

SUPPLEMENTARY ORDER PAPER.

LEGISLATIVE COUNCIL.

Thursday, the 17th Day of September, 1891.

WELLINGTON BOTANIC GARDENS VESTING BILL.

Hon. Mr. PHARAZYN, when in Committee on the Wellington Botanic Gardens Vesting Bill, to move the following amendments and the following proviso after clause 6:—

Provided that the portion of the Botanic Garden which is described in the Schedule to "The Botanic Gardens Act, 1869," shall at all times hereafter be kept and maintained by the Corporation as and for the purposes of a Botanic Garden, and for no other purpose; and, notwithstanding anything hereinbefore contained, the Corporation or the said Council shall not have power at any time to alter or divert the said portion of the Botanic Garden to any other purpose or object; but may, nevertheless, make such alterations, variations, or renewals in the paths, trees, shrubs, plants, seeds, roots, buildings, or fences therein or thereon from time to time necessary to carry out such purpose; and shall also allow the inhabitants of the said borough to have free access to and from such portion as they can or may have to other portions of the Botanic Garden; and all the provisions of this Act shall extend and apply to the said portion accordingly.

In clause 7, line 27, after the words "laying out" to insert the word "and." Also in same clause, in line 28, to strike out the words "and utilising."

After clause 10 to add the following new clause:—

11. It shall be lawful for the Governor by Proclamation at any time to resume possession of a part of the land by this Act vested in the Corporation, not exceeding an area of six acres, situated in the south-eastern portion thereof. And upon a Proclamation being so made and gazetted the land therein described shall, on and after a date to be fixed for that purpose in and by such Proclamation, be and become absolutely vested in Her Majesty the Queen, to be held and used as a site for an Observatory and the buildings and premises to be occupied thereby or in connection therewith. No compensation shall be payable to the Corporation for or by reason of the exercise of the right of resumption hereby conferred.

WATER-SUPPLY BILL.

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

Page 13, line 16, after "district" insert "or subdivision as hereinafter mentioned."

Clause 31. To omit the paragraph commencing "Where any special rate."

After clause 31 to insert the following new clauses:—

31A. Within any division or subdivision where rates are to be levied on lands according to their classification the Council may from time to time as they shall think fit classify or cause to be classified all lands in the district or subdivision into the following classes, that is to say,—

- (1.) Lands receiving or supposed to receive immediate and direct benefit;
- (2.) Lands receiving or supposed to receive less direct benefit;

(3.) Lands receiving only an indirect benefit from the construction of the water-race;

(4.) All other lands ;

and the rates shall be levied upon the three classes of lands first aforesaid in such proportion as the Council in each case may appoint.

(1.) The Council may from time to time, by warrant under their hands at a meeting to be held for that purpose, appoint one or more fit person or persons to examine and report upon all lands to be classified, or to classify the same in manner aforesaid ; and such person or persons shall, within thirty days after the delivery to him or them of the warrant of appointment, report to the Council thereon ; and the classification of such lands shall thereupon forthwith be made, either by the Council or by such person or persons as aforesaid as the Council may direct ;

(2.) When any classification is made as aforesaid the Chairman shall sign the same at a meeting of the Council ; and the Council shall immediately thereafter cause public notice of such classification to be given, and of the place where the same may be inspected for a period of twenty-one days ; and the person in whose custody such classification-list shall be shall permit the same to be inspected by the owner or occupier of any land included therein during office-hours.

(3.) Any person who thinks himself aggrieved by such classification may appeal against the same on the grounds following, and no other :—

That the classification does not fairly classify the land of the appellant ;

That any land liable to be classified is omitted from the classification, or is not fairly classified ;

(4.) A notice of appeal setting forth the matter objected to, and the cause of objection, must be given to the Clerk of the nearest Resident Magistrate's Court, with seven days next after the expiration of the twenty-one days appointed for the publication of the classification-list ; and not less than seven clear days' notice of such appeal must be given to the Council before the time of hearing appeals.

(5.) Within three days after the expiration of such seven days as last aforesaid, the Resident Magistrate of the aforesaid Court shall give public notice of a day for the hearing of such appeals, and such appeals may be heard at the Resident Magistrate's Court, to be notified in such notice ; and such Court may, after hearing such appeals, cause the classification to be amended in such manner as may appear to it to be reasonable, and the Resident Magistrate shall sign such amended classification, and the determination of the said Court shall be final and conclusive.

(6.) The Court by which any appeals shall be heard shall have full power to award the costs incidental to such appeal and the hearing thereof to either of the parties.

31B. Every classification-list, when signed by the Council as aforesaid in case there be no appeal, and when signed by the Court as aforesaid after any appeal, shall, for the purpose of any proceedings for the recovery of rates payable under this Act, be conclusive evidence of the liability of the person named therein ; and every such list shall remain in force until another is made under the provisions of this Act.