

Mr. Thomson.

Inch Clutha.

ANALYSIS.

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4. Members of Council to be elected for Richardson and Inch Clutha Ridings.
5. Formation of rolls.</p> <p style="text-align: center;">ROAD DISTRICT OF INCH CLUTHA.</p> <p>6. North Molyneux and Inch Clutha created separate road districts.
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16. Classification of lands.
17. How member of Conservators Board to be elected.</p> |
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A BILL INTITULED

AN ACT to constitute the Island of Inch Clutha a Title.
 separate Riding of the County of Bruce Clutha, and
 to enlarge the Powers of the Board of River Con-
 servators established for the said Island.

WHEREAS it is expedient to concentrate the resources of the Preamble.
 residents within the Island of Inch Clutha, to admit of sufficient
 protective works being erected by them against the encroachments of
 the rivers surrounding the said Island : And whereas the said Island
 5 has been already created a separate river district, and a Board of
 Conservators has been appointed thereto, and it is necessary for the
 purpose aforesaid to enlarge the powers of the said Board, and to
 augment the funds under their control :

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

1. The Short Title of this Act shall be "The Inch Clutha Island Short Title.
 Act, 1878."
2. All matters required to be published within the Island of Inch Publication of notices
relating to Inch
Clutha.
 15 Clutha, as forming a separate district or subdivision of a district of
 any sort, or relating thereto in any respect, may be published in some
 newspaper printed at Balclutha, and such publication shall be deemed
 sufficient compliance with the requirements of any enactment in that
 regard.

RIDING OF INCH CLUTHA.

Inch Clutha created
a separate riding.

3. From and after the passing of this Act the Island of Inch Clutha shall be severed from the Richardson Riding of the County of Clutha, and shall form a separate riding of the aforesaid county, under the name of the Inch Clutha Riding; and the aforesaid Riding of Richardson as thus reduced in extent is hereby constituted a riding of the same county, and of the same name as it was heretofore. 5

The Resident Magistrate's Court, Balclutha, shall be the Resident Magistrate's Court for the Ridings of Richardson and Inch Clutha, under the provisions of the forty-seventh section of "The Counties Act, 1876." 10

Members of Council
to be elected for
Richardson and Inch
Clutha Ridings.

4. For each of the Ridings of Richardson and Inch Clutha, as hereby respectively constituted, there shall be one County Councillor.

At the general election to be held in the month of November next for the election of Councillors for the County of Clutha, there shall be elected only one person for the Riding of Richardson, instead of two; and, in lieu of the second person heretofore elected for the aforesaid riding, there shall be elected by the duly qualified electors of the new Riding of Inch Clutha, one person as Councillor for the last-named riding. 15
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New Clause.

Formation of rolls.

5. As soon as may be after the passing of this Act, the Governor shall by Proclamation provide for the formation of rolls for each of the Ridings of Richardson and Inch Clutha as hereby constituted, and for all other matters which he may deem necessary in relation to the election of members for such Ridings: Provided that this section shall apply only to the general election in November next, and that all future elections for such ridings shall be regulated by "The Counties Act, 1876." 25
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Clauses erased.

5.—The Clerk of the County of Clutha, or other person acting in his stead, shall, as soon as may be after the passing of this Act, make up from the electors' roll of the Riding of Richardson in force new electors' rolls for the Ridings of Richardson and Inch Clutha, in manner following:— 35

- (1.) He shall place on the roll of each such riding the name of each person who appears from the valuation roll to be liable to be rated in respect of property within such riding, and shall assign to each the number of votes to which he is entitled in respect of such property. 40
- (2.) A copy of the new roll for each riding shall be deposited not later than the *fifteenth* day of *October* next, and kept open for public inspection for not less than seven days at the same place as the electors' roll in force for the Riding of Richardson was kept immediately previous to the last correction thereof. 45
- (3.) The Resident Magistrate of the Resident Magistrate's Court for the ridings shall, not later than the *nineteenth* day of *October* next, by public notice appoint some place and time before the *twenty-first* and *thirtieth* days of *October*, at which the Court will sit to hear the applications of all persons who feel themselves aggrieved in respect of the formation of such rolls. 50
- (4.) Any person who considers himself aggrieved in any manner, as in the forty-seventh section of "The Counties Act, 1876," mentioned, may appear, without notice, at the place and time appointed as aforesaid, and apply to the Resident Magistrate aforesaid for relief. 55

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- 5 (5.) The Resident Magistrate aforesaid shall proceed in respect of such applications in manner provided by the forty-eighth section of the aforesaid Act to hear and determine such applications, and the Clerk of the county shall correct the rolls in manner provided by the above-named section. The Resident Magistrate may adjourn the Court from time to time, but such Court shall not sit after the *twenty-ninth* day of *October*.
- 10 (6.) The said rolls so corrected shall come into force on the *first* day of *November* next, and shall be the electors' rolls for the Ridings of Richardson and Inch Clutha, until new rolls are made up in the month of *April* following.
- 15 (7.) The provisions of the fiftieth section of "The Counties Act, 1876," relating to the copy of a roll being evidence, shall apply to the new rolls made under this Act.

RIVER DISTRICT OF INCH CLUTHA.

20 6.— Notwithstanding anything contained in "The Hawke's Bay and Marlborough Rivers Act 1868 Amendment Act, 1870," and "The Hawke's Bay and Marlborough Rivers Acts Amendment Act, 1872," the provisions of the herein above-mentioned two Acts are hereby extended to and shall have full operation within the Inch Clutha River District, as the same was constituted by Proclamation of the Governor, of date the eighteenth day of April, one thousand eight hundred and

25 seventy-eight; and all the powers, functions, and duties granted or imposed by the provisions of the said Acts, or either of them, may be exercised, performed, and done within the aforesaid district in manner as by the said Acts is respectively provided.

ROAD DISTRICT OF INCH CLUTHA.

30 7. 6. Notwithstanding anything contained in "The Otago Roads Ordinance, 1871," the North Molyneux and the Inch Clutha subdivisions of the Matau Road District, in the Provincial District of Otago, are hereby respectively constituted separate road districts under the aforesaid Ordinance, by the name of the "Matau Road District" and the "Inch Clutha Road District" respectively.

North Molyneux and Inch Clutha created separate road districts.

35 8. 7. The boundaries of the Matau Road District shall be the same as are described in the Schedule of the aforesaid Ordinance as forming the boundaries of the North Molyneux subdivision of the Matau Road District heretofore existing.

Boundaries of new districts.

40 The boundaries of the Inch Clutha Road District shall be the same as are described in the said Schedule as forming the boundaries of the Inch Clutha subdivision of the aforesaid former road district.

9. 8. The District Board of the new Matau Road District shall be constituted as follows :—

District Board of new Matau District.

45 (1.) The members of the former Matau District Board, representing the North Molyneux subdivision thereof, who shall be in office at the time of the coming into operation of this Act, shall continue in office as members of the District Board of the Matau Road District hereby constituted, and shall remain in office for the same period as they would have so continued had this Act not been passed, and shall retire as they would have done in such case.

50 (2.) The office of the members of the former Matau District Board representing the Inch Clutha subdivision thereof shall on the coming into operation of this Act become vacant; and every vacancy thus created in the former District Board of Matau shall be deemed to be an extraordinary vacancy in the new District Board of Matau as hereby reconstituted.

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- (3.) Every such last-named vacancy shall be supplied by election in the manner provided by the nineteenth section of the above-named Ordinance, and the new members elected shall hold office as in the said section is provided.

New Clauses.

9. As soon as possible after the passing of this Act, the Board of the new Matau Road District and the Board of the Inch Clutha Road District shall meet and agree as to the following matters:—

- (1.) What part of the property, real and personal, of the old Matau Road Board shall become the property of the new Boards respectively ;
- (2.) What part of any rates payable to the old Matau Road Board at the date of the passing of this Act shall be deemed to be rates payable to the new Matau Road Board and the Inch Clutha Road Board respectively ;
- (3.) What part of the liabilities and engagements of the old Matau Road Board outstanding at such date shall be liabilities and engagements of the new Matau Road Board and the Inch Clutha Road Board respectively.

10. If no such agreement is made within two months from the passing of this Act, the Governor may, upon the application of either Board, appoint a person to hold an enquiry and make an award as to the several matters mentioned in the foregoing section, and his award shall be final.

AMALGAMATED DISTRICT OF INCH CLUTHA.

11. For the Island of Inch Clutha, as a river district and a road district (hereinafter called "the amalgamated district"), there shall be one Board of administration, having the powers of the Board of River Conservators under "The Hawke's Bay and Marlborough Rivers Act, 1868," and its amending Acts (hereinafter called "the Rivers Acts"), and the powers of a District Road Board under "The Otago Roads Ordinance, 1871," and the enactments amending the same (hereinafter called "the Road Acts"), or under any Act to be passed in substitution of any of the aforesaid Acts respectively.

12. The said Board shall be constituted as follows, that is to say,—

- (1.) The Board shall be named "The Inch Clutha River and Road Board" (hereinafter called "the amalgamated Board").
- (2.) The members of the Board of Conservators of the Inch Clutha River District in office at the time of the coming into operation of this Act shall form the first amalgamated Board under this Act and shall remain in office until the second Thursday in June next.

The Chairman of the existing Board of Conservators shall be the Chairman of the amalgamated Board.

- (3.) All the provisions of the above-named Rivers Acts "Hawke's Bay and Marlborough Rivers Act, 1868," relating to the election of members of Boards of Conservators and their continuance in office are hereby suspended from operation within the Island of Inch Clutha for so long as the provisions of this part of this Act remain unrepealed.
- (4.) The provisions of the above-named Road Acts relating to members of District Road Boards, their number, and retirement by rotation, as also to vacancies, shall regulate all proceedings relative to the election of members of the amalgamated Board, and their retirement by rotation, and respecting vacancies in the said Board.

Boards to apportion assets and liabilities.

Governor may appoint person to hold inquiry.

Amalgamated Board of Administration for Inch Clutha.

Constitution of Board.

Elections.

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(5.) Every person qualified as an elector under the Rivers Acts or the Road Acts respectively shall be qualified as an elector for members of the amalgamated Board.

5 Every person qualified as an elector shall be qualified to be elected a member of the amalgamated Board.

(6.) On the *second Thursday in June* next the duly qualified electors of the amalgamated district shall elect, in manner as provided by the aforesaid Road Acts, six persons to be the first elected amalgamated Board, whose retirement by rotation shall be determined by ballot, as provided in the aforesaid Acts.

(7.) On the *second Thursday in June* in every year after next *June*, one-third of the whole number of members of the amalgamated Board shall go out of office, and fresh elections shall be held to supply the places of the retiring members, in manner provided by the aforesaid Road Acts.

12-13. All moneys received under the Rivers Acts, "*Hawke's Bay and Marlborough Rivers Act, 1868*," or under the Road Acts, shall be paid over by the person receiving the same to the Board of the amalgamated district. All rates to be united into one fund.

13-14. All the moneys aforesaid shall form one amalgamated fund, and may be appropriated by the amalgamated Board for such river works or road works as they may consider of most pressing necessity, irrespective of the source whence such moneys came, or under which Acts they were received. Appropriation of funds for public works.

14-15. The provisions of the aforesaid Road Acts relating to keeping of accounts, the bank account, audit of accounts, and all other matters relating to the accounts, books, property, or borrowing powers of a District Board under the said Acts, shall apply, *mutatis mutandis*, to the amalgamated Board under this Act, and to the moneys and accounts received by them; and all provisions of the like tenour in the aforesaid River Acts "*Hawke's Bay and Marlborough Rivers Act, 1868*," are hereby suspended so long as Inch Clutha continues to be an amalgamated district. Accounts, audit, &c.

New Clauses.

16. Notwithstanding anything contained in "*The Hawke's Bay and Marlborough Rivers Act, 1868*," to the contrary, the lands within the Inch Clutha River District may not be classified annually; but a longer period than four years shall not elapse between each classification of such lands. Classification of lands.

17. For the purpose of the annual election of a member of the Clutha River Conservators Board, heretofore elected by the former Matau Road Board, an annual meeting of the two Road Boards of Matau and Inch Clutha, as hereby respectively constituted, shall be held on the *Saturday* following the third *Wednesday* in the month of *August* in each year, at the Schoolhouse, Inch Clutha, at twelve o'clock noon, at which meeting the majority of the assembled members of the said Road Boards shall elect a member for the aforesaid Clutha River Conservators Board: Provided that at least four members of either Board, or of the two Boards, shall be present: Provided further that, in the event of no person being so elected, the Chairman of the Matau Road Board shall *ex officio* be a member of the said Board of Conservators. How member of Conservators Board to be elected.