

SUPPLEMENTARY ORDER PAPER.

LEGISLATIVE COUNCIL.

Thursday, the 17th day of August, 1882.

SUPREME COURT BILL.

The Hon. Mr. WHITAKER, in Committee, to move the following amendments:—

Page 7. Schedule of Repeals. Insert, above line 1, "2° and 3° Vict., c. 54—An Act to amend the Law relating to the Custody of Infants."

Page 54. Rule 566, line 1. Omit "where in any Statute," substitute "where in any Act or Provincial Ordinance, or in any deed or other instrument or document."

PUBLIC WORKS BILL.

The Hon. Mr. WHITAKER, in Committee, to move the following amendments:—

Clause 35, paragraph 3, line 30. To omit the words "the leave of a Compensation Court," and to substitute "the leave of the Supreme Court."

Clause 80 to be omitted, and the following inserted in lieu thereof:—

80. (1.) The Governor may make Government roads within any part of New Zealand, and any road so made shall be deemed to be a Government road.

(2.) The Governor may, by Order in Council duly gazetted, declare that any road so made shall be a county or district road, as may be thought fit, and such road shall become a county or district road accordingly.

(3.) The Governor may, in like manner, declare that any county or district road, or any road the possession or control of which is in any manner vested in Her Majesty, shall be a Government road.

(4.) The powers hereby conferred may be exercised from time to time, and any Order in Council made hereunder may be revoked or altered, and any road declared to be a county or district road may again be declared to be a Government road, and any such road may again be declared to be a county or district road, as often as occasion shall require.

Clause 106. Subsection (1). Omit "thirty days," substitute "fourteen days."

Clause 130. Transpose subsection 3 after subsection 4; and transpose subsections 5 and 6 after subsection 8.

Clause 148. Line 41, omit "and value," substitute "or value."

Clause 195. Line 6, after "1875" insert "or 'The Canterbury Rivers Act, 1870,' or any Act or Acts amending the same or either of them." Line 8, omit "Board," substitute "Boards"; omit "Act," substitute "Acts respectively." Line 9, omit "Board," substitute "Boards."

Clause 196. Add the following paragraph:—

"Mining district" means and includes a gold-mining district within the meaning of "The Gold-Mining Districts Act, 1873," and a mining district within the meaning of "The Mines Act, 1877."

Clause 197, line 19. Omit "proclaimed gold field," substitute "mining district."

Clause 201, line 9. Omit "proclaimed gold field or"; line 10, omit "gold field or."

Clause 204, line 40. Omit "on the gold field," substitute "in the mining district."

Clause 224, lines 37 and 38. Omit the words "under an order made by the Governor in Council."

To be inserted after clause 218 :—

New Clause.

Water-races held under Acts relating to Mining.

Whenever in any case it is not expedient that the preceding sections of this part of this Act relating to the proclamation and construction of water-races should be put in force, or whenever any rights to the use of water held under Acts relating to gold fields or mining districts have heretofore been acquired by or on behalf of Her Majesty the Queen under such Acts, the following provisions shall have effect :—

- (1.) Her Majesty the Queen may apply for, receive, and hold any license or other authority to take and use water in any mining district for the purposes of any water-race, sludge-channel, dam, reservoir, or for any other purpose and in any manner authorized under "The Gold-Mining Districts Act, 1873," or "The Mines Act, 1877" (which Acts and any regulations for the time being in force thereunder respectively are hereinafter included in the expression "the said Acts") :
- (2.) Every such license or other authority shall confer upon the Queen all rights, powers, remedies, and authorities, and she shall be subject to the same liabilities in respect thereof as if such license or authority had been issued to her as a private person :
- (3.) (a.) The Governor may from time to time appoint some person or persons in any mining district under the said Acts or either of them, on behalf of the Queen, to apply for and obtain the issue of any license or other authority to take and use water as aforesaid under the said Acts or either of them, or for the issue of any renewal of any such license or authority ;
 (b.) And he may in like manner appoint such person or persons or some other person or persons to exercise on behalf of the Queen all such rights, remedies, and authorities, execute all instruments or documents, and to perform all such conditions in respect of any such license or other authority in the name and on behalf of the Queen, as she might have or exercise, or could be called upon to perform, if she were a private person holding such license or authority ;
 (c.) Every such appointment may be limited to some particular power or purpose hereinbefore mentioned, to be specified in the appointment, or may include all such powers or purposes :
- (4.) A notification in the *Gazette* signed or purporting to be signed by the Minister of Mines, or some other member of the Executive Council for the time being acting for such Minister, shall be deemed to be sufficient evidence that such person has been duly appointed with all the powers and for all the purposes hereinbefore mentioned, unless in such notification there shall be expressed some limitation of the authority conferred upon him :
- (5.) Where, under the provisions of any Act heretofore in force relating to gold fields, or under the said Acts or either of them, any right to the use of water for all or any of the purposes hereinbefore mentioned has been acquired by any person for or on behalf of the Queen, such right shall be deemed to be and to have been, from the date or time when the same was so acquired, vested in the Queen as effectually as if the same had been acquired by her under this Act :
- (6.) Every warden, registrar, clerk, or other officer whose duty it may be to issue any license or other authority under the said Acts or either of them, shall, upon application made to him for that purpose, and upon proof that any license or authority in respect of a right within the terms of the last preceding subsection is held on behalf of the Queen, alter or amend, as the case may require, any existing license or other authority or any register or record kept by him, and may insert the name of the Queen therein, and such other particulars

as may be necessary to give due effect to this enactment. And this provision shall be sufficient authority for such alteration or amendment being made, any Act or regulation to the contrary notwithstanding :

- (7.) It shall not be necessary for the Queen or any person on her behalf to take out and hold any miner's right or business license under the said Acts or either of them, in order to enable her to hold any such license or authority as aforesaid; nor shall it be necessary that any annual or other fee in respect of such license or authority be paid by or on behalf of the Queen; but such license or authority shall, during the term for which it was granted, subsist until relinquished by the Queen, or the original term for which it was granted has expired :
- (8.) Expressions and terms used in this section of this Act shall have the like meanings as expressions and terms used in the said Acts or either of them, or in any regulations made under the said Acts or either of them.