

Hon. Mr. Fergus.

WESTPORT-NGAKAWAU RAILWAY EXTENSION.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Governor may contract for extension to Mokihinui.</p> <p>3. Act to be deemed special Act.</p> <p>4. Extension to be made at cost of Westport Harbour Fund, and to be deemed a harbour work.</p>	<p>5. Coal-mining leaseholders to make up deficit of profits of railway to five per cent.</p> <p>6. Profits of railway, after expenses paid, to be harbour endowment.</p> <p>7. Power of extending coal-mining leases restricted.</p> <p>8. Provision in case Harbour Board dissolved. Schedule.</p>
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A BILL INTITULED

AN ACT to authorise the Extension of the Westport-Ngakawau Railway to the Mokihinui River, and to provide for the Cost of such Extension out of the Funds of the Westport Harbour Board. Title.

5 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 is "The Westport-Ngakawau Railway Extension Act, 1890." Short Title.

10 2. The Governor may, in the name and on behalf of Her Majesty, enter into a contract or contracts for the extension of the Westport-Ngakawau Railway to the Mokihinui River; and such extension of the said railway is herein referred to as "the railway." Governor may contract for extension to Mokihinui.

15 3. This Act shall be deemed to be a special Act authorising the construction of the aforesaid railway within the meaning and for the purposes of "The Public Works Act, 1882," which, so far as applicable, is hereby incorporated with this Act. Act to be deemed special Act.

4. (1.) The cost of constructing the railway shall be paid out of the Westport Harbour Fund. Extension to be made at cost of Westport Harbour Fund, and to be deemed a harbour work.

20 (2.) It is hereby expressly declared that the railway, being for the purpose of connecting the coalfields at Mokihinui with the port of Westport, is a work which the Westport Harbour Board is authorised to construct or provide for under the provisions of "The Westport Harbour Board Act, 1884," and for such purpose to apply from time to time all necessary funds out of the Westport Harbour

Fund to pay for the construction and completion of the railway; and the aforesaid Board are hereby authorised and indemnified for making such payments as and when required by the Minister for Public Works or any other person duly authorised by the said Minister to make any such requisition.

(3.) The railway, when completed, shall vest in the New Zealand Railway Commissioners appointed under "The Government Railways Act, 1887," and shall be worked by them subject to the provisions of that Act and this Act.

Coal-mining lease-holders to make up deficit of profits of railway to five per cent.

5. If the profits from the railway in any year, after paying for the cost of maintenance and the working-expenses of the railway, do not amount to *five* per centum per annum on the whole cost of the railway from the date on which the whole railway is first opened for traffic, the Railway Commissioners appointed under "The Government Railways Act, 1887," shall inquire into the amount of the deficiency, and shall make out a certificate under their seal of the said deficiency; and such certificate shall be conclusive proof that the deficiency therein mentioned requires to be made up in manner hereinafter mentioned.

The said Commissioners shall transmit the said certificate to the Land Board of the Land District of Nelson, who shall thereupon assess the proportion of such deficiency to be paid by the several holders of coal-mining leases within the railway area described in the Schedule hereto, according to the acreage contained in such leases, in manner so that the whole of the deficiency shall be distributed amongst the said leaseholders, and shall serve a written notice upon every leaseholder requiring him to pay the amount in the said notice to Her Majesty, in addition to any royalty or rent payable in respect of his lease during the said year.

And every sum mentioned in any such notice in any year may be recovered by the said Land Board from the leaseholder, as a debt due to Her Majesty the Queen, together with all costs incurred in recovering the same, and every such sum when recovered shall be paid by the said Land Board into the public account as income from the railway.

Profits of railway, after expenses paid, to be harbour endowment.

6. All profits arising from the railway remaining after payment of all the cost of maintenance and working-expenses, and any claims for compensation arising in respect of injuries from accidents on the railway, shall be paid to the aforesaid Harbour Board, as additional endowment for such Board, in manner as the Governor shall from time to time direct.

Power of extending coal-mining leases restricted.

7. The powers and functions vested in the Minister of Lands by sections nine, ten, and eleven of "The Westland and Nelson Coal-fields Administration Act, 1877," shall not be exercised by him in relation to any land served by any portion of the railway from Westport to Mokihinui unless he is authorised by a resolution passed in that behalf by both Houses of the General Assembly.

Provision in case Harbour Board dissolved.

8. In the event of the said Harbour Board being dissolved or ceasing to exist from any cause, all moneys payable to the said Board under this Act shall be paid into the Public Account to the credit of a separate account, therein to be called "The Westport Harbour Account," and the Colonial Treasurer may, until other provision is

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made by Parliament in that behalf, issue and pay the same out of the said account to defray the cost of any of the works or services which the Governor is empowered under the authority of this Act to execute or employ.

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**SCHEDULE.**

Schedule.

ALL that portion of the Buller Coalfield Reserve indicated in the map marked P.W.D. 16360, in the office of the Minister for Public Works, at Wellington, and thereon edged pink.

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By Authority : GEORGE DIDSBURY, Government Printer, Wellington.—1890.