

lands, and to send such writing within forty days from the first publication of such notice to the Minister or to the local authority, as the case may be ; and

(iii.) No objection as to the amount or payment of compensation in respect of the execution of such works shall be deemed a well-grounded objection within the meaning of this section : and

Notice to be served on owners and occupiers.

(d.) Shall also cause a copy of such notice and description to be served upon the said owners and occupiers, and any other person having an interest in the land, so far as they can be ascertained : and

How objections to be heard.

(e.) Shall, upon receiving any such well-grounded objection as aforesaid, appoint a time and place within the colony at which the objector may appear (in the case of Government works) before the Minister or some person appointed by him, and (in the case of local works) before the local authority, and support the objection by such evidence as the objector thinks fit.

Upon recommendation by Minister, or memorial by local authority, lands to be taken by Proclamation.

1894, No. 42, sec. 18

19. If within the said forty days no objection is made, or if, after due consideration of all objections, the Minister or the local authority, as the case may be, is of opinion that it is expedient that the proposed works should be executed, and that no private injury will be done thereby for which due compensation is not provided by this Act, the land proposed to be taken shall be taken in the following manner :—

(a.) (i.) A map shall be prepared in duplicate, showing accurately the position and extent of the lands proposed to be taken ; and

(ii.) Such map shall be signed by the Surveyor-General, or some authorised surveyor appointed by him to certify plans for the purpose of any Act relating to the conveyance or transfer of land, as evidence of the accuracy thereof :

(b.) In the case of any Government work, the Minister shall recommend the Governor to issue a Proclamation taking the land : or

(c.) In the case of any local work,—

(i.) The local authority shall lay before the Governor a memorial containing a list of the lands proposed to be taken, together with the aforesaid map in duplicate ;

(ii.) Every such memorial shall be signed by two members of the local authority, and need not be under seal ;

(iii.) A statutory declaration, duly stamped with the proper stamp fee, by the Chairman, Mayor, or other chief executive officer of the local authority, that the local authority is authorised by law to undertake the work for which the land described in the memorial is required, that all the provisions of this Act as to taking such land have been complied with, and that the local authority is of opinion that the proposed works should be executed, and that no private injury will be done for which due compensation is not provided by this Act, may be accepted by the Governor as sufficient without making further inquiry :

Declaration by local authority to be accepted as sufficient that public work is authorised.