

(a.) To remove any part of a tree, or lower or trim any part of a hedge, overhanging the road so as to injure such road or obstruct the traffic thereon, or obstructing any ditch or drain appertaining thereto; and

(b.) To cut down or grub up, as the local authority may direct, and remove all obstructions to traffic or drainage arising from the growth of plants upon such road, up to the middle line of such road, along the whole frontage of the land occupied or owned by him. 5

(2.) In the event of any such occupier or owner failing to comply with such order within two months from the service thereof, he shall be liable to a fine not exceeding one pound for every day during which such order is not obeyed, and a further sum equal to the cost incurred by the local authority in removing such tree, or lowering or trimming such hedge, or cutting down or grubbing up and removing any such plants then growing on such road; and the said cost shall be a charge on the land, and may be recovered by the local authority as rates are recoverable by the local authority under any Rating Act for the time being in force in the district of the said local authority. 10 15

1900, No. 47, sec. 14

(3.) The powers given to the local authority under this section may be exercised by the local authority irrespective of the fact that the obstruction existed before the passing of this Act. 20

(4.) "Cut down" in this section means cutting down and keeping cut down the stem and root of any plants so as to prevent their throwing out any leaf, offshoot, or flower. 25

"Plants" means and includes gorse, sweetbriar, blackberry, acacia, broom, and fennel.

Notice to clear  
gorse, &c.

1894, No. 42, sec. 136  
1895, No. 47, sec. 2

148. (1.) When, under the provisions of the *last preceding* section, an order is made by a local authority, such order shall be in writing, signed by any person appointed, either generally or specially, by the local authority for the purpose of giving such notices, and shall be delivered to the person liable, either personally or by leaving the same at or posting the same in a registered letter addressed to his last known place of abode or business in New Zealand; and it shall not be necessary to prove the actual receipt of such order by the person to whom it is addressed. 30 35

(2.) If any person upon whom such order should be served is unknown, or after due inquiry cannot be found, or is absent from New Zealand, then a service upon his known agent or attorney shall be deemed a sufficient service. 40

(3.) If such person has no known agent or attorney in New Zealand, or such agent or attorney cannot after due inquiry be found, then a publication of such order in a newspaper circulating in the district in which such order is issued, and affixing a copy of the order upon a conspicuous part of the property in respect of which such order is issued, or on some public road adjacent thereto, shall be sufficient service. 45

(4.) The cost of publishing such notification shall be a charge upon the land, and shall be recoverable by the local authority in the same manner as rates are recoverable by it under any Rating Act for the time being in force in the district of the local authority. 50

Trimnings of  
hedges, &c., not to  
be thrown on roads.

1894, No. 42, sec. 137  
1895, No. 47, sec. 2

149. If any person throws or causes to be thrown the trimmings of any hedge or tree, or any gorse, sweetbriar, blackberry, broom,