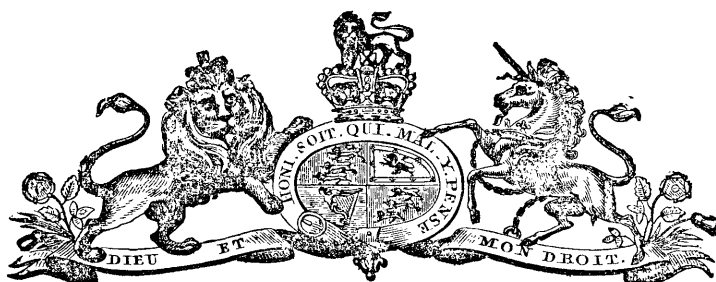


OTAGO, N. Z.



KAITANGATA RAILWAY ORDINANCE, 1875.

IN THE THIRTY-EIGHTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXIV, No. 479.

ANALYSIS.

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An Ordinance to facilitate the construction of the Kaitangata Railway ^{Title.}
and to make provision for the regulation of the traffic thereof.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 19TH JUNE, 1875.]

WHEREAS a Public Company has been formed and duly incorporated ^{Preamble.}
under the "Joint Stock Company's Act, 1860" by the name or style
of the Kaitangata Railway and Coal Company (Limited) and hereinafter
referred to as "the Company" for the purpose amongst others of construct-
ing a line or lines of Railway connecting the Dunedin and Clutha Railway at
the township of Stirling with the township of Kaitangata and the coal
mines adjacent thereto in the said Province: And whereas the Company
intends to work the said line or lines of Railway with locomotive or other
engines passenger and goods carriages waggons trucks and other rolling stock
and to provide the necessary station and warehouse accommodation which
may be required for the convenience of the public and the purposes of the
Company: And whereas the objects and intentions of the Company as
expressed in its Memorandum and Articles of Association have been pub-

lished and circulated throughout the Province and are such as ought to meet with encouragement and support: And whereas the Superintendent of the Province of Otago acting by and with the consent and advice of his Executive Council and deeming it desirable in the public interests some time since promised in writing to make or cause to be made certain concessions to the Company as a stimulus to the due and successful prosecution of its enterprise and upon the faith of such promise the Company has expended money and incurred considerable liabilities in and towards the carrying into effect the undertaking for which it was formed and incorporated: And whereas it has been deemed desirable that the understanding and agreement arrived at between the said Superintendent acting as aforesaid by and with the advice of his said Executive Council and the Company should be embodied and ratified in and by an Ordinance of the Superintendent and Provincial Council:

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council of the said Province as follows:—

Short Title.

1. The short title of this Ordinance shall be the "Kaitangata Railway Ordinance, 1875."

Kaitangata Railway Company Limited empowered to construct and maintain railway &c.

2. Subject to the conditions and restrictions hereinafter imposed it shall be lawful for the Company to make construct and maintain a line or lines of Railway connecting the Dunedin and Clutha Railway at the township of Stirling with the township of Kaitangata and the coal mines adjacent thereto aforesaid and to erect at each or any of the said places stations warehouses sheds wharfs jetties and all necessary erections appliances and conveniences for the accommodation of passengers and the receipt transit and delivery of goods and merchandise and to use and work upon the said Railway locomotive and other steam-engines carriages trucks and all other rolling stock necessary for the conduct of Railway traffic either of goods or passengers.

Railway to be confined within limits of deviation shown on deposited plan.

3. The said Railway shall be constructed and maintained within the limits of deviation set forth in a plan of the said Railway which has been deposited with the Clerk of the said Provincial Council and such plan shall be deemed to be incorporated with and form part of this Ordinance.

Railway to be constructed in accordance with plan.

4. The said Railway shall be constructed and maintained in accordance with the said plan and not otherwise: Provided nevertheless that if the Provincial Council shall not at the time be in Session and it shall be shown to the satisfaction of the said Superintendent acting by and with the consent and advice of his Executive Council that any error or unintentional omission in the said plan will be calculated to hinder the due prosecution of the Company's works in connection with the said Railway or any variations therefrom will be of benefit it shall be lawful for the said Superintendent acting by and with the consent and advice aforesaid by writing under his hand to authorise the Company to proceed with the said works according to a corrected plan or plans to be approved by the said Superintendent and Executive Council and after such approval deposited with the Clerk of the said Provincial Council.

Lands not to be taken compulsorily.

5. Nothing herein contained shall be deemed to authorise the acquisition compulsorily of any lands tenements or hereditaments required for purposes of the said Railway: And in the event of the Company or any officer servant or workman of the Company or any contractor or sub-contractor engaged in executing any of the Company's works on the said Railway entering upon any lands tenements or hereditaments without the consent of the owner or

owners thereof and before the Company shall have voluntarily acquired from such owner or owners the right to enter and take possession of his or their lands tenements or hereditaments and to use the same for the purposes of the said Railway the Company or the person or persons so offending shall irrespective of its his her or their liability to be sued in trespass or otherwise be liable to a penalty recoverable summarily before any two or more Justices of the Peace not exceeding twenty pounds for every such offence.

6. It shall be lawful for the Superintendent of the said Province by proclamation to be published in the Provincial *Gazette* to give to the Company its successors and assigns for the purposes of the said Railway but subject to the provisions herein contained exclusive permission to use such portions of the lands tenements and hereditaments required for purposes of the said Railway within the limits of deviation shown on the said plan as form part of any reserve or reserves which has or have been already or which may be hereafter duly made according to law and set apart for the uses of the Provincial Government under the Otago Waste Lands Act, 1872 or any amending Act thereof: Provided always that nothing herein contained shall authorise the grant of the said Superintendent to the Company of such permission as aforesaid in respect of any lands tenements or hereditaments already specifically appropriated by Ordinance or proclamation to any special public use or purpose other than Railway purposes: And the said Superintendent is also hereby empowered either by deed to be signed and sealed with the public seal of the Province or by proclamation to be published in the Provincial *Gazette* to give to the Company its successors and assigns for the purposes of the said Railway and works permission to exclusively use such portions of the lands tenements and hereditaments required as aforesaid and within the limits of deviation as aforesaid as form part of any lands vested in the said Superintendent for public purposes under the Public Reserves Act, 1854 or the Public Reserves Act Amendment Act, 1862: Provided always that nothing herein contained shall authorise the grant by the said Superintendent to the Company of such permission as aforesaid in respect of any lands tenements or hereditaments already specifically appropriated to any special public purpose and actually used for such purpose: And it shall also be lawful for the said Superintendent by proclamation to be published in the said Provincial *Gazette* to give (subject to the conditions herein imposed) to the Company its successors and assigns permission to use for the purposes of the said Railway and works such portions of the lands tenements and hereditaments aforesaid as form part of any road or highway the management whereof may be lawfully regulated by or be made subject to the provisions of any Ordinance of the Provincial Council.

Superintendent may grant permission to use Provincial Reserves &c.

7. The Company may upon the lands tenements and hereditaments to be acquired from the owner or owners thereof as aforesaid and upon the lands tenements and hereditaments the use of which may be granted by the Superintendent as aforesaid and upon such portions of the said roads and highways as shall be comprised in any proclamation to be published as aforesaid but upon no other lands tenements or hereditaments execute and carry out in connection with and for the purposes of the said Railway the works hereinafter mentioned throughout this Ordinance:—

Nature of Company's works defined.

- (a) Temporary or permanent inclined planes tunnels embankments aqueducts bridges roads ways passages conduits arches sidings cuttings approaches and fences may be made constructed or erected: Provided that every bridge to be erected for the purpose of carrying the Railway over any road and every bridge erected for carrying any road over the said railway shall be built and constructed to the approval and satisfaction of the said Superintendent or any Engineer or other person appointed by him.

- (b) The course of any public street road highway or thoroughfare or any drain for the outfall of water or which is the bed of any creek stream river pond or lake may be temporarily or permanently altered raised or sunk for the purpose of constructing and maintaining tunnels bridges passages or other works over or under the same.
- (c) Drains or conduits may be made and constructed for the purpose of receiving conveying or discharging water.
- (d) Rails sleepers and ballast may be laid and constructed and such stations offices warehouses buildings yards cranes machinery appliances works and conveniences may be erected supported and maintained for the efficient working of the Railway and works.
- (e) Wharfs and jetties may be erected and maintained at such place or places on and abutting upon the banks of the Clutha River with the consent of the said Superintendent.

Comp'y to supply accommodation works.

8. The Company shall make and at all times thereafter maintain the following works for the accommodation of the owners and occupiers of lands adjoining the Railway (that is to say)—

Such and so many convenient gates bridges arches culverts and passages over under or by the sides of or leading to or from the Railway as shall be necessary for the purpose of making good any interruptions caused by the Railway to the use of the lands through which the railway shall be made and such work shall be made forthwith after the part of the Railway passing over such lands shall have been laid out or formed or during the formation thereof.

Also sufficient posts rails hedges ditches mounds or other fences for separating the land used for the Railway from the adjoining lands and protecting such lands from trespass or the cattle of the owners or the occupiers thereof from straying thereout by reason of the railway together with all necessary gates made to open towards such adjoining lands and not towards the Railway and all necessary stiles and such posts rails and other fences shall be made as soon as conveniently may be.

Also all necessary arches tunnels culverts drains or other passages either over or under or by the sides of the Railway of such dimensions as will be sufficient at all times to convey the water as clearly from the lands lying near or affected by the railway as before the making of the Railway or as nearly so as may be and such works shall be made from time to time as the Railway works proceed :

Provided always that the Company shall not be required to make such accommodation works in such a manner as would prevent or obstruct the working or using of the Railway nor to make any accommodation works with respect to which the owners and occupiers of the lands shall have agreed to receive and shall have been paid compensation instead of the making them or shall not require to be made.

Accommodation works not required after three months.

9. The Company shall not be compelled to make any further or additional accommodation works for the use of owners and occupiers of lands adjoining the Railway after the expiration of six months from the time of the opening for public traffic of any complete portion of the Railway which shall

include or comprise the said accommodation works : Provided nevertheless that the said limit of three months shall be applicable only to the owners and occupiers of land adjoining the Railway from and after the time of the completion of the particular portion of the Railway adjoining which the said land shall be situate.

10. Until the said Company shall have made the bridges or other proper communications which under the provisions herein contained it has been required to make between lands intersected by the Railway and no longer the owners and occupiers of such lands and any other persons whose right-of-way shall be affected by the want of such communication and their respective servants may at all times freely pass and repass with carriages horses and other animals directly (but not otherwise) across the part of the Railway made in or through their respective lands solely for the purpose of occupying the same lands or for the exercise of such right-of-way and so as not to obstruct the passage along the Railway or to damage the same nevertheless if the owner or occupier of any such lands have in his arrangements with the Company received or agreed to receive compensation for or on account of any such communications instead of the same being formed such owner or occupier or those claiming under him shall not be entitled so to cross the Railway.

Crossings allowed until accommodation works completed.

11. If any person omit to shut and fasten any gate set up at either side of the Railway for the accommodation of the owners or occupiers of the adjoining lands as soon as he and the carriage cattle or other animals under his care have passed through the same he shall forfeit for every such offence any sum not exceeding forty shillings recoverable summarily before any two Justices of the Peace.

Penalty on persons omitting to fasten gates.

12. During the construction of the said Railway and the execution of the works connected therewith and after the completion thereof the said Superintendent shall be at liberty at all reasonable times to direct any Engineer or other proper officer of the Provincial Government to inspect the works the rolling-stock and buildings of the Company and any requisition which the said Superintendent shall thereafter upon the recommendation of the said Engineer or other officer, as aforesaid make requiring the Company to effect any necessary alteration or repair in to or upon the work rolling-stock or buildings of the Company shall be immediately thereafter obeyed and carried out.

Superintendent to possess powers of inspection over Company's works.

13. Within six calendar months after the passing of this Ordinance the said Superintendent shall deliver to the Company or any contractor engineer servants or workmen authorised by it possession of all lands tenements and hereditaments the use of which the said Superintendent is hereinbefore empowered to give to the said Company its successors and assigns for the purposes of the Railway : Provided always that the said Company shall acquire no more than a right to use or an easement in and upon the said lands tenements and hereditaments for the purposes and to the extent hereby enacted and declared but revocable only in the event of the said Superintendent exercising the power of pre-emption hereinafter contained.

Superintendent to deliver possession of Provincial Reserves to Company but Company to have only a right to use land required.

14. The Company shall without any inexcusable delay immediately after possession shall be given by the said Superintendent as aforesaid commence or resume the construction of the said Railway works and shall prosecute the same to completion without delay or intermission unless hindered or prevented by some unforeseen cause or impediment : And the Company shall also in like manner and as the state of the said Railway works shall permit and require it proceed with the erection of all buildings and supply the necessary accommodation for the safe proper and convenient conduct of passengers and goods traffic on the said Railway.

Company to commence works when possession given by Superintendent.

Superintendent may regulate Company's tariff of fares and charges &c.

15. The said Superintendent acting by and with the advice and consent of his Executive Council may should he think it expedient so to do from time to time by proclamation to be published in the Provincial *Gazette* make alter and revoke regulations fixing rates fares and rent to be charged by the Company for the carriage of goods and passengers and the storage of goods in any of the Company's sheds or warehouses the number of trains to run each day the time of their arrival and departure from the terminal and intermediate stations and generally imposing such restrictions upon the conduct of the business and traffic of the Company as may in the opinion of the said Superintendent be most conducive to the public interest and welfare and may affix a penalty of not exceeding £100 to the breach of any of the regulations so to be proclaimed as aforesaid and the said Superintendent may also from time to time with the consent and advice aforesaid by proclamation to be published as aforesaid authorise and empower any trains or rolling stock the property of the Province to be run upon the said Railway after the completion thereof and to stop at the terminal and other stations aforesaid and may also from time to time by any such proclamation authorise and empower any Company or persons upon payment to "the Company" of such rates of charges as may be fixed in that behalf in and by any such proclamation to run trains or rolling stock upon the said Railway and to stop at the said terminal and other stations: Provided always that a copy of all regulations to be made by the said Superintendent as aforesaid shall be laid on the table of the Provincial Council within fourteen days after the commencement of each Session and any alteration or amendment in such regulations which the said Provincial Council shall by address to be forwarded to the said Superintendent recommend the said Superintendent shall immediately thereafter carry into effect if he shall approve of the same.

Superintendent entitled to purchase on giving six months notice.

16. The said Superintendent shall be entitled upon giving six calendar months' notice in writing to the Company to purchase the Railway works of the Company together with its rolling stock plant implements and all its rights powers and privileges at a price to be determined by arbitration the award being that of three arbitrators or any two of them one arbitrator being chosen by the said Superintendent another by the Company and the third arbitrator by the two other arbitrators. In determining the price to be paid to the Company the said arbitrators shall not award any compensation to the Company in respect of the lands tenements and hereditaments the use of which shall have been acquired from the Superintendent under the provisions of this Ordinance but the Company shall receive in respect of such lands tenements and hereditaments the fair value of all improvements made on such lands and an equivalent for the expenditure laid out thereon Upon payment of the compensation so to be awarded the Company shall assign and transfer to the said Superintendent all its estate property and interest in the said railway plant rolling-stock and everything appurtenant thereto: Provided always that no compensation whatever shall be paid for any goodwill of the said Railway nor for anything save and except the actual value of the land owned by the Company and the improvements effected thereon and for the improvements effected on land belonging to the Government as stated in this section: Provided nevertheless that nothing herein contained shall authorise the purchase by the said Superintendent of the coal mines of the Company or of that portion of the Railway and works connected therewith and the machinery rolling-stock plant implements sheds and depôts required by the Company in connection with the said coal mines and that on any such purchase by the said Superintendent due provision shall be made for the carriage of the coals of the Company along and over the line of Railway so to be purchased and the lines of railway connected therewith upon terms to be determined by arbitration as aforesaid.

Company to permit erection of telegraph posts &c. if required by Superintendent.

17. In case the Colonial Government should at any time desire to construct a line or lines of telegraph posts and wires along the line of the said

railway and within the fences enclosing the same the Company shall upon the request of the said Superintendent permit any person or persons appointed in that behalf or any contractors or workmen employed for the purpose to have access to the lands tenements and hereditaments in the use and occupation of the Company in order that the said posts and wires may be erected but subject however to such conditions being imposed to guard against any unnecessary injury to the works or property of the Company and for making good any injury or disturbance to the said lands tenements and hereditaments or the Company's said works as may be just and expedient.

18. The Company shall not voluntarily assign or part with its beneficial interest in its said Railway without the consent in writing of the said Superintendent first had and obtained: Provided always that such consent shall not be necessary if the Company shall at any time give six calendar months notice in writing to the said Superintendent intimating its intention to dispose of its interests in the said Railway and the said Superintendent shall not within such period of six calendar months give notice of his intention to purchase the said Railway in exercise of the power in that behalf hereinbefore contained.

Company not to assign or part with railway without written consent of Superintendent.

19. In the event of any wilful breach of any material stipulation or obligation assumed by or raised on the part of the Company or the said Superintendent it shall be lawful for the Company not being the party in default to give notice to the said Superintendent and it shall be lawful for the said Superintendent not being the party in default to give notice to the Company that if the Company or he the said Superintendent as the case may be has elected in consequence of the breach aforesaid not to act proceed or observe further the provisions of this Ordinance: And in such event the party in default shall be liable to make good and pay to the party not in default such damages as it or he as the case may be may have sustained.

Undertaking may be abandoned in case of default.

20. In the event of any unreasonable or inexcusable delay in the prosecution of the said Railway works or in the event of the Company after the completion of the said works in whole or in part so that the whole or any complete part or section of the line may be used for the purposes of traffic not running for the space of three clear days without reasonable excuse trains at the times and in manner fixed and determined by the said Superintendent the said Superintendent may take possession and assume the management of the said Railway and works and complete the same and conduct the traffic thereon charging the Company with all outlay and expenditure which may be entailed and crediting the Company with all earnings and receipts And in such event there shall be paid by the Company to the said Superintendent and by the said Superintendent to the Company the balance which shall thereafter be found to be due from the one to the other of them from time to time the accounts being computed and rendered at intervals of not less than six calendar months.

Superintendent may take possession of railway works if Company guilty of unreasonable delay.

21. If the Railway cross any public road or highway by a first-class level crossing the Company shall erect and at all times maintain good and sufficient gates across such road or highway on each side of the railway where the same shall communicate therewith and shall employ proper persons to open and shut such gates and such gates shall be kept constantly closed across such road or highway on both sides of the Railway except during the time when horses cattle carts or carriages pass along the same shall have to cross such Railway and such gates shall be of such dimensions and so constructed as when closed to fence in the Railway and prevent cattle or horses passing along the road or highway from entering upon the Railway and the person entrusted with the care of such gates shall cause the same to be closed as soon as such horses cattle carts or carriages shall have passed through the same under a penalty of forty shillings (recoverable summarily before any

Provision in cases where roads are crossed on a level.

two Justices of the Peace) for every default therein: Provided always in any case that the gates on any such crossing over any such road may be kept closed across the Railway instead of across the road and in such case such gates shall be kept constantly closed across the Railway except when engines or carriages passing along the railway shall have occasion to cross such road in the same manner and under the like [penalty as above directed with respect to the gates] being kept closed across the road.

Existing inclinations of roads crossed or diverted need not be improved.

22. If the mesne inclination of any road within two hundred and fifty yards of the point of crossing the same or the inclination of such portion of any road as may require to be altered or for which another road shall be substituted shall be steeper than the inclination which may be so required to be preserved by the Company then the Company may carry any such road over or under the Railway or may construct such altered or substituted road at an inclination not steeper than the said mesne inclination of the road so to be crossed or of the road so requiring to be altered or for which another road shall be substituted.

Before roads interfered with others to be substituted.

23. If in the exercise of the powers by this Ordinance granted it be found necessary to cross-cut through raise sink or use any part of any road whether carriage road horse road or tram road either private or public so as to render it impassable for or dangerous or extraordinarily inconvenient to passengers or carriages or to the persons entitled to the use thereof the Company shall before the commencement of any such operations cause a sufficient road to be made instead of the road to be interfered with and shall for twelve months from the time of the completion of such substituted road at its own expense maintain the same in a state as convenient for passengers and carriages as the road so interfered with or as nearly so as may be: Provided always that in any case in which it shall be made to appear to the Superintendent before the commencement of any such operations as before mentioned to be impossible or extraordinarily inconvenient to cause such substituted road to be made before the commencement of the operations interfering with such existing road it shall be lawful for the Superintendent by writing under his hand to dispense with compliance with the provisions of this section for such period as shall be named in such writing not exceeding one month from the time of commencement of such operations.

Penalty for not substituting a road.

24. If the Company does not cause another sufficient road to be so made before they interfere with any such existing road as aforesaid or within the time which may be so limited by the Superintendent as aforesaid it shall forfeit twenty pounds for every day during which such substituted road shall not be made after the existing road shall have been interrupted.

Period of restoration of roads interfered with.

25. If the road so interfered with can be restored compatibly with the formation and use of the Railway the same shall be restored to as good a condition as the same was in at the time when the same was first interfered with by the Company or as near thereto as may be and if such road cannot be restored compatibly with the formation and use of the Railway the Company shall cause the new or substituted road to be put into a permanently substantial condition equally convenient as the former road or as near thereto as circumstances will allow and the former road shall be restored or the substituted road put into such condition as aforesaid as the case may be within the period of six months after the first operation on the former road shall have been commenced unless the Local Board of the District in which such road is situate shall by writing under the hand of the Chairman of the said Board consent to an extension of the period and in such case within such extended period.

26. If any such road be not restored or the substituted road so completed as aforesaid within the said period of six months or within such extended period as aforesaid the Company shall forfeit and pay the sum of five pounds for every day after the expiration of such period respectively during which such road shall not be so restored or the substituted road completed. Penalty for failing to restore road.

27. If in the course of making the Railway the Company shall use or interfere with any road it shall from time to time make good all damage done by it to such road under a penalty not exceeding fifty pounds. Company to repair road used by it.

28. If the Railway shall cross any road or highway on the level the Company shall at its own expense make and at all times maintain convenient ascents and descents and other convenient approaches with hand rails or other fences and shall if such road or highway be a bridle way erect and at all times maintain good and sufficient gates and if the same shall be a foot-way good and sufficient gates or stiles on each side of the railway where the road or highway shall communicate therewith under a penalty of five pounds for every day it fails to do so. Company to make sufficient approaches and fences &c.

29. Where under the provisions of this Ordinance the Company is required to maintain or keep in repair any bridge fence approach gates or other work executed by it it shall be lawful for the Superintendent on the application of the Trustees of the Local Road Board or other the governing body of the district where such work may be situate complaining that any such work is out of repair after not less than ten days' notice to the Company to order the Company to put such work into complete repair within a period to be limited for that purpose by such Superintendent and if the Company fails to comply with such order it shall forfeit and pay the sum of five pounds for every day it fails so to do. Superintendent to have power to order repair of bridges &c.

30. In case any difference in regard to the construction alteration or restoration of any road or bridge or other public work of an engineering nature required by the provisions of this Ordinance shall arise between the Company and Local Board of Road Trustees or other the governing body of any district or place through which the Railway shall pass it shall be lawful for either party after giving fourteen days' notice in writing of its or their intention so to do to the other party to apply to the Superintendent to decide upon the proper manner of constructing altering or restoring such road bridge or other work and it shall be lawful for the Superintendent if he shall think fit to decide the same accordingly and to authorise by certificate in writing any arrangement or mode of construction in regard to such road bridge or other work which shall appear to him either to be in substantial compliance with the provisions of this Ordinance or to be calculated to afford equal or greater accommodation to the public using such road bridge or other work and after any such certificate shall have been given by the Superintendent the road bridge or other work therein mentioned shall be constructed by the Company in conformity with the terms of such certificate and being so constructed shall be deemed to be constructed in conformity with the provisions of this Ordinance: Provided always that no such certificate shall be granted by the Superintendent unless he shall be satisfied that existing private rights or interests will not be injuriously affected thereby. Superintendent empowered to modify the construction of roads bridges &c.

31. Should any difference or misunderstanding arise between the Company and the said Superintendent concerning or relating to any act deed matter or thing done or omitted to be done in connection with the said Railway or anything contained in this Ordinance such difference or misunderstanding shall be referred to the arbitrament of two persons to be mutually chosen by the Company and the said Superintendent and of a third person to be chosen by the said two arbitrators and the award and decision of such three persons or any two of them shall be binding and conclusive in respect of the matters referred. Arbitration clause.

Superintendent may enter into agreement with Company to give effect to Ordinance. **32.** It shall be lawful for the said Superintendent with the advice and consent of his Executive Council by deed under seal or in any other manner to enter into any contract or agreement with the Company in order to give effect to the provisions herein contained and to render the Company its successors and assigns bound thereby.

Penalties recoverable under "Justices of the Peace Act 1866." **33.** The penalties imposed by this Ordinance shall be recoverable only in manner and form provided by the Justices of the Peace Act 1866 and any Act or Acts amending the same.

Crown rights to foreshore not to be affected. **34.** Nothing in this Ordinance contained shall be taken or deemed to sanction any interference with the rights of the Crown to any lands tenements or hereditaments below high water mark.

Ordinance to lapse in five years. **35.** This Ordinance shall cease to have force and shall expire at the expiration of five years from the time the same shall receive the Governor's assent unless the said Railway shall be completed within such period of five years.

DUNEDIN, NEW ZEALAND :

Printed under the Authority of the Provincial Government of Otago, by MILLS, DICK & Co., Stafford-street, Printers to the said Provincial Government for the time being.