

manner and to such extent only, and subject to such limitations and restrictions, as they think fit; and all persons concerned shall be bound by any such order.

201. (1.) The owner of any land temporarily occupied, as provided by the *last preceding* section, for the purposes of a railway may, at any time during such occupation, give notice in writing to the Minister that he the owner requires the said land to be taken for the purpose of the railway; and such lands shall thereupon be taken for the railway in the manner herein provided.

Owner may require land to be permanently taken
1894, No. 42, sec. 181

(2.) Upon the filing of the said notice by such owner in the Supreme Court, the said owner and all persons having any interest in such land may recover compensation as if the same were taken in the manner provided by Part II. of this Act.

202. If, upon the report of an engineer, the Minister is of opinion that any tree on land adjacent to a railway (not being a Government railway open for traffic) is likely by falling or otherwise to obstruct the traffic or endanger the travellers thereon, he may cause notice to be given to the owner or occupier of such land to remove such tree; and in default of such removal he may cause the tree to be removed; but such owner or occupier may recover the amount of any cost or damage incurred or suffered by such removal.

Tree dangerous to railway to be removed.
Ibid, sec. 182
1900, No. 27, sec. 45

203. (1.) Any person trespassing upon any railway in the course of construction, or upon any land occupied or temporarily occupied for the purpose of such construction under the powers hereby given, shall be liable to a fine not exceeding two pounds.

Penalties for trespassing on railway in course of construction.
1894, No. 42, sec. 183

(2.) Any person riding or driving any animal or vehicle upon such railway or land without lawful authority shall be liable to a fine not exceeding five pounds.

(3.) Any such person refusing to leave such railway or land, or to remove such animal or vehicle therefrom, when warned so to do by the overseer, contractor, or any other person in charge of or employed upon such railway, may be seized and detained by such overseer or other person until he can be conveniently taken before some Justice of the Peace to be dealt with according to law.

204. (1.) The Governor may from time to time, by Proclamation publicly gazetted, declare on behalf of His Majesty that any fences constructed or intended to be constructed by or on behalf of His Majesty for separating land taken for the use of any railway in such Proclamation mentioned from the adjoining lands not taken shall, to such extent as is mentioned in such Proclamation, be thereafter maintained, or erected and maintained as the case may require, at the cost of His Majesty during such time as the railway may continue to be used by or on behalf of the Government of New Zealand.

Crown may elect to erect fences along boundaries of railways.
Ibid, sec. 184

(2.) Such fences shall thereafter be maintained, or erected and maintained as the case may require, by the Minister accordingly.

(3.) In any case in which such Proclamation is issued before any claim for compensation has been ascertained in relation to any land taken as aforesaid, the issue of such Proclamation shall be taken into account by the Compensation Court in reduction of the amount of compensation to be awarded for severance.

205. Any person employed on or about any railway (not being a Government railway open for traffic), whether vested in His Majesty or in any company or other person, may impound cattle trespassing upon such railway; and any act, matter, or thing required under "The

Railway servants may impound trespassing cattle.
Ibid, sec. 185
1900, No. 27, sec. 30