

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
5th October, 1876.*

Mr. Hislop.

Oamaru Tramway.

ANALYSIS.

Title.	B and D of "Oamaru Town Hall and Gasworks Sites and Recreation Reserves Act, 1875.
Preamble.	
1. Short Title.	
2. Corporation of Oamaru may construct tramway. Proviso.	5. Fence to be erected on either side of tramway line.
3. Corporation may manage tramway.	6. Agreement may be made between Minister for Public Works and Corporation.
4. Construction placed upon reserves in Schedules	

A BILL INTITULED

AN ACT to authorize the Construction of a Tramway over certain portions of certain of the Reserves vested in the Corporation of Oamaru by "The Oamaru Town Hall and Gasworks Sites and Recreation Reserves Act, 1875."

WHEREAS by "The Oamaru Town Hall and Gasworks Sites and Recreation Reserves Act, 1875," several parcels of land are vested in the Corporation of Oamaru: And whereas it is expedient to make provision for the construction over certain of the said reserves of a tramway:

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

1. The Short Title of this Act shall be "The Oamaru Tramway Act, 1876."

2. It shall be lawful for the Corporation of Oamaru to construct or cause to be constructed a tramway over any portion of the several parcels of land respectively described in Schedules B and D to the said recited Act, leading from Severn Street to the Oamaru-Moeraki line of railway: Provided always that before the said Corporation shall construct such tramway, or cause the same to be constructed, they shall cause to be prepared plans thereof, and shall cause an advertisement to be inserted at least twice in at least one newspaper published in Oamaru, stating that it is intended to construct such tramway, and that the plans thereof are open for inspection at the Town Clerk's Office in Oamaru, and any person wishing to inspect such plans may do so; and if, within fourteen days from the time when such adver-

tisement shall first appear, a memorial signed by at least one-half of the ratepayers of Oamaru, each signature being properly attested by one witness, shall be left with the Clerk of the said Corporation, such tramway shall not be constructed by the Corporation; but this is without prejudice to the provisions of section *four* hereof. 5

Corporation may manage tramway.

3. The said Corporation may manage the said tramway as to them may seem expedient, and may lease the same to any person or persons for any period not exceeding five years, upon such conditions as to the Corporation shall seem advisable: Provided always that the lessee or lessees of the same shall, so far as the same are applicable, be bound by the same provisions and enactments as promoters of any tramway under "The Tramways Act, 1872," are bound by such Act. 10

Construction placed upon reserves in Sections B and D of Oamaru Town Hall and Gasworks Sites and Recreation Reserves Act, 1875."

4. For the purposes of this Act and "The Tramways Act, 1872," the said reserves shall be deemed a road within the meaning of "The Tramways Act, 1872," so that the said Corporation may grant permission, and the Superintendent may grant an order, for the construction of any tramway over the said reserves, and so that any such tramway shall be subject to all the enactments of the said Act affecting tramways constructed under the authority thereof. 15

Fence to be erected on either side of tramway line.

5. Whenever any tramway shall have been constructed over the said reserves, the constructors of the same shall cause a good and substantial fence to be erected on either side thereof, and shall keep the same so erected; and shall construct and maintain in such places and in such manner as shall be directed by the said Corporation, proper crossings and gates through and over the said fences and tramway. Such fences shall not be more than half a chain apart in any place, and any person using such tramway while such fences, or any part thereof, shall not be so erected, shall be liable to a penalty of not more than five pounds for every time he shall so use the same, such penalties to be recovered in a summary manner. 20 25 30

Agreement may be made between Minister for Public Works and Corporation.

6. The Minister for Public Works may from time to time enter into and make arrangements with the Corporation of Oamaru, or the promoters or lessees or lessee for the time being of any tramway constructed under the provisions hereof, upon such terms and conditions as may from time to time be agreed upon, providing that any trains or rolling stock the property of Her Majesty the Queen or the General Government of New Zealand may be run upon the said tramway after the completion thereof; and that any trains or rolling stock the property of the said Corporation, or of the promoters or lessees or lessee aforesaid, may be run upon any line or lines of railway the property of Her Majesty the Queen or the General Government of New Zealand, running from the junction of the said tramway with the Oamaru-Moeraki Railway line to the Oamaru Breakwater; and provision may be made in such agreement for stoppage at such places as may be agreed upon, and for the payments to be made by the one to the other of them of such rates and charges as may be agreed upon, and as to the time and mode of such payment, and the keeping of accounts between the Minister for Public Works on behalf of Her Majesty the Queen or the General Government of New Zealand, and generally as to the terms and conditions necessary for the proper working together of the said tramway and railway lines. 35 40 45 50