

SUPPLEMENTARY ORDER PAPER.

HOUSE OF REPRESENTATIVES.

Friday, the 31st day of October, 1884.

TIMBER FLOATING BILL.*

The Hon. Mr. TOLE to move the following amendments :—

In clause 5. After “ or workmen ” to convert the remaining words into subsection (1.), and to add the following subsection :—

(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.

No such owner shall be deemed a trespasser by entry on any such land in virtue of the authority hereby granted, but he shall nevertheless be liable to pay for any injury, spoil, or damage done to such lands, or to any buildings or fences erected thereon by or through the removal of such logs, lumber, or other materials.

Clause 7. To omit “ the power,” substitute “ any of the powers.”

Clause 8. Same amendment as last foregoing.

Clause 10. To omit all words between “ such claim ” and “ and the said Assessors,” and to substitute “ and making an award thereon if desired by either party two experienced persons shall sit with the Resident Magistrate as Assessors.”

To add to the clause,—

One of the Assessors in each case shall be appointed by the claimant, and the other by the person against whom the claim is made, but on failure of either party in making any such appointment, the Resident Magistrate shall appoint a person as an Assessor to sit with him in the case.

At the end of line 26, to add,—

But in case no Assessors are required to be appointed to sit with the Resident Magistrate, his sole decision in the case shall be valid and sufficient.

Clause 11 to be omitted and the following substituted :—

Awards of costs
in compensation
cases.

11. The Court shall fix and determine the amount of the costs of the inquiry, and shall include the same in their award, and shall direct by whom such costs shall be paid.

The Court may in any case declare that no costs shall be awarded, and the fact shall be stated in the award.

If costs are given in favour of either party, the payment thereof may be enforced in like manner as a judgment of the Resident Magistrate’s Court.

* Correct notice.