell and convey the said lands.

Minister may prepare a memorial of Proclamation for registration.

30. Upon the publication of any such Proclamation in the *New Zealand Gazette*, it shall be lawful for the Minister to cause a memorial or memorials thereof to be prepared in the form or to the effect set forth in the Schedule hereto; and a memorial, or more than one memorial (as the case may require), may be prepared in respect of the parcels of land affected by any such Proclamation in each Registration District, and the same shall be registered by the Registrar of Deeds therein without payment of any fee, and such Registrar shall in all

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respects deal with any such memorial and map as ordinary instruments registered or deposited under "The Deeds Registration Act, 1868," are required to be dealt with on being registered or deposited; and any such map referred to in any such memorial shall be deemed, for the purposes of registration, to be incorporated in the memorial.

5 **31.** The provisions hereinbefore in this Part contained shall be applicable to lands which the Governor may acquire or take for the construction of roads or any other works by the said Acts, or any other Act, authorized or required to be constructed or executed.

Provisions of this Part to extend to roads.

10 **32.** Nothing herein contained shall be construed to prevent the Governor from demanding that a conveyance of any such lands so taken or acquired as aforesaid shall be made to Her Majesty in accordance with the provisions of the said amending Act, if he shall think fit.

Governor may require a conveyance to be executed.

15 **33.** The forty-first section of the said amending Act is hereby repealed, but such repeal shall not prejudice or affect anything done thereunder, or any lands which shall have vested in Her Majesty under the provisions therein contained, or the title whereto may depend thereon in anywise howsoever.

Repeal of 41st section of "The Immigration and Public Works Act Amendment Act, 1871."

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PART VI.

CONSTRUCTION AND MANAGEMENT OF RAILWAYS, ETC.

25 **34.** The Governor may, in the name and on behalf of Her Majesty, contract with the Superintendent of any Province for the management and working of any railway, or any part of any railway, constructed within such Province under the said Acts, on such terms and conditions as may be agreed on between the Governor and such
30 Superintendent; and all moneys received under any such contract shall be paid into the Public Works Account: Provided that no such contract shall, unless under the express authority of an Act of the General Assembly, continue in force for a longer period than one year from the date thereof.

Power to enter into arrangements for working railways.

35 **35.** A certain contract or arrangement entered into between the Resident Minister for the Middle Island, and the Superintendent of Canterbury, on the seventh day of March last, for the working and management of the Northern Railway, shall be deemed to have been authorized by law, and binding on the Colony and the Province of
40 Canterbury.

Contract for working Kaiapoi Railway to be deemed authorized by law.

36. In any case in which a road or right of road has been or hereafter may be reserved in any Crown grant, and in any case in which, under "The Native Lands Act, 1865," or any law for the time being in force relating to the sale of Waste Lands of the Crown, or
45 any law whatever, there is a right to take a public road through any lands, it shall be lawful, after such road shall have been surveyed, to construct under the said Acts any railway, or any part of any railway, on the roadway so surveyed, notwithstanding that such road may not have been made.

Railways may be constructed on road lines surveyed through roads not made.

50 **37.** In the construction of "The Railway Offences Act, 1865," the term "Company," where used therein shall not only have the meanings therein assigned to the said term, but shall also have the meaning assigned to the term "Company" in "The Immigration and Public Works Act, 1870."

Term "Company," where used in "Railway Offences Act, 1865," to include Governor and lessee, &c.

55 **38.** If any person shall ride any horse or other animal, or drive any horse or any other animal drawing any vehicle, or drive any horse or other animal along over or upon any railway or tramway in course of construction under the said Acts, whether the same shall be in course

Trespassing on railway in course of construction.

of construction on land acquired for the purpose or on any public highway, or along over or upon any embankment earthworks or other works forming part of or connected with any such railway or tramway so in course of construction, whether on any such land or highway as aforesaid, every person so offending shall forfeit and pay any sum not exceeding five pounds for every such offence, to be recovered in a summary way before one or more Justices of the Peace, and every person so offending shall and may be seized and detained by any constable or peace officer, or by any officer or other person employed in and about the management or working of such railway or tramway, or by any contractor foreman workman or other person employed in and about the construction of such railway or tramway, until such offender can be conveniently taken before some Justice of the Peace.

Penalty on trespassers on rail or tramway.

39. If any person shall be or pass upon any railway or tramway constructed under the said Acts or either of them, and whether constructed on land acquired for the purpose or constructed wholly or partly on any public highway, except for the purpose of crossing the same at any authorized crossing, after having received warning by any of the agents officers or servants of the Governor or lessee of such railway or tramway, or any person or company which works such rail or tramway, not to go or pass thereon, every person so offending shall forfeit and pay any sum not exceeding five pounds for every such offence, to be recovered in a summary way before one or more Justices of the Peace.

Trees dangerous to rail or tramway may be removed.

40. If any tree standing near to a railway or tramway constructed under the said Acts or either of them shall be in danger of falling on the railway or tramway so as to obstruct the traffic, it shall be lawful for any two Justices, on the complaint of the Minister or by any person authorized by him for the purpose, or of the lessee thereof, or other person or company which works such railway or tramway, to cause such tree to be removed or otherwise dealt with as such Justices may order, and the Justices making such order may award compensation to be paid to the owner of the tree so ordered to be removed or otherwise dealt with as such Justices shall think proper, and the amount of such compensation shall be recoverable in like manner as compensation recoverable before Justices under Part II. of this Act: Provided that where the railway or tramway is being worked by the Government a nominal defendant shall be appointed by the Minister for Public Works, and in such case the compensation shall be paid out of such moneys as shall be applicable to the purpose of paying the expenses of working such railway or tramway.

Confirmation of by-laws made by Governor not required.

41. Notwithstanding anything to the contrary contained in the one hundred and ninth section of "The Railways Clauses Consolidation Act, 1845" (incorporated by the said Act), any by-laws made by the Governor thereunder shall not be subject to the provisions of the Imperial Act in the said section referred to; and such by-laws shall not require any seal to be affixed thereto, and shall not require any confirmation or allowance, but shall have full force and operation upon being published in the *New Zealand Gazette*; but any by-laws made under the said section of the said Act by any lessee or other person company or authority other than the Governor, with respect to any railway constructed under the said Acts, shall be subject to the provisions of the said Imperial Act referred to in the said one hundred and ninth section.

By-laws regulating conduct of officers and servants on railway.

42. The Governor may from time to time make such by-laws as he may think fit for the purpose of regulating the conduct of the officers and servants employed on any railway constructed under the provisions of the said Acts, and may from time to time alter or repeal any by-laws so made and make others, and such by-laws shall be

published in the *New Zealand Gazette*, and the Governor may by such by-laws impose penalties upon all such officers and servants offending against such by-laws not exceeding five pounds for any one offence, and such penalties shall be recoverable summarily before any one or more Justices of the Peace.

And all such by-laws as in this section mentioned shall be so framed as to allow the Justice before whom any penalty imposed thereby may be sought to be recovered, to order a part only of such penalty to be paid if such Justice think fit.

And the production of a copy of the *New Zealand Gazette* containing that which purports to be a copy of any such by-laws shall be sufficient evidence of such by-laws in all cases of prosecution under the same.

PART VII.

APPROPRIATIONS FOR ROADS IN NELSON SOUTH-WEST GOLD FIELDS AND WESTLAND.

43. There shall and may be issued and applied during the period ending the thirtieth day of June, one thousand eight hundred and seventy-four, out of the moneys standing to the credit of the Public Works Account on account of Railways, any sum or sums not exceeding fifty thousand pounds, to be expended in the construction of such roads and bridges as the Governor shall determine for the benefit of the Nelson South-West Gold Fields; but not more than twenty-five thousand pounds shall be so expended during the year ending the thirtieth day of June next.

Appropriation out of moneys at Public Works account applicable to Railways of £50,000, to be expended in next two years on the construction of roads Province of Nelson.

All moneys issued and applied under the authority of this section of this Act shall be charged against the Province of Nelson in like manner as if the sums expended had been expended on the construction of railways under the said Acts within the said Province and to meet the cost of the construction of which no waste lands had been specially set apart.

Expenditure, how to be charged against Province of Nelson.

44. There shall and may be issued applied during the period ending on the thirtieth day of June, one thousand eight hundred and seventy-four, out of the moneys standing to the credit of the Public Works Account on account of railways, any sum or sums not exceeding fifty thousand pounds, to be expended in the construction of such roads and bridges as the Governor shall determine as for the benefit of the County of Westland; but not more than twenty-five thousand pounds shall be so expended during the year ending the thirtieth day of June next.

Appropriation out of moneys at Public Works account applicable to Railways of £50,000, to be expended in the next two years on construction of roads in the County of Westland.

All moneys issued and applied under the authority of this section of this Act shall be charged against the County of Westland in like manner as such sum would be charged against a Province if the said sum had been expended on the construction of railways under the said Acts within such Province, and to meet the cost of the construction of which no waste lands had been specially set apart.

Expenditure, how to be charged against County.

PART VIII.

APPROPRIATIONS OUT OF MONEYS APPLICABLE TO PURCHASE OF LANDS IN NORTH ISLAND.

45. Whereas the sum of fifteen thousand pounds was raised under "The Land Purchase Loan Act, 1856," and was issued and applied in the payment to certain Natives of the purchase money of certain Native Lands within the Province of Auckland, and the said sum so raised has been charged against the Province of Auckland, but the said purchase being still incomplete the said Province has not derived any benefit therefrom: therefore, for the purpose of making good to the said Province and as an equivalent for the money so expended and charged against it, there shall be issued and applied out of the

Appropriation of £15,000 to make good to Province of Auckland an equal sum raised under "Land Purchase Loan Act, 1856," and charged against the Province but expended in purchase of Native Lands, which purchase is still incomplete.

moneys authorized to be raised under the authority of "The Immigration and Public Works Loan Act, 1870," and applicable to the purchase of land in the North Island, the sum of pounds to be paid to the Province of Auckland.

Appropriation of £3,000 to recoup to Province of Hawke's Bay an equal sum expended by it out of revenue of Province in purchase of Native lands in Auckland Province.

46. Out of the moneys authorized to be raised under "The Immigration and Public Works Loan Act, 1870," and applicable to the purchase of land in the North Island, there shall and may be issued and applied the sum of three thousand pounds for the purpose of recouping to the Province of Hawke's Bay the sum of three thousand pounds expended by the Superintendent of Hawke's Bay out of Provincial revenue in the purchase of Native lands in the Province of Auckland.

PART IX.

AIDING WATERWORKS ON GOLD FIELDS.

Advances in aid may be any sum not exceeding one half of the estimated cost of the works already constructed and to be constructed.

Provisions for loans in aid of construction of sludge channels.

47. Notwithstanding anything to the contrary contained in the said amending Act, the advances which may be recommended and made under Part VIII. of the said amending Act in aid of the construction extension and improvement of waterworks may be any sums not exceeding one half of the estimated cost of such works.

48. The provisions of Part III. and of Part VIII. of the said Act, and so far as they apply to waterworks of Part VIII. of the said amending Act, shall apply not only to works for the supply of water, but also to sludge channels drains and other works for removal of the wash and refuse matter oozing or flowing from gold mining claims.

PART X.

£30,000 out of un-apportioned part of Immigration and Public Works Loan to be applied to construction of telegraph.

49. Out of the sum of forty thousand pounds authorized to be raised under "The Immigration and Public Works Loan Act, 1870," and described in the Schedule to the said last-named Act as unapportioned, there shall and may be issued and applied any sum or sums not exceeding thirty thousand pounds to and for the construction of telegraphs, including the expenses of raising the said sum of thirty thousand pounds.

PART XI.

IMMIGRATION.

Minister for Immigration.

50. In the event of any of the Members of the Executive Council being appointed by the Governor to be Minister for Immigration, such Minister, or the Minister for the time being acting for him, shall, instead of the Minister for Public Works, have charge of the administration of the said Acts and this Act so far as the same relate to immigration and the settlement of immigrants, and generally shall have charge of the administration of such matters whether under the said Acts and this Act or otherwise, as the Governor may from time to time direct; and the term "Minister" where used in Part IX. of the said amending Act, shall mean the Minister for Immigration if such be appointed, and shall include the Minister for the time being acting for such Minister.

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SCHEDULE.

Schedule.

MEMORIAL OF A PROCLAMATION MADE BY THE GOVERNOR UNDER THE PROVISIONS OF PART V. OF "THE IMMIGRATION AND PUBLIC WORKS ACT, 1872," TO BE REGISTERED IN PURSUANCE THEREOF.

Date of the Proclamation affecting Land, and date of publication in the <i>Gazette</i> .	Names and Additions of former Owners of Land, so far as can be ascertained.	Lands intended to be affected by the Proclamation and this Memorial.	Exceptions and Reservations, if any.

I, _____, the Minister for Public Works, do hereby certify that the above-written memorial correctly sets forth the several particulars therein contained.

Witness my hand this _____ day of _____, 18 ____ .
 Witness to signature—