

New Parliament.]

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
26th November, 1879.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Seymour.

Marlborough River Districts Union.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Interpretation. 3. Districts may be united. 4. Signatures to petition to be verified. 5. If petition objected to, inquiry to be made. 6. Governor to make inquiry.</p>	<p>7. Governor to fix number of members for united districts. 8. Boards of districts united to be dissolved. 9. Property, &c., of districts united to vest in new district. 10. Governor to provide for first election. 11. Governor may extend times for holding elections, &c. Schedule.</p>
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A BILL INTITULED

AN ACT to provide for the Union of *certain* River Districts constituted under "The Hawke's Bay and Marlborough Rivers Act, 1868."

WHEREAS certain river districts were constituted under "The Hawke's Bay and Marlborough Rivers Act, 1868," in the Provincial District of Marlborough: And whereas it is expedient that provision should be made for the union of any two or more of such river districts to form one district:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Marlborough River Districts Union Act, 1879."

2. When under this Act anything is required to be "published" or "publicly notified," or "public notice" of anything is to be given, it is meant that a notice thereof shall be published in some newspaper circulating in the district, or, where there is no newspaper in general circulation, then that printed placards containing the notice shall be affixed to public places in the district.

3. The word "seven" in the fifth section of "The Hawke's Bay and Marlborough Rivers Act, 1868," shall henceforth be omitted therefrom, and the word "nine" substituted therefor.

Districts may be united.

4. **3.** The Governor in Council may, if he think fit, by Proclamation, declare any two or more districts now or hereafter to be constituted under "The Hawke's Bay and Marlborough Rivers Acts, 1868," *within the Provincial District of Marlborough*, to be united and to form one district, under such name as he thinks fit, subject, however, to the following conditions:—

- (1.) That a petition from each of the districts proposed to be united, signed by not less than one-third of the district electors thereof, is presented to the Governor praying him to unite such districts;
- (2.) That such petitions are publicly notified in such districts before being presented to the Governor;
- (3.) That no counter petition, signed by not less than one-third of the district electors of any one of such districts, is presented to the Governor within two months after the date of such public notification, praying him not to assent to the prayer of the first petition.

Signatures to petition to be verified.

5. **4.** The signatures to any such petition shall be verified by the solemn declaration, in the form of the Schedule hereto, signed by some person or persons residing in the district to which such petition refers; and any person who forges any such petition, or any signature thereto, or utters the same knowing it to be forged, or makes any such declaration knowing the same to be false, shall be liable to a penalty not exceeding *fifty* pounds.

If petition objected to, inquiry to be made.

6. **5.** If it is represented to the Governor that any of the signatures to any such petition or declaration are false, or that any of the persons signing were not entitled so to sign, or that the statements in such petition are untrue, or that the provisions of this Act in respect to such petition have not been complied with, the Governor may cause an inquiry to be made, and may adjourn the consideration of such petition till the result of such inquiry is known.

Governor to make inquiry.

7. **6.** The Governor may appoint one or more Commissioners to make such inquiry, who shall have all the powers in respect to the summoning of witnesses and their examination upon oath, and to calling for the production of books and papers touching such inquiry, as may be exercised by or under any law for the time being in force by Justices exercising summary jurisdiction.

Governor to fix number of members for united districts.

8. **7.** The Governor shall, in any such Proclamation uniting two or more *such* districts, fix the number of ~~members to be elected for the districts as united~~ *Conservators who are to constitute the Board for the new district when so formed, but such number shall not in any case be less than five or more than nine.*

Boards of districts united to be dissolved.

9. **8.** Upon the ~~union of~~ *issue of the Proclamation uniting two or more such districts* the Boards of such districts shall be dissolved, and the Governor shall make provision for the election of the first Board of the new district, as hereinafter provided; *and such Board shall be a Corporation under the name of "The Board of Conservators for the District" (the blank being filled up by the name by which such district is to be designated), having perpetual succession and a common seal, with power to make, alter, and renew the same, to hold property, real and personal, for the purposes of this Act, and to sue and be sued, plead and be impleaded, in any Court of law or equity.*

Property, &c., of districts united to vest in new district.

10. **9.** When any two or more districts are united,—

- (1.) All property, real or personal, belonging to either of such districts shall become vested in the ~~Corporation~~ *Board* of the new district;
- (2.) All rates or other moneys payable to the Boards of either of such districts shall become payable to the Board of the new district;

(3.) All the liabilities and engagements of either of such Boards shall become liabilities and engagements of the Board of the new district;

5 (4.) All actions, suits, and proceedings pending by or against either of such districts may be carried on and prosecuted by or against the Corporation Board of the new district.

10 ~~11~~ 10. For the purposes of the first elections of the Board of a district so constituted as aforesaid, every person who at the time of the constitution of such district shall be an elector of and qualified to vote for any of the districts united shall be an elector and qualified to vote for the new district so constituted; and the Governor shall have full power to make all such appointments, and to fix all such times for the doing of anything required to be done, and generally to do all things to enable a new Board to be elected.

Governor to provide for first election.

15 ~~12~~ 11. It shall be lawful for the Governor in Council to extend the time allowed for the holding of any election or meeting of the Board, or for the doing of any act, matter, or thing, whether the day may have passed on which the same ought to have been held or done or not, and to adopt or cause to be adopted such measures as may be necessary to remove any obstacle of a technical or formal nature by which the carrying out of the provisions of this Act may be impeded, and to supply any deficiency which may be required to be supplied in order to enable the said provisions to be duly carried out.

Governor may extend times for holding elections, &c.

20 Any such measure so adopted by the Governor in Council shall be duly notified in the Gazette.

SCHEDULE.

Schedule.

FORM OF DECLARATION TO THE GENUINENESS OF THE SIGNATURES TO PETITIONS.

I, A. B., do solemnly declare that the signatures affixed to the above petition initialled by me [or which I have marked (*describing the mark*)] are the genuine signatures of the persons whose they purport to be, and that such persons are county district electors of the [*naming the county or riding or part of the county river district*] to which the petition relates [or are ratepayers of the ~~read~~ river district to which the petition relates].