

# Province of Hawke's Bay.



## DIVERSION OF ROADS BILL.

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

SESSION XVI., No. 2.

### ANALYSIS.

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| Title.<br>Preamble.<br>1. To Auto Road diverted. | 2. Lawful for Superintendent to purchase land, pur-<br>pose deviation.<br>3. Lawful for Superintendent to sell present road-<br>way. |
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*AN ACT to authorise the Superintendent to make  
certain Deviations in Roads in the Province  
of Hawke's Bay and for other purposes.*

**W**HEREAS by an Act of the General Assembly of New Zealand intituled  
"The Highways and Water-courses Diversion Act 1858" it is enacted  
that it shall be lawful for the Superintendent of any Province with the advice  
and consent of the Provincial Council thereof by any law or ordinance to be  
made or ordained for that purpose to authorize and empower the Superintendent  
to divert or stop up any public Street Road Highway or Thoroughfare in any  
such Province and also to divert or stop up any River Stream or Creek in any  
such Province and to build bridges dams wharves and other erections on the  
banks or on the beds of any such river stream or creek and also to sell  
exchange or otherwise dispose of the land on which any such street road  
highway or thoroughfare was laid out or passed or the bed of any river stream  
or creek so diverted or stopped up.

**AND** WHEREAS by an Act of the General Assembly of New Zealand inti-  
tuled "The Provincial Councils' Power Extension Act 1865" it is enacted  
that it shall be lawful for the Superintendent and Provincial Council of any  
Province notwithstanding the restriction contained in the tenth sub-section of  
the nineteenth section of "The Constitution Act" to ordain or pass any law or  
ordinance which but for such restriction so contained in the said sub-section

might have been ordained or passed by such Superintendent and Council affecting any part of the waste lands of the Crown within such Province which now is or hereafter shall be a public street road highway or thoroughfare or a drain for the outfall of water or which is the bed of any creek stream river pond or lake

AND WHEREAS it is expedient for the public convenience to divert the direction of a portion of the Te Aute Road situate in the said Province and to dispose of the land over which such portion of the said public road proposed to be diverted formerly passed.

BE IT THEREFORE ENACTED by the Superintendent of the Province of Hawke's Bay by and with the advice and consent of the Provincial Council thereof as follows :—

- Te Aute Road diverted
- I. The direction of the Te Aute Road situate in the Pukahu Block shall be diverted and the said Road shall after the passing of this Act with the consent of the owner or owners of the land required pass in the direction shown on the plan hereunto annexed and marked A the proposed deviation being colored pink on the said plan.
- Lawful for Superintendent to purchase land, purpose deviation
- II. It shall be lawful for the Superintendent to purchase of the owner or owners thereof the land required for the purpose of making the deviation proposed by this Act and such land shall be conveyed to the Superintendent and his successors upon trust that the same be held as a public road.
- Lawful for Superintendent to sell present road-way
- III. It shall be lawful for the Superintendent to sell exchange or otherwise dispose free of any right of road thereover of the land over which the Road now proposed to be diverted formerly passed.

[Assented to 25th day of July, 1870.]