

PROVINCE OF TARANAKI.



New Zealand Government Gazette.

PUBLISHED BY AUTHORITY.

Vol. XXI.]

NEW PLYMOUTH, SATURDAY, MAY 10, 1873.

[No. 7.

Superintendent's Office,  
New Plymouth, April 10, 1873.

I Hereby appoint  
ROBERT JOSEPH COLLINS  
to be Keeper of the Provincial Powder  
Magazine.

FRED. A. CARRINGTON,  
Superintendent

Superintendent's Office,  
New Plymouth, April 25, 1873.

I Hereby appoint  
PHILIP CALLOW MOORE  
to be Keeper of the Public Pound at  
Oakura, in the room of Richard Jury,  
resigned.

FRED. A. CARRINGTON,  
Superintendent.

NEW PLYMOUTH AND WAITARA  
RAILWAY.

*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 an 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 pur-

suance 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 LXXVIII.; 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 LXXXVII.; 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, 978, 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!