

## ORDER PAPER.

## LEGISLATIVE COUNCIL.

Friday, the 13th day of October, 1876.

## NOTICE OF MOTION.

1. The Honourable Mr. MANTELL to move, That the Crown Redress Act 1871 Extension Bill, 1876, be referred to a Select Committee; to consist of the Honourable Dr. Pollen, the Honourable Mr. Hart, the Honourable Mr. Bonar, the Honourable Mr. Johnson, the Honourable Captain Fraser, the Honourable Mr. Stokes, and the Mover. To report in a week.

## ORDERS OF THE DAY.

1. Municipal Corporations Bill—to be further considered in Committee.

*Contingent Notices of Motion.*

The Honourable Mr. HALL, when in Committee on the Municipal Corporations Bill, to move the following additional clauses:—

*To follow clause 62.*

When the Council of any borough consists at the time of its becoming a borough under this Act of more or fewer members than as by this provided, such Council shall be deemed to have been and shall, until the next ordinary election of Councillors hereunder, continue to be the duly constituted Council of such borough.

The six persons who, at the time of the constitution of the Borough of Picton, were in office as the Board of Works for the Town of Picton, under an Act of the Superintendent and Provincial Council of the Province of Marlborough, intituled "The Picton and Hayelock Improvement Act, 1872," shall be taken and deemed to be and to have been from the constitution of the said borough the first Council of the said borough, as fully and effectually to all intents and purposes as if the said six persons had been in office as the Board of Works for the Town of Picton under the Act referred to in the First Schedule of "The Municipal Corporations Act, 1867," and also that the number of Councillors necessary to be elected on the sixteenth day of October instant, shall be taken and deemed to have been three and no more.

The Honourable Mr. PHARAZYN, on the third reading of the Municipal Corporations Bill, to move, That the Bill be re-committed for the purpose of inserting the following amendments:—

In clause 44. In line 57, page 11, to omit "each" and insert "the present" in lieu thereof.

In line 57, page 11. After "year" to insert "and subsequently, in the month of November, in every third year."

To add to the clause, "Provided always that no Mayor shall be eligible for re-election until he has been out of office for a period of one year."

In clause 50 (postponed). In line 32, page 12, to omit "annual" and insert "triennial" in lieu thereof.

In clause 251, subsection (a). To omit all the words after "shillings," in line 5, and insert in lieu thereof "a rate not exceeding six per centum on such value."

In clause 262. To omit subsection 3.

2. Rabbit Nuisance Bill—third reading.
3. Counties Bill—to be further considered in Committee.

*Contingent Notice of Motion.*

The Honourable Mr. HALL to move, in Committee on the Counties Bill,—

To erase clauses 54, 55, 56, 57, 58, and 59, and substitute the following clauses :—

The Council shall, at its first meeting, and thereafter at the annual meeting to be held on the fourth Wednesday in November in every succeeding year, elect some fit and proper person, who may or may not be a member of the Council, to be Chairman of the County.

The Chairman shall come into office on his election, and shall hold office until the election of his successor.

The Chairman may resign his office by writing under his hand, delivered to the Council or the Clerk of the Council, and in such case, or in case of his death, incapacity, or ouster from office, his office shall become vacant, and the Clerk shall forthwith call a meeting of the Council, who shall elect a Chairman in his stead.

4. Debtors and Creditors Bill—to be further considered in Committee.

*Contingent Notices of Motion.*

The Honourable Dr. POLLEN, in Committee on the Debtors and Creditors Bill, to move following amendments :

In clause 24, line 4, to omit “ eight,” and insert “ four ” in lieu thereof.

In clause 64, to erase all the words after “ Trustee,” in line 10.

In clause 66, to omit subsection 3.

In clause 69, subsection 2, line 3, after “ by him ” to insert “ and filed in the Court.”

In clause 69, subsection 2, to omit the words “ Provided that the creditors’ trustee or Registrar, as the case may be, shall, within ten days after such election, give notice thereof to the person entitled to the immediate reversion therein, or file a declaration of such election in the Supreme Court.”

The Honourable Mr. BONAR, in Committee on the Debtors and Creditors Bill, to move the following new clause, to stand as clause 47 :—

No appointment of any trustee, made under “ The Debtors and Creditors Act, 1875,” shall be deemed to be invalid by reason only of any irregularity or informality in any of the proceedings connected with such appointment.

The Honourable Mr. HART, in Committee on the Debtors and Creditors Bill, to move the following amendments :—

To add to clause 4. “ Trustee ” shall mean Official Trustee or the creditors’ trustee, as the case may be.

To erase clause 15.

In clause 44, line 7. To omit “ shall,” and insert “ may ” in lieu thereof.

In clause 44, line 4. To omit “ Registrar,” and insert “ Official Trustee ” in lieu thereof.

In clause 45. To omit all the words after “ lapsed,” in line 4.

If the previous amendment be negatived, in line 9 of the same clause. To omit “ Registrar,” and insert “ Official Trustee ” in lieu thereof.

In clause 46, line 1. To omit “ appointment of a,” and insert “ election of a creditors’ ” in lieu thereof.

To erase clause 47.

In clause 48, lines 19 and 20. To omit “ Registrar or creditors’ ,” as the case may be, and insert “ Trustee ” in lieu thereof.

In clause 48, lines 29 and 44. To strike out “ creditors’ ” where it occurs before “ trustee.”

In clause 49, line 6 of page 9. Instead of "Registrar," insert "Official Trustee"; and from lines 7 and 8, strike out "at which he shall be required by the Chairman to attend," and "or appointment."

In clause 50, line 12. Strike out "creditors." From line 13, strike out "creditors."

In clause 52, line 26. Instead of "being absent" insert "departing," and strike out from the section all words after "colony" in line 27, and insert "the Official Trustee shall apply to the Court for and the Court may make an order appointing him to be trustee in place of the trustee so dying or resigning, or becoming bankrupt, or becoming incapable of acting, or departing from the colony."

In clauses 53 and 54. From lines 33, 34, 36, and 37, strike out the word "creditors," and in 37 insert, after Trustee, the words "in bankruptcy."

In clause 55. In lines 48, 50, and 58, instead of "Registrar" insert "Official Trustee," and from line 49 strike out "or appointment."

In clause 56. From line 4 of page 10, strike out "or appointment," and in line 6, instead of "Registrar," insert "Official Trustee," and add "but the Official Trustee shall have a lien upon the estate for all costs and expenses incurred by him in relation thereto, and for a further sum of three guineas by way of remuneration for his services, instead of the five per centum to which he might otherwise have become entitled."

In clause 57. In line 8, instead of "Registrar and creditors' trustee respectively," insert "Trustee or any person acting under him may;" and from lines 9 and 10, strike out "or any person acting under the authority of either of them, pursuant to such leave, may."

In clauses 58 and 59. From lines 15 and 21, strike out the word "creditors."

In clauses 62 and 63. From lines 40, 49, and 59, strike out the word "creditors."

In clause 69. In lines 27, 28, of page 12, instead of "creditors' trustee, or if there be no creditors' trustee, then the Registrar," insert "Trustee;" and in lines 33 and 37, instead of "creditors' trustee or Registrar, as the case may be," insert "Trustee."

In clauses 70 and 71. From lines 45, 55, 56, and 57, strike out the word "creditors'."

In clauses 72, 73, and 74. From lines 1, 2, 8, 9, 12, 14, and 15 of page 13, strike out the word "creditors'."

In clauses 100, 101, and 102. From lines 19, 31, 37 and 41, strike out the word "creditors'."

In clauses 103 and 105. From lines 2, 5, and 17 of page 17, strike out the word "creditors'."

In clauses 107, 108, 109, 110, 111, 112, 113, 115, and 116. From lines 1, 6, 13, 16, 21, 34, 36, 41, 50, 51, and 61 of page 18, strike out the word "creditors'."

In clauses 117 and 118. From lines 7 and 12 of page 19, strike out the word "creditors'."

In clause 120. In line 26, instead of "Registrar or creditors' trustee," as the case may be, insert "Trustee."

In clause 160. From line 35 of page 24, strike out "Registrar or creditors'."

In clauses 165, 166, 167, and 169. From lines 24, 30, 35, and 60 of page 25, strike out the word "creditors'."

In clauses 179 and 180. From lines 13 and 26 of page 27, strike out the word "creditors'."

In clauses 195, 196, and 197. From lines 2, 3, 8, 12, and 14 of page 29, strike out the word "creditors'."

In clause 208. From line 30 of page 30, strike out "Registrar or."

*New Clause.*

The Governor may from time to time appoint some person to be the Official Trustee in each district so proclaimed, and the person so appointed shall be subject to the Court in relation to any estate in respect of which he is or has been acting as Official Trustee; and for such purpose shall be deemed to be an officer of the Court, and he shall be entitled to retain out of the proceeds of each estate administered by him a sum equal to five per centum on all moneys received by him on behalf of such estate.

5. Napier Borough Endowments Bill—to be committed.
6. Native Reserves Bill—second reading.

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Monday, the 16th day of October, 1876.

## ORDERS OF THE DAY.

1. Public Works Bill—third reading.

*Contingent Notice of Motion.*

The Honourable Mr. MENZIES to move, on the third reading of the Public Works Bill, the addition of the following clause:—

If it shall be proved to the satisfaction of the Governor at any time that the diversion of water from a stream by any race operates injuriously upon persons or industries unconnected with such race, it shall be lawful for the Governor, by proclamation in the *New Zealand Gazette*, to revoke any proclamation authorizing the construction of any such race, and such race shall be closed thereupon.

Provided always that nothing in this section contained shall deprive any person of any claim for compensation on account of the closing of such race, to which but for this section he would have been entitled.

2. Fraudulent Debtors Act 1875 Amendment Bill—third reading.

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 PETITIONS, PAPERS, AND REPORTS PRESENTED.

THURSDAY, 12TH OCTOBER, 1876.

## PAPERS.

120. Cook Strait Cable, Papers relating to a Second. F.—8. (By command.)
121. Abolition of Provinces, Copy of Correspondence between His Honor the Superintendent of Otago and His Excellency the Governor relative to the.
122. Sir G. Grey's Letter to the Secretary of State, Copy of Despatches relative to.

## REPORTS.

47. The Report of the Public Petitions Committee on the Petition of Tikawenga Te Tau and 123 others. (Hon. Captain Baillie.)
48. The Report of the Public Petitions Committee on the Petition of 44 Settlers and Land-owners and Pastoral Tenants of the Crown in the District of Southland. (Hon. Captain Baillie.)
49. The Report of the Public Petitions Committee on the Petition of the Mayor and Council of the City of Dunedin. (Hon. Captain Baillie.)
50. The Report of the Public Petitions Committee on the Petition of Hirine Taiwhanga. (Hon. Captain Baillie.)
51. The Report of the Public Petitions Committee on the Petition of Singleton Rochfort. (Hon. Captain Baillie.)
52. The Report of the Public Petitions Committee on the Petition of 171 Inhabitants of the Town of Oamaru. (Hon. Captain Baillie.)
53. The Report of the Waste Lands Committee on the Ohinemuri Gold Field Agricultural Leases Validation Bill. (Hon. Mr. Waterhouse.)

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 SELECT COMMITTEE:—

For Friday, the 13th day of October, 1876.

Standing Orders, at 11 a.m., in No. 1 Committee Room.