

## SUPPLEMENTARY ORDER PAPER.

## HOUSE OF REPRESENTATIVES.

Thursday, the 17th day of October, 1878.

## NOTICES RELATING TO ORDERS OF THE DAY.

## ON GOING INTO COMMITTEE OF SUPPLY.

Mr. SUTTON to move, That it is desirable that the House should be forthwith informed whether the Government intend to proceed this Session with the Native Lands Act?

Mr. MURRAY to move,—

(1.) That more revenue should not be raised by general taxation than is sufficient to meet the existing liabilities of the colony and the efficient and economical performance of the legitimate functions of Government; that local taxation should provide for local requirements; and that State subsidies, from taxation, to local governing bodies should cease after the 30th June, 1879.

(2.) That property specially benefited by public expenditure should be specially taxed, and that all such property should be taxed, without exception.

Mr. MURRAY to move, That money raised under the Land-Tax Act should be devoted to repay to the Consolidated Fund any deficiency between the interest on the cost of railways constructed or to be constructed in the provincial district and the net revenue derived from such railways; provision being made that, in boroughs and counties where no railways have been constructed, the whole of the net money raised under the said Act within the borough or county shall be paid to the Borough or County Council respectively.

Mr. GIBBS to move, That the Government be requested to accept a guarantee of £160 per annum, offered by the local bodies of the County of Collingwood, for the extension of the Telegraph to that district, and to carry out such extension as soon as possible.

## SHEEP BILL.

The Hon. Mr. STOUT, in Committee on the Sheep Bill, to move the following amendments:—

Section 67. To omit all the words thereof after "Public Account."

After section 67 to insert the following additional section:—

Outlying districts.

All parts of New Zealand not included in any provincial district are localities.

Any portion of a locality may be constituted a separate district, by such name and with such limits as the Governor in Council shall from time to time appoint, or may similarly be annexed to any contiguous provincial district.

Administration of Act therein.

The administration of this Act shall be effected within localities in manner as the Governor may direct, who is hereby empowered to exercise and perform within such localities all the powers, duties, and functions which are granted by this Act and may be exercised and performed within provincial districts.

Mr. SAUNDERS to move the following amendments:—

Clause 2. Strike out all the words between the second "Creek" in line 29 and the word "thence" in line 31, and insert the following words instead:—"to where the boundary of the St. Andrew's Run joins that creek, then following the boundary of that run to the River Boyle, thence along that river to its source."

Clause 33. Strike out all the words after the word "pounds" in line 21.

Clause 35, line 4. Strike out the word "seven" and insert "ten."

Clause 66, line 3. Between the words "force" and "so," insert the words "after the first day of January, one thousand eight hundred and eighty."

In same clause, strike out all the words between "sheep" in line 5 and "shall" in line 6; then strike out all the words between the words "if" in line 8 and "he" in line 9, and substitute the words "after the thirtieth day of June, one thousand eight hundred and eighty, his sheep shall be still infected."

Mr. SEYMOUR to move the following amendments :—

Clause 2, line 11. To strike out “eighty-one” and insert “eighty-two.” Line 13. Strike out “eighty-three” and insert “eighty-four.”

Clause 7, line 54. After “fees” insert “and salaries.”

Clause 8. After “may,” in line 4, insert “upon petition as by the *second* section provided.”

Clause 11, lines 24 and 25. Strike out “Any Chief Inspector may be appointed to more districts than one and,” and insert after “Inspector,” in line 25, “may be appointed.” Lines 26 and 27. Strike out “or one of the districts.” Line 31. After “no” insert “Chief or other.”

Clause 19, line 41. After “every” insert “three,” and add “s” to month. Line 43. Strike out “stations” and insert “runs.”

Clause 20, line 52. Insert “Provided such brand shall not be similar to any brand already registered.”

Clause 23, line 32. Strike out “three” and insert “six.” Line 35. Strike out “threepence” and insert “one penny;” strike out “two” and insert “one.” Line 40. Strike out “sixpence” and insert “twopence;” strike out “three” and insert “two.”

Clause 24, line 42. Strike out “of” and insert “holding a clean certificate for.” Line 47. Strike out “forty-eight hours” and insert “ten days.”

Clause 25, line 6. Strike out “sixpence” and insert “one penny.” Line 7. Strike out “five” and insert “one.”

Clause 28, line 32. Strike out “less than five pounds nor.”

Clause 29. Strike out the words “and unless” down to “Inspector,” inclusive, and insert “and the Inspector shall, if he think fit, require the sheep so to be removed to be dressed to his satisfaction.” Line 45. After “of” insert “not exceeding.”

Clause 30, line 51. After “of” insert “not exceeding.”

Clause 31. Strike out “infected with scab,” and insert “diseased.”

Clause 32, line 4. Strike out “fenced with a sheep-proof fence,” and insert “substantially fenced.”

Clause 34, line 25. Strike out “infected” and insert “diseased.” Line 28. Strike out “so.” Line 30. After “destroyed” insert “or dressed to his satisfaction.” Line 31. After “forthwith” insert “so dressed and.” Line 34. Strike out from word “and” to “sheep” inclusive, line 37.

Clause 38, line 42. Omit “ten,” and insert “twenty.”

Clause 42, line 31. After “dressing” insert “for the cure of scab.”

Clause 45, line 5. After “depasture or” insert “wilfully.” Same in line 10.

Same in clause 48, lines 26 and 29.

Clause 50. Strike out paragraph, lines 48 to 55; introduce it as a new clause. Line 52. After “of” insert “not exceeding.”

Clause 57, line 58. Strike out “or removal from the run.”

*New clause.*

Notwithstanding anything contained in this Act, sheep may, within an infected district, be driven under special permit in writing from the Inspector, who shall first satisfy himself that the said sheep have been properly dressed: Provided that no such permit shall allow sheep to be driven through lands owned by a person holding a clean certificate, except with the owner’s permission.

BRIBERY BILL.

Mr. BARTON to move the following amendments :—

In clause 62, line 7, read thus: “by the unsuccessful party to the petition;” and strike out, after the word “petition,” the words “in such manner and in such proportions as the Court or Judge may determine.”

The following amendment in clause 63, line 16:—“The costs payable between party and party shall be in every case the sum of pounds and no more, for professional or general costs; and there shall be added thereto the expenses properly payable to the necessary witnesses called to prove the case of the successful party; such expenses of witnesses to be taxed by the Registrar of the Supreme Court and allowed by him, in such manner and upon the same scale, and subject

to review in the same manner as the expenses of witnesses are usually taxed and allowed in an action in the Supreme Court."

And strike out the words in lines 16, 17, and 18, beginning with the words "may be taxed," and ending with the words "in the Supreme Court."

To add the following new clause:—

**63a.** It shall be lawful for any attorney or solicitor to agree with his own client (whether petitioner or respondent) to take in payment from such client a lump sum for his services as such attorney or solicitor, and also for counsel's fees, any law or practice heretofore to the contrary notwithstanding. And in case no such agreement in writing, signed by both parties, shall be made or entered into, then such costs between attorney and client, in payment for such services, shall be the sum of \_\_\_\_\_ pounds, and no more.

WHAKATANE GRANTS VALIDATION BILL.

Hon. Mr. SHEEHAN to move the following new clauses:—

**3.** The land comprised in the said several Crown grants shall be deemed to be land contracted to be alienated by the Crown in fee prior to the day on which such land was included in the Land Registrar's District under "The Land Transfer Act, 1870," and such grants shall be registered in the Register Office of the Registration District, under "The Deeds Registration Act, 1868," within which the granted land is situated.

**4.** It shall be lawful for the Secretary for Crown Lands to indorse on any such grant a memorandum under his hand that the legal estate in the granted land shall be deemed to have been in the grantees on and from such date as the Secretary for Crown Lands may deem advisable, and such memorandum shall have the same effect as the insertion of the antevesting date in the habendum of a grant under "The Crown Grants Act, 1866."

CEMETERIES MANAGEMENT AMENDMENT BILL.

Hon. Mr. SHEEHAN to move the following new clauses:—

**8.** Where the Council of any county or borough shall have acquired, by gift, purchase, or otherwise in any manner, any lands not being within the limits of any borough, for the purposes of a public cemetery, such Council may, by public notification, three times repeated in some newspaper having general circulation in the county wherein the said lands are situated, declare the same to be dedicated and open as a public cemetery; and thereafter the said lands shall be used for such cemetery purposes only.

**9.** The provisions of "The Cemeteries Management Act, 1877," shall apply to every cemetery dedicated as aforesaid, in the same manner as they apply to public cemeteries set apart by the Governor out of Crown lands; and all provisions, covenants, conditions, or stipulations contained in any deed of gift or other instrument of transfer or dedication of lands for the purpose of such cemetery which are inconsistent with or repugnant to the provisions of the Act last aforesaid shall cease to be operative in respect to such lands.

**10.** The provisions of the thirty-ninth section of "The Cemeteries Management Act, 1877," shall apply in respect to cemeteries established or to be established subsequent to the passing of the said Act, as well as to cemeteries theretofore established.

Mr. FELDWICK, in Committee on the Cemeteries Management Bill, to move the following new clause:—

In the event of fifty residents in any locality signing an application to the Governor, asking that all future vacancies in the number of trustees of any cemetery in such locality shall be filled by persons elected from time to time by the residents in such locality, it shall be lawful for the Governor, upon the receipt of such application, anything in "The Cemeteries Management Act, 1877," to the contrary contained notwithstanding, by Order in Council, to prescribe the boundaries of the district for such election and the mode of conducting the same, to appoint the Returning Officer who shall conduct such election, and the place in which it shall be held, and generally to make all provision necessary to give effect to the prayer of the application.

Private and other lands may be dedicated for public cemeteries.

Act of 1877 to apply.

Section 39 of Act of 1877 amended.

## SPECIAL POWERS AND CONTRACTS.

Hon. Mr. STOUT to move the following new clauses in the Schedule to the Bill:—

## REASONS FOR REQUIRING LEGISLATION.

In consequence of doubts as to the validity of the authority conferred on the Governor by the 29th section of "The Waste Lands Administration Act, 1876."

## PURPOSE OF LEGISLATION.

John Broomhall, Esq.—To enable the Governor to sell to him, in pursuance of the agreement made with the Auckland Land Board, so much of the land in the Aroha Block as has been acquired from the Natives, or has been awarded to the Crown by the Native Land Court. Grant to be subject to such reserves as may be found to be necessary for Native or other purposes, as defined by the Governor. Also, to be subject to the provisions of "The Crown Grants Act, 1866," and Acts amending the same. The Governor to have the power to reserve in the grant the right of taking all necessary roads not exceeding 100 links wide. The provisions of the 29th section of "The Waste Lands Administration Act, 1876," are to remain in full force with respect to the terms, conditions, and price at which the land so selected may be sold.

Also to move the addition of the following to the Schedule:—

## TARANAKI—

To give effect to a recommendation of Public Petitions Committee upon the petition of Charles Sampson, dated November 9th, 1877.

Charles Sampson.—To grant to him in fee-simple land now in his possession, being part of Allotment numbered 103, Waitara West, containing by admeasurement 35 acres 1 rood 8 perches, on the payment of £141.

Also to move the following new clauses:—

The Governor may issue Crown grants of land alienated by Superintendents. "The Crown Grants Act, 1866," and all Acts amending the same shall apply.

4. When under the authority of law any land acquired held by or conveyed to the Superintendent of a province has heretofore been sold, or contracted to be alienated in fee, the Governor may issue, under the Public Seal of the colony, such Crown grants as the circumstances of each case may require to give effect to such sale or contract.

The provisions of "The Crown Grants Act, 1866," and all Acts amending the same relating to the antevesting of the legal estate in grantees, and all and every other provision of the said Act and amending Acts, shall apply to Crown grants so issued.

Grants of education reserves may be registered notwithstanding trusts.

5. Notwithstanding anything in "The Land Transfer Act, 1870," or any Act amending the same, any grant now or hereafter issued of an education reserve containing trusts may be registered under the said Act; and the provisions of section fifteen of "The Public Reserves Act, 1877," shall apply.

Validating the power of reservation of roads in "The Poverty Bay Grants Act, 1869."

6. It is hereby declared that the reservation in the several Crown grants issued under "The Poverty Bay Grants Act, 1869," of the right to take roads through the lands thereby granted within ten years from the date of the said grants, shall be and be deemed to have been as from the issue of such grants valid to all intents and purposes, and the provisions of sections nine, ten, and eleven of the said "Crown Grants Act, 1866," shall apply to such grants, except that those provisions, so far as the grants aforesaid are concerned, shall be construed as if "ten years" had been inserted in lieu of "five years" in the tenth section of the said "Crown Grants Act, 1866."

## BRANDS REGISTRATION BILL.

The Hon. Mr. STOUT, in Committee on the Brands Registration Bill, to move the insertion of the following as an additional section at the end of the Bill:—

Outlying districts.

All parts of New Zealand not included in any provincial district are localities.

Any portion of a locality may be constituted a separate district, by such name and with such limits as the Governor in Council shall from time to time appoint, or may similarly be annexed to any contiguous provincial district.

Administration of  
Act therein.

The administration of this Act shall be effected within localities in manner as the Governor may direct, who is hereby empowered to exercise and perform within such localities all the powers, duties, and functions which are granted by this Act and may be exercised and performed within provincial districts.

#### IMPOUNDING BILL.

The Hon. Mr. STOUT, in Committee on the Impounding Bill, to move the omission of section 44, and the substitution of the following in lieu thereof:—

Application of  
proceeds of pound  
sales.

44. The proceeds of all sales of impounded cattle sold under the provisions of this Act shall be paid into the County or Borough Fund, as may be the case, of the district within which such pound is situated; and shall be applied in payment—Firstly, of any costs and charges attending such sale; secondly, of all sustenance fees; thirdly, of fees and charges payable into the aforesaid Fund of any district; and fourthly, to the impounder of such cattle, of rates due to him for the trespass thereof, and the charges for driving the same to the pound; and the residue, if any, shall be payable to the owner of such cattle; but if such rates or residue be not claimed by any person entitled thereto within one year after such sale, the same shall form part of the aforesaid County or Borough Fund.

#### RABBIT NUISANCE BILL.

The Hon. Mr. STOUT, in Committee on the Rabbit Nuisance Bill, to move the insertion of the following as an additional section after section 12 of the Bill:—

Rates may be levied.

13. It shall be lawful for the Trustees to levy in each year, for the purposes of this Act, a rate on all holdings of landowners not exceeding *one halfpenny* per acre.

(1.) For the purposes of levying such rate and forming a landowners' list, the Trustees shall in every year cause to be made out a list, to be called the "landowners' list," of every landowner in the district, with the quantity of land, held, occupied, or owned by such landowner, and shall deposit such list, or a true copy thereof, in some convenient place in the district for inspection without fee.

(2.) The Trustees shall, not less than *ten* days before making any rate, publicly notify their intention to make such rate, and the place where such landowners' list is deposited as aforesaid, and in such notice shall appoint a day and place on and at which they will sit to hear objections, and finally complete such list and levy the rate.

#### MUNICIPAL CORPORATIONS AMENDMENT BILL.

Mr. CURTIS, in Committee on the Municipal Corporations Amendment Bill, to add the following subsection to clause 14:—

In section 207, after the word "may" in the first line, the words "whenever the public health or safety shall render it necessary," shall be inserted.

#### WELLINGTON RECLAIMED LAND BILL.

The Hon. Mr. STOUT, in Committee on the Wellington Reclaimed Land Bill, to move the following amendments:—

Section 1. Before "Act, 1878," insert "and Hospital."  
Section 3. Before "Schedule" insert "First."

Also, to add the following sections after section 5:—

#### HOSPITAL TRANSFER.

And whereas the Corporation aforesaid have agreed to complete the erection and furnishing of the new hospital at Te Aro, in the City

of Wellington, and to undertake the management and maintenance thereof on and after its occupation, in consideration of the transfer to the aforesaid Corporation of the reserves belonging to the existing hospital at Thorndon, in the said city :

Be it therefore further enacted :

6. Upon completion by the aforesaid Corporation of the aforesaid new hospital, and the furnishing thereof, the said Corporation shall, from and after the day of the occupation of the same as a hospital for patients, have the entire future management and control thereof, and shall continue to maintain the same for such purpose.

7. Upon occupation of the new hospital as aforesaid, all parcels of land at any time reserved for the purposes of the hospital at Thorndon, in the City of Wellington, or for the endowment thereof, and at the time of occupation aforesaid vested in or granted to the Trustees of the Wellington Hospital Reserves, or otherwise vested, granted, or set apart, but not granted for the purposes aforesaid, shall vest, without any transfer or conveyance, in the aforesaid Corporation, upon the same trusts as have heretofore attached thereto respectively, and subject to any leases, contracts, or engagements existing in relation thereto ; and any lands which, under any Act or Ordinance in force at the time of the passing of this Act, might be vested or granted in any way or set apart for the purposes of any hospital at Wellington aforesaid, or for the endowment thereof, may, from and after the transfer hereinbefore mentioned, be vested or granted to the aforesaid Corporation for such purposes respectively.

8. The Trustees for the time being of the Wellington Hospital Reserves shall be freed and discharged from all trusts, duties, and liabilities in respect of the said reserves, saving and except that each of such Trustees respectively shall be responsible for his own wilful act, omission, or default.

9. The aforesaid Corporation shall have, with regard to the reserves so transferred to them, the same powers, duties, and functions as theretofore attached to the Trustees above-named in respect thereof ; and the several Acts relating to the Wellington Hospital shall, from the day of the aforesaid transfer and vesting, be read and construed with the substitution of the term "Municipal Corporation of Wellington" in the place of the terms "Trustees of the Wellington Hospital Reserves," or "Trustees," wherever the same respectively occur in the said Acts.

#### BORROWING POWERS.

10. For the purpose of carrying out the objects hereinbefore stated it shall be lawful for the Corporation aforesaid and their successors to borrow, from time to time, any sum or sums of money not exceeding a total sum of *one hundred and twenty thousand* pounds, at any rate of interest not exceeding *seven* pounds per centum per annum, which sum shall be applied as follows :

In payment as mentioned in section <i>three</i> hereof	...	Eighty-nine thousand pounds.
Completion of Te Aro Hospital	...	Thirty thousand pounds.
Incidental expenses	... ..	One thousand pounds.

11. The aforesaid sum of *one hundred and twenty thousand* pounds, or any portion thereof, may be raised in the manner in which special loans are authorized to be raised by "The Municipal Corporations Act, 1876," and shall be deemed to be a special loan sanctioned by the ratepayers within the meaning of the said Act, and Part X. of the said Act shall apply in respect of the loan hereby authorized to be raised.

12. The Corporation aforesaid and their successors may, for the purpose of raising the said sum of *one hundred and twenty thousand* pounds, or any part thereof, and for the purpose of paying off the same and all interest for the time being due in respect thereof, levy

and raise, by way of mortgage upon the whole or any part or parts of the land described in the First Schedule, such sum as may be necessary for fully paying off the said sum of *one hundred and twenty thousand* pounds and interest, or such part thereof as shall for the time being remain unpaid.

**13.** Subject to any powers of sale and mortgage and of leasing the lands described in the First Schedule which the Corporation aforesaid may have, and to the rights which may be acquired by any person under the said powers, the principal and interest secured by any debentures which may be issued under the sanction of this Act, and the payments to sinking fund in respect of the same, shall, after the above-mentioned land shall be conveyed as aforesaid, be a first charge on the land described in the First Schedule hereto, and on the rents and profits thereof.