

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Friday, the 21st day of August, 1874.

In Committee on the Native Land Bill.

The Honorable Sir D. McLEAN to move the following amendments:—

New clause to stand after section 1 as printed:—

In this Act the expression "the repealed Acts" shall mean the several Acts mentioned in the fourth section of "The Native Land Act, 1873," and thereby repealed. Interpretation of expression "repealed Acts."

New clause to stand after section 3 as printed:—

4. The fifteenth section of the said Act is hereby repealed. One or more Assessors shall sit at every Court held under the said Act and assist in the proceedings; and there shall be no decision or judgment on any question judicially heard before the Court unless the Judge presiding and at least one Assessor concur therein. Repeal of section 15. Judge to sit with Assessors.

New clauses to stand after sections 4, 5, and 6 as printed; and clauses 5 and 6 as printed to be omitted:—

6. The word "claimants" in the forty-fourth section of the said Act shall mean not only the persons preferring any claim to land dealt with or intended to be dealt with under the said Act, but also the person or persons having any counter-claim to any such land. Meaning of word "claimants," in the 44th section.

7. In any case where an application for a rehearing of any matter heard and decided under the repealed Acts shall have been made subsequently to the first day of July, one thousand eight hundred and seventy-three, the Governor in Council may, in the manner provided by the fifty-eighth section of the said Act, order a rehearing of any such matter so heard and decided as aforesaid, and all the provisions of the said Act respecting rehearings, so far as applicable, shall extend to any rehearing ordered under this Act: Provided that such application shall in each case have been made within six months from the date of the decision of the Court in such case. Provision for rehearings in certain cases.

8. Whenever the owners of any land shall be desirous that a subdivision or partition of such land shall be made for any purpose or in any manner provided by the said Act, it shall be lawful for the Court to proceed and act in the matter of such subdivision or partition, although there may be no dissentients thereto. Partition may be made although there are no dissentients, and although lands not proposed to be sold or leased.

Any such subdivision or partition may be made as herein provided, although the owners are not desirous to sell or lease the land proposed to be subdivided or partitioned; and all the provisions of the said Act respecting subdivision or partition of lands, shall so far as applicable, extend to any subdivision or partition provided for by this Act.

9. Notwithstanding any thing contained in the seventy-first section of the said Act, it shall not be necessary that the plan of the land comprised in any memorial of ownership shall be furnished in duplicate, but in lieu thereof one plan shall, after certificate as by the said section provided, and after the Inspector of Surveys shall have made a true copy thereof, be recorded in the Court of the district, and the Inspector of Surveys shall transmit such copy to the Native Minister, in the manner provided by the said section.

The Honourable Mr. RICHARDSON to move the following new clause in the Railways Bill:—

10. The line of railway from Riverhead, in the Province of Auckland, to Auckland, in the said province, shall be excepted from the provisions of "The Railways Act, 1872," in like manner as the portion of railway between New Plymouth and Waitara is excepted therefrom.

The Honourable Mr. RICHARDSON to move the following new clauses in the Immigration and Public Works Bill:—

New clause to come in Part III., after clause 11 as printed,—

(a.) It shall be lawful for the Governor to reconstruct or repair the whole or any part or parts of the line of road between Hokitika and Christchurch, and divert any part or parts of the said road and construct such part so diverted, and to expend out of the Middle Island Railway Fund Account the whole or any part of the moneys from time to time at the said account to the credit of the Provinces of Canterbury and Westland respectively.

New clause to come in Part III., after clause 12,—

(b.) Whenever the Governor deems it expedient to establish a ferry under "The Immigration and Public Works Act, 1870," and the Acts amending the same, he may for the purposes of such ferry, and as a site for a ferry-house and as land to be held with such ferry-house for the use of the person in charge of such ferry, by Proclamation published in the *New Zealand Gazette*, proclaim any parcel of land to be taken for the purposes of a ferry, and thereupon the land so proclaimed shall vest in the Queen as a ferry reserve, and a copy of such Proclamation may be registered and shall be of the same force and effect as a conveyance to the Queen by all persons being owners of or interested in the said land. All persons being owners of or having any interest in any land so taken shall be entitled to receive compensation for such land, the amount whereof shall be ascertained in the manner provided by "The Immigration and Public Works Act, 1870," and the Acts amending the same, with regard to land taken for railways.

New clause to come in Part IV., before clause 14 as printed,—

(c.) The Governor may from time to time, as he thinks fit, by Proclamation in the *New Zealand Gazette*, revoke either in whole or part any Proclamation previously made by the Governor under the powers contained in "The Immigration and Public Works Act, 1870," and the Acts amending the same, or any of them, fixing the commencement termination or line of any railway or any part of any railway; and the Governor may also, if he think fit, by such revoking Proclamation, or by another Proclamation, fix any other commencement termination or line of such railway or part of railway in lieu of the commencement termination or line fixed in the previous Proclamation.

In and by any such revoking Proclamation, the Governor may declare any lands and hereditaments therein described and authorized to be taken by the previous Proclamation to be released and discharged from the effect and consequences of such previous Proclamation, and thereupon the lands and hereditaments described in such revoking Proclamation shall be released and discharged from the effect and consequences of such previous Proclamation, as if the previous Proclamation had never been made.

No person or persons shall have any claim or demand against Her Majesty the Queen or the Governor or the Government of the colony or otherwise on account of the said lands tenements or hereditaments having been described in the Schedules to any such revoked Proclamation as proposed to be taken, nor on account of the same having been in any manner affected by the issue or publication of any such revoked Proclamation.

Mr. ROLLESTON, in Committee on the Municipal Corporations Act Amendment Bill, to move the following amendments:—

Section 2, line 7, strike out all the words after “that,” and insert in lieu thereof, “such repeal shall not affect any proceedings taken or commenced thereunder, and notwithstanding such repeal all penalties incurred under the said Act, or any by-law made thereunder, may be recovered under the said Act, and all licenses granted under the said Act, or any by-law made thereunder, shall continue in force as if granted under this Act, or any by-law hereunder: Provided however that nothing herein contained shall be deemed to validate any by-law which was invalid before the passing of this Act.”

Section 3. Insert at end of the section the following words:—
“and all by-laws legally and duly made under the said Act before the passing of this Act shall continue in force as if made, and shall be deemed to have been made, under this Act.”

Line 8, page 2, after the word “length,” insert “fixed by any such by-law.”

Line 18, page 2, after the word “length,” insert “fixed by any such by-law.”

Line 20, page 2, after the word “and,” insert “it shall be lawful for such Council.”