

Taking Additional Lands.

Land may be taken
for any public work
after such public
work has been
completed.
1894, No. 42, sec. 28

29. (1.) If any public work has been or is executed, and after the execution thereof it is found that any person has any estate or interest in any land occupied by such work, or that any land required therefor has not been taken in the manner required by law, or that the provisions relating to the taking of such land have not been fulfilled; or 5

(2.) If it is found desirable for the use, convenience, or enjoyment of any public work executed or in course of execution to take, purchase, or acquire other land—

(3.) Such land, or the estate or interest of any person therein, may be taken, purchased, or acquired in the manner provided by this Act in respect of the taking, purchasing, or acquiring of lands required for such public work in the first instance. 10

(4.) All the provisions of this Act relating to the taking, purchasing, or acquiring of land, and to payment of compensation or purchase-money therefor, shall apply, except that in such cases— 15

(a.) Section *eighteen*, in cases to which it applies, shall be read as if the words “of the works proposed to be executed, and” and the words “to the execution of such works, or” were omitted therefrom; 20

(b.) And section *one hundred and eighty-eight*, in cases to which it applies, shall be read as if paragraphs (a), (b), (c), and (d) of subsection one, and the words “after the deposit of such maps and plans” in paragraph (e) of that subsection, were omitted therefrom: 25

Provided that if any person has received payment or been awarded compensation for such land, or by reason of his being injuriously affected by such public works, such person, and all persons claiming by, through, under, or in trust for him, shall not be entitled to any further payment or compensation. 30

(5.) The provisions of this section shall be deemed to apply, *mutatis mutandis*, to the closing of any road or street and to the exercise of any power over any land, road, or street after the execution of any public work for the purposes of which a road or street might have been closed or any such power exercised in the first instance. 35

(6.) Nothing in this section shall be deemed to in any way interfere with the operation of section ten of “The Public Works Acts Amendment Act, 1889,” set forth in the *Seventh* Schedule of this Act, or of any other provision of this or any other Act validating or confirming the taking of any land for any public work. 40

Dealings with Taken Lands.

Land not wanted
may be sold, &c.
Ibid, sec. 29

30. If it is found that any land held, taken, purchased, or acquired at any time under this or any other Act or Provincial Ordinance, or otherwise howsoever, for any public work is not required for such public work, the Governor may, by an Order in Council publicly notified and gazetted, cause the same to be sold under the following conditions:— 45

(a.) A recommendation or memorial, as the case may be, as provided by section *nineteen* hereof, shall be laid before the Governor by the Minister or local authority at whose instance the land was taken, describing so much of the said lands as are not required for such public work, accompanied by a 50