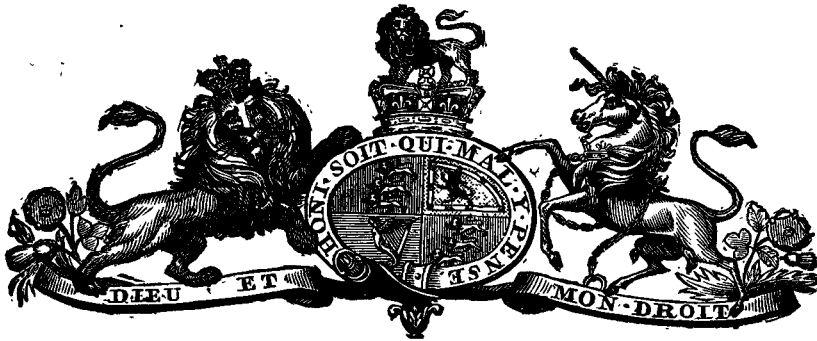


NEW ZEALAND.



TRICESIMO OCTAVO

VICTORIÆ REGINÆ.

No. XLI.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Council may lay down or permit to be laid down lines of tramways.</p> <p>4. Council may erect or permit to be erected trestles hoppers shoots &c.</p> | <p>5. Council may charge for permission to construct or erect.</p> <p>6. Applications hereunder, how to be made and heard.</p> <p>7. Council shall reserve certain rights and powers.</p> <p>8. Term for which permissions may be granted.</p> <p>9. Council may make regulations.</p> <p>10. Applicants may appeal from decision of Council.</p> |
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AN ACT to confer certain Powers on the Borough of Thames for laying down of Tramways for Gold Fields purposes. Title.
[31st August, 1874.]

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 shall be "The Borough of Thames Tramways Act, 1874." Short Title.

2. Wherever used in this Act, the word "borough" shall mean the said Borough of Thames, and the word "Council" shall mean the Council of the said borough. Interpretation.

3. The Council may, subject to the provisions hereinafter contained, lay down or permit to be laid down along or across any street or road within the borough lines of tramways, and may cause or permit to be propelled driven or drawn along such tramways carriages and trucks for the conveyance of passengers, and the carriage of any quartz or mullock tailings or other *débris* from any mine, or of any timber blasting powder or other mining requisites, or of any materials goods or merchandise generally. Council may lay down or permit to be laid down lines of tramways.

4. The Council may, subject to the same provisions, erect or permit to be erected on trestles over along or across the line of any street or road within the borough, at such height as shall not impede public traffic, hoppers shoots flumes and tramways as in the last preceding section mentioned, and may permit any quartz mullock earth or water carried thereon or thereby to be discharged into the sea, or to be deposited in any other suitable place to be fixed by the Council. Council may erect or permit to be erected trestles hoppers shoots &c.

5. The Council may, subject to the provisions hereinafter contained, charge for any permission or right of use to be granted under Council may charge for permission to construct or erect.

Borough of Thames Tramways.

any of the foregoing provisions such sum or sums by way of yearly rental or otherwise as may be agreed upon between the Council and any person or company applying for such permission or right; and all moneys so received shall be deemed and taken to be moneys of the borough, and shall be dealt with in all respects as the other borough funds are by law required to be dealt with.

Applications hereunder, how to be made and heard.

6. Every application by any person or company for any permission under the foregoing sections shall be accompanied by full and complete plans and specifications of any works to be constructed under such permission, and by such other information and particulars as the Council may from time to time require, and such plans and specifications shall be open to inspection by any burgess of the said borough: And the Council shall notify in some newspaper published within the borough a day not less than seven days nor more than twenty-eight days from the date of receipt of application, on which day the Council will proceed to decide upon such application.

Council shall reserve certain rights and powers.

7. In granting any such application, the Council shall reserve to itself the right to grant permission to other persons or companies to make connections to or to run other tramway lines across any such tramway, to regulate the gauge of such tramways and the speed at which carriages and trucks shall be propelled driven or drawn, and the prices at which passengers materials and goods shall be conveyed and carried; and shall also require good security from every applicant for the due performance of all conditions and stipulations attached to the granting of his application.

Term for which permissions may be granted.

8. Permissions may be granted hereunder for any period not exceeding ten years; and at the expiration of the period for which any permission may be granted, all tramways trestles hoppers shoots or other matters erected thereunder shall be and become the absolute property of the said borough, unless it shall previously have been otherwise agreed upon.

Council may make regulations.

9. It shall be lawful for the Council, subject to the approval of the person or persons who for the time being shall hold the delegation of the Governor's powers under "The Gold Mining Districts Act, 1873," to make alter amend repeal and revoke regulations for the proper and safe management care and control of all tramways and other works to be erected under the provisions of this Act; and such regulations may impose penalties not exceeding twenty pounds for breaches thereof, to be recovered in a summary way by any person or persons authorized by the Council, before any two Justices of the Peace, in manner provided by "The Justices of the Peace Act, 1866." All regulations made hereunder shall be published in the Provincial Government *Gazette* of the Province of Auckland, and in some newspaper published within the borough.

Applicants may appeal from decision of Council.

10. Any applicant for any permission which is empowered to be granted under this Act may appeal from the decision of the Council upon his application in respect of any matter arising thereout, including the consideration which the Council may demand for the granting of any permission asked for by such application, to the person or persons for the time being holding the delegation of the Governor's powers as in the last preceding section mentioned; and the person or persons so holding such delegation shall have power to decide upon the points raised by such appeal, and it shall be the duty of the Council to carry out and do any acts matters or things which by the decision upon any such appeal they shall be required to do.