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This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
30th September, 1904.*

[AS AMENDED BY THE HOUSE OF REPRESENTATIVES.]

24th October, 1904.

Hon. Mr. Pitt.

COUNTIES ACT AMENDMENT (No. 2).

ANALYSIS.

Title.	
1. Short Title.	5. Powers of Fire Inspectors. No penalty to lie in regard to things done under this section.
2. County Council in new counties may borrow on overdraft.	Police Force and others to recognise authority of Inspector.
3. County Council may authorise Road Board to construct footpaths.	6. Licensing of billiard-rooms.
4. Council may appoint Fire Inspectors.	7. Provisions regarding special loan to clear off overdraft.
	8. Payment to cemetery trustees.

A BILL INTITULED

AN ACT to amend "The Counties Act, 1886."

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Counties Act Amendment Act, 1904 (No. 2)"; and it shall form part of and be read together with "The Counties Act, 1886" (hereinafter referred to as "the principal Act").

Short Title.

2. The Council of any new county shall on its first constitution, so soon as the whole of the principal Act has been brought into force within such county, have the following powers in respect to overdrafts, that is to say,—

County Council in new counties may borrow on overdraft.

Any such Council may, in anticipation of its current revenue, borrow moneys from any bank by way of overdraft in the manner mentioned in section two hundred and eleven of the principal Act; but the amount of such overdraft shall not exceed the total amount of the estimated receipts of such new county for the period of twelve months next after the first constitution of such county, not including any moneys received by way of grant or subsidy from the Government of the colony, or any moneys borrowed, or any moneys received from separate rates.

3. The Council of any county may from time to time authorise any Road Board or Town Board within its boundaries to construct or repair at its own cost any footpaths in any county road within such road district or town district, and for that purpose the Road Board or Town Board may from time to time expend such part of its ordinary fund as it thinks fit.

County Council may authorise Road Board to construct footpaths.

New clauses.

Council may
appoint Fire
Inspectors.

4. (1.) The Council of any county may from time to time appoint, and may remove and reappoint, one or more Fire Inspectors.

(2.) Every such appointment shall be by writing under the hand of the Chairman of the Council; and every appointment, as well as every removal or resignation, of such officer shall be publicly notified. 5

Powers of Fire
Inspectors.

5. (1.) A Fire Inspector may, on the occasion of any fire occurring in the county, do the following things:—

(a.) He may direct the working of any fire brigade and of any persons who may place their services at his disposal. 10

(b.) He may order any person under his control, or any constable, to remove any persons who, by their presence or otherwise howsoever, interfere with or impede the labours of the brigade in extinguishing the fire. 15

(c.) He may take any measures that appear to him necessary for the protection of life or property, or for the control and extinction of fire, and may, with any assistance he requires, break into, take possession of, or pull down any premises for preventing the spread of fire, doing, however, as little damage thereby as possible. 20

(d.) He may cause water to be shut off from any main or pipe in order to obtain a greater pressure and supply of water for the purpose of extinguishing the fire.

(e.) He may cause any street or thoroughfare in the neighbourhood of any fire to be closed for traffic during the continuance of any fire. 25

(f.) He may at the time of such fire, or immediately thereafter, pull down or shore up any wall or building damaged by fire that may be dangerous to life or property. 30

(2.) No penalty, damages, or claim for compensation shall be recoverable by or against any person in consequence of any act done under the authority of this section.

(3.) The authority of the Inspector shall be recognised by all members of the Police Force and all other persons, and it shall be the duty of every constable present at any fire to assist the Inspector in the maintenance of his authority, and in enforcing obedience by all persons to his orders in the due execution of his duties. 35

No penalty to lie in
regard to things
done under this
section.

Police Force and
others to recognise
authority of
Inspector.

Licensing of
billiard-rooms.

6. The Council may in the manner provided by the principal Act make by-laws for the licensing of billiard-rooms and for the payment of reasonable license fees. 40

Provisions
regarding special
loan to clear off
overdraft.

7. (1.) It is hereby declared that the Council may, by special order, and without taking any poll, borrow and raise by way of special loan money sufficient to clear off any overdraft as existing on the thirty-first day of March, one thousand nine hundred and four. 45

(2.) After the extinction of any such overdraft under the provisions of this section it shall not be lawful for the Council to owe to its bankers on overdraft at the end of any financial year any sum exceeding the amount of revenue for that year then outstanding and uncollected. 50

(3.) The limitation of the Council's power to borrow specified in section two hundred and eleven of the principal Act shall not be interpreted to affect the right of any bank to be repaid out of the County Fund any moneys advanced in good faith to the Council by the bank. 55

Payment to
cemetery trustees.

8. Any County Council may from time to time contribute out of its general funds any sum not exceeding *thirty* pounds in any one year towards the maintenance or improvement of any cemetery vested in trustees within the county.