

Railways.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Plans and sections to be deemed to be incorporated in the Acts.
Schedule.

A BILL INTITLED

AN ACT to remove Doubts as to the Construction of Terms in certain Railway Acts. Title.

WHEREAS by the several Acts of the General Assembly of New Zealand mentioned in the Schedule to this Act it is among other things enacted that the Railways referred to in the said Acts respectively shall be constructed along the lines thereof respectively set forth in the plans of the said Railways deposited in the Private Bill Office And whereas on the said plans divers level crossings are described And whereas in the same Acts it is provided that certain sections of the Act of the Imperial Parliament intituled "The Railway Clauses Consolidation Act 1845" shall be incorporated in the said Acts respectively And whereas by the forty-sixth section of the last-named Act it is provided that unless where otherwise provided by the special Act Railways must pass over or under roads and highways at such depths or heights as therein provided And whereas doubts have been raised whether the descriptions and delineations made on or contained in the said plans so deposited as aforesaid do within the meaning of the said "Railways Clauses Consolidation Act 1845" form part of the Acts mentioned in the Schedule hereto And whereas it is expedient to remove all such doubts and all doubts as to the effect of the plans referred to in the Acts mentioned in the Schedule hereto annexed authorizing the construction of Railways Preamble.

BE IT THEREFORE 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 Railways Act 1869." Short Title.
- 2. Whenever in accordance with the plans or sections or other descriptions relating to any Railway named in the Schedule to this Act and deposited in the Private Bill Office such Railway has been made or shall hereafter be made to cross highways by level crossings such Railway shall be deemed to have been made under the authority of the forty-sixth section of the Act of the Imperial Parliament intituled "The Railway Clauses Consolidation Act 1845" and the plans or sections and the descriptions upon the plans or sections relating to the said Railways respectively so deposited as aforesaid shall be deemed to be incorporated in the Act authorizing the construction of such Railway and shall be sufficient authority for having heretofore made or for hereafter making such Railways to pass over highways on the level or otherwise in the manner specified or delineated on or indicated on such plans or sections or the descriptions on such plans or sections and in such cases the part of the roadway taken or occupied by such Railway shall be deemed to be duly taken for the purposes of such Railway and also shall be sufficient authority for stopping up or diverting in the manner specified or delineated on or indicated by such plans sections or descriptions any highways which are therein described or shown as to be stopped up or diverted as the case may be. Plans and sections to be deemed to be incorporated in the Acts.

SCHEDULE.

- "The Canterbury Great Southern Railway Act 1864."
- "The Otago Southern Trunk Railway Act 1866."

Schedule.