

## SUPPLEMENTARY ORDER PAPER.

## LEGISLATIVE COUNCIL.

Wednesday, the 7th day of July, 1886.

## CONTINGENT NOTICES OF MOTION.

## MUNICIPAL CORPORATIONS BILL.

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

Postponed clauses 24, 26, 27, 28, 178, 184, 187, 188, 190, 191, 193, 222, 227, 258, 281, 329, and 407.

After clause 142 insert new clauses—

**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 after 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.

**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.

Clauses 187 and 188. Transpose the marginal notes.

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.

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, line 44. Insert the following new subclause in subsection (a):—

(aa) For regulating the number of passengers which may be carried on each tram-car, and to prevent such number being exceeded, and generally to regulate the carriage of passengers thereon.

**The Honourable Sir F. WHITAKER**, in Committee, to move,—

Clause 184. To omit lines 1, 2, and part of 3, to "aforesaid," with a view to add these words in lieu thereof: "If a majority in number of the burgesses vote in favour of the proposal, and the number so voting are entitled to more than one half in number of the votes which can be exercised by the whole number of burgesses."

**The Honourable Mr. STEVENS**, in Committee, to move the following new clauses:—

**257A.** Upon the petition of not less than three-fifths of the ratepayers in respect of the lands and buildings fronting any street, or any one side of a street, throughout any complete section of its length, the Council may construct the channels of such street or side thereof adjoining the footway, in concrete or other durable material, and in such manner as it thinks fit, and the half cost of such channelling shall be apportioned amongst the owners and occupiers aforesaid, in the same manner as in the case of footways.

Clause 158, lines 27 and 30, after "footways" insert "or channels;" lines 32, 34, and 37, after "footways" insert "or channels."

In any borough in respect of which a resolution of the Council has been passed adopting in such borough the provisions of "The Rating Act, 1882," in manner as contained in section fifty-eight of the last-mentioned Act, the Council may, by special order, revoke any such resolution, and pass another resolution reviving the operation of "The Rating Act, 1876," in the said borough as from the end of the then current financial year.

The Honourable Mr. REYNOLDS, in Committee, to move the following new clause :—

After clause 407, to insert,—

**407A.** The Council may from time to time contribute out of the borough funds for the maintenance or otherwise, in aid of athenæums, mechanics' institutes, and public libraries, not conducted for the purpose of private profit; and may also contribute out of such funds towards the erection, establishment, and maintenance, with all necessary appliances, of schools for special tuition in any particular arts or industries.

NATIVE EQUITABLE OWNERS BILL.

The Honourable Mr. TATAROA to move the following amendments :—

In line 17, after the word "successors," add—"but this exception shall not apply to land in the South Island, portions whereof have been disposed of to the Government."

Between clauses 7 and 8 add the following new clauses :—

a. It is also hereby further declared that the said Court shall have and may exercise the like jurisdiction in respect of any Native reserve situate in the South Island or in Stewart Island, which may be submitted to such jurisdiction by Order in Council which the Governor is hereby authorized to issue from time to time for the purpose.

But the Court, in determining the title or interests to any of such reserves, shall give effect to the original intention for which the said lands were respectively set apart.

b. Every certificate of title to be granted by the said Court under the authority of this Act shall contain a restriction to the effect that the land mentioned in such certificate shall be inalienable by sale or mortgage, or by lease for a longer period than twenty-one years, unless with the consent of the Governor.

c. It shall be lawful for the Court, if it shall see fit, in any proceeding under this Act to give effect to any arrangement voluntarily come to between the Natives named as owners in any certificate or grant and any other Native, and to decide such proceedings in accordance with such arrangements.

d. If, during the hearing of any case, it appears that any Native has died entitled to an interest in the land before the Court, but that no succession order has been made in respect of such interest, the Court may, if it deem fit, appoint a successor to such interest in like manner, and with the like effect, as if an application had been made in conformity with the provisions of "The Native Succession Act, 1881."

NEWMARKET RESERVE BILL.

The Honourable Sir F. WHITAKER, in Committee, to move the following amendments :—

To omit clauses 1 and 2, with a view of adding the following new clauses in lieu thereof :—

2. It shall be lawful for the Governor to grant to the Mayor, Council, and burgesses of the Borough of Newmarket a piece of the Newmarket reserve, as described by an Act of the General Assembly intituled "The Newmarket Reserve Act, 1878."

3. Such piece of land shall not exceed one half of an acre, and shall be such piece as the Governor may deem suitable for the erection of public buildings.

4. The said piece of land shall be used only as a site for a town hall and free public library and such other buildings as may be convenient and required for the use of the inhabitants of the said borough.

Governor may grant part of reserve at Newmarket to borough.

Not to exceed a half of an acre.

Land to be used only for public buildings.

## MINING COMPANIES BILL.

The Honourable the COLONIAL SECRETARY, in Committee, to move the following amendments :—

Clause 53. Add the following paragraph :—

The manager of the company shall, not later than three days after any share or shares have become forfeited as aforesaid, send to the holder thereof notice of such forfeiture, and of the intended sale of such share or shares, in manner provided by section *fifty-five*.

Clause 55, line 10. Omit "be forthwith," insert "not later than forty-two days after the time of forfeiture"; line 10, before "offered" insert "be"; line 11, after "sale" insert "by the manager of the company." After subsection (2) insert the following paragraph :—

Any manager of a company shall be liable to a penalty not exceeding *ten* pounds if he fail to send notice to any shareholder of the forfeiture of his share or shares as required by section *fifty-three*; and to a like penalty in respect of every forfeited share which such manager shall fail to offer for sale as required by this section.

Clause 94, subsection (1). At the end thereof, after "forfeited shares," insert "whether or not such shares or any of them have been offered for sale as required by section *fifty-five*."

## COAL MINES BILL.

The Honourable the COLONIAL SECRETARY, in Committee, to move the following amendments :—

Clause 2. Omit "or any lease granted thereunder" at the end of the clause.

Clause 55, line 27. Before "permit" insert "wilfully or negligently." Add the following paragraph to the clause :—

But no owner of any mine shall be entitled to claim or to recover any contribution as aforesaid under this section unless he shall have left a barrier of solid coal or unworked ground not less than thirty-three yards thick along the entire line of the boundary dividing his mine from any adjoining mine.