

A BILL INTITULED

AN ACT to make further provision for the Government Title
of the County of Westland.

WHEREAS it is expedient to repeal "The County of Westland Preamble.
Act 1867" and to make other provisions in lieu thereof

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

1. The Short Title of this Act shall be "The County of Westland Short Title.
Act 1868."

2. This Act shall come into operation upon such day as the Commencement of
Governor shall by proclamation published in the *New Zealand Gazette* Act.
10 direct.

3. So much of "The County of Westland Act 1867" hereinafter Repeal of "The
called the "said Act" as is not repealed by an Act of this present County of Westland
session intituled "The Westland Waste Lands Act 1868" is hereby Act 1867."
15 repealed but except where otherwise expressly provided all appoint- Proviso.
ments orders in council proclamations rules and regulations made
under or by virtue of such part of the said Act as is repealed hereby
and in force at the time of the coming into operation of this Act shall
continue in force as if made under this Act until revoked altered or
repealed as the case may be under or by virtue of this Act.

20 COUNTY AND ROAD DISTRICTS.

4. That portion of the Colony of New Zealand described in County of Westland
the first Schedule hereto shall be and be called the "County of defined.
Westland." First Schedule.

5. Until other provision shall be made in that behalf by the Operation within the
25 General Assembly or other lawful authority the laws and Ordinances county of laws and
of the Superintendent and Provincial Council of the Province of ordinances of the
Canterbury mentioned in the second Schedule to this Act except so Province of
far as the same have been repealed altered or varied by the said Canterbury.
Act or since the coming into operation of the said Act or by this
30 Act shall remain in force within the said county so far as the same
are applicable.

6. All powers at the time of the coming into operation of Superintendent's
the said Act vested in the Superintendent of the said Province powers to vest in the
either solely or with the advice and consent of the Executive Chairman of the
35 Council of the said Province by any Act of the General Assembly County Council.
or by any Ordinance mentioned in the second Schedule hereto
except so far as any such powers have been divested varied or
altered by law on or since the coming into operation of the said
Act shall within the said county so far as applicable to the
40 circumstances of the said county be vested in the Chairman of the
County Council and any act matter or thing which would by law be
required to be done by any public officer of the Province of Canter-
bury if the said county continued to be a part of the said Province

shall be done within the said county by such person or persons as the Governor shall from time to time appoint or direct which appointments and directions the Governor is hereby authorized at any time and from time to time to make and also from time to time to revoke or alter as he may think fit.

5

COUNTY INCORPORATED.

Incorporation of County Council and Inhabitants of Westland.

7. The inhabitants of the said county are hereby created a body corporate under the name of the County Council and Inhabitants of the County of Westland and by that name shall have perpetual succession and a common seal and shall be capable in law by the County Council for the purposes of this Act of taking purchasing and holding land and of doing and suffering all such acts and things as bodies corporate may by law do and all property of whatever kind whether real or personal provided by for or at the expense of the County Council of Westland or the inhabitants of the said county or by the expenditure of the funds of the said Council shall be deemed to be and may be described as the property of the said body corporate.

10

15

ROAD DISTRICTS.

Existing road districts to be road districts under this Act.

8. Every road district constituted under the said Act and existing at the commencement of this Act and the names and boundaries of which are respectively set forth in the third Schedule hereto shall respectively be a road district under and for the purposes of this Act and the words "road district" where used in this Act shall be deemed to mean such road district.

20

Incorporation of district board and ratepayers.

9. The inhabitants of every road district shall be a body corporate under the name of the "district board and ratepayers" of such district and by that name shall have perpetual succession and a common seal and shall be capable in law by the road board for the purposes and subject to the provisions of this Act of doing and suffering all such acts and things as bodies corporate may by law do and suffer.

25

30

Any part of a road district proclaimed a borough shall cease to form part of road district.

10. After any part of any road district shall have been constituted a borough under any Act relating to municipal corporations such part shall cease to be deemed for the purposes of this Act part of such first mentioned district. Provided that all rates made under the provisions hereof before such constitution shall and may nevertheless be paid levied and recovered by the road board of the district as though such constitution had not taken place.

35

COUNTY COUNCIL AND ROAD BOARDS.

Number of Members of Council and Boards.

Number of members of County Council.

11. There shall be in and for the said county a council hereinafter called "the council" to consist of nine members of which nine two shall be elected as members for the electoral district of Hokitika two others as members for the electoral district of Greymouth one other as member for the electoral district of Paroa one other for the electoral district of Arahura one other for the electoral district of Kanieri and one other as member for the electoral district of Totara and the other of the said nine members as member for the electoral district of Okarito as such electoral districts are described in the fourth Schedule hereto. And the chairman and the persons who shall at the commencement of this Act be in office as the chairman and the members of the County Council under the said Act shall continue to be the chairman and members of and to compose the council under this Act in like manner to all intents and purposes as though elected hereunder until the time fixed for the first election of members of the County Council under this Act and no longer.

40

45

50

55

12. There shall be in and for each road district a district board consisting of six members and all such members shall be elected in manner hereinafter provided. District boards.

13. The persons who shall at the commencement of this Act be in office as members of the road board in each road district shall be members of and compose the board of the district as constituted hereby in like manner to all intents and purposes as though elected hereunder notwithstanding that by reason thereof the whole number of such members shall be for the time less than the ordinary number hereby assigned to such district. Members of road boards &c. to continue in office.

Capacity &c. of Members of County Council and Road Board.

14. In order that any person may be qualified to be a member of the council for any electoral district he shall be entitled under this Act to be enrolled and be enrolled on the voters' roll for the time being in force for such electoral district or shall be qualified to vote at the election of members for such electoral district as the holder of a miner's right or business license according to the provisions hereinafter contained and in order that any person may be qualified to be a member of any road board of any road district he shall be entitled under this Act to be enrolled and be enrolled on the voters' roll for the time being in force for such road district or shall be qualified to vote at the election of members of the road board of such district as the holder of a miner's right or business license according to the provisions hereinafter contained. Qualifications of members of council and board.

15. No female no bankrupt or insolvent who has not obtained his final order of discharge no person attainted of treason or convicted of felony or perjury or any infamous crime no person of unsound mind and no person not qualified as herein required shall be capable of being or continuing a member of the said County Council or of any road board constituted under the said Act or this Act. Incapacity for being member of County Council or road board.

16. No person who shall hold any office or place of profit under or in the gift of the council or of any road board or be concerned or participate in anywise in any contract with such council or any road board or in the profit thereof or of any work to be done under the authority of such council or road board shall be capable of being or continuing a member of the council or board as the case may be under which such office or place is held or with which such contract is made. Provided that nothing in the preceding part of this section shall extend or apply to any contract entered into with the council or any road board by any company partnership or association consisting of more than twenty persons where such contract shall be entered into for the general benefit of such company partnership or association or to any lease sale or purchase of any land or to any agreement for any such lease sale or purchase or for the loan of money or to any security for the payment of money only. Incapacity of contractors.

17. Every person who acts as a member of the council or of any road board incapacitated under the provisions hereof to be and continue such shall save in cases of incapacity proceeding from unsoundness of mind be liable for every such offence to a penalty of fifty pounds and such penalty may be recovered by any person with full costs of suit in any court of competent jurisdiction and in every such action the person sued shall prove that at the time of so acting he was qualified under the provisions of this Act to be a member of such council or board or he shall pay the said penalty and costs without any other evidence being required from the plaintiff than that such person had acted as a member of such council or board in the execution of this Act nevertheless all acts as a member of any person incapacitated as aforesaid done previously to the recovery of Penalty on persons incapacitated acting as members of County Council or road boards. Acts nevertheless to be valid.

the penalty shall be as valid as if such person had been capable and had made and subscribed such declaration.

Retirement of members of Council.

18. On the second Thursday in December in the year one thousand eight hundred and sixty-eight and in every second year thereafter all the members of the Council shall go out of office. 5

Retirement of members of board in rotation.

19. On the second Thursday in December in the year one thousand eight hundred and sixty-eight and in every year thereafter three of the members assigned hereby to each road district shall go out of office and the members who shall so go out of office shall always be the members who have been the longest time in office without re-election and if by reason of two members having become members at the same time it shall not be apparent under the foregoing part of this section which of such last-mentioned members ought at any time to go out of office then such members as to whom it shall be so not apparent shall go out of office in the order of the number of votes obtained by each at his election commencing with the smallest number and proceeding upwards and in all such cases if the votes given for any members shall have been equal or if such members shall have been elected without a poll or shall have been continued in office as members of the council by virtue of this Act the board fourteen days at least previously to the date of the going out of office and in their default the Governor shall for such occasion determine in what order and which of such members shall go out of office. 10 15 20

Extraordinary vacancies.

20. If any member of the Council or of any road board shall die or by notice under his hand delivered to the chairman or secretary of the Council or chairman or clerk of the board as the case may be shall resign his office as such member or shall be absent from the meetings of the Council or board during three months as the case may be without leave obtained from the council or board in that behalf then the office of such member shall become and be vacant and every such vacancy shall be taken to be an extraordinary vacancy within the meaning of this Act. 25 30

Members capable of re-election.

21. Nothing herein contained shall prevent any person from being immediately or at any time re-elected a member of the council or of a road board if he shall for the time being be capable under the provisions hereof of being and continuing such member but no person who shall by resignation or through absence as in the last preceding section in each of the several cases provided have ceased to hold such office of member shall be re-elected to such office within six months after the time when he shall have so ceased to hold office. 35 40

QUALIFICATION OF VOTERS.

Qualification of voters for members of council.

22. Persons qualified to vote for members of the County Council shall be as follows—

- (1.) Every man who at the time when a roll for any electoral district described in the fourth Schedule hereto is to be formed as hereinafter provided in any year shall be an elector enrolled on some electoral roll which under the provisions of "The Registration of Electors Act 1866" shall for the time being be in force and whose qualification is in respect of lands or tenements situate within such electoral district shall be entitled to be enrolled in any year according to the provisions hereinafter contained upon the voters' roll of such electoral district and being so enrolled to vote in all elections of members of the Council for such electoral district occurring while such roll shall be in force. 45 50 55
- (2.) Every man of the full age of twenty-one years and being the lawful holder of a miner's right or a business license

or renewed right or license under any Gold Fields Act who shall have held such right or license respectively for not less than two months consecutively and immediately preceding the day of nomination of candidates for the election at which he shall desire to vote shall be entitled to vote in all elections of members of the Council for such one of the electoral districts described in the fourth Schedule hereto in which he shall have been resident continuously during two months immediately preceding the day of nomination of candidates for such election.

5

10

23. The following persons shall be qualified to vote for members of road boards—

Qualification of voters for members of road board.

(1.) Every man who at the time when a roll for any road district is to be formed as hereinafter provided in any year shall be an elector enrolled on some electoral roll which under the provisions of "The Registration of Electors Act 1866" shall for the time being be in force and whose qualification is in respect of lands or tenements situate within such road district shall be entitled to be enrolled in any year according to the provisions hereinafter contained upon the voters' roll of such road district and being so enrolled to vote in all elections of members of the board for such district occurring while such roll shall be in force.

15

20

25

(2.) Every man of the full age of twenty-one years and being the lawful holder of a miner's right or a business license or renewed right or license under any Gold Fields Act who shall have held such right or license respectively for not less than two months consecutively and immediately preceding the day of nomination of candidates for the election at which he shall desire to vote shall be entitled to vote in all elections of members of the road district in which he shall have been resident continuously during two months immediately preceding the day of nomination of candidates for such election.

30

35

24. For the purposes of this Act when a miner's right or business license shall be marked as a renewal and signed by the issuing officer or deputy appointed by him the lawful holder of such renewed license shall on presentation thereof be taken conclusively during its currency to have held a right or license as the case may be for not less than two months consecutively and immediately preceding any election at which such holder may desire to vote.

Renewal of miner's right or business license proof of right or license having been held for two months preceding election.

40

VOTERS' ROLL.

25. The secretary of the County Council shall within twenty-one days after the coming into operation of this Act and thereafter as soon as electoral rolls have been completed under "The Registration of Electors Act 1866" and before the tenth day of September in each year prepare from the electoral rolls for the time being in force under "The Registration of Electors Act 1866" and as nearly as may be in the form provided by that Act an electoral roll for each of the electoral districts described in the fourth Schedule hereto for the election of members for such district to serve in the Council and he shall place on each such roll the name of every elector registered in respect of any tenement or hereditament situate within the electoral district for which such roll is formed.

45

50

55

Secretary of council to form voters' roll for electoral districts.

26. The clerk of the road board of each district shall within twenty-one days after the commencement of this Act and yearly thereafter as soon as the electoral rolls have been completed

Clerk of Board to form voters' roll for road district.

under "The Registration of Electors Act 1866" and before the tenth day of September in each year prepare from the electoral rolls for the time being in force under "The Registration of Electors Act 1866" and in the form as nearly as may be provided by that Act an electoral roll for each road district and he shall place on such roll every elector registered in respect of any tenement or hereditament situate within the road district. 5

Copies of roll to be printed.

27. The secretary of the council and the clerk of each road board respectively shall cause a sufficient number of copies of each such roll prepared by him to be written or if the council or board as the case may be shall direct him so to do to be printed and shall before or on the first day of October sign and deliver each such roll to the chairman of the council or chairman of the board as the case may be and shall also from time to time furnish to him so many copies thereof as shall be required and shall furnish copies to any person requiring them on the payment of a reasonable price for the same to be fixed by the council or board as the case may be. 10 15

And delivered to chairman.

Copies.

Roll signed and delivered to be voters' roll for district.

28. The roll so signed as aforesaid and delivered to the chairman of the council or board as the case may be shall be the voters' roll for the electoral district or road district as the case may be and shall continue in force until a new roll shall have been made for the electoral district or road district for which it shall have been formed under the provisions of this Act whether the same shall have been duly made at the time hereby appointed or afterwards and the fact that the name of any person appears upon the said roll shall be conclusive as to his right to vote. 20 25

Copy of roll to be evidence.

29. Any copy purporting to be a copy of the voters' roll of any district and signed by the chairman of the board shall be evidence of such roll and of the contents thereof.

Substitute for secretary of council or clerk of board in case of vacancy in such office or in case of the secretary or clerk being incapable or refusing to act.

30. If at any time there shall be no secretary of the council or clerk of the board of any road district or the secretary or such clerk shall be incapable of acting or shall refuse to act as herein provided all acts and things which under this Act may be or are required to be had or done by or with regard to the secretary of the council or the clerk of the board may and shall be had or done by or with regard to such fit person as the council or board as the case may be shall appoint or in default of such appointment within one week after notice from the Governor to make the same or if there be no council or board in office or elected hereunder such fit person as the Governor shall appoint in that behalf. 30 35 40

Wilful offence of commission or omission by clerk &c.

31. If the secretary of the council or any clerk or other person shall be guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions hereinbefore contained he shall upon conviction forfeit and pay for every such offence a penalty not exceeding fifty pounds to be recovered in a summary way before any two or more justices. 45

First and annual elections of members of County Council.

32. In every electoral district described in the fourth Schedule hereto on the second Thursday of December one thousand eight hundred and sixty-eight and thereafter on the second Thursday of December in each second year in every electoral district the voters enrolled upon the voters' roll for the time being in force for the electoral district and the holders of miners' rights and business licenses qualified under this Act to vote at such elections shall in the manner hereinafter mentioned elect from the persons capable of being such members the whole number of members by this Act assigned to such electoral district. 50 55

Annual ordinary elections of members of road board.

33. In every road district the voters enrolled upon the voters' roll for the time being in force for the road district and the holders of miners' rights and business licenses qualified to vote in the election of members of the road board of such road district 60

shall on the second Thursday of December one thousand eight hundred and sixty-eight and thereafter on the second Thursday of December in each year and in the manner hereinafter mentioned elect from the persons capable of being members of the road board one-half of the whole number hereby assigned to the road district in the room of those who shall under the provisions herein contained go out of office by rotation in that year.

34. In each road district at the first election of members of the road board the persons entitled to vote at such election shall in addition to the members to be elected as hereinbefore provided also elect so many persons capable of being such members as shall be equal to the number (if any) by which the members in office in such district at the commencement of this Act and at the time of such election shall fall short of the number hereby assigned as the ordinary number of members for such district.

Deficiency (if any) of members in proclaimed district to be supplied at first annual election.

35. The Governor shall from time to time appoint and remove returning officers for the several electoral districts described in the second Schedule hereto as occasion may require and every election of members of the Council for any such electoral district shall be held by and before the returning officer of the district and every election of members of the road board of any road district shall be held by and before the chairman of the road board and if at any time there be no such chairman or if the chairman be incapable of acting or refuse to act the road board of the district or in their default or if there be no such road board the Governor may and shall appoint some person by and before whom such election shall be conducted. Such chairman or person appointed as aforesaid is hereinafter styled the returning officer of the district.

Governor to appoint returning officers for electoral districts.

Who shall preside at road board elections.

36. Fourteen clear days before any election hereunder the returning officer shall give public notice of such election by advertisement inserted in some newspaper generally circulating in the electoral district or road district as the case may be or in some other convenient manner in the district calculated to give in the opinion of the returning officer full publicity to the same and by such notice shall require all candidates at such election to be nominated in manner hereinafter mentioned on such day hereinafter called the day of nomination being not less than four nor more than seven days from the time of giving such notice and at such place being within the electoral district or road district as the case may be as shall be named therein respectively and on the day of nomination so fixed as aforesaid the returning officer shall preside at a meeting to be held at noon at the place named in such notice and shall declare the purpose for which the meeting is held and every candidate shall be proposed by an elector duly qualified to vote at the election and seconded by another elector so qualified and if there be no more candidates proposed and seconded than the number of members then to be elected the returning officer shall declare such candidates to be duly elected and they shall be deemed to be then duly elected accordingly from the day appointed hereunder for the election.

Notice of election.

Declaration of election when uncontested.

37. In the event of there being more candidates proposed and seconded than the number to be elected the returning officer shall call for a show of hands separately in favour of each candidate and after such show shall declare the persons in whose favour the show of hands shall appear to have been and if thereupon a poll be not demanded by one of the candidates or by not less than two electors the returning officer shall declare such persons to be duly elected.

Show of hands to be taken.

Polling &c.

38. In and for each electoral district described in the fourth

Polling places in districts.

Schedule hereto and in and for each road district within fifteen days after the commencement of this Act the Governor shall and at any time afterwards when occasion shall require the Governor from time to time if it shall seem fit on the application of the Council or road board as the case may be may appoint a sufficient number of polling places for such electoral district or road district as the case may be at which the poll shall be taken at all elections held for the same and may from time to time on the like application alter and vary the same. 5

Contested election. 39. If a poll be demanded as aforesaid the returning officer shall then give notice of the day on which the same shall be taken and shall forthwith give public notice in such manner as he shall deem best calculated for giving full publicity to the same stating the names of the persons so nominated and that a poll will be taken for the election of such members on the day appointed for holding the election under the provisions hereof and named in such notice at the polling places within the electoral district or road district as the case may be and shall also therein give notice of the situation of the different polling places and such poll shall take place accordingly and shall commence at eight o'clock in the forenoon and close at four o'clock in the afternoon. 10

Notice and time and place of poll. 39. If a poll be demanded as aforesaid the returning officer shall then give notice of the day on which the same shall be taken and shall forthwith give public notice in such manner as he shall deem best calculated for giving full publicity to the same stating the names of the persons so nominated and that a poll will be taken for the election of such members on the day appointed for holding the election under the provisions hereof and named in such notice at the polling places within the electoral district or road district as the case may be and shall also therein give notice of the situation of the different polling places and such poll shall take place accordingly and shall commence at eight o'clock in the forenoon and close at four o'clock in the afternoon. 15

Candidate may retire within certain time. 40. If after a poll shall stand appointed as aforesaid at any election any person who shall duly have become a candidate for such election shall be desirous that he withdraw from such candidature such candidate not later than two clear days before the day of polling may sign and deliver to the returning officer a notice in the form in the fifth Schedule hereto or to the like effect stating that such candidate so retires and the returning officer shall publish a copy of such notice in such manner as he shall deem best calculated for giving full publicity to the same and the returning officer on such receipt of such notice and after such publication as aforesaid if the number of candidates shall by such withdrawal be reduced to the number of members to be elected at such election shall on the day appointed for the election at twelve of the clock at noon at the principal polling place declare the remaining candidates to be duly elected. 20

Fifth Schedule. 40. If after a poll shall stand appointed as aforesaid at any election any person who shall duly have become a candidate for such election shall be desirous that he withdraw from such candidature such candidate not later than two clear days before the day of polling may sign and deliver to the returning officer a notice in the form in the fifth Schedule hereto or to the like effect stating that such candidate so retires and the returning officer shall publish a copy of such notice in such manner as he shall deem best calculated for giving full publicity to the same and the returning officer on such receipt of such notice and after such publication as aforesaid if the number of candidates shall by such withdrawal be reduced to the number of members to be elected at such election shall on the day appointed for the election at twelve of the clock at noon at the principal polling place declare the remaining candidates to be duly elected. 25

Polling booths &c. 41. At every such election the returning officer if it shall appear to him expedient for taking the poll may cause booths to be erected or rooms to be hired and used as such booths in the places appointed as aforesaid for taking the poll as occasion may require and the same shall be so divided and allotted into compartments as to the returning officer shall seem most convenient. 30

Deputies of returning officer. 42. The returning officer or one of his deputies to be appointed by writing under his hand shall preside at each polling booth for taking the poll within the electoral district or road district as the case may be. 35

Power of returning officer and deputies. 43. Every returning officer and deputy shall have power and authority to maintain and enforce order and keep the peace at any election or polling held by him and without any other warrant than this Act to cause to be arrested and taken before a justice any person reasonably suspected of knowingly and wilfully making a false answer to any of the questions hereinafter mentioned or of personating or attempting to personate any voter or of attempting unlawfully to vote more than once at the same election or who shall cause a disturbance at any election and to cause any person to be removed who shall obstruct the approaches to any polling booth or shall conduct himself in a disorderly manner and all constables and peace officers shall aid and assist such returning officer and deputy in the performance of his duty. 40

Copy of voters' roll to be given to each deputy returning officer and poll clerk. 44. At all elections of members of the council or of any road board the returning officer shall supply every deputy returning officer and every poll clerk with a written or printed copy of the voters' roll of the electoral or road district as the case may be authenticated 45

by the signature of the chairman and every such copy shall be deemed sufficient to determine all questions and disputes which may arise before such deputy returning officer or poll clerk in reference to anything contained in the voters' roll.

5 45. No other person except the returning officer or his deputy the polling clerks (if any) and not exceeding two agents at each polling booth for each candidate to be appointed in writing by the candidate together with a sufficient number of constables to keep order shall remain in any polling booth during the polling and no person whatever
10 except the returning officer or deputy returning officer and the poll clerk to whom any vote shall be tendered shall speak to any elector after he shall have entered the polling booth and before he shall have signed the entry thereof to be made as hereinafter provided and any person offending against any of the provisions of this section shall
15 forfeit a sum not exceeding twenty pounds to be recovered before any two justices of the peace in a summary way. Provided always that no such poll clerk or agent shall be employed or be permitted to be present and to remain in any polling booth during the polling unless he shall have made and subscribed in the presence of the returning
20 officer or his deputy a declaration in the form in the sixth Schedule.

Persons who may be present in polling booths.

46. The number of votes which may be given for any candidate at any such polling booth shall not be published or made known until after the close of the poll and every returning officer deputy returning officer poll clerk agent or constable who shall directly or indirectly by
25 any means whatsoever publish or make known before the close of the poll the number of votes which may have been given for any candidate shall forfeit and pay for every such offence any sum not exceeding fifty pounds to be recovered in a summary way before any two justices of the peace.

Sixth Schedule.

State of the poll not to be declared until close.

30 47. On the day of election the voting at each polling place shall be conducted in manner following—

Mode of conducting elections.

- (1.) Every person entitled to vote at the election may vote for any number of candidates not exceeding the number of the members of the board then to be chosen.
- 35 (2.) When any elector tenders his vote the returning officer or deputy returning officer or poll clerk to whom the same is tendered shall state explicitly in alphabetical order the names of the several candidates and shall then inquire of the elector for which of the said candidates he
40 intends to vote.
- (3.) On such candidate or candidates being named by the elector the returning officer or the deputy returning officer or poll clerk shall enter the vote accordingly in a poll book to be kept for that purpose and the elector shall affix his signature to the entry. Provided always that when the elector affixes his mark it shall be witnessed by the returning
45 officer deputy returning officer or poll clerk.
- (4.) It shall be lawful for the elector at any time before he has affixed his signature as aforesaid to have the entry of the names of the candidate or candidates for whom he desires to record his vote altered but no alteration shall be made after the entry is signed.
- 50 (5.) As soon as the elector has signed the entry he shall immediately leave the polling booth and on his refusal to do so shall be forthwith removed by order of the returning officer or deputy returning officer.
- 55

48. At all elections of members of the Council or of any road board the returning officer or his deputy may if he see fit or if required so to do by any candidate or his agent authorized in writing shall put to
60 any person tendering his vote if such person shall not tender his vote as

Questions to be put to voter at all other elections.

the holder of a miner's right or business license the questions following

- (1.) Are you the person whose name appears as (A.B.) in the voters' roll now in force for this district [*here state name of electoral district or road district as the case may be*] being enrolled therein in respect of property described to be situated [*here specify the place described in the voters' roll*]?

- (2.) Have you already voted at the present election?

And no other question shall be put to any such person so tendering his vote and no person except the holder of a miner's right or business license qualified to vote as herein provided who shall refuse to answer any of such questions or who shall not answer the first of such questions absolutely in the affirmative and the second of such questions absolutely in the negative shall be permitted to vote.

Miners' rights &c. to be presented at elections and marked.

49. At all elections of members of the council or of any road board every person claiming to vote as an elector upon a miner's right or business license shall present his miner's right or business license to the returning officer or deputy returning officer or poll clerk and such returning officer deputy or poll clerk shall at each election impress such a distinguishing stamp or mark as the returning officer shall appoint on every miner's right or business license in respect of which any person shall vote at such election and no person presenting a miner's right or business license so stamped or marked as having been used at any particular election shall be allowed to vote in respect of such right or license at such election and no person who is enrolled on the voters' roll for the time being in force in any district shall be entitled to vote at any election under this Act in any electoral district or road district both upon a miner's right or business license and as a voter enrolled on such roll but such person may vote in respect of whichever qualification he chooses.

Question to be put to voter qualified as holder of a miner's right or business license.

50. At all elections of members of the council or of any road board the returning officer or his deputy may if he see fit or if requested so to do by any candidate or his agent authorized in writing shall put to any person tendering his vote if such person shall tender his vote as the holder of a miner's right or business license the questions following—

- (1.) Are you of the age of twenty-one years?
- (2.) Are you now residing in this district [*here state the name of the electoral or road district as the case may be*] and have you resided continuously for two months immediately preceding the day of the nomination of candidates at this election?
- (3.) Are you the person whose name appears as (A.B.) on the miner's right [*or*] business license now presented?
- (4.) Have you already voted at this present election?

and no other question shall be put to any such person so tendering his vote as in this section mentioned and no person tendering his vote as the holder of a miner's right or business license who shall refuse to answer any of such questions as in this section mentioned or who shall not answer the same to the satisfaction of the returning officer or deputy or whose miner's right or business license (as the case may be) shall have when first produced as aforesaid a stamp or mark as aforesaid appearing to have been made or affixed at the same election shall be permitted to vote as the holder of a right or license.

False answer polling twice and personation.

51. Every person who shall wilfully make a false answer to any of the questions aforesaid or who shall poll more than once or offer to poll more than once at the same election or who shall personate any other person for the purpose of polling at any election shall upon conviction before two or more justices for every such offence be

liable to a penalty not exceeding fifty pounds or to be imprisoned for any period not exceeding one year.

52. Every deputy returning officer shall immediately upon the close of the poll forward the poll books to the returning officer and the returning officer shall after the close of the poll and the receipt of the poll books examine the poll books for the purpose of ascertaining the number of votes for each candidate and the returning officer shall as soon as conveniently may be after the day of the poll at some polling place of the district and at a time to be fixed by him of which at least twenty-four hours notice shall have been given in such manner as he may deem best calculated to give publicity to the same publicly declare the number of votes given to each candidate and shall declare the candidates not exceeding in number the number of vacancies to be filled up who have received at all the polling booths taken together the greatest number of votes to be duly elected as members of the council or the road board as the case may be and if two or more candidates shall have received an equal number of votes the returning officer shall in each case have the casting vote.

Declaration of poll and casting vote.

53. When the proceedings at any election under this Act shall be interrupted or obstructed at any polling place by any riot or open violence the returning officer or deputy as the case may be shall not finally close the poll but shall adjourn the taking of the poll at the polling place at which such interruption or obstruction shall have happened to the day following and if necessary such returning officer or deputy shall further adjourn such poll until such interruption or obstruction shall have ceased when such returning officer or deputy shall again proceed with the taking of the poll at the place at which the same may have been so interrupted or obstructed.

Adjournment of election by reason of riot &c.

54. If from any cause not being such as in the last preceding section mentioned after a poll shall stand appointed for any election no such election shall take place on the day appointed for the same the election shall stand adjourned until the same day of the following week and the returning officer shall give not less than three days' previous notice thereof by advertisement or by placards affixed in public places in the district and in all such cases as in this and the said section mentioned the members of the council or of the road board as the case may be (if any) who would on the day appointed for the election have retired from office shall continue in office until the day to which such election or the polling at any booth for the same has been or stands adjourned.

Adjournment where from some other cause no election on day appointed.

55. If at any election of members of the council or of any road board whether the same be an annual ordinary election or be for supplying extraordinary vacancies in the council or board as the case may be no seats or vacancies or a number of seats or vacancies less than the whole number which should have been filled up at such election shall be filled up then the seats and vacancies which shall not be so filled up shall severally be deemed extraordinary vacancies and to have occurred on the day appointed for such election or to which the same may have been or may stand adjourned as before provided.

Vacancies not filled up at any election to be deemed extraordinary vacancies occurring on day of election.

50 *Extraordinary Vacancies.*

56. All extraordinary vacancies in the office of member of the council or of any road board shall be filled up from such persons as are capable of being such members by those persons who if the same were an ordinary vacancy occurring by lapse of time or retirement in rotation would for the time being be entitled to vote in the election of a member to fill such vacancy.

Extraordinary vacancies by whom filled up.

57. Whenever any extraordinary vacancy in the office of member of the Council or of any road board shall occur the persons by whom the vacancy is to be filled up as aforesaid shall on the

Extraordinary vacancies how filled.

twenty-first day after the occurrence of such vacancy elect from the persons capable of being such members another person to fill such vacancy and such elections respectively shall be held in the same manner and the proceedings shall be the like as are hereinbefore provided for with respect to the annual ordinary elections of members and all the provisions of this Act shall apply in the case of such elections in like manner as in cases of ordinary annual elections of councillors or members of road boards as the case may be.

5
10

Miscellaneous Matters in Elections.

10

Election not to be questioned for want of title in person presiding *de facto*.

58. No election of members of the council or of any road board shall be liable to be questioned by reason only of any defect in the title or any want of title of the person by or before whom such election or any polling for the same shall have been held or of any want of qualification in any person nominating or seconding any candidate Provided that such first-mentioned person have been actually appointed to preside or take the poll or have been acting in the office giving the right to preside or take the poll at such election.

15

Misfeasance &c. of officers &c.

59. If any person having been duly appointed hereunder to act as returning officer or deputy returning officer at any election and having undertaken so to act shall be guilty of any wilful misfeasance or wilful or negligent act of commission or omission contrary to any of the provisions of this Act he shall upon conviction forfeit and pay for every such offence a penalty not exceeding twenty pounds to be recovered in a summary way before any two or more justices.

20
25

Expenses of election.

60. All necessary reasonable expenses of or incident to any election incurred by the returning officer shall be repaid to him by the council in the case of elections of members of the council out of any funds at its disposal and by the road board in the case of elections of members of a road board out of any funds at its disposal and may be recovered before any justice in a summary way.

30

Provisions applicable to election of members both of council and road boards.

The provisions contained in the preceding sections shall apply equally to elections of members of the council and members of road boards.

35

AUDITORS.

Governor to nominate an auditor or auditors.

61. It shall be lawful for the Governor from time to time to nominate and appoint a person to be an auditor for the county of Westland and a person to be an auditor for any road district and any such person from time to time as he shall think fit to remove and on the death resignation or removal of any such auditor to appoint any other person in place of any person so dying resigning or removed.

40

ELECTION AND PRIVILEGES OF CHAIRMAN OF COUNCIL AND ROAD BOARDS.

Election of chairman.

62. At the first meeting of the council and at the first meeting of every road board the council or board as the case may be shall by the majority of the votes of the members present elect one of their body to be chairman until the next election of the council or until the second succeeding general half-yearly meeting of the board as the case may be when and at every subsequent meeting of the council first succeeding an election of such council and at every alternate half-yearly meeting of the board the members shall in like manner elect a chairman to hold office as such until the next election of the council or until the second succeeding half-yearly meeting of the board as the case may be and such chairman shall preside at all meetings of the council or board at which he shall be present and if such chairman cease to be a member for any cause he shall be incapable of being or

45
50
55

Vacancy in office of chairman.

continuing chairman and in case the chairman die or by writing under his hand delivered to the council or board at any meeting thereof or to the secretary of the council or to the clerk of the board as the case may be resign his office or cease to be a member the members present at the meeting next after the occurrence of such vacancy
 5 or at any meeting before there shall as yet have been a chairman shall choose some one of their body to be chairman and the chairman so elected shall continue in office for the remainder of the term for which the chairman so dying resigning or ceasing to be a member shall have been elected to hold office and if at any meeting of the council or
 10 board the chairman be not present one of the members present shall be elected chairman of such meeting by the majority of the votes of the members present thereat.

PROCEEDINGS OF THE BOARD.

63. The council and the board of every district shall hold their
 15 first meeting on the second Wednesday after this Act shall come into operation at the hour of twelve o'clock noon at such place as the council or board as the case may be were respectively accustomed to meet before this Act came into operation and shall proceed to put this Act into execution.

First meeting of the board.

64. The council and the road board of every road district shall hold
 20 general meetings at noon on the second Wednesday in the month of *January* and the second Wednesday in the month of *July* in each year and they shall also hold ordinary and such other meetings for the transaction of general business on such day and hour as the Council or board as the case may be shall from time to time
 25 appoint And the Council and every road board may respectively

General meetings.

from time to time make such bye-laws as they think fit for pre-
 scribing the mode in which the validity of disputed elections to such council or board as the case may be shall be decided for the purpose of regulating their proceedings or any committee thereof

Council and board may make bye-laws regulating proceedings.

30 respectively the place and time of meetings of the council or board as the case may be and the conduct of their officers and servants and for providing for the due management of the affairs of the County Council or road board as the case may be and for any purpose specially mentioned in this Act in that behalf and may from time to

35 time by any other bye-law alter or repeal any bye-law Provided that no bye-law be repugnant to any Act of the General Assembly Every bye-law shall be reduced into writing and shall have affixed thereto the common seal of the body corporate and a copy of such bye-law shall be given to every member and to every officer and servant
 40 of the council or board affected thereby And the council and every road board may respectively by such bye-laws impose such

reasonable penalties upon all persons offending against such bye-laws as the council or board respectively think fit not exceeding twenty
 45 pounds for any one offence and every such bye-law shall be so framed

Penalties which may be imposed.

as to allow the justice before whom any such penalty may be sought to be recovered to order a part only of such penalty to be paid if such justice think fit.

Penalties to allow of mitigation.

65. At all meetings of the council or of any road board all
 50 the members present shall vote save where it is herein otherwise provided and the questions there considered shall be decided by open voting and by the majority present and if there be an equal division of votes upon any question the chairman at such meeting shall in addition to his own vote as member have a second or casting vote Provided always that if at any such meeting there be an equality of votes in the

Casting vote.

election of the chairman it shall be decided by lot which of the members having an equal number of votes shall be the chairman. Provided also that at every annual meeting the chairman (if any) going out of office at that meeting shall if present and willing to act be the chairman of such meeting and the powers vested in the council under this Act may be exercised by any five or more of the members present at any meeting holden in pursuance of this Act or any bye-law made hereunder and the powers vested in any road board under this Act may be exercised by any three or more of the members present at any meeting of such board holden in pursuance of this Act or any bye-law made hereunder and no business shall be transacted at any meeting of the council or board unless the said number of members be present.

Quorum.

Member voting where interested.

66. No member of the council or any road board shall vote upon or take part in the discussion of any matter in or before the council or board as the case may be in which such member shall directly or indirectly by himself or his partners have any pecuniary interest and any such member who shall knowingly offend against this section shall on conviction forfeit and pay for every such offence a sum not exceeding fifty pounds.

Proceedings in estates of bankrupts &c.

67. If any person against whom the council or the board of any district has any claim or demand become bankrupt or take the benefit of any Act for the relief of bankrupt or insolvent debtors the secretary or treasurer of the council or the clerk or treasurer of the board as the case may be in all proceedings against such bankrupt or insolvent or against the estate of such bankrupt or insolvent or under any sequestration or act of insolvency against such bankrupt or insolvent may represent the council or board and act in their behalf in all respects as if such claim or demand had been the claim or demand of such secretary or treasurer or clerk and not of the council or board And in all proceedings in any Resident Magistrate's Court or court of petty sessions or before any justice under this Act in which the council or the board of any district shall be concerned the secretary of the council or clerk of the board as the case may be or any person to be from time to time appointed by the council or board for the purpose may represent the council or board and act in their behalf in all respects as though such secretary clerk or person and not the council or board had been the party concerned.

Proceedings in petty sessions &c.

Vacancy in number of members not to invalidate proceedings.

68. No proceeding of the council or of any road board shall be invalidated or be illegal in consequence only of there being any vacancy in the number of members at the time of such proceeding.

Nor want of capacity &c. of any person to be member.

69. All proceedings of the council and of every road board or of any person acting as a member thereof shall notwithstanding it be afterwards discovered that there was some defect in the election of the members or persons acting as aforesaid or that they or any of them were incapable of being such members be as valid as if every such person had been duly elected or appointed and was capable of being a member of the council or board as the case may be.

CONTRACTS.

Mode in which council or board may enter into contracts and effect thereof.

70. The Council and every road board may respectively enter into contracts with any persons for the execution of any works directed or authorized by this Act to be done by the council or board or for furnishing materials or for any other things necessary for the purposes of this Act and the power hereby granted to the council and to such boards respectively to enter into contracts may lawfully be exercised as follows that is to say—

Any contract which if made between private persons would be by law required to be by deed the council and board may

respectively make in writing and under the common seal of the body corporate and in the same manner may vary or discharge the same

5 Any contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith and not required to be by deed the Council and board may respectively make in writing signed by the members thereof or any two of their number acting by the direction and on behalf of the council or board as the case may be and in the same manner may vary or discharge the same

10 Any contract which if made between private persons would be by law valid although made by parol only and not reduced into writing the members of the council and road board respectively or any two of them acting by the direction and on behalf of the council or road board as the case may be may make by parol only without writing and in the same manner may vary or discharge the same

15 And all contracts made according to the provisions herein contained being duly executed by the persons contracting to perform the works therein comprised respectively shall be effectual in law and shall be binding on the body corporate and all other parties thereto their successors heirs executors or administrators as the case may be and in case of default in the execution of any such contract either by the council or road board or by any other party thereto such actions or suits may be maintained thereon and damages and costs recovered by or against the body corporate or the other parties failing in the execution thereof as might have been maintained and recovered had the same contracts been made between private persons only.

OFFICERS.

30 71. The council and every road board respectively may from time to time appoint and employ a treasurer secretary or clerk and such other officers to assist in the execution of this Act as they shall think proper and from time to time remove any of such officers and appoint others and may out of the funds at the disposal of such council or board respectively pay such salaries and allowances to the said officers respectively as the council or board respectively shall think reasonable and no member of the Council or of any road board shall be capable of receiving any salary or other remuneration as secretary clerk or treasurer or any other such officer of the council or board of which he may be a member Provided that nothing herein contained shall prevent such salary being paid to the Chairman of the County Council.

Appointment removal &c. and salaries of officers.

35 72. Every officer appointed or employed by the Council or by any road board by virtue of this Act shall from time to time when required by the council or board as the case may be make out and deliver to them or to any person appointed by them for that purpose a true and perfect account in writing under his hand of all moneys received by him on behalf of the council or board and such accounts shall state how and to whom and for what purpose such moneys have been disposed of and together with such account such officer shall deliver the vouchers and receipts for such payments and every such officer shall pay to the council or board as the case may be or to any person appointed by it to receive the same all moneys which shall appear to be owing from him upon the balance of such accounts and if any such officer fail to render such accounts as aforesaid or to produce and deliver up the vouchers and receipts relating to the same in his possession or power or to pay the balance thereof when thereunto required or if for five

Secretary clerk or treasurer who shall not be.

Officers to deliver accounts and vouchers and make payments.

Officer failing to render accounts &c. or to pay balance or

deliver over property of council or board.

days after being thereunto required any such officer fail to deliver up to the council or board as the case may be or to any person appointed by such council or board to receive the same all papers and writings property matters and things in his possession or power relating to the execution of this Act or belonging to the council or board as the case may be any two or more justices may hear and determine the matter in a summary way and order such officer to render such accounts or to deliver up such vouchers and receipts as aforesaid or to pay over the balance owing by him or to deliver up all such papers writings property matters and things and if such officer shall neglect or refuse to obey such order he may by any justice be committed to gaol for any period not exceeding six months but no such proceeding against or dealing with any officer as aforesaid shall deprive the council or board as the case may be of any remedy which it might otherwise have against any surety of such officer.

Such proceedings not to bar remedy against sureties.

5
10
15

ACCOUNTS.

Books of accounts and inspection by persons interested.

73. The County Council the council of every borough within the county and every road board shall respectively cause books to be provided and kept in such form (if any) as shall from time to time be appointed by the Governor and true and regular accounts to be entered therein of all sums of money received and paid for and on account of this Act and of the several purposes for which such sums of money shall have been received and paid and every such council and road board shall respectively cause their accounts to be balanced once in each half-year to a period not less than one month before the half-yearly general meeting at which they are to be produced and twenty-one days at the least before any such meeting the council and every road board shall respectively cause a full and true statement and account to be drawn out of all moneys received and expended by virtue of this Act during the preceding half-year and of all available assets of and of all debts then owing by the council or road board as the case may be and such statement and account shall be laid before the auditor of the county borough or road district and such accounts shall be audited in such manner as the Governor shall from time to time direct.

Accounts to be balanced half-yearly.

Annual statements of receipts and expenditure and inspection thereof.

20
25
30

ROAD BOARD FUNDS.

Of what the ordinary revenues of the body corporate shall consist.

74. The ordinary revenue of the road board of every road district shall consist of the moneys following that is to say—

Rates and tolls not being tolls levied on main roads and all rents of such first-mentioned tolls

Moneys received by the board under any grant or authority of the council and all other moneys which the board may receive under or in pursuance of this Act

And all such moneys shall be carried to the account of a fund to be called the "district fund" and such fund shall be applied by the board towards the payment of all expenses necessarily incurred by or on behalf of the board in carrying into execution this Act and in doing and performing all acts and things which the said board is or shall be by this Act or any other Act empowered or required to do or perform and all moneys of every board amounting to twenty pounds and upwards shall within thirty days after they shall have come to the hands of the proper officer of the board be paid into such bank as the board shall from time to time have appointed for that purpose and no such money shall

35
40
45
50

be drawn out of such bank save by cheques signed by the chairman of the board and by such other person as the board may appoint.

5

COUNTY REVENUES.

75. The Colonial Treasurer shall out of the land fund arising within the said county pay such salaries to the receiver of land revenue for the county to the members of the waste land board and to the chief surveyor of the county as the Governor in Council shall from time to time direct and shall pay over to the County Treasurer as soon as conveniently may be after the expiration of each month the gross remainder of the sums which shall during such month have arisen within such county on account of such land fund.

Colonial Treasurer to pay salaries of certain officers out of land fund and to pay over residues to County Treasurer.

76. There shall be a treasurer for the said county who shall be appointed by the council as hereinbefore provided All public moneys which previous to the passing of the said Act were by any Ordinance specified in the second Schedule hereto payable to the provincial account of the said Province or to the Provincial Treasurer of the said Province shall so long as such Ordinance remains in force in the County of Westland be paid to the said County Treasurer for the council.

Public moneys payable before the said Act &c.

77. All the moneys paid to the County Treasurer for the Council under the provisions of this Act or of any Act of the General Assembly shall be at the disposal of the council for the purpose of constructing main roads bridges ferries and other public works and for the support of hospitals and the promotion of education within the county and for other purposes of public utility within the county and for distribution to the several corporations of boroughs and road boards in such proportions as to the said council shall seem fit.

Moneys paid to council to what purposes applicable.

78. The County Treasurer shall out of any moneys in his hands on behalf of the council pay for the above purposes such sums and to such persons as he shall from time to time be directed so to do by any resolution of the council passed in pursuance of this Act and any bye-laws made hereunder signed by the chairman thereof.

County Treasurer to pay such moneys as he shall be directed by resolution of the council.

RATES.

79. All land shall be rateable property within the meaning of this Act save as is next hereinafter excepted that is to say except land the property of Her Majesty and unoccupied and land the property of Her Majesty and used for public purposes land in the occupation of the Crown or the Government of New Zealand or of the County Council of Westland or of the road board of a district and hospitals benevolent institutions and buildings used exclusively for public charitable purposes churches chapels and other buildings used exclusively for public worship dwellings of ministers of any religious denomination and buildings used as schools provided they be inhabited only by the master or mistress of such schools or his or her family and such schools be schools receiving aid from the General Government or from the County Council or otherwise of a public character and burial grounds and lands vested in any commissioners or corporation or other body by or under "The Westland Waste Lands Act 1868" Provided that nothing herein contained shall exempt from being rated hereunder lands of the Crown which have been or shall hereafter be leased or of which a license to occupy for any purpose whatever has been issued or which shall be occupied for any purpose whatever whether under license lease or otherwise under any Gold Fields Act or Acts or Regulations made thereunder nor to exempt lands of the Crown contracted to be sold or leased on the ground that no grant or lease from the Crown has been made to the purchaser or proposed lessee thereof but such lands so contracted to be

What shall be rateable property.

- sold or leased shall be liable to be rated as if a Crown grant or lease thereof had been made and issued and no longer remained vested in the Crown if such purchaser or proposed lessee occupies or has a right to occupy the same but such lands shall be liable to be rated as if a Crown grant or lease thereof had been made and issued.
- Board may make and levy rates.** 80. The board of every road district may from time to time as it may see fit make and levy rates which shall be of two kinds general and special. 5
- General rates.** 81. General rates may be levied for the purpose of providing means for executing general works that is works for the benefit of the road district generally and shall be made and levied equally upon all rateable property within the road district. 10
- Special rates.** 82. Special rates may be levied for the purpose of providing means for executing special works that is works for the special benefit of any particular portion of the road district and shall be made and levied equally upon all rateable property within such portion of the road district. 10
83. The board shall decide what are general and what special works. 15
- Neither general or special rate to exceed one shilling in the pound.** 84. No general or special rate to be levied in any one year shall exceed one shilling in the pound on the full net annual value of the properties rated. 15
- Estimate to be prepared and notice.** 85. Fourteen days at least before making any rate the board shall prepare and post up in writing at the office of the board a notice showing— 20
- (a.) An estimate of the probable cost of the works intended to be executed by the board and of the probable amount required to be raised by rates. 20
- (b.) A list of the properties liable to be rated and of the names of the occupiers or owners of such properties with the rateable value of such properties. 25
- (c.) The rate on each pound of the rateable value of all such properties necessary to produce the amount required to be raised and shall forward a copy of such notice to the Chairman of the Council and shall notify either by advertisement or in such other manner as the board may consider best calculated to give publicity its intention of making a rate. 30
- (d.) The place and the time (not being less than ten nor more than fourteen days from the date of such notice) at which a meeting of the board for the purpose of hearing and determining appeals as hereinafter mentioned shall be held. 30
- Assessors to be appointed.** 86. For the purpose of ascertaining the rateable value of any property the board shall appoint two assessors who may be members of the board and the board may from time to time as it may seem fit cause to be made a valuation of all rateable property within the district or any portion of it in which any special rate is proposed to be made in every such valuation the property rateable shall be computed at its net annual value (that is to say) at the rent at which the same might reasonably be expected to let from year to year free from all usual tenants' rates and taxes and deducting therefrom the probable average annual cost of the repairs insurance and other expenses (if any) necessary to maintain such property in a state to command such rent. Provided that all rateable property which shall not since the sale alienation or other disposition thereof by the Crown have been improved by building cultivation or enclosure or in other like manner shall be computed as of the net annual value of five per centum upon the fair capital value of the fee simple thereof. Provided also that the net annual value of any Crown lands held or occupied under lease license or in any other way under any Gold Fields Act or Acts or Regulations made thereunder for mining or mining purposes or for residence or for carrying on any business shall be computed in such manner as shall be directed by any bye-laws made by the board of the district in which such lands shall be which bye-laws the board of every district is hereby authorized to make from time to time as it shall see fit. 35
87. No rate shall be made unless the board shall first have received the written sanction of the chairman of the council to such rate. 45
88. No special rate shall be made unless the board shall have first received the written consent of at least one-half of the persons liable to be rated to such special rate. 50
89. Every rate shall be entered in the rate-book to be kept for that purpose in the form in the seventh Schedule to this Act or as near thereto as the circumstances of the case will permit. 55
- Sanction of chairman of County Council to rate to be obtained.** 90. Any ratepayer may at any time not being less than three days before the day appointed for the meeting to be held in accordance with the notice hereinbefore required for the hearing of appeals as aforesaid give to the clerk of the board notice in writing of his intention to appeal and may appeal as hereinafter provided against the assessment on any of the following grounds that he is not the owner or occupier of the property of which he is stated to be the owner or occupier that the property of which he is the owner or occupier is assessed beyond the fair annual value that any rateable property is omitted from the assessment that any 65
- Sanction of one-half of the number of persons liable to be rated to special rate to be obtained.** 70
- Form of rate.**
- Seventh Schedule.**
- Appeal.**

rateable property is assessed below its fair annual value. Provided that in case of appeal being made on either of the two last-mentioned grounds of appeal the appellants shall prove to the satisfaction of the board on the hearing of the appeal that the notice of the appeal and of the grounds thereof have been given not less than three days before the day appointed for the hearing of appeals to the owner of the rateable property alleged to have been omitted or assessed below its fair annual value as the case may be.

91. Appeals against assessment shall be brought before the board and may be heard and determined by the board at a meeting to be held for that purpose at the place and time mentioned in the notice by section number

Manner of hearing appeals.

required to be given as aforesaid or at any adjournment of such meeting and the order in which such appeals shall be heard shall be the order in which the notices of such appeals shall have been given to the clerk of the board. And upon the decision of the board in regard to any such appeal the assessment shall be altered or amended as may be required in accordance with such decision.

92. If there be no notice of appeal against the assessment served upon the clerk of the board within the time hereinbefore limited for giving notice of appeals the chairman and clerk of the board shall forthwith sign the rate-book. If any notice or notices of appeal shall have been so served the rate-book shall be signed upon the decision by the board of such appeal or appeals and so soon as the rate-book has been signed by the chairman and clerk of the board the rate may forthwith be collected.

Rate-book when to be signed.

93. For the purpose of collecting the rates the board shall appoint a collector who may be a member of the board.

Collector.

94. Every rate which the board of any district is by this Act authorized to make or levy shall be made and levied by them at yearly half-yearly quarterly or such other periods less than a year as they shall think fit upon every person who occupies or if there be no occupier then upon the owner of any rateable property whatsoever within such district according to the full net annual value of such property and the said rates shall be vested in the board and shall be payable at such times either the whole or in such parts or instalments as they shall appoint. Provided further that notwithstanding any of the provisions hereof whereby the owner of rateable property is to be rated to or to pay any rate on the default or instead of the occupier thereof the Crown shall not be rated to or pay any rate.

On what persons rates may be made and levied.

95. Every rate made under this Act shall be made for and in respect of such period after the making of such rate as the board shall think fit and as shall be named therein but this section shall not prevent the board from making or levying during any such period another rate if they shall otherwise have power hereunder to make or levy the same.

Rates to be made for particular periods.

96. The board of any district may make any such rate prospectively in order to raise money to pay charges and expenses incurred thereafter or retrospectively in order to raise money to pay charges and expenses already incurred.

Rates may be made retrospectively.

97. The board may from time to time amend any rate made by virtue of this Act whether any notice of appeal has been given or not by inserting therein the name of any person claiming and entitled to have his name therein as owner or occupier or by inserting the name of any person who ought to have been rated or by striking out the name of any person who ought not to have been rated or by raising or reducing the sum at or upon which any person has been rated if it appear to them that such person has been under rated or over rated or by making such other amendments therein as will make such rate conformable to this Act and no such amendment shall be held to avoid the rate. Provided always that every person aggrieved by any such alteration shall have the same right of appeal therefrom as he would have had if his name had been originally inserted in such rate and no such alteration had been made and as respects such person the rate shall be considered to have been made at the time when he received notice of such alteration and every person whose rates are altered shall be entitled to receive seven days' notice of such alteration before the rate shall be payable by him.

Rate may be amended by board.

98. It shall be lawful for any assessor to put to any person in occupation or in charge of any rateable property which such assessor shall have been authorized under the provisions hereof to value questions upon all such matters as shall be necessary to enable such assessor to make his valuation and if after being informed by such assessor of his purpose in putting such questions and of his authority under this Act to put the same any such person in occupation or charge or any such owner shall refuse or wilfully omit to answer the same to the best of his knowledge and belief or shall wilfully make any false answer or statement in reply to any such question such person shall on conviction forfeit and pay for every such offence a penalty not exceeding five pounds.

Valuer empowered to make inquiries.

99. When any owner is rated in respect of any rateable property in the occupation of any tenant under a lease or agreement made prior to the commencement of this Act such tenant shall repay to the owner all sums paid by him during

Rights of owner under leases made before this Act.

the continuance of such lease on account of any rates under this Act payable by the occupier unless it shall have been agreed that the owner shall pay all rates in respect of such property and every sum so payable by the tenant to the owner may be recovered if not paid upon demand as arrears of rent could be recovered from the occupier by the said owner.

5

Owner where name not known to be rated as owner only.

100. Whenever the name of any owner liable to be rated under the provisions of this Act is not known to the board it shall be sufficient to rate such owner as the owner of the property to be rated by the designation of the owner without stating his name.

Recovery of rates before justice or by action.

101. If any person rated under the provisions of this Act fail to pay any of the rates due from him for the space of fourteen days after demand thereof in writing by the board of the district or their collector duly authorized in that behalf the board may recover such rates from the person so making default before any justice of the peace by complaint and order in a summary way in the manner provided by "The Justices of the Peace Act 1866" with respect to cases in which justices may make orders for payment of money or by action or other appropriate proceeding in any Resident Magistrate's Court or any other court having jurisdiction and upon any complaint or suit for the recovery of any rate from any person the invalidity or badness of the rate as a whole shall not avail to prevent such recovery.

10

15

20

Rate books to be evidence.

102. In any proceeding to levy and recover or consequent on the levying or recovering of any rate under the provisions of this Act the books of rates of the board and all entries purporting to be made therein in manner by this Act directed by the production thereof alone sealed with the seal of the board shall be evidence of such rate and of the contents thereof without any evidence that the notices required by or other requirements of this Act have been given or complied with.

25

Remedy against person quitting before payment of rates.

103. If any person quit or be about to quit any rateable property before he have paid the rates then payable by him in respect thereof and do not pay the same to the board of the district or their collector on demand any justice may order the same to be paid by such person.

30

Rates to be apportioned on the holder &c. quitting.

104. When the occupier or owner who is rated to any rate ceases to be the occupier or owner of the property in respect whereof he is rated before the end of the period in respect of which such rate was made such owner or occupier shall be liable to pay a portion only of the rate payable for the whole of such period proportionate to the time during which he continued to be the occupier or owner and in every such case if any person after the making of such rate become the occupier or owner of any property so rated as aforesaid during part of the period for which such rate was made and liable to be rated in respect thereof such person shall pay a portion of such rate proportionate to the time during which he occupied or held the property so rated and the same shall be recovered from him in the same manner as if he had been originally rated for such property but this section shall not apply to Crown lands occupied by virtue of any business license or miner's right granted under any Gold Fields Act or regulations made thereunder.

35

40

Owner to pay rates in default of occupier.

105. When the occupier of any rateable property is rated in respect thereof and the rate remains due and unpaid for three months the board of the district or their collector may demand the amount of such rate or any part thereof from the owner of the rateable property and on non-payment thereof may recover the same from such owner before any justice and subject to any agreement previously made between the said owner and occupier the said owner may recover the sums so paid if not paid on demand from such occupier as arrears of rent could be recovered from the said occupier by the said owner.

45

50

Rates due from owner may be recovered from occupier.

106. When the owner of any rateable property is rated in respect thereof and the rate remains unpaid for three months the board of the district or their collector as aforesaid may demand the amount of such rate or any part thereof from the occupier for the time being of such rateable property and on non-payment thereof may recover the same before any justice in like manner as rates may be recovered from the occupier of any property liable to be rated and every such occupier shall be entitled to deduct from the rent payable by him to such owner so much as was so paid by or recovered from him.

55

60

Occupier not to be required to pay more than the amount of rent owing by him.

107. Provided always that no such occupier as in the last preceding section mentioned shall be required to pay any further sum than the amount of rent due from him at the time of the demand made upon him for such amount of rate or which after such demand and after notice not to pay the same to his landlord at any time accrues and becomes payable by him unless he refuse on application being made to him for that purpose by or on behalf of the board of the district truly to disclose the amount of his rent and the name and address of the person to whom such rent is payable but the burden of proof that the sum demanded by any such occupier is greater than the rent due by him at the time of such notice or which has since accrued shall be upon such occupier.

65

70

108. The provisions contained in the sections numbered from three to seven inclusive of "The Sale of Land for Non-payment of Rates Act 1862" and the Schedule thereto shall apply to any rate imposed under this Act whether such rate shall have been made on the occupier or owner of the rateable property. The word "collector" where used in the said sections shall in the application thereof here-
5 under be deemed to mean the clerk of the board.

"The Sale of Land for Non-payment of Rates Act 1862" to be applicable.

109. If on the request of the board of the district or any collector of the said rates duly authorized by them as such the occupier of any property refuses or wilfully omits to disclose or wilfully misstates to the board or collector making
10 such request the name of the owner of such property or of the person receiving or authorized to receive the rents of the same, such occupier shall be liable to a penalty not exceeding five pounds.

Occupier refusing to give name of owner liable to penalty.

POWERS AND DUTIES OF COUNCIL AND BOARDS.

110. All main roads within the county (being declared to be such by the
15 Council) together with the bridges and ferries on such main roads or connecting any parts thereof and all public works of general utility to the county (being declared to be such by the council) and all hospitals and public primary schools shall be deemed at law to be under the control and management of the council. Provided always that the council may if it think fit delegate the main-
20 tenance control and management of any main road or part of any main road or any such bridge ferry or work of general utility to the road board of any road district in which such road or part of road or bridge or ferry is situate and the Council shall have full power to form construct improve repair and maintain all such roads bridges ferries and works.

Main roads and certain other works to be managed by council.

111. The road leading from Hokitika towards Christchurch as far as the
25 boundary of the County of Westland at Arthur's Pass shall be and be deemed to be a main road under the control and management of the council and the council shall have full power to maintain repair and improve the same. Provided always that in case the said council shall neglect to maintain and keep the same in repair
30 it shall be lawful for the Governor to direct any works and repairs which may from time to time be thought necessary to be done and made for that purpose and the costs charges and expenses incurred in doing or making any such work or repairs may be paid by the Colonial Treasurer and shall be charged against the revenue of the county.

Main road towards Christchurch to be kept in repair by the council or in their default under direction of the Governor.

112. All roads within any road district not being main roads and all bridges
35 and ferries on such roads or connecting any parts thereof and all drains ditches and watercourses within the district not being such as the Council shall have declared to be connected with works of general utility to the county and not being private property shall be deemed at law to be under the control and management
40 of the road board of the district and the board shall have full power out of any money in its hands available for such purposes to make establish maintain form and cleanse such roads bridges ferries drains watercourses streams and ditches.

Roads &c. not managed by council to be under control of district road boards.

113. It shall be lawful for the Council to stop all traffic upon any road
45 bridge ferry or ford within the county whilst being constructed repaired or widened and to make and construct through or on the adjoining land not being lands over which the Native title shall not have been extinguished and not being the site where any house stands nor being a garden yard park planted walk or avenue to a house or any enclosed ground planted or set apart as an ornament or shelter to a house or planted or set apart as a nursery for trees or any part thereof
50 respectively the owner or occupier of which lands herein lastly excepted respectively shall not consent in writing in that behalf a temporary road bridge ferry or ford to be used as a public highway in lieu of the old road bridge ferry or ford while being constructed repaired or widened and such temporary road bridge ferry or ford shall be and be kept fenced in or otherwise so secured by the council as to afford
55 to the person through whose land the same may pass an equal protection against trespass as was possessed by such person previously to such temporary road bridge ferry or ford being made and the council shall make reasonable compensation to the owners and occupiers of such adjoining ground upon or through which such temporary road bridge ferry or ford shall be made for the damage which they shall
60 thereby sustain.

Temporary roads.

114. It shall be lawful for the council by their surveyor or any other person
65 authorized by them after giving the owners or occupiers of the land not less than three or more than fourteen days' notice of the intention so to do to enter upon any land adjoining any road not being such land as is excepted in the last preceding section whereof the owner or occupier does not consent as therein mentioned for the purpose of constructing altering or repairing any drains sewers culverts causeways or bridges of or on such road or of repairing such road and the council shall make reasonable compensation to such owner or occupier for any damage
70 sustained by him in consequence of such entry.

Entry on land to construct drains.

115. It shall be lawful for the council by their surveyor or any other person
70 authorized by them to enter and search for dig raise gather take and carry away

Right to procure materials for roads.

on and from any land within the county not being land over which the Native title shall not have been extinguished or such land as is excepted by the last two preceding sections whereof the owner or occupier does not consent as therein mentioned and in and from any river or creek any materials necessary for making or repairing any road or bridge but nevertheless so as not to damage any building road or ford or to divert or interrupt the course of any river or creek or to search for dig raise gather or take any such materials within fifty yards of any bridge dam jetty or other structure and the council shall make reasonable compensation to the owners and occupiers of such land or of the soil of or adjoining such river or creek for the damage which they may sustain by or through the exercise of any of the powers conferred by this section.

Place from which materials are taken shall be fenced &c.

116. If the council or their surveyor or such other person as aforesaid shall by reason of the exercise of the powers conferred by the last preceding section make or cause to be made any pit or hole in any land river or creek they shall forthwith cause the same to be sufficiently fenced off and such fence to be supported and repaired during such time as the pit or hole shall continue open and not sloped down or filled up as herein provided and shall within three days after such pit or hole shall be opened or made where no materials suitable for making or repairing the road or bridge shall be found cause the same to be filled up with clay or soil taken therefrom and levelled and shall where any such material shall be found within fourteen days after having procured sufficient materials in such pit or hole cause the same to be filled up sloped down or fenced off and so continued and if this section be not complied with the surveyor of the council or such other person as the case may be shall for every instance of non-compliance forfeit and pay a penalty not exceeding five pounds.

Drains &c. near road.

117. It shall be lawful for the council to cut make and maintain drains or watercourses upon or through any lands lying contiguous to any road making reasonable compensation to the owners and occupiers of such lands for any damage they may sustain thereby.

Compensation for damage by temporary occupation &c.

118. In case of any difference between the council and any person who may be entitled to compensation under any of the five preceding sections as to the amount of such compensation the same shall be such amount as two justices shall order in that behalf.

Trees obstructing or injuring road.

119. If the council shall be of opinion that any road within the county is in any manner prejudiced or any obstruction caused to such road by any tree growing or being on land adjoining thereto it shall be lawful for any two justices on the application of the board and after summons duly served on the owner and occupier or upon the occupier only if the owner cannot be found of the land on which such tree may be to make an order for the removal of such tree or any part thereof by such owner or occupier as such justice may see fit and in default of compliance with such order within eight days after a copy thereof shall have been served personally on such owner or occupier such owner or occupier as the case may be shall on conviction forfeit and pay for such default a penalty not exceeding five pounds and the said board or their surveyor if within the time aforesaid the order of the said justices is not complied with may remove such tree or such part thereof so ordered to be removed doing no unnecessary damage.

Power to impound.

120. It shall be lawful for the council by some person duly authorized by it in that behalf to distrain and impound any cattle that may be found straying on any road within the county if such road shall have a substantial fence on both sides thereof.

Section preceding to apply to Council and Road Boards.

121. The eight preceding sections shall apply to the council and to all roads bridges ferries and other works matters and things under its management and control and shall also apply to the road board of each road district and the roads bridges ferries and other works matters and things under its management and control and for such purpose last aforesaid in construing the said sections the word "Council" shall be read "Road Board of any district" and the word "County" shall be read "any Road District" or "the Road District" as the case may require.

Toll-houses &c.

122. The council may from time to time place erect and maintain upon or near the main roads within the county and at or near any bridge or ferry within the county on or connecting any main road all such toll-bars toll-gates toll-houses and ferry-houses chains rails and fences as shall appear to them necessary for the purpose of enforcing the payment of tolls upon or at such roads bridges or ferries under this Act and the same may remove or alter.

Tolls may be directed to be paid.

123. It shall be lawful for the council from time to time to direct that tolls shall be payable and collected at any toll-bar toll-gate or toll-house within the county or any bridge or ferry within the county for all animals and vehicles passing or repassing through by on or over the same respectively and to appoint the several tolls so payable and in like manner from time to time to alter or abolish the same or any tolls in force at the commencement hereof.

Payment of tolls and powers of collector.

124. All tolls payable under this Act shall be paid to the respective collectors

thereof to be appointed by the council in such several amounts for the respective animals or vehicles as shall be directed by the council and if any person liable to the payment of such toll other than those exempted from toll as hereinafter provided shall after demand thereof neglect or refuse to pay any such toll the collector thereof may seize and distrain any horse beast cattle carriage or other vehicle in respect of which any such toll is payable or the goods and chattels of such person so neglecting or refusing to pay and if such toll with reasonable charges for such seizure and distress shall not be paid within five days the animals goods or chattels seized may be sold after due notice by advertisement has been given and the proceeds applied in payment of such tolls and the charges occasioned by such seizure distress and sale and the surplus (if any) of such proceeds shall be paid on demand to the owner of such animals goods or chattels or such toll may in lieu of such distress be recovered before any justice.

125. No toll shall be demanded or taken by virtue of this Act for any horses or carriages conveying or attending or going to convey or attend or returning from having conveyed or attended the Governor or of or from any of Her Majesty's officers or soldiers being in proper staff or regimental or military uniform dress or undress for any horse ridden or any horse or carriage then employed by such officer or soldier upon or for Her Majesty's service or returning from such employment or for any horses or carriages conveying Her Majesty's mails or from the person in charge of the same or of or from any member of any corps of volunteers going to or returning from exercise as such or for any horse ridden by such member or for any gun-carriage waggon or other vehicle belonging to any such corps or then being employed exclusively for the purposes of the same or returning from such employment and not otherwise employed or of or from any member of the police force being on actual duty or prisoners under the charge of such member of the police force or for any horse or carriage exclusively employed in carrying such member of the police force or prisoner or their baggage respectively or returning from such employment and not otherwise employed or of or from any minister of religion or any other person attending at a funeral or for any horse or private vehicle ridden or driven by such minister or person or of or from any inspector of sheep being on actual duty as such for any horse or vehicle ridden or driven by such inspector neither shall any toll be demanded or taken for any animal or vehicle solely employed in carting manure Provided always that every such member as aforesaid of any volunteer corps or of the police force shall have his dress and accoutrements according to the regulations of such corps or force for the time being.

Exemptions from toll.

126. If any person shall claim or take the benefit of any exemptions from toll hereinbefore mentioned not being entitled to the same he shall on conviction forfeit and pay for every such offence a penalty not exceeding ten pounds and the proof of such exemption shall be upon the person claiming the same.

Fraudulent claim of exemption.

127. It shall not be lawful for any person to ply with for hire any boat punt or other vessel for the carrying across any river or creek at the place where any ferry shall or may be established under this Act or within half a mile of any such place any passengers beasts or vehicles or to employ or hire any such boat punt or other vessel with which any person shall regularly so ply for hire at or within half a mile of any such place under a penalty in every such case not exceeding five pounds Provided that this section shall not apply to persons plying for hire with any boat punt or vessel for carrying cattle or stock or any person hiring or employing the same if the ferry so established under this Act be unsuitable for such carrying.

Punts &c. not to ply near ferries established hereunder.

128. If any person shall with any horse cattle beast or carriage go off or pass from any road through or over any land or ground near or adjoining thereto (not being a public highway and such person not being the owner or occupier or servant or one of the family of the owner or occupier of such ground) with intent to evade the payment of any tolls payable under this Act or if any owner or occupier of any such land or ground shall knowingly or wilfully permit or suffer any person (except as aforesaid) with any horse cattle beast or carriage whatsoever to go or pass through or over such land or ground with intent to evade the payment of any such tolls or if any person shall give or receive from any person other than the collectors of the tolls or forge counterfeit or alter any note or ticket hereby directed to be given with intent to evade the payment of the tolls or any part thereof or if any person shall fraudulently or forcibly pass through by or over any toll-bar toll-gate toll-house or ferry with any horse cattle beast or carriage or shall leave upon the said road any horse cattle beast or carriage whatsoever by reason whereof the payment of any tolls shall be avoided or lessened or shall take off or cause to be taken off any horse or other beast or cattle from any carriage either before or after having passed through or by any toll-bar toll-gate or toll-house or on or over any ferry or having passed through by or over the same respectively shall afterwards add or put any horse or other beast to any such carriage and draw

Evasion tolls or forcibly passing &c.

therewith upon any part of the said road so as to increase the number of horses or other beasts drawing the said carriage after the same shall have so passed whereby the payment of all or any of the tolls shall or may be evaded or if any person shall do any other act whatever in order or with intent to evade the payment of all or any of the tolls and whereby the same shall be evaded every such person shall for every such offence forfeit and pay any sum not exceeding five pounds.

Main road toll fund. 129. All such moneys as shall under the provisions herein contained be received by the council as and for tolls upon any main road within the county shall be carried to the account of a separate fund to be called the "Main Road Toll Fund" and be expended by the council upon the repair and maintenance of such main road or of some bridge or ferry within the county which shall be on such main road or connect any part of the same with any other part thereof. 5 10

MISCELLANEOUS.

Rate already due and penalty incurred. 130. All rates which under the said Act and any regulations made thereunder shall at the time of the commencement of this Act be due or payable to or leviable by or for the board of any district for or on account or on behalf of any district shall be vested in the body corporate of the district into which such district is converted under this Act and shall be paid to and received levied and recovered by the body corporate of such district in manner by this Act provided for the receipt and recovery of rates. 15 20

Provisions for Sundays and holidays. 131. Whenever any day provided or appointed by or under this Act for any purpose shall in any year happen on a Sunday New Year's Day Good Friday or Christmas Day or any day proclaimed as a public holiday then such provision and appointment shall take effect as for the following day. 20

Justices Judges &c. to hear and determine though liable to be rated &c. 132. Any justice or resident magistrate and any judge of any district court and any judge of the Supreme Court notwithstanding that such justice resident magistrate or judge is or is liable to be rated within any road district under any of the provisions in this Act contained or is a resident or is owner or occupier of land within any such district may unless he shall be the defendant in such matter hold any court or do any act matter or thing or adjudicate in the recovery of rates and may hear and determine informations and complaints and hear and adjudicate upon all other matters and things which such justice resident magistrate judge of a district court or a judge of a Supreme Court might hold do or adjudicate upon if he had not been or been liable to be so rated or had not been such resident owner or occupier. 25 30

Recovery of penalties. 133. Every offence hereby or by any bye-law made hereunder punishable by a penalty shall be prosecuted and all fines and penalties and other sums of money imposed by or made recoverable under this Act or any bye-law made hereunder shall if not otherwise expressly provided for be recoverable in a summary way before any two or more justices of the peace in the manner provided by "The Justices of the Peace Act 1866." 35 40

Governor may make regulations and orders. 134. In all cases in which no provision or no sufficient provision is in the opinion of the Governor made by this Act it shall be lawful for the Governor from time to time for the purpose of facilitating or more effectually carrying into execution any of the objects thereof to make and prescribe all such regulations and orders either general or applicable to particular cases only as he shall think fit and such regulations and orders from time to time to revoke or alter as to the Governor shall appear to be requisite and all such regulations and orders shall be published in the *New Zealand Gazette* and being so published shall have the force of law. 45

SCHEDULES.

FIRST SCHEDULE.

THAT part of the Colony formerly included within the Province of Canterbury comprised within the following boundaries—The sea coast from the mouth of the River Awarua to the mouth of the River Grey thence the southern boundary of the Province of Nelson to the saddle between the Rivers Teremakau and Hurunui thence the watershed between the Eastern and Western Coasts of the said Province of Canterbury to its intersection with the northern boundary of the Province of Otago thence the said last-named boundary to the commencing point at the mouth of the River Awarua.

SECOND SCHEDULE.

CANTERBURY ORDINANCES.

“The Auctioneers Ordinance” Session III. No. 3 in the year of our Lord one thousand eight hundred and fifty-four.

“The Education Ordinance 1861.”

“The Education Ordinance Amendment Ordinance 1865.”

“The Westland Board of Education Ordinance 1867.”

“The Dog Nuisance Ordinance” Session XVII. No. 3.

“The Dog Nuisance Amendment Ordinance 1862.”

“The Fencing Ordinance 1866.”

“The Fencing Ordinance 1866 Amendment Ordinance 1867.”

“The Slaughter-house Amendment Ordinance” Session IX. No. 4.

“The Hospital and Charitable Aid Ordinance 1861.”

“The Canterbury Gold Fields Hospitals Ordinance 1867.”

“The Trespass of Cattle Ordinance” Session XIV. No. 1.

“The Trespass of Cattle Ordinance No. 2” Session XVII. No. 13.

“The Trespass of Cattle Ordinance 1862.”

“Thistle Ordinance 1866.”

“Grey River Coal Field Reserve Ordinance 1867.”

“The Gibson Quay Ordinance 1866.”

“The Gibson Quay Ordinance Amendment Ordinance 1867.”

THIRD SCHEDULE.

PAROA ROAD DISTRICT.

Commencing at a point on the sea coast one hundred and sixty chains and eighty links to the southward of the South Spit at the mouth of the River Grey thence easterly along the southern boundary of the Greymouth District hereinafter defined one hundred and fifteen chains and fifty links thence northerly along the eastern boundary of the last-named district to the River Grey thence easterly along that river to the junction with it of the Arnold River thence up the Arnold River to Lake Brunner and along the boundary of the Province of Nelson to the source of the Teremakau thence following down the northern bank of the Teremakau to the coast and along the coast to the commencing point.

ARAHURA ROAD DISTRICT.

Commencing at the mouth of the Teremakau up that river to its source then southerly along the dividing range to the source of the Arahura River thence following down the southern bank of that river to the sea coast and northwards along the coast to the commencing point.

KANIERI ROAD DISTRICT.

Commencing at the mouth of the Arahura River up the southern bank of that river to its source thence southerly along the dividing range to the source of the Kokatahi thence down the southern bank of that river to its junction with the Hokitika River thence southerly up the western bank of Hokitika River to line HO thence westerly down line HO to Mahinapua Lake and by a line touching the northern bank of the said lake to the sea coast and northerly along the coast to the commencing point excepting the Town of Hokitika.

TOTARA ROAD DISTRICT.

Commencing at the source of the Kokatahi River thence down the southern bank of that river to its junction with the Hokitika River thence southerly up the western bank of Hokitika River to line HO thence westerly down line HO to Mahinapua Lake and by a line touching the northern bank of the said lake to the sea coast thence southerly along the coast to the Wanganui River thence up the said river to its source and northerly along the dividing range to the commencing point.

OKARITO ROAD DISTRICT.

Commencing at the mouth of the Wanganui River thence up the said river to its source thence along the dividing range to the boundary of the Province of Otago following the said boundary to the coast and northerly along the coast to the commencing point.

FOURTH SCHEDULE.

HOKITIKA ELECTORAL DISTRICT.

Comprising the town of Hokitika being all that parcel of land containing six

County of Westland.

hundred and forty acres more or less situate on the Hokitika River commencing at a point on the high bank of the old bed of the aforesaid river the said point being forty chains forty links west of Trigonometrical Station No. 31 thence following a line bearing north twenty degrees fourteen minutes East (Magnetic) a distance of sixty-two chains sixty-five links thence westerly at a right angle a distance of eighty-five chains forty links to the sea beach following the said beach southerly to the mouth of the Hokitika River and from thence returning along the northern bank thereof and the high bank of the old river bed above mentioned to the commencing point and also all that parcel of land containing six hundred and forty acres more or less situate on the Hokitika River bounded on the northward by reserve two hundred and seventy-one (in red) on the westward by the sea on the east by section No. 823S and a line in continuation of the western boundary thereof and on the southward by a line at right angles to the last described boundary and about one hundred and thirty chains distant on the average from the reserve above mentioned.

GREYMOUTH ELECTORAL DISTRICT.

Comprising the town of Greymouth being all that parcel of land commencing at the South Spit at the mouth of the River Grey bounded on the west by a line of one hundred and sixty chains and eighty links extending along the beach from the South Spit aforesaid thence along the South Town Belt one hundred and fifteen chains and fifty links thence along the East Town Belt one hundred and twenty chains and ninety links thence along the Native Reserve No. 31 for a distance of forty-one chains and thirty links to the River Grey and thence along the River Grey to the sea.

PAROA ELECTORAL DISTRICT.

Same boundaries as Poroa Road District hereinbefore defined in the third Schedule.

ARAHURA ELECTORAL DISTRICT.

Same boundaries as Arahura Road District hereinbefore defined in the third Schedule.

KANIERI ELECTORAL DISTRICT.

Same boundaries as Kanieri Road District hereinbefore defined in the third Schedule.

TOTARA ELECTORAL DISTRICT.

Same boundaries as Totara Road District hereinbefore defined in the third Schedule.

OKARITO ELECTORAL DISTRICT.

Same boundaries as Okarito Road District hereinbefore defined in the third Schedule.

FIFTH SCHEDULE.

To the Returning Officer of the Electoral (or Road) District of
 I the undersigned do hereby give notice that I withdraw my name as a candidate at the election to be held on _____ day of _____ 18. of a member of _____ for the District of _____

Dated the _____ day of _____ 18. _____
 (Signature)
 (Place of abode and nature of qualification.)

SIXTH SCHEDULE.

I A.B. do hereby solemnly declare that I will not either directly or indirectly by any means whatever publish or make known before the close of the poll the number of votes which may be given for any candidate at the present election.

(Signed) _____ A.B.

SEVENTH SCHEDULE.

FORM OF RATE.

An Assessment to the _____ rate made this _____ day of _____ in the year of our Lord 18 _____, after the rate of _____ pence in the pound under "The County of Westland Act 1868."

No. on Rate.	Surname of Person Rated.	Christian Names of Persons Rated.	Trade or Occupation.	Description and Situation of Rateable Property.	Rate.	Rate of pence in the Pound.

62
 County of Westland