

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Tuesday, the 28th day of July, 1885.

COUNTIES ACTS AMENDMENT BILL.

Hon. Mr. STOUT, in Committee, to move,—

After clause 9, to insert the following new clauses:—

9A. Notwithstanding anything contained in any other Act, every portion of a main road or county road which traverses or lies within the limits of a town district shall be under the control of the County Council who shall bear the cost of making and maintaining the same; but, nevertheless, every such portion of the aforesaid roads shall be subject to the operation of any by-laws for the time being in force, made by the Town Board of the town district wherein such portions of roads may be, as well as of any by-laws made by the County Council in relation to such roads.

9B. Notwithstanding anything contained in "The Town Districts Act, 1881," or any Act amending the same, no town district shall be proclaimed after the passing of this Act, unless the petition praying for the constitution thereof is confirmed by a resolution passed by a majority of not less than two-thirds of the members of the Council or Councils of the county or counties wherein any portion of the proposed town district is situate.

Any petition as aforesaid which may be received by the Governor, not confirmed as aforesaid, shall be remitted back to the County Council or Councils interested therein, for their opinion thereon, and no action shall be taken on such petition by the Governor until he has received such opinion.

Clause 11. To omit all the words at the beginning of the clause to the words "in each year" inclusive, and to substitute the following:—

On the second Wednesday in November, in the year one thousand eight hundred and eighty-five, and next on the second Wednesday in November, in the year one thousand eight hundred and eighty-seven, and thereafter on the second Wednesday in November, in every third year, when a general election of Councillors is held, the county electors of every county shall.

Clause 15. Omit "annual," in two places; substitute "triennial."

Clause 20. Omit "On the first day of June;" substitute "on the second Wednesday in November."

Clause 22. Omit the words "for the then current year;" also, add the following paragraph to the clause:—

In every case where an Auditor is appointed by the Governor, he shall hold office for a term of three years from the date of his appointment.

Clause 29. After "separate accounts," omit "shall," substitute "may;" also omit "shall," before "be allocated;" after "respectively," omit "and," substitute "in which case;" also add the following paragraph to the clause:—

In case separate accounts shall not be kept for each riding as aforesaid, then not less than one-half of the total amount of rates levied and collected in each riding shall be expended therein.

After clause 33, to insert the following new clauses:—

33E. The Council, with the consent of the ratepayers of any portion of a county, comprising only an entire riding or entire ridings, to be ascertained as provided by the said Act in relation to a proposal to raise a special loan,—

May from time to time raise a special loan for the purpose of undertaking some special public work in such portion of the county: Provided that the aggregate amount of all loans to be raised for such purposes shall not exceed in any portion of a county four times the amount which may be levied by general rates in such portion of the county in any one year;

May by special order distinctly defining such portion make and levy a special rate on all property within the portion so defined, to secure and pay the interest on and provide a fund for the repayment of such loan.

The consent of the ratepayers of any portion of a county to the raising of any such special loan shall be determined as in the said Act mentioned in respect of raising a special loan within a county, but the notices required to be given and the proceedings to be had in such case, shall be limited to the portion of the county to be affected by the raising of such loan.

33F. For the purpose of obtaining the consent of the ratepayers of any particular portion of a county to the raising of any special loan for the benefit of such portion, it shall be sufficient if the number of votes given for the proposal within such particular portion of the county is not less than three-fifths of the total number of votes given at the poll, and in such case the resolution in favour of the proposal shall be deemed to be carried.

Mr. McMILLAN to move,—

Clause 27. Subsection (1) to omit “adopted,” substitute “passed.”

Subsection (3) to add—

Provided that, in publicly notifying the resolution making any special order, it shall not be necessary to set forth the whole of the proposed order, if the object or purpose of the same be stated, and if a copy of the proposed special order be deposited at the office of the Council, and at some other place or places, if the Council so thinks fit, in the county or part of the county which shall be specified in the notification, and be open to the inspection of the public during office hours for at least twenty-one days immediately preceding the day appointed for the holding of the subsequent meeting.

Mr. GUINNESS, in Committee, to move,—

After clause 19 to insert,—

19A. At the annual meeting of the Council in each year the members present thereat shall, by a majority of their votes, elect one of their number to be Deputy Chairman of the county from that day until the next annual meeting of the Council.

The Deputy Chairmain shall, in the case of the absence, illness, or incapacity of the Chairman, have and may exercise all the powers, functions, and duties of the Chairman of the county.

Mr. FULTON, in Committee, to move,—

Clause 39. To add the following subsections:—

(3.) To prevent the deposit in or discharge into any river, stream, creek, lake, or watercourse of any matter or thing which may pollute such river, stream, creek, lake, or watercourse, so as to cause it to become a nuisance or injurious to the public health;

- (4.) To prescribe the terms on which the trade of blood-boiler, bone-boiler, fellmonger, soap-boiler, tallow-melter, tripe-boiler, or tanner, or any other noxious or offensive trade, business, or manufacture may be carried on ;
- (5.) To prevent the blowing and spouting of meat ;
- (6.) To fix times during which cattle not in harness or yoke may not be driven through any county or district roads lying within three miles from the outer boundaries of any borough or town district, or through certain such roads named in any by-law in that behalf.

RIVER BOARDS ACT AMENDMENT BILL.

The Hon. Mr. STOUT, in Committee, to move,—

After clause 2 the following new clause:—

Penalty for not removing trees, &c., impeding flow of water.

2A. In the event of any River Board having given any order under section seventy-nine of the said Act to the occupier or owner of any land on the bank of any stream or river within its jurisdiction to remove, lower, or trim any tree, shrub, or bush, or any part thereof, and such owner or occupier fails to comply with such order within one month from the receipt thereof, he shall be liable to a penalty not exceeding *five* pounds for every day during which such order is not obeyed, and a further sum equal to the cost incurred by the Board in removing, lowering, or trimming any such tree, shrub, or bush, or any part thereof; and the said cost shall be a charge on the land, and may be recovered as rates are recovered under "The Rating Act, 1882."

MUNICIPAL CORPORATIONS BILL.

Mr. HOLMES, in Committee, to move,—

Clause 3 to be omitted.

Clause 121. To omit all the words after "auditor."

Clause 128 to be omitted.

Clause 129 to be omitted.

Clause 144. Omit "two-thirds," substitute "three-fifths."

Clause 150. To omit the words "from him."

Clause 176 to be omitted.

Clause 177. Lines 19 and 20, omit "and," substitute "or."

Clause 179. Line 35, before "shall preside," insert "if present."

Clause 182. At the beginning, insert "If the number of voters is not less than one-half of the total number of burgesses, and."

Clause 186. Line 27, after the word "number" insert "of voters for the proposal shall be not less than one-half of the total number of burgesses within such particular portion of the borough, and if the number;" also omit all the words between "votes" in line 30 and "the proposal" in line 31, substitute "which may be given by the total number of burgesses in such portion of the borough, then and not otherwise."

Clause 188. After "unite" insert "with each other, and the Council of any one or more boroughs may unite with any one or more County Councils, Road Boards, or Town Boards;" after "borough," in line 43, insert "and the ratepayers of each such county, road district, or town district;" after "borough," in line 44, insert "and the District Fund of each such county, road district, or town district, as the case may be."

Clause 200. Line 34, after "boroughs" insert "and the other local authorities."

Clause 204. Line 31, after "who" insert "knowingly and wilfully;" line 32, omit "of," substitute "not exceeding;" also omit all the words of the clause after "jurisdiction" in line 34.

Clause 229. Line 32, after "generally" insert "and not taken over under a special order of the Council."

Clause 236. Line 44, after "town district," insert "or of a borough and county, or of a borough and road district;" line 45, after "borough" omit "or," after "town district," insert "county or road district;" line 46, after "town district," insert "or county or road district;" line 48, after "town district," insert "or county or road district;" line 49, after "town district," insert "or borough and county, or borough and road district." Also on page 50, line 2, after "town district," insert "or borough and county, or borough and road district;" lines 3 and 4 respectively, after "town district," insert "or county or road district."

Clause 252. Line 31, after "Council," insert "either before or after the construction of such footway."

Clause 253. Line 44, omit "may," insert "or crossing over any footway or channel, shall;" line 45, omit "shall," insert "if it approve thereof, may;" line 48, omit "may," insert "shall, if he proceed therewith."

Clause 259. Add to last paragraph of subsection (3),—

But it shall be lawful for the Council, if it think fit, to provide in the first instance the whole or any part of such expense out of the borough funds, to be subsequently recovered from the said owners in manner herein provided.

Clause 260. Line 35, before "to be," insert "provided it is not less than sixty-six feet wide."

Clause 270. Line 19, after "drain," insert "or aqueduct;" after "upon," insert "over;" lines 22 and 32, after "drain," insert "or aqueduct;" line 52, after "stone," insert "concrete."

Clause 277. Line 36, before "County," insert "Borough or;" omit "Minister of Public Works," insert "Resident Magistrate of the district."

Clause 278. After "agree," insert "with any other Borough Council, or;" line 45, after "agreed on," insert "by such Borough Councils, or."

Clause 288. Line 6, after "private street," insert "or right of way."

Clause 289. Lines 14 and 18, after "private street," insert "right of way."

Clause 290. Omit "by any by-law in that behalf to be provided;" also omit "required by any such by-law."

Clause 292. Subsection (8), after "surveyor," insert "or some competent person appointed by the Mayor."

Clause 293. Omit all the words between "lawful for," in line 35, and "the Council," in line 37.

After clause 294 to insert the following:—

294A. The Council may by order in writing,—

- (1.) Require the owner of any land abutting upon a public street upon which stagnant water or other impure matter collects to either drain or fill up such land so that matter dangerous to health does not accumulate thereon; and if such order is not obeyed within *seven* days from the service thereof the Council may drain or fill up such land, and recover the cost of so doing from the owner thereof;
- (2.) Require the owner or occupier of any house or building under which any stagnant water, drainage, or impure matter collects, to drain or fill up the land upon which such house or building is erected, and if such order is not obeyed to the satisfaction of the Council within *seven* days from the service of such order, the Council may do all such work and may recover the cost thereof from such owner or occupier.

Clause 310. Line 11, after "dwelling-house," insert "or building;" line 11, after "six," insert "consecutive;" omit "year," substitute "financial year of the borough."

Clause 318. Subsection (11), add "or without having obtained the permission of some person acting under the authority of the Council in that behalf."

Clause 338. Omit the last paragraph; substitute—

Provided, however, that it shall be lawful for the Council at any time to use kerosene, electricity, or any other material or method it may think proper for lighting the streets.

Clause 352. Omit the second paragraph.

Clause 390 to be omitted.

Clause 407. Page 79, line 45, omit "enable," substitute "compel;" line 47, after "footways," insert "and channels."

Page 80. After subsection (l) insert—

(.) To regulate or restrain the use of barbed wire on the frontage of lands abutting on public or private streets, rights of way, or public places.

Page 81. After subsection (x) insert—

(.) To prevent the blowing or spouting of meat.

Subsection (7), line 15, after "the public," insert "or to damage public or private property;" lines 18 and 19, omit "in relation to all such streets and places in the borough."

After subsection (3) insert—

(.) To prevent the erection of furnaces and chimneys not supplied with proper appliances for consuming smoke generated therein.

Lines 48 and 49, omit from "at the request," to end of subsection.

Pages 83. Line 10, after "open air," insert "or under portable boilers in the open air."