

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

LEGISLATIVE COUNCIL,  
9th September, 1873.

(Hon. Dr. Pollen.)

## Timaru and Gladstone Board of Works Acts Amendment.

### ANALYSIS.

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| <p>Title.<br/>1. Short Title.<br/>2. Construction.<br/>3. Board incorporated.<br/>4. Property to be vested in Board and be sued on contracts.</p> | <p>5. Board to satisfy judgments out of first moneys at their disposal.<br/>6. Chairman at meetings have casting vote as well as original vote.<br/>7. Member absenting, without leave, from three monthly meetings, to cease to be a member of Board.</p> |
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### A BILL INTITULED

AN ACT to amend "The Timaru and Gladstone Board of Works Act, 1867," and the several Acts amend-  
the same. Title.

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

1. The Short Title of this Act shall be "The Timaru and Gladstone Board of Works Acts Amendment Act, 1873." Short Title.

2. In the construction of this Act the expression "the said Acts" shall mean "The Timaru and Gladstone Board of Works Act, 1867," "The Timaru and Gladstone Board of Works Amendment Act, 1870," and "The Timaru and Gladstone Board of Works Amendment Act, 1871;" and this Act shall be read and construed with and as part of the said Acts. Construction.

3. The general Board of Works constituted under the said Acts (hereinafter called "the Board") shall, upon the passing of this Act, be and become a body corporate under the name of "The Timaru and Gladstone Board of Works," and by that name shall have perpetual succession and a common seal; and, subject to the provisions of the said Acts and this Act, shall be capable in law of taking purchasing and holding land, and of doing and suffering all such acts as bodies corporate may by law do or suffer. Board incorporated.

4. All property of whatever kind, whether real or personal, provided by for or at the expense of the said Board, or by the expenditure of the funds at the disposal of the Board, shall be deemed to be Property to be vested in Board.

Board may sue and  
sued on contracts

and may be described as the property of the Board. And upon all contracts for works entered into by the Board before the passing of this Act, the Board shall and may sue or be sued in their corporate name; and all contracts entered into after the passing of this Act shall be entered into by the Board in their corporate name, and the Board shall sue and may be sued upon any such contract in such corporate name, and it shall not be necessary that the Chairman of the Board should sue or be sued upon any such contract as aforesaid. 5

Board to satisfy  
judgments out of  
first moneys at their  
disposal.

5. In case any moneys shall become payable under any judgment or decree against the Board, it shall be the duty of the Board to pay and satisfy the same out of the first moneys at the disposal of the Board. 10

Chairman at  
meetings have casting  
vote as well as  
original vote.

6. If at any meeting of the Board there shall be an equal division of votes on any question, the chairman at the meeting shall have a second or casting vote in addition to his own vote: Provided that if at any such meeting there shall be an equality of votes in the election of the chairman, it shall be decided by lot which of the members having an equal number of votes shall be the chairman. 15

Member absenting,  
without leave, from  
three monthly  
meetings, to cease to  
be a member of  
Board.

7. In addition to the causes for which under the said Acts a member of the Board may be disqualified from continuing to be a member of the Board, if any such member shall be absent without the leave of the Board from three consecutive monthly meetings, he shall thereupon cease to be a member of the Board. 20