

New Zealand.



ANALYSIS.

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1909, No. 34.

Title. AN ACT to authorise the Construction of certain Railways, and to make Provision for the Sale or other Disposition of certain Lands taken but no longer required for Railway Purposes.

[24th December, 1909.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. This Act may be cited as the Railways Authorisation Act, 1909.

Eighth Schedule to Public Works Act, 1908, amended.

2. The Eighth Schedule to the Public Works Act, 1908, is hereby amended by omitting the words “seven miles” from the twelfth paragraph of the list of railways authorised by the Railways Authorisation Act, 1899, and substituting therefor the words “eight and a half miles.”

Certain railways authorised.

3. The Governor may from time to time, in the name and on behalf of His Majesty, undertake or enter into contracts for the construction of the railways mentioned in the Schedule hereto to the extent specified in that Schedule.

How cost to be defrayed.

4. The cost of constructing such railways shall be paid out of moneys to be appropriated for that purpose by Parliament.

Act to be deemed a special Act.

5. This Act shall be deemed to be a special Act (authorising the construction of such railways to the extent specified in the Schedule hereto) within the meaning and for the purpose of the Public Works Act, 1908, which Act is, so far as applicable, hereby incorporated with this Act.

Sentry Hill—New Plymouth Railway Deviation.

6 (1.) With respect to the land mentioned in section five of the Sentry Hill—New Plymouth Railway Deviation Act, 1905, and with respect to such part of the land taken or otherwise acquired for the purposes of the railway authorised by that Act as is not now required for the purposes of the railway, the following provisions shall apply:—

Disposal of surplus lands on the Sentry Hill to New Plymouth Branch.

- (a.) The Minister of Railways may from time to time cause the said lands or any part thereof to be offered for sale by public auction or public tender, in such manner and subject to such terms and conditions as he thinks fit.
- (b.) If on any land being offered for sale by public auction or public tender as aforesaid that land is not sold, the said Minister may, within twelve months after the land was so offered for sale, sell the same by private contract at a price not less than that at which the land is valued by some competent person appointed for the purpose by the said Minister.

(2.) The proceeds of any such sale shall be paid into the Public Works Fund, and form part of the Public Account.

(3.) So much of the Ninth Schedule to the Public Works Act, 1908, as relates to section five of the Sentry Hill—New Plymouth Railway Deviation Act, 1905, is hereby repealed.

Repeal.

Hutt Railway and Road Improvement.

7. (1.) With respect to the lands reclaimed or otherwise acquired under the authority of the Hutt Railway and Road Improvement Act, 1903, or otherwise acquired for the purposes of the railway and other works authorised by that Act, and not now required for the purposes of that Act, the following provisions shall apply:—

Disposal of surplus lands on the Hutt Railway.

- (a.) The Minister of Railways shall offer the fee-simple of the said lands, at a price to be fixed by some competent valuer appointed by him for the purpose, to the owners of the adjoining private property.
- (b.) If in the case of any of the said lands such offer is not accepted within three months after the date on which the same was made, or if the owner of the adjoining private land is not known, the said land may be granted in satisfaction or part satisfaction of any claim for compensation for land taken or acquired for the purposes of the last-mentioned Act in all respects as provided by section eighty-six of the Public Works Act, 1908, and the value of the land so granted shall be deemed to be the proceeds of the sale of that land.
- (c.) If in the case of any of the said lands such offer is not accepted within the aforesaid three months, the owner of the adjoining private land to whom the offer was made shall have no claim to compensation on account of loss of frontage to the Hutt Road.
- (d.) Such of the said lands as are not disposed of under paragraphs (a) or (b) of this section shall be offered for sale by public auction or public tender in such manner

and subject to such terms and conditions as the Minister of Railways thinks fit.

(e.) If on any land being offered for sale as aforesaid the land is not sold, the said Minister may, within twelve months after the land was so offered for sale, sell the same by private contract at a price not less than that at which the land is valued by some competent person appointed for the purpose by the said Minister.

Repeal.

(2.) This section is in substitution for subsection one of section six of the Hutt Railway and Road Improvement Act, 1903, and that subsection is hereby accordingly repealed.

Schedule.

SCHEDULE.

Name of Railway.	Extent authorised.
1. Kawakawa-Hokianga ...	From the Kawakawa Ballast-pit line to Kaikohe. Length, about 14 miles.
2. East Coast-Main Trunk	From Maunganui Bluff (Tauranga Harbour) to Te Puke. Length, about 13 miles.
3. Picton-Hurunui ...	(1.) An extension from the end of the line as at present authorised at Ward Township to a point in Block XI, Cape Campbell Survey District. Length, about $3\frac{1}{4}$ miles. (2.) From the end of the authorised line in the neighbourhood of the Township of Mackenzie to a point in the Leader Valley about one mile north of the Waiau-ua River. Length, about 9 miles.
4. Catlin's-Seaward Bush	From the end of the line as at present authorised in Section 1, Block VI, Woodland Survey District, to near the confluence of the McLennan and Tahakopa Rivers. Length, about 6 miles.