

# SUPPLEMENTARY ORDER PAPER.

## HOUSE OF REPRESENTATIVES.

Wednesday, the 19th Day of August, 1908.

### PUBLIC WORKS AMENDMENT BILL.

Hon. Sir W. J. STEWARD, in Committee, to move the addition of the following new clauses :—

Owners, &c., to furnish statement of compensation claimed.

4. When and so soon as any local authority proposing to take any land for any public work shall have taken the proceedings prescribed by section eighteen of the principal Act, such local authority may by notice in writing call upon each and every person having an interest in such land, either as owner or occupier or otherwise, to furnish in writing to the said local authority, within *one* month after the service of such notice, a statement of the amount of compensation which would be claimed by him in respect of such interest in the event of such land being so taken, and if within *one* month after receipt of such statements of claim the local authority shall elect not to proceed, then such local authority shall refund to each such person any reasonable costs and expenses incurred by him in ascertaining or assessing such compensation.

Local authority may apply to Court to determine amount of compensation.

5. If the compensation claimed in respect of such land is, in the opinion of the local authority, excessive, or if any person shall have failed to furnish the statement of claim mentioned in the *preceding* section within the time thereby limited, then the local authority may, within *one* month after the time limited for sending in the said statements, appoint an assessor, and the owner, occupier, or other person as aforesaid shall, within *twenty-one* days thereafter, also appoint an assessor, and a Compensation Court shall be constituted to fix and determine the amount of compensation to be paid, in the event of such land being taken, to each owner, occupier, or other person having an interest therein.

If local authority abandons proposal, costs incurred to be paid to owners, &c.

6. (1.) If upon the amount of compensation being so ascertained and fixed by the Court, the local authority shall elect not to apply for the issue of a Proclamation under subsection (*d*) of section nineteen of the said Act, then such local authority shall, within *one* month after the award or awards shall have been made, gazette and also publicly notify under the hand of the Mayor, Chairman, or Clerk that the proposal to take the land is abandoned, and thereupon every owner, occupier, or other person in respect of whose interest the Court shall have made any award shall be entitled to payment by the local authority of full legal costs as between solicitor and client and all other costs and expenses incurred by him up to the date of such notice of abandonment, and the amount thereof shall, in case of dispute, be taxed by the Registrar of the Supreme Court of the judicial district in which the land is situate.

(2.) A copy of such notice of abandonment shall be sent by the local authority to every such owner, occupier, or other person as aforesaid forthwith after the gazetting thereof.

(3.) If the local authority shall within *one* month after such award or awards shall have been made apply for such Proclamation as aforesaid, and such Proclamation shall issue, then the compensation payable by the local authority in respect of the land thereby taken shall be the compensation fixed by the said award or awards.

Principal Act to apply.

7. The provisions of the principal Act shall, so far as applicable, extend to all proceedings under sections *five* and *six* of this Act.

Section 146 of the principal Act amended.

8. Section one hundred and forty-six of the principal Act is hereby amended by inserting in the fourth line thereof, next after the word "street," the words following, namely: "or to obscure or partially obscure the view at any bend, corner, or junction, so as to render such road or street dangerous to traffic."