

The Council meets at 2.30 p.m.

ORDER PAPER.

LEGISLATIVE COUNCIL.

Wednesday, the 1st day of October, 1884.

NOTICE OF MOTION.

1. The Honourable Mr. McLEAN to move, For leave to introduce a Bill to amend "The Salmon and Trout Act, 1867."

ORDERS OF THE DAY.

1. Guardianship of Infants Bill—second reading. (Hon. Mr. Waterhouse.)
2. Otago Harbour Board Empowering Act 1875 Amendment Bill—adjourned debate upon the Question, That the Bill be now read the second time. (Hon. Mr. McLean.)
3. Napier Harbour Board Empowering and Loan Bill (Hon. Mr. Wilson)—adjourned debate upon the Question, That the Bill be now read the second time, and the Amendment of the Honourable Mr. CHAMBERLIN, to omit the word "now" with a view to add the words "this day six months."

Contingent Notice of Motion.

The Honourable Mr. REYNOLDS, when in Committee, to move the following amendments in the First Schedule:—

In line 1. To strike out the figures "1100," with the view of inserting the figures "610."

In line 4. After the word "corner," to omit all the words down to the word "links" inclusive in line 5.

In line 6. To strike out the figures "18951," with the view of inserting the figures "17740"; and to strike out the figures "11500," with the view of inserting the figures "11000."

In line 7. To strike out the figures "4500," with the view of inserting the figures "2500"; and to strike out the words "north-easterly."

In line 9. To strike out the words "and a part of"; and after the word "reserve," to omit all the words down to the word "by" inclusive, in line 10.

In line 13. To strike out the words "being the land shown on," with the view of inserting the words "as the same is more particularly delineated upon."

In line 15. To strike out the word "purple," with the view of inserting the word "yellow."

4. Road Boards Act 1882 Amendment Bill (Hon. the Colonial Secretary)—second reading.
5. Pensions Bill (Hon. Mr. Reynolds)—third reading.
6. Auckland College and Grammar School Act 1877 Amendment Bill—to be committed. (Hon. Dr. Pollen.)
7. The Trustees and Executors Shareholders Liability Bill (Hon. Mr. Wilson)—adjourned debate upon the Question, That the Bill be now read the second time.
8. Hokitika Racecourse Reserve Bill (Hon. Mr. Lahmann)—second reading.
9. Timber Floating Bill—to be further considered in Committee. (Hon. the Colonial Secretary.)

Contingent Notice of Motion.

The Honourable the COLONIAL SECRETARY, upon the Bill being reported, to move, That the Bill be recommitted forthwith, for the purpose of making the following amendments:—

In clause 5, after "workmen," in line 4, to make the remainder of the clause a subsection.

To add the following to the clause as subsection (2):—

- (2.) To enter upon any land and remove therefrom any logs, lumber, or other material above mentioned which may have become deposited on such land by such rafting, floating, or driving, or through any overflow of the waters of any such river, stream, or tidal creek as aforesaid; and no such owner shall be deemed a trespasser by entry on any such land in virtue of the authority hereby granted.

The Honourable Dr. POLLEN, when in Committee, to move the following new clause after clause 2:—

No license under this Act shall be issued except under the direction and control of the Land Board of the district wherein such license is to take effect, and with the sanction of such Board, which may, from time to time, make regulations, not inconsistent with this Act, as to the issue of such licenses.

In clause 3, at the beginning, omit "Any." Insert "Subject to the provisions of the last-preceding section, any."

In same clause 3, subsection (9), after "five pounds for the same," insert "submit the case to the aforesaid Land Board for its approval, and on obtaining the same, shall."

And in subsection (10), after "at his discretion," insert "but subject to the approval of the Board aforesaid."

10. Kaiapoi Domain Board Empowering Bill—third reading. (Hon. Captain Fraser.)

Thursday, the 2nd day of October, 1884.

ORDERS OF THE DAY.

1. Foreign Companies Bill (Hon. the Colonial Secretary)—to be committed.

Contingent Notice of Motion.

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

New Clauses.

To stand after Clause 6.

6A. Every foreign company shall have an office or place of business in the colony, where legal proceedings of any kind may be served upon it, and to which notices of any kind may be addressed or given; and for the purposes of this Act the following provisions shall have effect:—

- (1.) Before any foreign company commences or carries on business in New Zealand the attorney of every such company shall cause a notice to be inserted in the *New Zealand Gazette*, and in at least one public newspaper circulating at the town or place where it is proposed to commence or carry on business, stating the situation and locality of such office or place of business.
- (2.) Such notice shall be inserted in at least three consecutive issues of such *Gazette* and newspaper.
- (3.) If any change shall be made in the situation or locality of such office or place of business, the attorney shall cause a like notice of such change to be given in the manner hereinbefore provided.
- (4.) The preceding provisions of this section shall extend and apply to every place where the company may at any time carry on business in the colony.
- (5.) Service of legal proceedings or the delivery of any notice at any such office or place of business upon an attorney of any such foreign company shall for all purposes be deemed good service on the company; but nothing herein shall be deemed to control or affect any statute or rule now or hereafter in force regulating the service

of legal process upon any person or corporate body according to the practice of the Court whence such process shall issue.

- (6.) If any attorney of a foreign company shall fail to comply with any of the foregoing provisions he shall be liable to a penalty of *five* pounds for every day the business of such company is carried on contrary to this Act, and every such penalty may be recovered in a summary way.

To stand after Clause 8.

8A. Before any Foreign company shall voluntarily cease to carry on business in any part of the colony at least three months' notice shall be given by its attorney of its intention so to do, and such notice shall be published in at least three consecutive issues of the *Gazette* and of some newspaper circulating at each place in the colony where the company carries on business.

And for a period of three months after the first of such notices shall have been published legal proceedings, notices, or other documents may be served on the attorney of the company under this Act, or, if there shall be no such attorney, by leaving the same at any office or place of business where the company carried on business prior to the giving of such notice as aforesaid, and service effected under this enactment shall be as effectual as if no such notice had been given.

2. Mortgages Release Extension Bill (Hon. the Colonial Secretary)—second reading.

Contingent Notice of Motion.

The Honourable Mr. BUCKLEY, in Committee, to move the following amendments:—

Clause. 1. To omit "Mortgages Release Extension;" to substitute "Property Law Consolidation Act 1883 Amendment."

To add the following new clauses:—

Estates of infants deemed to be settled estates.

a. Where a person in his own right is seized or entitled to land for an estate in fee-simple, or for any leasehold interest at a rent, is an infant, the land shall be deemed to be settled estate within "The Leases and Sales of Settled Estates Act, 1865."

Execution of deeds validated.

b. Every deed signed or executed before the passing of "The Property Law Consolidation Act, 1883;" or this Act, shall be deemed to have been sufficiently attested if the execution of such deed has been attested by one witness, although the address or occupation of such witness has not been inserted after such signature.

Receipt in deed authority for payments to solicitor.

c. Where a solicitor produces a deed having in the body thereof a receipt for consideration-money or other consideration, the deed being executed by the person entitled to give a receipt for that consideration, the deed shall be sufficient authority to the person liable to pay or give the same for his paying or giving the same to the solicitor without the solicitor producing any separate or other direction or authority in that behalf from the person who executed or signed the deed.

This section applies only in cases where consideration is to be paid or given after the commencement of this Act.

Acknowledgment of deed as to separate estate not necessary.

d. Notwithstanding the Act of the third and fourth years of the reign of King William the Fourth, chapter seventy-four, or any other Act in force in the colony, it shall not be necessary for a married woman to acknowledge any deed or other instrument affecting her separate estate already or hereafter to be executed by her.

To amend the title of the Bill by omitting therefrom the words "section fifty of," and "in relation to the release of mortgages."