



THE  
**NEW ZEALAND GAZETTE**  
 EXTRAORDINARY.

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WELLINGTON, TUESDAY, APRIL 22, 1873.

*Limits and Description of Railway from Waitara to New Plymouth, being a portion of the Line from Waitara to Wanganui.*

(L.S.) G. A. ARNEY,  
 Administrator of the Government.

A PROCLAMATION.

WHEREAS by "The Immigration and Public Works Act, 1870," it is enacted that the railways to be constructed under the said Act shall be only such railways as shall from time to time be determined by the General Assembly: And it is also thereby enacted that, subject to the provisions contained therein, the Governor may construct, or cause to be constructed, any lines of railway which shall be prescribed by the General Assembly as railways to be constructed under the said Act, or any part or parts thereof, and acquire the necessary engines, plant, and machinery for working and using the same, or any of them: And it is also thereby enacted that, whenever the Governor shall determine to construct any such railway, or any part thereof, it shall be lawful for him, by Proclamation published in the *New Zealand Gazette*, to declare and define the limits and description and line thereof, and the lands proposed to be taken for the purpose of such railway, subject to the provisions of any Act defining such limits and descriptions, and any such Proclamation may refer to maps, plans, or drawings to be deposited in the office of the Registrar or Deputy Registrar of the Supreme Court in the Province in which such railway or part thereof is proposed to be constructed, and any maps, plans, or drawings so referred to shall be deemed to form part of such Proclamation; and upon the publication of such Proclamation, the provisions and regulations contained in the Seventh Part of the said Act shall be applicable to the railway, and to the lands to which the Proclamation shall relate: And it is also thereby enacted that it shall be lawful for the Governor to make, construct, and maintain any such railway as aforesaid, with proper works, approaches, and conveniences connected therewith,

commencing at the place delineated on, and extending along the lines set forth in, and terminating at a point described in the Act or Proclamation proclaiming and defining such railway, or shown in the maps, plans, or drawings referred to in such Act or Proclamation: And it is also thereby enacted that the Governor may direct that any part of such line of railway may be constructed on and along any part of any public highway, and that any part of any such line of railway may be constructed on or through any public reserves: And it is also thereby enacted that, subject to the provisions of that Part of the said Act and of the Acts incorporated therewith, the Governor may exercise all or any of the powers by that Part of the said Act or the said incorporated Acts conferred upon him for the construction of any such railway, and may enter upon, and cause to be entered upon, all lands within the Colony for the purpose of making such surveys as may be necessary, and may take and hold all the lands required for the railway along the line set forth and described as aforesaid, or within the limits of deviation described in the Proclamation relating thereto, and may temporarily occupy and use such lands as may be necessary on either side of the railway, during the construction thereof:

And whereas by "The Railways Act, 1871," and "The Railways Act, 1872," it is enacted that the Governor may, under the provisions of the hereinbefore firstly recited Act and of the now reciting Acts, construct and maintain, or cause to be constructed and maintained, the several lines of railway specified therein: And it is also thereby enacted that the line of the railways thereby authorized to be constructed shall be fixed by the Governor, and shall commence and terminate at points to be fixed by the Governor: And whereas by "The Immigration and Public Works Act, 1872," it is enacted that as to any railway which the Governor has been authorized to construct, and to fix the commencing and termination points and line thereof, it shall be competent for him, if he thinks fit, instead of fixing and proclaiming such points and the whole line at one time, to fix and

proclaim portions of such line from time to time, and the commencing and termination points of any such portion or portions, and the limits and description of any such portion or portions, and the lands proposed to be taken for the purpose of any such portion or portions, and to construct any portion or portions so fixed, and to take the lands for the same; and any such portion so proclaimed shall be deemed to be a railway within the meaning of the said Act and the said amending Act and this Act:

And whereas by the said last-mentioned Act it is also enacted that, at any time after the expiration of twenty-one days from the publication in the *New Zealand Gazette*, and in a newspaper ordinarily circulating in the district, of a Proclamation, under the thirteenth section of the said Act, whether of the whole or a portion or portions of a line of railway, the Governor, on behalf of Her Majesty, may enter upon, take possession of, use and hold, or cause to be entered upon, taken possession of, used and held, so much of the lands defined in such Proclamation as proposed to be taken as shall be required to be taken, purchased, or permanently used for the purposes of such railway, notwithstanding that an agreement shall not have been come to or an award made for the purchase or compensation money to be paid in respect of such lands:

And whereas by the said last-mentioned Act it is also enacted that in any case in which a road or right of road has been or hereafter may be reserved in any Crown grant, and in any case in which, under "The Native Lands Act, 1865," or any law for the time being in force relating to the sale of waste lands of the Crown, or any law whatever, there is a right to take a public road through any lands, it shall be lawful, after such road shall have been surveyed, to construct under the said Acts any railway, or any part of any railway, on the road so surveyed, notwithstanding that such road may not have been made:

And whereas the Governor has determined to construct and maintain a railway from Waitara to New Plymouth, being a portion of the railway authorized to be constructed from Waitara to Wanganui by "The Railways Act, 1871:"

And whereas Sir George Ferguson Bowen, the Governor of the Colony of New Zealand, hath departed thence for the Colony of New South Wales, and Sir George Alfred Arney, Knight, the Chief Justice of the said Colony, under or by virtue of a certain warrant under the Royal Sign Manual and Signet, is now the person lawfully administering the Government of the said Colony:

Now therefore I, Sir George Alfred Arney, Knight, Administrator of the Government of New Zealand, in exercise and pursuance of the powers and authorities conferred on me by the hereinbefore recited Acts, and in exercise of every other power enabling me in this behalf, do hereby proclaim, declare, and define the limits, description, and line of the said railway, from Waitara to New Plymouth, to be those set forth in the First Schedule hereto; and that the lands specified and described in the Second Schedule hereto are proposed to be taken for the purposes of the said railway; and that the limits of deviation shall be those set forth in the said First Schedule hereto; and in pursuance and exercise of all powers and authorities conferred on me in that behalf, I do hereby fix the point of commencement of the said railway from Waitara to New Plymouth, being a portion of the said railway from Waitara to Wanganui, to be a point on the bank of the River Waitara, at the end of Whitaker Street, in the Town of Raleigh, and the point of termination thereof to be a point near the landing-place at New Plymouth, in front of Mount Eliot Reserve.

## FIRST SCHEDULE.

## WAITARA AND WANGANUI RAILWAY.

*Limits, Description, Line, and Limits of Deviation of a portion of the Railway from Waitara to Wanganui, being that portion lying between the River Waitara and the Town of New Plymouth, in the Province of Taranaki.*

COMMENCING on the bank of the River Waitara, at the end of Whitaker Street, in the Town of Raleigh; thence through the Town of Raleigh, Waitara West District, Bell District, Hua District, Fitzroy District, and the Town of New Plymouth, and terminating at a point near the landing-place in front of Mount Eliot Reserve, as the limits, description, and line thereof are set forth in the plan and described in the book of reference referred to on the face of the said plan, and which plan and book are authenticated, for the purposes of the Proclamation, by the signature of the Honorable William Hunter Reynolds, Minister acting for the Minister for Public Works, and are deposited in the office of the Registrar of the Supreme Court at New Plymouth; or within the limits of deviation set forth on the said plan by dotted red lines, being not more than 110 yards on either side of the said line, and passing through or over the several sections of land, roads, reserves, rivers, places, and watercourses enumerated in the Second Schedule hereto.

## SECOND SCHEDULE

## OR BOOK OF REFERENCE.

*Lands proposed to be taken for the purposes of the Railway between Waitara and New Plymouth.*

## TOWN OF RALEIGH.

River Waitara, sections numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, Block XC.; 3, 4, 5, 6, 7, 8, 9, 10, Block LXXXI.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXIX.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXX.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXVIII.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXIX.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXVII.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXXVIII.; 1, 2, 3, 4, 5, 6, Block LXXXVI.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXV.; Reserve, Sections 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXIV.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXVII.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXIII.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXVI.; 1, 2, 3, 4, 5, 6, 7, 8, Block LXXXII.; 5, 6, 7, 8, 9, 10, 11, 12, Block LXXV., public road, and all intervening streets, roads, and streams.

## WAITARA WEST DISTRICT.

Sections numbered 25, 24, 26, 28, 27, Native Reserve, Sections 127, 128, 129, 123, 121, 122, 102, 103, Government Reserve 98, and Sections 96, 97, Native Reserve, Sections 80, 83, 82, 78, and all intervening roads, streams, and rivers.

## BELL DISTRICT.

Sections numbered 19, 19A, 6B, 18, 16, 14, 13, and all intervening roads and streams.

## HUA DISTRICT.

Sections numbered 36, 35, Native Reserve, Sections 6, 5, 4, Native Reserve, Sections 45, 15, 93, 38, Native Reserve, unallotted land, and all intervening roads and streams.

## FITZROY DISTRICT.

Sections numbered 145, 126, Native Reserves, 23, 18, Sections 92, 90, H.G. and all intervening roads, streams, and rivers.

## TOWN OF NEW PLYMOUTH.

Public Road, sections numbered, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 1368A, 1291A, 2087, 2130, 2144, 2086, 2091, 2092, 2093, 2094, 2095, 2096, 2114, 2115, 2116, 2128, 2129,

2142, 2084, 2083, 2082, 2081, 2080, 2079, 2078, 2077, 2076, 2075, 2074, 2073, 2072, 2071, 2070, 2069, 2068, 2055, 2054, 2053, 2052, 2051, 2050, 2049, Native Reserve, Educational Reserves, Sections 1489, 1488, 1487, 1515, 1514, 1513, 1512, 1511, 1510, 1509, 1508, 1507, 1506, 1505, 1504, 1503, 1502, 1501, 1500, 1499, 1498, 1497, 1496, 1495, 1494, 1493, 1492, 1491, 1490, 1541, 1540, 1539, 1538, 1537, 1536, 1535, 1534, 1533, 1532, 1531, 1530, 1529, 1528, 1527, 1526, 1525, 1524, 1523, 1522, 1521, 1520, 1519, 1518, 1517, 1516, 1566, 1565, 1564, 1563, 1562, 1561, 1560, 1559, 1558, 1557, 1556, 1555, 1554, 1553, 1552, 1551, 1550, 1549, 1548, 1547, 1546, 1545, 1544, 1543, 1542, 1590, 1589, 1588, 1587, 1586, 1585, 1584, 1583, 1582, 1581, 1580, 1579, 1578, 1577, 1576, 1575, 1574, 1573, 1572, 1571, 1570, 1569, 1568, 1567, 1465, 1464, 939, 952, 951, 950, 949, 964, 963, 962, 961, Reserve, Sections 948, 947, 946, 960, 959, 958, 957, 956, 955, 954, 953, 973, 977, D, C 969, 968, 967, 966, 965, 992, 991, 990, 989, 988, 987, 986, 985, 984, 983, 982, 981, 980, 979, 998, 999, Parade Ground, Sections 997, 996, 995, 994, 993, 1013, 1012, 1011, 1010, 1009, 751, 750, 749, 748, 747, 737, 736, 735, 734, 733, 723, 722, 721, 720, 719, 718, 717, 716, 715, 714, 713, 941, 940, 700, 699, 698, 697, 696, 924, 923A, 923, 907, 906, 905, 889, 873, Storehouse Reserve, Kawau Pa; Sections 683, 682, 681, 680, 669, 668, 667, 666, 646, 647, 648, 649, 650, 651, 651A, Mount Eliot Reserve, sea beach, and all intervening roads, streets, streams, rivers, and beaches.

Given under the hand of His Excellency Sir George Alfred Arney, Knight, Administrator of the Government in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this twenty-first day of April, in the year of our Lord one thousand eight hundred and seventy-three.

WILLIAM H. REYNOLDS,  
Minister acting for the Minister for  
Public Works.

GOD SAVE THE QUEEN!

*Defining the Opotiki, Ohiwa, and Waimana Road.*

(L.S.) G. A. ARNEY,  
Officer Administering the Government.

#### A PROCLAMATION.

WHEREAS by "The Immigration and Public Works Act, 1870," it is, amongst other things, enacted that the Governor, from time to time, by Proclamation published in the *New Zealand Gazette*, may, as to parts within the North Island of New Zealand, define the roads and the boundaries thereof, and the bridges and ferries which shall be and be deemed to be roads, bridges, or ferries, as the case may be, under the provisions of the said Act, and any such Proclamation may include existing roads, but no such roads or parts of roads shall be included if they are, in the opinion of the Governor in Council, roads which should be constructed by the Superintendent and the Provincial Council of the Province wherein such roads are situated (as well as new road lines); and the Governor from time to time may revoke or alter any such Proclamation: And whereas, in the opinion of me, Sir George Alfred Arney, the Officer Administering the Government of the Colony of New Zealand, and the Executive Council of New Zealand, the road defined in the Schedule hereunto is not a road which should be constructed by the Superintendent and the Provincial Council of the Province of Auckland:

Now therefore, I, Sir George Alfred Arney, the Officer Administering the Government of the Colony of New Zealand, in exercise and pursuance of the power and authority in me vested by the said Act, do hereby proclaim and declare that the road within the North Island of New Zealand, described, and the boundaries whereof are set forth in the Schedule hereto, and which road is delineated on a plan numbered I., deposited in the office of the Public Works Department, at Wellington, in the Province of Wellington, and thereon coloured red, and which plan is authenticated for the purposes of this Proclamation by the signature of the Honorable William Hunter Reynolds, Minister acting for the Minister for Public Works, shall be and be deemed to be a road under the provisions of the said Act.

Given under the hand of His Excellency Sir George Alfred Arney, Knight, the Officer Administering the Government and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies; and issued under the Seal of the said Colony, at Wellington, this twenty-first day of April, in the year of our Lord one thousand eight hundred and seventy-three.

WILLIAM H. REYNOLDS,  
Minister acting for the Minister for  
Public Works.

GOD SAVE THE QUEEN!

#### SCHEDULE.

SECTIONS Nos. 4 and 5, Opotiki, Ohiwa, and Waimana Road, being continuation of that portion of the Opotiki, Ohiwa, and Waimana Road already proclaimed in the *New Zealand Gazette*, dated May 17th, 1872.

Commencing at the end of Section No. 3 of the Opotiki, Ohiwa, and Waimana Road (already proclaimed) in lot No. 191; thence in a westerly direction in an irregular line 1648 links, bounded on both sides by lot 191, Parish of Waiotahi; thence in a south-west direction in an irregular line 14739 links, bounded on both sides by lot 191, public road, Crown lands, lots 192, 201, 200, Crown lands, lots 195, 197, 198, and Crown lands, 199, Parish of Waiotahi across Nukoho River; thence in a south-by-west direction in an irregular line, about 6399 links, bounded on both sides by lot 199, being Crown lands, and lot 214, Parish of Waiotahi; on the east by lot 215, Parish of Waiotahi, crossing old line of road into Parish of Waimana, and bounded on both sides by lots 184, 185; bounded on the West by lot 186, public road, lot 186; on the East by public road, lot 221, Parish of Waiotahi, and public road; thence in a south-south-east direction in an irregular line, about 22653 links, bounded on the West by lot 186, Parish of Waimana; on the East by public road on both sides, by lot 187, Parish of Waimana, running into old line of road, and bounded on both sides by lots 187 and 188, Parish of Waimana, running into old line of road, bounded on the West by public road, and on the East by lot 223, Parish of Waiotahi, and on both sides by lot 189, Parish of Waimana, public road, lots 224 and 220, Parish of Waiotahi, public road running into and bounded on the West by lots 191 and 192, Parish of Waimana, and on the East by road reserve, and on both sides by road reserve, lot 192, Parish of Waimana, public road, lots 194, 195, 197, and 198, Parish of Waimana; thence in a southerly direction in an irregular line, 6895 links, bounded on both sides by lot 198, Parish of Waimana, across Nukoho River, bounded on both sides by lots 199 and 200, Parish of Waimana

running into public road, and bounded on the East by lot 240, Parish of Waiotahi, running along old line of public road, bounded on the West by lots 203 and 204, Parish of Waimana, public road, and lot 207, Parish of Waimana; on the East by public road and lot 246, Parish of Waiotahi, and on both sides by lot 247, Parish of Waiotahi; thence in a south-west direction in an irregular line, 11753 links, bounded on both sides by lots 247 and 248, Parish of Waiotahi, public road, lot 208, Parish of Waimana, running into and along old line of road, bounded on the West by lots 211 and 212, Parish of Waimana, and on the East by lots 254, 255, and 256, Parish of Waiotahi, and on both sides by lot 212, public road, 216, Parish of Waimana, across Oranui Creek, running into old line of road, and bounded on both sides by lots 216 and 215, Parish of Waimana; thence in a south-south-west direction in an irregular line, 7317 links, bounded on both sides by lots 215 and 214, Parish of Waimana, running into and along old line of public road, bounded on the West by lot 217, Parish of Waimana, public road, lot 222, Parish of Waimana; on the East by lot 264, Parish of Waiotahi; and on both sides by lots 222 and 223, Parish of Waimana, to confiscation boundary. Total length of this portion of the road being 8 miles and 74 chains, or thereabouts, and the breadth 1 chain, except where otherwise shown, the whole being correctly delineated on the plan accompanying this Proclamation.

*Defining the Onehunga to Mangere Road.*

(L.S.) G. A. ARNEY,  
Officer Administering the Government.

A PROCLAMATION.

WHEREAS by "The Immigration and Public Works Act, 1870," it is, amongst other things, enacted that the Governor, from time to time, by Proclamation published in the *New Zealand Gazette*, may, as to parts within the North Island of New Zealand, define the roads and the boundaries thereof, and the bridges and ferries which shall be and be deemed to be roads, bridges, or ferries, as the case may be, under the provisions of the said Act, and any such Proclamation may include existing roads, but no such roads or parts of roads shall be included if they are, in the opinion of the Governor in Council, roads which should be constructed by the Superintendent and the Provincial Council of the Province wherein such roads are situated (as well as new road lines); and the Governor from time to time may revoke or alter any such Proclamation: And whereas in the opinion of me, Sir George Alfred Arney, the Officer Administering the Government of the Colony of New Zealand, and the Executive Council of New Zealand, the road defined in the Schedule hereunto is not a road which should be constructed by the Superintendent and the Provincial Council of the Province of Auckland:

Now therefore, I, Sir George Alfred Arney, the Officer Administering the Government of the Colony of New Zealand, in exercise and pursuance of the power and authority in me vested by the said Act, do hereby proclaim and declare that the road within the North Island of New Zealand, described, and the boundaries whereof are set forth in the Schedule hereto, and which road is delineated on a plan numbered I., deposited in the office of the Public Works Department, at Wellington, in the Province of Wellington, and thereon coloured red, and which plan is authenticated for the purposes of this Proclamation by the signature of the Honorable William Hunter Reynolds, Minister acting for the Minister for Public Works, shall be and be deemed to be a road under the provisions of the said Act.

Given under the hand of His Excellency Sir George Alfred Arney, Knight, the Officer Administering the Government in and over Her Majesty's Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the Seal of the said Colony, at Wellington, this twenty-first day of April, in the year of our Lord one thousand eight hundred and seventy-three.

WILLIAM H. REYNOLDS,  
Minister acting for the Minister for  
Public Works.

GOD SAVE THE QUEEN!

SCHEDULE.

DESCRIPTION OF ROAD, ONEHUNGA TO MANGERE.

COMMENCING at a point in the main street of Onehunga, thence crossing lots 16 and 17 of Section No. 30; thence across an arm of the Manukau Harbour to the Mangere side, thence passing through Section No. 46 and joining the road which is bounded on the east side by Sections No. 12, 9, 6, and 2; and on the west side by Sections No. 13, 7, and 3: the estimated length, including road and bridge, being about 48 chains.

The said road to be of the widths delineated in passing through lots 16 and 17 of Section No. 30, and thence to be  $1\frac{1}{2}$  chain wide all through.

LAND TRANSFER ACT NOTICES.

NOTICE is hereby given, that the several parcels of land hereinafter described will be brought under the provisions of "The Land Transfer Act, 1870," unless caveat in the meantime be lodged forbidding the same.

Allotments 24, 25, 26, 27, 28, and 29, Renwick Town, containing one rood and sixteen perches each, part of the subdivision of Rural Section 163, in the Otago District. Bounded—on the North by High Street, 600 links; on the East by Blenheim Street, 350 links; on the South by Allotments 1, 2, 3, 4, 5, and 6, 600 links; and on the West by Allotment 23, 350 links.—H. E. Curtis, Land Broker, for SCLANDERS and LOWE, of Nelson, Merchants, Applicants.

Allotment 14, on the plan of subdivision of Rural Sections 47 and 48, in the Otago District, containing one rood. Bounded—on the North by Allotment 15 of said subdivision, 250 links; on the East by part of Allotment 56 of said subdivision, 100 links; on the South by Allotment 13 of said subdivision, 250 links; and on the West by Grove Road, 100 links.—Edmund Eccles, Land Broker, for MATTHEW DAY, of Blenheim, Settler, Applicant.

Allotment 3, on the plan of the subdivision of Rural Section 4, in the Otago District. Bounded—on the North by Allotment 2 of said subdivision, 500 links; on the East by Maxwell Road, 200 links; on the South by Allotment 4 of said subdivision, 500 links; and on the West by a road reserved out of said section, 200 links.—Edmund Eccles, Land Broker, for WILLIAM NOSWORTHY, of Blenheim, Ironmonger, Applicant.

Caveat in each case must be lodged within one calendar month after the date of publication of this notice.

Diagrams may be inspected at this office.

Dated this 18th day of April, 1873, at the Lands Registry Office, Blenheim.

J. DEAN BAMFORD,  
District Land Registrar.

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