

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 9th Day of October, 1900.

PUBLIC WORKS ACTS AMENDMENT BILL.

Mr. HALL-JONES, in Committee, to move the following amendments:—

Omit clause 12, and substitute the following:—

12. Notwithstanding anything contained in sections one hundred and twenty-two and one hundred and twenty-three of the principal Act,—

- (1.) A local authority shall not declare any county or district road to be stopped, and such road shall not be deemed to be stopped, until the consent thereto of the Governor by Order in Council gazetted is obtained;
- (2.) The District Land Registrar shall not issue any certificate under subsection four of section one hundred and twenty-five of the principal Act unless a copy of such Order in Council or of the *Gazette* containing the same is filed in his office;
- (3.) The Governor may, by Proclamation publicly notified, stop or alter the course of any Government road, or any part thereof, and may dispose of the land occupied by the road or part of the road so stopped or altered in manner provided by sections twenty-five or twenty-nine of the principal Act;
- (4.) A copy of every Order in Council or Proclamation issued under this section shall be laid before Parliament within *ten* days after such issue if Parliament is then sitting, or, if not, then within *ten* days after the commencement of the next ensuing session.

Insert new clause:—

20A. (1.) For all the purposes of the principal Act and the Acts relating to Government railways, the railways constructed by the Midland Railway Company (Limited), and referred to in the Order in Council, a copy whereof is set forth in the Schedule hereto, shall be deemed to have been duly made under the authority of a special Act as required by section one hundred and sixty-six of the principal Act, and shall be managed and administered in like manner in all respects as if they had been constructed by the Governor on behalf of Her Majesty under the provisions of a special Act.

(2.) All lands vested in Her Majesty by virtue of the said Order in Council shall be deemed to be lands subject to the provisions of "The Land Transfer Act, 1885."

(3.) It shall be the duty of every Registrar appointed under "The Land Transfer Act, 1885," to make all such entries in the register and books under the control of such Registrar, and to issue

all such certificates and documents, as may be necessary for the purpose of evidencing the title of Her Majesty to the lands vested in Her Majesty by the said Order in Council.

(4.) The powers conferred upon every such Registrar by section one hundred and seventy-five of "The Land Transfer Act, 1885," shall be deemed to extend to entitle every such Registrar to require the production at his office of all instruments of title affecting any such lands, and to retain possession of all such documents as relate only to such lands, and to make indorsements and entries upon such documents as may affect such lands together with others, as if such lands were the subject of an application to bring the same under the provisions of "The Land Transfer Act, 1885."

SCHEDULE.

RANFURLY, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-third day of July, 1900.

Present: HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS in pursuance and exercise of the powers conferred by the one hundred and twenty-third section of an Act of the General Assembly of New Zealand intituled "The Railways Construction and Land Act, 1881," the Governor of the Colony of New Zealand did, on or about the twenty-fifth day of May, one thousand eight hundred and ninety-five, take possession of and assume the management of two several lines of railway partly constructed by the New Zealand Midland Railway Company (Limited), and being the lines of railway from Springfield to Brunnerton and from Brunnerton to Belgrove more particularly mentioned and described in a certain deed of contract bearing date the third day of August, one thousand eight hundred and eighty-eight, and expressed to be made between Her Majesty the Queen of the one part and the New Zealand Midland Railway Company (Limited) of the other part, which said deed was entered into and executed pursuant to the provisions of "The Midland Railway Contract Act, 1887": And whereas the said lines of railway are hereinafter referred to as "the railway": And whereas certain expenditure of public money has been entailed in and about the completion of the railway and in conducting the traffic on the railway, and accounts of the outlay and expenditure of public money so entailed and incurred, crediting the said company with all earnings and receipts of the railway, have been computed and rendered to the said company as provided by "The Railways Construction and Land Act, 1881": And whereas the said company failed after the Governor had taken possession as aforesaid to repay sums of public money which have been expended towards completing the railway and the equipment thereof, and sums of public money which have been expended on the repair and management of the railway and in connection therewith in excess of the receipts therefrom, which sums of public money have been shown to be due from the said company to the Governor by accounts computed and rendered as aforesaid after crediting the said company as aforesaid: And whereas such failure and default by the said company had continued with respect to certain of such sums of public money for the space of more than one year at the date of the notice hereinafter referred to: And whereas by a document bearing date the eleventh day of April, one thousand nine hundred, under the hand of the Governor of the Colony of New Zealand, notice was given to the said company that at the expiration of the period of three months from the date of service thereof the Governor intended to retain the railway as Government property: And whereas the said period of three months has now expired, and the said company has failed as well during that period as before to repay the said sums of public money, and no arrangement has in the meantime been made between the Governor of the Colony of New Zealand and the said company:

Now, therefore, His Excellency the Governor of the Colony of New Zealand, by and with the advice and consent of the Executive Council of the said colony, and in exercise of the powers and authorities vested in him by the one hundred and twenty-sixth section of "The Railways Construction and Land Act, 1881," and of every other power and authority him in this behalf enabling, doth hereby declare that possession of the railway has been taken as aforesaid, and will be permanently retained by the Government, and accordingly doth hereby declare and direct that the two several lines of railway from Springfield to Brunnerton and from Brunnerton to Belgrove, and the land whereon the same are constructed and that may be used therewith respectively, and all works, buildings, rolling-stock, machinery, and plant of every kind connected therewith respectively, and the right to construct and work the same respectively, and all the powers and privileges belonging and appertaining thereto respectively, and all stations connected therewith respectively, and all plant, equipments, and appurtenances belonging thereto respectively, shall become and be absolutely vested in Her Majesty the Queen.

ALEX. WILLIS,
Clerk of the Executive Council.