

[The Council meets at 2.30 o'clock p.m.]

ORDER PAPER.

LEGISLATIVE COUNCIL.

Thursday, the 15th day of September, 1881.

PRIVATE BUSINESS.

1. Hororata Water-race Bill—consideration of Report.

Contingent Notice of Motion.

The Honourable Mr. MILLER, on the consideration of the Report upon the Hororata Water-race Bill, to move the following amendment:—In clause 10, line 2, after the word “Act” to insert the words “or any by-laws made thereunder.”

NOTICES OF MOTION.

1. The Honourable Mr. MANTELL to move, That this Council, having taken into consideration the papers laid upon the Table relative to the Himatangi back-rents, is of opinion that the payment of the money due in respect of those rents by the Government to the recognized owners of the Himatangi Block should no longer be delayed; and that a copy of this resolution be forwarded to the Government.
2. The Honourable Mr. WHITAKER to move the following resolution:—

That whereas the Actuaries appointed in accordance with the forty-fifth section of “The Government Insurance and Annuities Act, 1874,” in their report on the net surplus of profits under the said Act and the repealed Acts, have recommended that “a sum not exceeding £60,000” be divided amongst holders of policies under the said Acts: And whereas it is provided by law that the sum so recommended for division in such report, or such less sum as shall be fixed by resolution of both Houses of the General Assembly as the amount for division, shall be divided amongst holders of policies under the said Acts, in such manner and according to such scheme as shall be approved by such resolution:

This Council resolves,—That the sum of £56,000 shall be divided by way of reversionary bonus amongst the holders of policies under the said Acts, in accordance with the following Scheme:—

Participation in the surplus shall be confined to holders of Whole Life and Endowment Assurance policies issued under Tables I., II., and III., which were in force on 30th June, 1880, and upon which two years' premiums had then been paid.

The surplus shall be divided in proportion to the loading contributed by each policy-holder, subject to a deduction of a year and a half's loading. In the case of policies under Table II., only the equalized loading is to be taken into account.

The share of each policy-holder, thus determined, shall be converted by the H^{m(5)} 4 per cent. single premiums into a reversionary bonus to be added to the sum assured, which bonus may be exchanged at any time for one of the following benefits:—

A temporary reduction of future premiums;

A permanent reduction of future premiums:

—such exchanges to be calculated by H^m 4 per cent. Tables.

Reversionary bonuses shall vest as from the 30th June, 1880.

Reversionary bonuses may be surrendered for cash, the surrender value to be calculated by H^m 5 per cent. Tables.

ORDERS OF THE DAY.

- Bill—third reading. (Hon. Mr. Whitaker.)
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 mitted. (Hon. Mr. Whitaker.)
 Bill—consideration of reasons assigned by House of Repre-
 for disagreeing to amendments of Legislative Council (Hon. Mr.
 Whitaker):—

REASONS.

1. Because shepherds, in their calling, are dependent upon their dogs in much the same manner as tradesmen depend upon their tools for the exercise of their trade, and the former should not be subject to a special tax not levied on other tradesmen.
 2. Because the local bodies ought to be allowed to determine upon the amount of any local tax which shall be levied within their boundaries.
6. Railways Construction Bill—to be committed. (Hon. Mr. Whitaker.)
 7. Gold Duties Act Amendment Bill—second reading. (Hon. Mr. Lahmann.)
 8. Protection of Crops Bill—second reading. (Hon. Mr. Holmes.)
 9. Drainage Bill—consideration of amendments proposed by the Officer Administering the Government (Hon. Mr. Waterhouse):—

8. The said Resident Magistrate and Justices, hereinafter called "the Court," having before them the parties so summoned, or, in their absence, upon proof of the service of summons, shall make full inquiry into the case, and hear all such evidence as any of the parties or the Court may require, *and may order the drainage works to be made, either according to the description and plan aforesaid or with such alterations as the Court shall think fit; and the applicant is hereby empowered to proceed with the works so ordered.*

11. The Court shall assess the compensation to be paid by the applicant to all persons having an interest in ~~such adjoining lands~~ *any lands affected by the drainage works so ordered to be made as aforesaid*, for any damage caused by such outfall and drainage works, and shall apportion such compensation amongst the several persons interested according to their several estates and interests.

12. The cost of cleaning and maintaining in good order and repair any such outfall drains and works shall be borne in such proportion as the Court at the hearing of the application shall have determined, and shall be recoverable in a summary way, by ~~the any party interested in having the said drains and works so cleaned and maintained as aforesaid~~ *who has completed such the work necessary for such cleaning and maintenance*, from the party refusing, failing, or neglecting to perform his part of such cleaning, maintenance, and keeping such works in good order and repair; and, for ~~such the purpose the owner of doing the works necessary for such cleaning and maintenance~~, *any person interested in having such drains and works so cleaned and maintained* may, after forty-eight hours' notice given by him to the owner or occupier of the lands affected or intersected by such works, enter upon such lands, *and do the works necessary for such cleaning and maintenance.*

New Clause.

Sections one hundred and eighty-one to one hundred and ninety-eight of "The Public Works Act, 1876," both inclusive, are hereby repealed, so far as they are repugnant to or inconsistent with this Act, but not further or otherwise.

10. Adjourned Debate upon the Question, That the words proposed to be added be there added, viz., "The Council is of opinion that the conduct of the Honourable Mr. Wood, in respect to his transaction with Mr. Reeves, is deserving of grave censure."
11. Gisborne Harbour Board Bill—second reading. (Hon. Mr. G. R. Johnson.)

Friday, the 16th day of September, 1881.

NOTICES OF MOTION.

1. The Honourable Mr. WILSON to move, That the vote of the Honourable Mr. Hart on the Railways Construction Bill be disallowed, on the ground that the honourable member had a direct interest in the question before the House, being a shareholder in the Wellington and West Coast Railway Company.