

PART VII.

RAILWAYS.

Definition of
railway.

1894, No. 42, sec. 165

Land purchased for
a railway to be
deemed part of the
railway.

185. The word "railway" includes the land upon which any railway is made or authorised to be made under this or any special Act, and all buildings and erections of every kind thereon, and all land taken, purchased, or acquired for railway purposes; and, except where inconsistent with the context, such word when used in this Act also includes all works, wharves, and jetties the property of His Majesty, whether of a permanent or a temporary nature, used for the purposes of or in connection with such railway, and all materials and things of which such railway, buildings, erections, works, wharves, or jetties are composed, or which are being used for the purposes thereof, and are erected, placed, or laid upon any such land.

Construction and Maintenance.

Railways to be made
only under special
Act.

Ibid, sec. 166

Midland Railway.
1900, No. 47, sec. 23

186. Every railway shall be made only under the authority of a special Act, which shall state as nearly as may be the line of the railway and the two termini thereof.

187. (1.) For all the purposes of this Act and the Acts relating to Government railways, the railways constructed by the Midland Railway Company (Limited), and referred to in the Order in Council a copy whereof is set forth in the *Sixth* Schedule hereto, shall be deemed to have been duly made under the authority of a special Act as required by the *last preceding* section, and shall be managed and administered in like manner in all respects as if they had been constructed by the Governor on behalf of His Majesty under the provisions of a special Act.

(2.) All lands vested in His Majesty by virtue of the said Order in Council shall be deemed to be lands subject to the provisions of "The Land Transfer Act, 1885."

(3.) It shall be the duty of every Registrar appointed under "The Land Transfer Act, 1885," to make all such entries in the register and books under the control of such Registrar, and to issue all such certificates and documents as may be necessary for the purpose of evidencing the title of His Majesty to the lands vested in His Majesty by the said Order in Council.

(4.) The powers conferred upon every such Registrar by section one hundred and seventy-five of "The Land Transfer Act, 1885," shall be deemed to extend to entitle every such Registrar to require the production at his office of all instruments of title affecting any such lands, and to retain possession of all such documents as relate only to such lands, and to make indorsements and entries upon such documents as may affect such lands together with others, as if such lands were the subject of an application to bring the same under the provisions of "The Land Transfer Act, 1885."