

SUPPLEMENTARY ORDER PAPER.

LEGISLATIVE COUNCIL.

Wednesday, the 30th day of June, 1886.

CONTINGENT NOTICE OF MOTION.

MUNICIPAL CORPORATIONS BILL.

The Honourable the COLONIAL SECRETARY, in Committee, to move,—

Clause 6. To insert “‘Auditor,’ means the Controller and Auditor-General.”

Clause 12. Omit “first day of May,” insert “thirtieth day of June,” to agree with clause 173. *Transfer clause 12 to be 173A.*

Clause 50, line 45. After “area” insert “or in the vicinity of each other and forming together, with any intervening area or areas, one continuous area not exceeding the maximum prescribed for a borough.”

Clause 64. Omit “or of Auditors.”

Clause 72. Add the words “and erased from the defaulter’s list.”

Clause 73, line 48. After “respectively,” insert “or of persons who are known to be dead”; and after line 49 insert—

“The Council in like manner may correct any mistakes and supply any omission proved to the satisfaction of the Council to exist in the burgess list with respect to the name or abode of any person, or the description of any property, and also any clerical mistakes or printers’ errors appearing therein.”

Clause 74. Omit all the words in line 5, beginning with the word “under”; after line 13, insert—

“The Town Clerk shall also forthwith make new rolls for any ward or wards affected by any creation, abolition, or division of wards or alteration in their boundaries.”

Line 14. Omit “and Auditors.”

Clause 81. Change the numeral “3” to “6.”

Clause 90, line 35. After “pounds,” insert “for anyone contract or work, or *ten* pounds altogether in any year if more than one contract or work”; and in lines 40 and 41, omit “or Auditor.”

Clause 91, line 59. Omit “an,” insert “the.”

Clause 92, line 11. Change numeral “3” to “6.”

Clause 99, line 8. Before “all the,” insert “or any ward is divided or abolished, or the boundaries of any wards are changed”; line 10, after “redivision,” insert “of the borough, or division, abolition, or change in the wards thereof.”

Clause 110. Omit “due,” insert “two clear days”; omit “given at a prior meeting and notice thereof”; and after “sent,” insert “by the Clerk.”

Clause 113, line 56. Before “meeting,” insert “special”; also same in marginal note.

Clauses 124 and 125 to be omitted.

Clause 126, line 35. Omit “or Auditor.”

Clause 129, line 49. Omit “hereby given,” insert “given in this Part of this Act.”

Clause 133, subsection (9.) Add “or under or in pursuance of any Act of the General Assembly.”

Clause 138, line 38. Omit “a manner,” insert “manner as.”

After clause 142 insert—

142a. When a borough is first constituted, and until a valuation roll under “The Rating Act, 1876,” is made for such borough, the Council may make, levy, and collect any rates therein under any Act relating to rating previously in force in the district, or parts of districts included in such district within the borough, and upon the basis of the last rate made; and whenever any rate may have been made and levied in any such district or parts of districts before their inclusion within the borough but has not been collected, such rate may be collected by the Council upon the basis upon which it was made in the same manner as if it had been made and levied by such Council under “The Rating Act, 1876.”

Clause 147, line 33. After “providing” insert “the interest or”; and in line 41, after “providing,” insert “interest or.”

Immediately before clause 165 insert—

164a. The Controller and Auditor-General shall be the Auditor of the borough, and shall have in respect of all moneys belonging to the borough and the accounts thereof, and all persons dealing or concerned therewith, the same powers which under the provisions of “The Public Revenues Act, 1878,” or any Act amending the same, are vested in him in respect of the public moneys and accounts and of all persons dealing therewith.

164b. The Governor may from time to time fix the cost of auditing the accounts of the borough, and the sums so fixed shall be a charge on the Borough Fund, and shall be paid into the Public Account to the credit of the Consolidated Fund. All such sums shall be deemed to be a debt due to the Crown, and may be recovered accordingly in any Court of competent jurisdiction.

Clause 167. Omit “Auditors,” insert Auditor.”

Clause 168, line 11. Omit “Auditors,” insert “Auditor or an officer of the Audit Office authorized by him”; line 15, omit “Auditors,” insert “Auditor”; line 16, after “balance-sheet,” insert “or as soon thereafter as may be possible;” line 17, omit “they,” insert “he.”

Clause 169, line 21. Omit “Auditors are,” insert “Auditor is”; line 23, omit “Auditors,” insert “Auditor or any officer of the Audit Office authorized by him.”

Clause 170, line 26. Omit “Auditors,” insert “Auditor.”

Clause 171, lines 40 and 44. Omit “Auditors,” insert “Auditor”; line 42, omit “they think,” insert “he thinks”; line 33, after “April,” insert “or as soon thereafter as may be possible.”

Clause 172, line 45. Omit “second,” insert “fourth”; lines 47 and 50, omit “Auditors,” insert “Auditor.”

Clause 173, line 5. Omit first, insert “thirtieth.”

After clause 173 *bring in clause 12 from page 8.*

Clauses 175, 176, and 177 to be omitted, insert—

175. The Auditor shall have full power at all times to make a special audit of the accounts of the borough upon being satisfied that such audit is necessary, or when so directed by the Governor, and shall report the result of such special audit to the Governor, who shall lay the same before Parliament within ten days after he has received the same if the General Assembly is in session, and if not, then within ten days after its first meeting at the next session thereof.

The cost of every such special audit shall be fixed and charged as provided by section 164b.

Clause 178, line 37. Omit “Auditors of the borough or any special;” line 40, after incurred,” insert “the Controller and Auditor General or”; also omit all words after “authority” in line 45, insert—

“The money so recovered shall be paid into the Borough Fund, and the costs shall be paid into the Public Account, or to the rate-payer who may have incurred the same, as the case may be.”

The Auditor shall, at the request of any ratepayer taking proceedings under this section, send him a certified copy of the report relating thereto, which shall be received as evidence of the contents of such report unless the contrary be proved.

Clauses 187 and 188. Transpose the marginal notes.

Clause 199. Add the paragraph following:—

“It shall be sufficient if the signatures of any persons to any coupon heretofore issued or hereafter to be issued be lithographed on such coupon or impressed thereon by means of a stamp.”

Clause 200. Omit “where such debenture is issued by the Council”; and in line 24, after “such,” insert “last mentioned.”

Clause 204, line 4. Omit “current,” insert “ordinary”; lines 11 and 12, omit “aforesaid,” insert “in this section mentioned.”

Clause 212. Omit “in the payment thereof,” insert “by the aforesaid Commissioners in the payment thereof; and in case there shall be any surplus of such fund after such payment, such surplus shall be applied as shall be determined by special order in that behalf.”

Clause 217. Omit “*forty-five*,” insert “*forty-nine*.”

After clause 294 insert—

294a. If an Inspector of Nuisances shall have good reason to believe that any nuisance exists in any dwelling-house, or that such house is in a state of uncleanness as to be injurious to health, he may, by order of the Council, or by an order in writing under the hand of the Mayor, give notice to the occupier of such house, or to the owner if there is no occupier, that he will at some reasonable hour in the day-time enter such house to inspect the same, and accordingly the Inspector shall have the right to enter such house, and upon such inspection, if he shall think it necessary, he may direct the occupier or owner thereof, within a time stated in such order, effectually to clean and purify the same, or any part thereof, or to abate any nuisance therein; and the said Inspector shall report his proceedings under this section to the Council at its next ordinary meeting.

Clause 295. *If the last preceding new clause is not adopted;* lines 2, 7, and 10, omit “house.”

After clause 304 insert—

304a. The Council may inclose and cover in any stream or watercourse which by reason of sewage therein has become dangerous to the public health, and shall not be liable to pay compensation in respect of any one being deprived of the water flowing in such stream or watercourse, or of the right to such water.

Clause 311, line 4. Before “machinery,” insert “buildings.”

After clause 411 insert—

411a. For the purpose of constructing any such wharves or jetties, the Council may borrow moneys by way of special loan in the manner provided by this Act.

A separate account shall be kept of all moneys received and expended on account of such loan, and it shall not be lawful to expend any such moneys in the maintenance or repair of such wharves or jetties, or for any purpose other than in the construction thereof.

Clause 421, page 82, line 42. After “street,” insert “right-of-way;” line 45, omit “street,” insert “public or private street, right-of-way.” Page 83, lines 19 and 21, after “streets,” insert “rights-of-way.” Page 84, line 35, before “regulate,” insert “prohibit or.”