

# Railway Reserves.

## ANALYSIS.

Title.	but proceeds to be dealt with under this Act.
Preamble.	
1. Short Title.	4. Governor, on recommendation of Superintendent, empowered to make regulations.
2. Interpretation of "railway reserve."	5. Proceeds of sale to be applied to reducing debt to Colony on account of the construction of railway.
3. Railway reserves to be dealt with according to ordinary waste land law of Province, or if on gold field, according to gold mining law;	6.

## A BILL INTITULED

AN ACT to regulate the disposal of Lands set apart for providing Moneys to meet the Cost of Construction of Railways constructed by the Government, and the Revenue arising from such Lands. Title.

WHEREAS certain waste lands of the Crown have by or under the authority of certain Acts of the General Assembly heretofore passed been set aside and charged as between the Colony and the several Provinces within which certain railways are or are to be constructed, with the cost of such construction: And whereas it is expedient that further and better provision should be made for regulating the disposal of such lands as have already been so set aside and charged, and all such waste lands as in the present Session of the General Assembly or hereafter may be set aside and charged with the cost of 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 Railway Reserves Act, 1873." Short Title.

2. In this Act the term "railway reserve" means and includes any Crown or other lands which have been or shall be set apart by or under any Act of the General Assembly heretofore or hereafter to be passed, and specially charged as between the Colony and any Province with the expenses of constructing managing and working any railway, or any or all of such expenses, or so set aside for the purpose of providing moneys to pay any such expenses, or to repay to the Colony moneys expended in or about such construction management and working, or any of such expenses, or for other similar purposes connected with or arising out of the construction maintenance management or working of any railway. Interpretation of "railway reserve."

3. Notwithstanding anything to the contrary contained in any Act heretofore passed, unless and until regulations under the authority of this Act be made, every railway reserve shall be occupied sold leased and disposed of according to the law in force in the Province in which such lands are, regulating the occupation sale lease or other disposal of waste land of the Crown; or if such railway reserve be now or hereafter included within a gold field, then unless and until such regulations be made according to the law in force in such Province regulating the mining for gold; and if in either case such regulations be made, then in accordance with such law, as the case may be, except so far as the same may be inconsistent with such regulations; Railway reserves to be dealt with according to ordinary waste land law of Province, or if on gold field, according to gold mining law, unless regulations be made under this Act.

But proceeds to be dealt with under this Act.

Governor, on recommendation of Superintendent, empowered to make regulations.

Proceeds of sale to be applied to reducing debt to Colony on account of construction of railway.

but the proceeds of all such lands, under whatever law or regulations dealt with, shall, notwithstanding such waste land or gold mining law, or any law heretofore passed to the contrary, be dealt with in the manner in this Act provided.

4. The Governor may from time to time, on the recommendation 5 of the Superintendent of the Province in which any railway reserve is, make regulations for the sale lease occupation and disposal of such railway reserve; and such regulations may provide specially for the occupation of such railway reserve or any part or parts thereof by, and for the sale lease or disposal thereof to, immigrants introduced under 10 "The Immigration and Public Works Act, 1870," or any Act amending the same, and may prescribe the terms and conditions upon which such railway reserve, or any part or parts thereof, may be so occupied sold leased or disposed of, and the mode of allotment; and may provide for the sale occupation and disposal of such reserves, or any part or 15 parts thereof, with or without payment; or for the sale of such reserves, or any part or parts thereof, upon payment, either present or deferred, and prescribe the mode or order of allotment of or application for such lands, the size or acreage of the sections into which the same shall or may be divided; and the regulations shall, if any part 20 of the land is intended to be laid off as town or suburban lands, prescribe for the laying off of such lands into town suburban and rural sections.

5. Such moneys as are from time to time derived from the sale of any portion of any railway reserve shall, after defraying the costs 25 incurred in or about the management of such parts of such reserve as are not sold or granted free, or open for sale or free grant, be applied from time to time, in each year, as the Governor in Council may direct, towards the payment to the Colony of all such sums as shall have been expended by the Colony out of any loan on account of 30 the surveying laying out and construction of the railway for which the reserve is made, that is to say,—

The principal moneys of the portion of any loan so expended, and the interest and sinking fund (if any) of any such portion from the time of the borrowing thereof until 35 recouped to the Colony under this Act :

Also the principal interest and sinking fund (if any) of all moneys expended by the Colony as the costs and charges of raising such portion as aforesaid :

Provided that such sums as shall have been expended on the surveying 40 laying out and construction of such railway out of the Middle Island Railway Fund shall not be charged against such reserve.

6. Such moneys as are from time to time derived from the leasing of any portion of any railway reserve, or are paid for the occupation or use of any portion of any such railway reserve, whether for pastoral 45 mining or other purposes, shall, after defraying the costs incurred by the Colony in the management of such parts of such railway reserve as are not sold or granted free, or open for sale or free grant, be applied from time to time, as the Governor in Council may direct, towards the payment to the Colony of all such moneys as shall have 50 been expended by the Colony, on account of the matters following, that is to say,—

The maintenance and working of such railway, after deducting the moneys derived from the working of such railway.

The interest and sinking fund (if any) of any such portion of 55 any loan expended in or about the surveying laying out and construction of such railway as shall from time to time be charged against such Province, and shall not have been recouped to the Colony under the preceding section.