

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

*House of Representatives,
14th September, 1885.*

Hon. Mr. Stout:

MUNICIPAL CORPORATIONS ACT 1876 AMENDMENT.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Further provisions as to recovery of penalty from Councillor unlawfully acting.
3. New burgess roll for Palmerston North to be made.

A BILL INTITULED

AN ACT to amend "The Municipal Corporations Act, 1876." Title.

WHEREAS it is desirable to amend "The Municipal Corporations Act, 1876" (hereinafter called "the said Act") Preamble.

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

1. The Short Title of this Act is "The Municipal Corporations Act 1876 Amendment Act, 1885." Short Title.

2. No proceedings under section sixty-three of the said Act shall be commenced without the written consent of the Attorney-General, and the amount of the penalty recovered, less any expenses incurred by the informant, to be fixed by the Justices hearing the information, shall be paid into the borough funds. Any penalty now or hereafter sued for may be remitted in whole or in part by the Governor. Further provisions as to recovery of penalty from Councillor unlawfully acting.

3. Whereas it appears that by a recent fire the burgess roll of the Borough of Palmerston North has been destroyed, and there being no written or printed copy thereof existing by which another roll could be made, it has been impossible to hold the annual election of Councillors for the said borough on the second Thursday in September, as by law required: New burgess roll for Palmerston North to be made.

And whereas it is necessary to make provision in that behalf:

Be it therefore further enacted as follows:—

(1.) The Town Clerk of the Borough of Palmerston North shall forthwith, after the passing of this Act, compile from the valuation-roll of the said borough a burgess list for the said borough, and when completed shall deposit the same for public inspection during not less than seven days at the offices where the Borough Council may, for the time

being, hold their sittings, and the said Clerk shall forthwith, on the completion of such list, notify the fact to the Mayor and to the Returning Officer of the said borough.

- (2.) The Mayor of the said borough, or any Councillor acting for him, shall thereupon give public notice of the burgess list being so deposited, and shall at the same time give notice that a special meeting of the Borough Council will be held at the expiration of seven days from the giving of such notice for the revision of the burgess list. 5 10
- (3.) At such special meeting the Council shall revise the burgess list and may make all necessary alterations, corrections, and erasures which shall be proved to be required by any burgess who may object to any entry on such burgess list in the same manner as if it were the burgess list prepared in ordinary course of law, saving as to times of notices. 15
- (4.) The revision of such list being completed, the Mayor, or Councillor acting for him, shall initial all corrections and alterations made therein, and shall, together with two other Councillors, sign such amended list, which shall thereupon be the burgess roll for the borough, and shall come into force on the day it is signed, and shall remain in force until a new burgess roll is made and comes into force in ordinary course of law. 20
- (5.) The Returning Officer on receiving notice of the completion of the burgess list shall give public notice of an election to be held for Councillors in the place of those who should have retired on the second Thursday in the month of September last, and shall appoint the day of election in manner that the day of nomination shall be as early as possible after the coming into force of the new burgess roll as aforesaid. 25 30
- (6.) The members to be elected at such election shall come into office on their election, and thereupon the Councillors shall retire who should have retired in the month of September. Such election shall be deemed to be in all respects good and valid as if it had been held on the second Thursday in September, as by law required; and all acts and proceedings of the Borough Council since the said second Thursday in September shall be deemed to be and to have been good and valid, notwithstanding the election of Councillors required by law to be held as aforesaid in September was not so held. 35 40
- (7.) In case there is no valuation roll from which the burgess list aforesaid can be made up, the Governor, on the application of the Borough Council, and at its cost and charges, shall direct the Property-Tax Commissioner to transmit as early as possible a copy of the assessment roll of the said borough, prepared under "The Property Assessment Act, 1879," to the Mayor of the said borough, and such assessment roll shall, for the purposes of this section, be 45 50

Municipal Corporations Act 1876 Amendment.

deemed to be the valuation roll for the said borough, and the Town Clerk is hereby authorized to compile a burgess list therefrom.

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- (8.) Notwithstanding anything in this section contained, a new valuation roll and burgess roll for the said borough shall be prepared in ordinary course of law for the next year in the same manner as if this Act had not been passed.