

ORDER PAPER.

LEGISLATIVE COUNCIL.

Tuesday, the 23rd day of October, 1877.

NOTICES OF MOTION.

1. The Honourable Mr. HALL to move, That, in the opinion of this Council, the Colonial Government, as proprietors and managers of various railways throughout the colony, should be under the same responsibility towards persons who may suffer damage by the working of the said railways as any company or private individual would be if proprietor or manager of such railways.
2. The Honourable Captain FRASER to move, That leave be granted to the Honourable Captain Fraser, from the 31st instant until the end of the Session, on private affairs.
3. The Honourable Colonel WHITMORE to move, That the Honourable Mr. Bonar be discharged from the Waste Lands Committee, and the Honourable Mr. Edwards be appointed thereto.
4. The Honourable Mr. ACLAND to move, That leave of absence be granted to the Honourable Mr. Acland for a fortnight, from the 27th October, on urgent private affairs.
5. The Honourable Mr. PEACOCK to move, That it is desirable the Government should, if possible, arrange so that replies to telegrams sent to the Australian Colonies can be pre-paid.

ORDERS OF THE DAY.

1. Canterbury Domains Act Amendment Bill—third reading.
2. Shipping and Seamen's Bill—third reading.
3. Rabbit Nuisance Act 1876 Amendment Bill—third reading.
4. Queenstown Athenæum Bill—third reading.
5. Masterton and Greytown Lands Management Act Amendment Bill—third reading.
6. Lotteries Bill—to be committed.
7. New River Harbour Management Bill—to be re-committed.
8. Dunedin School Reserve Bill—to be committed.
9. Municipal Corporations Act 1876 Amendment Bill—to be committed.

Contingent Notice of Motion.

The Honourable Colonel Whitmore, in Committee on the Municipal Corporations Act 1876 Amendment Bill, to move the following amendments:—

To insert the following sections after section 1:—

1a. In the case of the sickness or unavoidable absence of the Mayor from any cause, any Councillor may make and sign the declaration required of him previous to his acting as Councillor, before the Town Clerk.

1b. Every Council shall continue in office until their successors are elected and take office; and the expression "Council" shall include any Municipal Council constituted under "The Otago Municipal Corporations Ordinance, 1865," which may have become a borough under the said Act.

This provision shall be deemed to have come into operation on the same day as "The Municipal Corporations Act, 1876" came into operation; and any Council which shall have gone out of office at any time previous to the passing of this Act, and to whom no successors have been elected, shall be deemed to have continued in office, and may exercise all the powers, duties, and functions of such Council until their successors shall take office, in the same manner as if it had not gone out of office.

1c. Every Councillor shall come into office on the day of his election, and shall cease to hold office on the day his successor comes into office.

1d. After any notice shall have been published by any Council of its intention to raise a special loan, and before the poll shall be taken thereon, a special roll shall be made up by the Town Clerk by combining the rolls of the several wards of a divided borough into one roll, and setting opposite the name of each burgess on such roll the number of votes to which he is entitled, according to the scale set forth in section thirty-nine of the said Act, in respect of his rateable property within the entire borough, and in the case of an undivided borough, the Town Clerk shall set opposite the name of each burgess on the roll of such borough the number of votes he is entitled to according to the scale above mentioned. Such special roll shall be signed by the Mayor and two Councillors.

Whenever a poll shall be taken on the proposal to raise a special loan, there shall be only one polling booth at some central part of the borough; and every burgess shall be entitled to vote at any such poll taken in the borough in any part of which he is enrolled, according to the scale set opposite his name on the special roll for such borough.

Provided always that in no case shall any burgess have the right to exercise more than five votes in the whole at any such poll as aforesaid.

1e. Subsections (3) and (4) of section two hundred and ten of the said Act are hereby repealed, and the following substituted in lieu thereof:—

Where the Council shall have given notice in writing for the repair or drainage of any private street, in manner provided by subsection two of section two hundred and ten of the said Act, if at the expiration of the time mentioned in the aforesaid notice, the roadway or footways, including the edging or kerbing thereto, or the drainage of any private street or of any part of any private street in any borough, whether heretofore made or hereafter to be made, shall not have been or be constructed or repaired to the satisfaction of the Council of such borough, such Council may cause the same to be constructed or repaired to their satisfaction, and the expenses which shall be incurred by the Council in effecting the same shall be charged upon the owners of land abutting on such private street, or upon such part of a private street, as the case may be, as shall have been so constructed or repaired, in the proportion which the frontage to such street, or part of such street, as the case may be, of the land owned by each of them bears to the whole frontage of the land chargeable hereunder.

The proportion charged upon each such owner shall be paid by him to the Council within one calendar month after an advertisement requiring payment of the same shall have been published in some newspaper circulating within the borough, and if not so paid shall be recoverable by the Council from such owner in any Court of competent jurisdiction; and the production by or on the part of the Council of a copy of the newspaper containing such advertisement shall be deemed to be conclusive evidence, in any action brought for the recovery of such expenses, of the liability of the owner mentioned therein to the payment of the moneys sought to be recovered; and it is hereby declared that it shall be sufficient in any such advertisement, and in any action brought as aforesaid, in case the name of any such owner shall not be known to the Council, to describe such owner as “the owner of the parcel of land forming or being part of section [*naming it by its number on some public record map*] in the Borough of [*naming the borough*], abutting upon Street.”

1f. The Council of every borough may purchase or take under the provisions of “The Public Works Act, 1876,” any lands outside of as well as within the borough for any purpose connected with the drainage of the borough, the maintenance and repair of the roads, streets, and public places thereof, or the public health, protection, and safety of its inhabitants, or for any other purpose for which the Council is authorized to take land within the borough.

1g. All the powers granted by the said Act in respect of the construction of waterworks and gasworks shall be deemed to include the power of extending or enlarging any such waterworks or gasworks respectively, and the said powers of constructing or extending or enlarging any such works aforesaid shall be deemed also to apply in respect of any waterworks or gasworks acquired under any Act at any time previous to the passing of the said Act.

To omit section 2.

Preamble: To omit all the words thereof after “Whereas” and to insert the following in lieu thereof:—“it is expedient to amend in certain particulars ‘The Municipal Corporations Act, 1876,’ hereinafter called the said Act:”

10. Education Bill—to be further considered in Committee.

Contingent Notices of Motion.

The Honourable Mr. MILLER, in Committee on the Education Bill, to move the following amendment:—

In clause 29, line 2, to omit “and Inspectors.”

The Honourable Dr. GRACE, when in Committee upon the Education Bill, to move, in section 63, after line 13, to insert as a first subsection,—

Where it shall be determined at any such meeting that an election of a School Committee shall be proceeded with by ballot, then the cumulative principle of voting shall be enforced at such election, and every householder shall have as many votes at every such election as there are members of the Committee to be elected, and shall have the right of giving all or any number of his votes in favour of one person, and the remainder to any one other person or more persons, or he may distribute his votes amongst the several persons to be elected in numbers and in manner as he shall think fit.

The Honourable Mr. HALL, when in Committee upon the Education Bill, to move the following, to stand as clause 75:—

The Committee, with the approval of the Board, may establish savings banks for the use of children attending the school.

The Honourable Mr. BUCKLEY, in Committee on the Education Bill, to move the addition of the following new clauses:—

The Committee of any school may set apart one-half school day in every week during which any minister or ministers of religion, or person or persons appointed by them, and approved by the local Committee, may impart religious instruction to such of the children on the books of the school as may belong to his or their religious denominations: Provided that no child or children shall be allowed to attend at such instruction except on a written request to that effect addressed to the teacher by the parents or guardians of such children.

Whenever any twenty-five or more householders in any education district shall signify in writing to the Education Board of such district their desire to be constituted into a separate body for educational purposes, it shall be the duty of the Board to convene a meeting of such householders for the election of a School Committee in the manner provided in Part III. of this Act, and it shall be lawful for the Board to grant the Committee so elected such aid in books, school apparatus, and money as the Board shall think expedient, or, at the option of the Committee, such aid may be granted in money only, inclusive of the value of such books and school apparatus as would otherwise be supplied by the Board: Provided always that every such Committee shall provide a schoolhouse or schoolhouses to the satisfaction of the Board, and shall appoint and pay the teacher or teachers of such school or schools, every such teacher having first obtained a certificate of competency, as provided in section forty-four of this Act: Provided also that all books used in any such school shall be approved by the Board, and that in every respect wherein no special exception is made in this section, every such school shall be a public school under this Act, and subject to the provisions which this Act makes for the conduct, management, and inspection of public schools, and that every such school shall be open to all children between the ages of five and fifteen years without fee or payment of any kind.

11. District Railways Bill—adjourned Debate upon the second reading.
12. Dunedin Town Hall Site Bill—second reading.
13. Otago Roads Ordinance Amendment Bill—second reading.

Contingent Notice of Motion.

The Honourable Colonel WHITMORE, when in Committee upon the Otago Roads Ordinances Amendment Bill, to move the following new clause to stand clause 3 of the Bill:—

3. So much of section two of “The Otago Roads Ordinances Amendment Ordinance, 1872,” as repeals section twenty-five of “The Otago Roads Ordinance, 1871,” is hereby repealed.

Section twenty-five of “The Otago Roads Ordinance, 1871,” is hereby revived, and shall be deemed to have been and to have continued in operation as if it had never been repealed; and in the said section there shall be inserted the words “or any Acts amending the same” after the words “The Registration of Electors Act, 1866,” where they occur in the aforesaid section twenty-five.

14. Roxburgh Recreation Reserve Bill—second reading.
15. Auckland Harbour Bill—second reading.
16. Waiwera School Glebe Exchange Bill—second reading.
17. Clyde Public Reserves Grant Bill—to be committed.
18. Wanganui Harbour Endowment and Borrowing Bill—second reading.
19. Tokomairiro Farmers' Club Reserve Bill—to be committed.
20. Southland Agricultural and Pastoral Associations Reserve Bill—to be committed.
21. Otago Girls' and Boys' High Schools Bill—second reading.
22. Lawrence Athenæum and Mining Institute Bill—to be committed.

Wednesday, the 24th day of October, 1877.

NOTICE OF MOTION.

1. The Honourable Captain BAILLIE to move,—

(1.) That the Council agrees with the Report of the Public Petitions Committee upon the Petition of Te Hapuku and 203 others, with respect to the management of the Te Aute Estate, presented to the Council on the 18th October.

(2.) That a copy of the Report be forwarded to the Government, for their consideration.

ORDERS OF THE DAY.

1. Matura Reserve Bill—second reading.
2. Havelock Commonage Bill—second reading.
3. Otago Museum Bill—second reading.
4. Christchurch District Drainage Act 1875 Amendment Bill—second reading.
5. Kaiapoi Cemetery Bill—second reading.
6. Gold Mining Districts Act 1873 Amendment Bill—second reading.
7. Oamaru Reserve Bill—adjourned Debate upon the Question, That the Bill be now read the second time, and the Amendment proposed thereto, to omit the word "now," with a view to add the words "this day six months."
8. Auckland Provincial Council Library Bill—second reading.
9. Public Health Act Amendment Bill—second reading.
10. Special Contracts Confirmation Bill—second reading.
11. Wakapuaka Telegraph Station Site Bill—second reading.
12. Ponsonby Highway District Bill—second reading.
13. Public Reserves Sale Bill—second reading.

Thursday, the 25th day of October, 1877.

NOTICE OF MOTION.

1. The Honourable Mr. HALL to move, That this Council doth concur in Report of the Joint Committee on the custody and control of Parliamentary Buildings.

ORDERS OF THE DAY.

1. Auckland Grammar School Site Bill—adjourned Debate upon the second reading.
2. Peninsula County Libraries Bill—second reading.
3. Dangerous Goods Act Amendment Bill—second reading.
4. Slaughterhouses Bill—second reading.
5. Manawatu Land Orders Bill—second reading.
6. City of Wellington Loans Consolidation Act Amendment Bill—second reading.
7. Lyttelton Harbour Board Land Bill—second reading.
8. Dunedin Gaol Street Bill—second reading.
9. Education Reserves Bill—second reading.

PETITIONS, PAPERS, AND REPORTS PRESENTED.

MONDAY, 22ND OCTOBER, 1877.

PETITIONS.

73. The Petition of 56 Residents of the Provincial District of Hawke's Bay, praying that the Council will cause an inquiry to be made into the matters connected with the Te Aute College Estate, and will grant such relief as to the Council shall seem fit. (Hon. Captain Fraser.)

74. The Petition of 60 Residents of the Provincial District of Hawke's Bay. Same prayer as foregoing. (Hon. Captain Fraser.)

PAPERS.

115. Marine Department, Twelfth Report of the, for the Year ended 30th June, 1877. H.—29. (By command.)

116. Native Reserves in the City of Wellington, Statement relating to. Return to an Order of the Legislative Council, dated 18th September, 1877.

REPORTS.

60. Report of the Waste Lands Committee on the Tokomairiro Farmers' Club Reserve Bill. (Hon. Dr. Pollen.)

61. Report of the Waste Lands Committee on the Southland, Agricultural, and Pastoral Association Reserve Bill. (Hon. Dr. Pollen.)

62. Report of the Sub-Joint House Committee. (Hon. Captain Baillie.)