

(Mr. Murray.)

State Improvement.

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A BILL INTITLED

AN ACT to encourage Agricultural and other Improvements in New Zealand by advances of Public Money. Title.

WHEREAS it is expedient to encourage agricultural and other permanent improvements in New Zealand by advances of public money : 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 shall be "The State Improvement Act 1871." Short Title.

INTERPRETATION.

10 2. When the word "Minister" shall be used it shall be understood to mean and apply to the Minister of Works or other member of Her Majesty's New Zealand Ministry who for the time being administers the business under this Act and the words "Commissioner" and "Inspectors" shall be understood to apply to officers Interpretation.

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appointed by such Minister to carry out the provisions of this Act "Applicants" to mean persons applying for or receiving money under this Act.

Amount of money and purposes on which to be expended.

3. A sum of _____ is hereby authorized to be expended for the purposes and in the manner hereinafter stated: 5

(1.) Improvement of land by drainage by erecting weirs embankments and flood-gates cutting ditches and out-flows and doing all things requisite therefor and to protect low-lying lands from floods.

(2.) Bringing in supplies of water for irrigation manufactures machinery mining and domestic purposes. 10

(3.) Planting useful trees.

(4.) Making roads bridges and streets.

Appointment of officers.

4. All officers employed in the carrying out of business under this Act shall be appointed and be removable by the Minister and 15 shall give good security for their intromissions.

How to apply for money.

5. Applicants for money under this Act shall apply to the nearest Commissioner stating amount of money wanted nature and estimated cost of proposed works whether all or how much of such cost applicant wants paid for under this Act the security proposed to 20 be given and any other particulars.

Commissioner to direct Inspector to report.

6. If the Commissioner considers a proposal good he shall on receipt of a sum sufficient to cover cost of inspection correctly enter particulars of such proposal in a book to be kept for that purpose and shall instruct the Inspector to examine and report upon the proposed 25 works.

If report not favourable.

7. If such report shall not be favourable the Commissioner shall file the same along with the proposal and enter in the book a memorandum thereof with remarks and reasons.

If report favourable how Commissioner is to proceed.

8. If such report shall be favourable the Commissioner shall 30 forward it with his remarks thereon to the Minister and shall enter true copy thereof in the record books with particulars of security offered. The Minister shall thereupon if he approve of the proposal and the security instruct the Treasurer most conveniently near to the proposed work to open a credit account upon which the Commissioner 35 may draw from time to time in manner hereinafter specified to pay for the proposed works.

Commissioner to take security for repayment of principal and interest made of such repayment and conveyance of securities.

9. The Commissioner before making any payments shall take good bond mortgage or other good security to be a first charge over the lands sought to be improved for the due and full performance of 40 all things in this Act provided and for the repayment of the whole amount advanced at the rate of _____ per hundred pounds sterling per annum for the term of _____ years upon the expiry of which such payments shall cease and be considered to have been a full satisfaction and payment of all such advances and the securities 45 given shall be cancelled: Provided always that such annual payments shall have been regularly made in the first week of January and the first week of July in each year to the credit of such account in the Treasury.

Securities when the works are by Counties Cities or Corporations.

10. For city county or corporation works a good and sufficient 50 first security must be taken over the rates of such city or county with power in the event of non-compliance with the conditions of this Act to levy secure and receive a special rate recoverable by summary process to make good any loss and cost which such non-compliance may 55 cause and also if the Commissioner shall so decide an additional charge on amount of such loss and cost of ten pounds per centum by way of fine.

How payments to be made.

11. On proper account and vouchers of applicants or their agents duly certified to and countersigned by the Inspector the Commissioner from time to time shall if satisfied of the correctness thereof for work 60

done issue orders for the payment of such accounts or so much thereof as he shall consider to be correct.

12. Commissioners and Inspectors of Works shall separately keep proper books containing correct accounts and records of their proceedings which shall be inspected by on the of shall immediately forward written report of such investigation to the Minister and shall enter and sign in the books copy of such report.

Books and records to be kept and inspected.

13. All books and records of Commissioners and Inspectors shall be open for public inspection at all reasonable times upon payment of a fee of

Books and records to be open for public inspection.

14. Persons or Corporations wanting to repay all or any money received by them under this Act in addition to the repayments specified in section nine of this Act and before the expiry of the full term of years named therein shall if only part be repaid receive a proportionate abatement from the annual repayments but if the whole be repaid then such annual payments shall cease and determine and the securities given shall be reconveyed to applicants at their expense.

Repayment before expiry of term.

15. All works and improvements made under this Act shall until the money advanced and interest thereon be repaid according as provided by this Act be kept by applicants at their own cost in good order and repair under penalty of yearly forfeiture of a sum equal to not exceeding fifty pounds per centum on the amount of annual payments in addition to such annual payments for every year or part of a year that such works shall not be kept in good order and repair and such works may from time to time be inspected by the Inspector and if not found to be in repair the cost of such inspection shall be paid by applicant.

Works to be kept in repair.

16. Trustees or guardians shall not be personally liable under this Act further than they are personally interested.

Trustees not personally liable.

17. Trust funds may be advanced upon lands and securities improved under this Act as provided in the Imperial Drainage Act ninth and tenth Victoria chapter one hundred and one section thirty-seven.

Trust funds may be invested. 9 and 10 Vic. chap. 101 s. 37

18. All payments due or money recoverable under this Act shall be by summary process as if money lent on first mortgage.

Money recoverable by summary process.

19. Commissioners and Inspectors employed under this Act shall be appointed and paid as Government shall direct.

Commissioners and Inspectors how to be paid.

20. In all drainage works under this Act tail drains or ditches may be made through adjoining lands on such terms and subject to such conditions as the Inspector shall determine.

Provision for outflow drains &c.

21. Not more than shall be granted under this Act to any individual and not more than to any Corporation and subject to such conditions and restrictions as the Governor in Council shall determine.

Limit of amounts to be advanced.

22. The books accounts and papers of Commissioners and Inspectors shall be regularly inspected twice at least in every year by a duly competent and trustworthy person appointed by the Governor who shall forthwith forward a true and full report thereof to the Minister for Public Works and such report shall be published in the Government Gazette.

Auditor's reports to be published in Government Gazette.