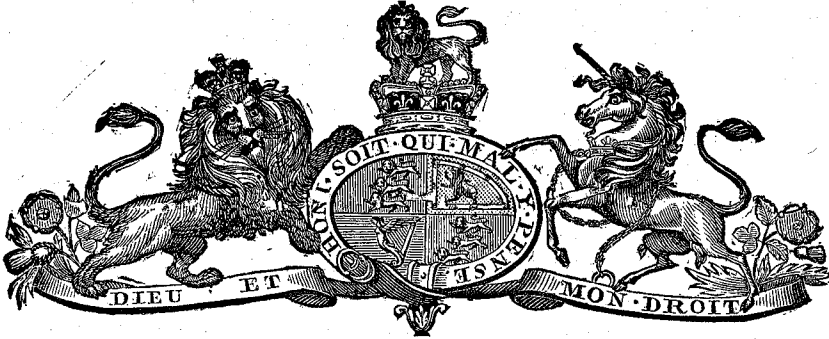


New Zealand.



ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

[Local and Personal.]

SESSION III. No. I.

AN ACT to enable the Superintendent of the Province of Canterbury to construct a Railway between the Towns of Lyttelton and Christchurch, in the said Province. [28th September, 1860.]

LYTTELTON AND CHRISTCHURCH RAILWAY.

WHEREAS it is expedient to construct a railway between the towns of Lyttelton and Christchurch, in the Province of Canterbury: Preamble.

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

1. A railway shall be constructed and maintained between the towns of Lyttelton and Christchurch, in the said Province, according to the description and along the line set forth in the Schedule to this Act and the several maps and plans thereto annexed, or within a distance of ten chains on either side of such line. Railway to be made.

2. It shall be lawful for the Superintendent of the said Province of Canterbury to take all steps necessary for the construction of the said railway, and to enter upon and cause to be entered upon all lands within the said Province for the purpose of making such surveys as may be necessary, and to take possession of all the lands required for the use of the said railway along the line so set forth and described, or within the distance of ten chains on either side thereof, and also temporarily to occupy and use such lands as may be necessary on either side of the line of the said railway during the construction thereof. Superintendent to construct railway and take lands required.

3. All persons being owners of or having any lesser estate or interest in any lands so taken under authority of this Act, or which may be damaged by the construction of the said railway, shall be entitled How compensation to be awarded, and certain sections of "The Lands Clauses Consolidation Act" incorporated.

entitled to receive compensation for such land or damage, the amount whereof shall be ascertained in the manner set forth in an Act of the Imperial Parliament, intituled "*The Lands Clauses Consolidation Act, 1845*," and the said Act shall, so far as may be necessary for the settlement of all questions arising in respect of any such compensation, be incorporated into and shall form part of this Act: Provided that wherever in the said Act the following words are used they shall mean the words hereinafter severally set opposite to them, that is to say, the words—

"Commissioners of Her Majesty's Treasury" shall mean the Governor of New Zealand.

"Superior Courts," "The Court of Chancery," "The Court of Queen's Bench," "The Court of Exchequer," "General Quarter Sessions," "Quarter Sessions," shall mean severally the Supreme Court of New Zealand.

"The promoters of the undertaking" shall mean the Superintendent of the Province of Canterbury for the time being.

"The United Kingdom," "The Kingdom," "The County," shall mean the Province of Canterbury.

"The Bank" shall mean the Union Bank of Australia at Christchurch or Lyttelton.

"Board of Trade" shall mean the Resident Magistrate at Christchurch.

"Clerk of the Peace," "One of the Masters of the Court of Queen's Bench," "Accountant-General of the Court of Chancery in England," "Accountant-General of the Court of Exchequer in Ireland," "Taxing-Master of the Court of Chancery," "Master in Chancery," shall mean severally the Registrar of the Supreme Court of the Southern District of New Zealand, Province of Canterbury.

A copy of the clauses of the said "*Lands Clauses Consolidation Act*" which relate to the subject of compensation for land, shall be served or left at the last usual place of abode of every person whose land shall be required for the purposes of this Act, if such person shall be resident in the Colony, or if not, then on the agent of such person, or if there be no such agent, by affixing the same on some conspicuous part of the said land.

Alteration in section
22 of said Act.

4. Provided that section twenty-two of the said Act shall apply to cases where the compensation offered shall not exceed fifty pounds, as well as to cases where the compensation claimed shall not exceed that amount.

Compensation to be
paid out of public
revenues.

5. The Superintendent is hereby authorized and required to cause all sums which may be agreed upon or awarded under the provisions of this Act as compensation for land taken or for damage done in the construction of the said railway, to be paid to the several persons entitled to receive the same out of the public revenues of the Province of Canterbury.

Superintendent to
execute a deed poll.

6. The Superintendent shall, so soon as possible after the passing of this Act, execute a deed poll, and shall cause the same to be sealed with the Public Seal of the Province, and to be registered under the provisions of an Ordinance of the Governor and Legislative Council of New Zealand, intituled "*The Land Registration Ordinance*," Session II., No. 9, and to be deposited amongst the public records of the Province; and the said deed shall contain a description of all the lands so taken under the authority of this Act, and the names of the persons from whom they shall have been so taken, and thereupon all estate and interest in such lands of any persons who may theretofore have had any estate or interest in the same shall absolutely
cease

Purchas and Ninnis Flax Patent.

LOCAL AND PERSONAL

cease and determine: Provided always that no such deed poll shall include any land in respect of which the compensation to be paid shall not have been ascertained and paid to the parties entitled to receive the same, or deposited, as provided in the Act of the Imperial Parliament, intituled "*The Lands Clauses Consolidation Act, 1845.*"

7. All the lands described in the deed poll as aforesaid, and all property real or personal of what description soever belonging or appertaining to the said railway, shall be and are hereby declared to be vested in and shall be deemed to be the property of the Superintendent for the time being of the said Province, and shall be held by him in trust for the public service of the said Province.

Property of railway
to be vested in
Superintendent.

8. The Short Title of this Act shall be "*The Lyttelton and* Short Title.
Christchurch Railway Act, 1860."

SCHEDULE.

DESCRIPTION OF PROPOSED LINE OF RAILWAY.

THE proposed line of railway commences at the south side of the Town of Christchurch, at a point 5 chains south and 55.50 chains west of the south-eastern corner of the Town Reserve; thence passing in an easterly direction 24.46 chains parallel to the Town Belt; thence curving to the right at a radius of 40 chains for a distance of 25.35 chains; thence in a straight line 3 miles 26.19 chains; thence curving to the right at a radius of 80 chains for a distance of 51.25 chains; thence in a straight line to Norwich Quay, Lyttelton, a distance of 1 mile 52.60 chains, passing through a tunnel under the Port Hills, 2,838 yards in length; thence on a curve to the left at a radius of 10 chains for a distance of 9.15 chains; and thence in a straight line 11.50 chains to the Government Jetty at Lyttelton; the whole length of line, inclusive of stations, being 6 miles 40.50 chains.
