

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 27th day of August, 1889.

PUBLIC WORKS ACT AMENDMENT BILL.

Hon. Mr. MITCHELSON, in Committee, to move the following amendments:—

Clause 6. After the word "street," in fifth line, insert the words "and it is certified by the New Zealand Railway Commissioners that such land is not required for railway purposes."

Clause 21. After the word "Minister," in sixth line, insert the words "regarding unopened railways." After the word "Commissioners," in seventh line, insert the words "regarding railways open for traffic." After the word "Commissioners," in thirteenth line, add the word "respectively." After the word "Commissioners," in seventeenth line, add the word "respectively."

Clause 22. After the word "Majesty," in twenty-second line, add the words "in the case of unopened railways." After the word "Commissioners," in same line, add the words "in the case of opened railways." After the word "Commissioners," in twenty-sixth line, add the word "respectively."

Clause 25. Strike out proviso, *vide* lines 51, 52, and 53.

Hon. Mr. MITCHELSON, in Committee, to move the following new clauses:—

Every local authority to have power to settle claims.

29. Every local authority shall have power to compound with any person for such sum of money or other recompense as it thinks fit in respect of the breach of any contract or of any penalty incurred thereunder, or of any debt due to the local authority, or of any damage done by the local authority or its servants, or to submit any such matter to arbitration, whether before or after any action or suit is brought for or in respect of the same.

By-laws to be proved by production of *Gazette*.

30. The due making of any by-law by the New Zealand Railway Commissioners, and the date of the making thereof, and the date when the same came into force shall be sufficiently proved by the production of a copy of the New Zealand Government *Gazette* in which such by-law is published.

Conveyances to and contracts with the Railway Commissioners to be exempt from duty.

31. Every instrument for the conveyance of any property or any interest therein to the New Zealand Railway Commissioners shall be exempt from stamp duty and from Native land duty, and every instrument expressing any contract made by or with the New Zealand Railway Commissioners, or by or with any person on behalf of the New Zealand Railway Commissioners, shall be exempt from stamp duty.

Powers of Railway Commissioners as regards roads and rivers.

32. Notwithstanding anything in section twenty-three of "The Government Railways Act, 1887," Part V. of "The Public Works Act, 1882," shall be deemed to be incorporated with the first-mentioned Act, and, subject thereto, all the provisions of the said Part V. shall extend and apply to the Commissioners appointed under the said first-mentioned Act.

Defining the terms "public notice" and "publicly notified."

33. In section two of the principal Act the definition of the words "public notice" and "publicly notified" is hereby repealed, and the following is substituted in lieu thereof:—

"Notice" means a statement conveying the general effect of a matter or thing done or intended to be done:

“Public notice” means a “notice” published in some newspaper circulating in the district in which the matter of the notice arises or to which it relates; and, if there be no such newspaper, then by a printed or written placard posted in some conspicuous place on the land or works affected by such notice or to which it relates:

“Publicly notified” means notified by “public notice.”

Crown lands, public reserves, and public domains may be set apart for purposes of fortifications.

34. The Governor may, by Proclamation publicly notified and issued in the manner set forth in section one hundred and thirty of the principal Act, set apart any Crown land, or any part of any public reserve, or any part of any public domain which may be required for any such public work as is defined in “The Public Works Act 1882 Amendment Act, 1885;” and all Crown land, and land forming part of a public reserve, and land forming part of a public domain hereafter to be set apart for the purposes of any such public work, shall be deemed to be absolutely vested in Her Majesty for the purposes of such public work.

The Minister shall cause a copy of every such Proclamation to be lodged in the office of the Surveyor-General, who shall cause the land included in such Proclamation to be shown upon the proper maps and records of the district affected by such Proclamation, in such manner as to prevent such land being disposed of at variance with such Proclamation.

In this section the expressions “Crown land,” “public reserve,” and “public domain” have the meanings thereto respectively attached by “The Land Act, 1885,” “The Public Reserves Act, 1881,” and “The Public Domains Act, 1881.”

Land vested in local authority or trustees for public purposes may be taken for fortifications.

35. In “The Public Works Act 1882 Amendment Act, 1885,” the words “lands” and “land” shall be interpreted as including land vested in any local authority for any purpose whatsoever, and also land vested in trustees for any public purpose whether local or general.

No compensation payable in such cases.

Where such land so vested is taken for the purpose of a public work as defined by “The Public Works Act 1882 Amendment Act, 1885,” no compensation shall be paid by the Minister therefor.