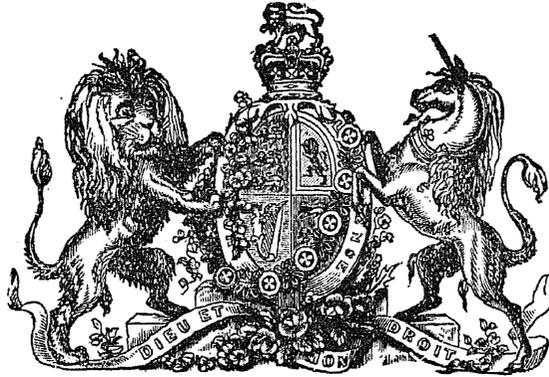


Province of Hawke's Bay.



MEANEE TOLL-GATE ACT 1872.

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

SESSION XIX., No. 4.

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[Assented to Sept. 5, 1872.]

AN ACT to empower the Superintendent to erect a Toll-gate. Title

WHEREAS it is expedient to provide for constructing a road Preamble
leading from Napier to Taradale within the Province of Hawke's
Bay.

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

I. The Superintendent is hereby authorised to erect a Toll-gate Superintendent autho-
rised to erect a Toll-gate.
and other works necessary thereto at some convenient place between
Munn's Point and Puramu Creek and from time to time to appoint and
remove keepers for the same and issue regulations for their guidance
and to fix by proclamation in the Hawke's Bay Government Gazette
the day on and after which tolls shall be levied at such Toll-bar and
such tolls shall be at the rates set forth in the Schedule to this Act
annexed.

The Superintendent may take up £2500 and apply the same for the construction of a road leading from Napier to Taradale.

II. The Superintendent may take up on the security provided in the next clause to this Act such sum or sums not exceeding £2500 at a rate of interest not exceeding £8 per centum per annum and apply the same for the purpose of constructing a Road leading from Napier to Taradale.

Repayment first charge upon tolls.

III. The repayment of such sum of £2500 and the interest thereof shall be a first charge upon the tolls to be raised by virtue of this Act.

The Superintendent may issue debentures.

IV The Superintendent may issue debentures for sums of £25 and upwards and this shall be in the form contained in Schedule B to this Act The interest on the said debentures shall be paid half yearly at the Provincial Treasury, Napier.

Exemption from tolls.

V. No Toll shall be taken for any horse or carriage belonging to or under hire to any officer of the General or Provincial Government when travelling on public service nor for any animal or vehicle employed in the conveyance of her Majesty's mails nor in respect of animals or vehicles used by policemen on duty for the conveyance of themselves and prisoners in their charge.

Exemption from tolls.

VI. All officers and soldiers of the Queen's service and of the Militia and Volunteer forces of the colony being on duty and their horses and all carriages and horses belonging to her Majesty or employed in her service shall be exempt from the payment of any Tolls made payable by this Act.

Duties of keeper or collector.

VII. The Keeper or Collector shall put up and continue at the Toll-gate a table to be printed or painted in distinct black colors and figures with a white ground of all Tolls there payable and shall renew such table whenever any such letters or figures thereof shall be defaced and the said collector shall also provide tickets denoting the payment of Toll and on such tickets shall be specified the date on which the same ticket shall be delivered one of which tickets shall be delivered gratis to the person paying Toll and on production of such ticket at such Toll-gate the person to whom the same was delivered on producing the same shall during the day of the date of such ticket pass through the said gate without paying any further or additional Toll.

Time within which the ticket is available.

VIII. The driver of any dray cart vehicle horse or cattle who shall have paid Toll at the Toll-gate authorised by this Act and who shall produce a ticket as provided in clause VII shall not be liable to pay any further Toll in respect of the same dray cart vehicle horse or cattle within the same day on which such Toll was originally paid.

The Superintendent may lease Toll-gate. Proviso.

IX. The Superintendent may at any time lease the Tolls by public auction for any period not exceeding one year at one time subject to such conditions and regulations as he may think fit: Provided they are not repugnant to the provisions of this Act and the person to whom such Tolls may be leased shall be deemed to be a Collector appointed by virtue of this Act except as hereinafter provided.

Collector to give security.

X. The Collector shall give to the Provincial Treasurer security for duly accounting for and paying over the money received by him.

Lawful for the Superintendent to erect a Weighbridge in conjunction with the Toll-gate. Regulation in regard of same.

XI. It shall be lawful for the Superintendent to order and cause to be built fixed and erected at the said Toll-gate or at such distance therefrom as he shall think expedient a Weighbridge with a suitable house or other buildings thereto proper for the weighing of waggons or carriages conveying any goods or merchandise whatsoever and by notice on a board for that purpose to be put up at every such Weighing Machine to order and direct all and every such waggons or carriages demanding to pass through such Toll-gate shall at the request of the keeper or collector be weighed together with the loading thereof.

Scale of charges in regard to vehicles weighing over 2 tons.

XII. All waggons and other vehicles with their loadings shall be ascertained to weigh more than two tons shall pay double the

rates of Tolls enumerated in the said Schedule and more than three-and-a-half tons treble the amount.

XIII. The Superintendent may on application compound with any person or persons for any term not exceeding one year nor less than six months at any one time for the Tolls payable in respect of one horse and one cart or other vehicle drawn by one horse passing through the said Toll-gate for the said periods of one year or six months as the case may be for the sums hereinafter mentioned that is to say for one year ten pounds and for six months five pounds and for one cart drawn by two horses for one year twenty pounds: Provided always that such horse and cart or other vehicle shall be the *bona fide* property of the person so compounding.

The Superintendent may compound for payment of tolls. Period and rate of such compounding.

XIV. If any Collector shall not place such board as aforesaid and keep the same there during the time he shall be Collector or shall demand a greater or less Toll from any person than he shall be authorised to do by virtue of this Act or shall refuse to permit or shall in any wise hinder any person from reading the inscription on the Toll-board or shall refuse to tell his name to any person who shall demand the same or shall give a false name or on the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct or hinder any passenger from passing through the Toll-gate or make use of any scurrilous language to any passenger or other person then in every such case the Toll Collector shall forfeit for every such offence any sum not exceeding Ten Pounds.

In certain cases collector is subject to penalty.

XV. If any person shall evade or attempt to evade the payment of any of the Tolls by this Act imposed every such person shall for every such offence forfeit and pay any sum not exceeding Five Pounds in addition to the Toll evaded to be recovered in a summary way.

Penalty for evading toll.

XVI. All tolls or monies to be received by this Act shall after deducting the costs of collection be applied first in paying the interest on the said debentures secondly in maintenance and repairs of the said Road and the balance may be applied in paying off the Loan to be raised by virtue of this Act either by purchasing debentures or otherwise as the Superintendent shall direct.

Application of money.

XVII. The Short Title of this Act shall be the "Toll-gate Act 1872."

Short Title.

SCHEDULE A.

	s.	d.	Schedules.
For every dray drawn by bullocks	2	6	
For every dray cart or other vehicle drawn by more than one horse	1	6	
For every dray cart or other vehicle drawn by one horse	1	0	
For every horse ass or mule	0	6	
For every horned or neat cattle per head	0	1½	
For every sheep goat or pig	0	0½	

SCHEDULE B.

FORM OF DEBENTURE—TRANSFERABLE BY DELIVERY.

MEANEE TOLL GATE ACT 1872.

This Debenture entitles the bearer to £ sterling which with interest thereon at the rate of pounds per centum per annum is hereby secured upon the Tolls

referred to in Schedule A to this Act such interest being payable at the Provincial Treasury Napier on the day of and the day of in every year and such principal money being payable at aforesaid on the day of

Provided however that no holder of this Debenture shall have any claim whatever upon the Provincial Revenue of Hawke's Bay but only upon the Tolls to be collected under "The Meanee Toll-Gate Act 1872."

Dated this day of

Superintendent.