

On the question being put, That the clause shall stand part of the Bill, the Committee divided, and the names were taken down as follow: Ayes, 4: Mr. Duncan, Mr. Hogg, Mr. Mackintosh, and Mr. W. C. Smith. Noes, 6: Mr. Lake, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Rhodes, and Hon. Mr. Rolleston.

So it was resolved in the negative. Clause struck out.

Clauses 231 to 247 read and agreed to.

Clause 248 read. Amendment proposed, Line 16, page 70, insert the following paragraph (Hon. Mr. J. McKenzie), namely:—

The Board also may sanction improvements to be continued by any person whom they shall approve on behalf of any child or children whose parents, or one of whose parents, is dead; and, in case of the death of any child of a selector who holds land under the homestead system for such child, when improvements have been made thereon to the satisfaction of the Board, the Board may authorise such selector to retain such land notwithstanding the death of the said child, or that such selector shall thereby become the holder of land in excess of the quantity he may be entitled to hold under the said system.—Amendment agreed to. Clause as amended agreed to.

Schedules.

Schedule A read. Amendment proposed, To insert before the word “anywhere” the words “or lease-in-perpetuity system.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Schedule as amended agreed to.

Schedule B read and agreed to.

Schedule C read. Amendment in head line, To strike out the words “perpetual lease,” and insert the words “lease in perpetuity” in lieu thereof. Page 72, paragraph 5, amendment proposed, “After the word “renewal” to insert the words “or a lease in perpetuity.”—(Hon. Mr. J. McKenzie.) Amendments agreed to. Schedule as amended agreed to.

Schedule D read and agreed to.

Schedule E read. Amendment proposed, in paragraph 4, To strike out the words “which taken together with the pastoral lands I am now applying for would exceed 5,000 acres in area.”—(Hon. Mr. J. McKenzie.) Amendment agreed to. Schedule as amended agreed to.

Schedules F and G read and agreed to.

Appendix read and agreed to.

This concluded the consideration of the Bill.

The Committee then proceeded to reconsider certain clauses of the Bill, as follows:—

Clause 11. Amendment proposed, line 16, after the word “peace,” to add the words “or, at the discretion of the said Justices, to imprisonment for any period not exceeding six months.” Amendment agreed to. Clause as further amended agreed to.

Clause 13. Line 40, amendment proposed, After the word “notice” to insert the words “but subject to the like consents as aforesaid.” Amendment agreed to. Clause as further amended agreed to.

Clause 16. Subsection (2), line 15, amendment proposed, After the words “disposed of” to insert the words “on deferred payments or.” Amendment agreed to. Clause as further amended agreed to.

Clause 16A. Proposed new clause:—

16A. In any case where a road is stopped or sold under the provisions of sections ninety-three to ninety-six inclusive, and section ninety-nine of “The Public Works Act, 1882,” or of any Act amending the same, the Supreme Court shall have jurisdiction to grant relief where it is shown that the Road Board or County Council has acted in an illegal, unjust, or oppressive manner, and the Court may annul, either in whole or in part, the stopping or sale of such road, and the road shall thereupon remain a public highway as before; and the Court may grant such other relief in addition thereto or in lieu thereof as shall to it appear just, upon such terms as to costs or otherwise as may to it seem fit.

If any such road has been stopped for the benefit of a private person under section ninety-nine of the said Act, such person may be joined as a party to the action, and if the decision in the case is given against him the Court may compel him to pay such part of the costs or other expenses as to it shall seem just, and the decision of the Court in all cases shall be absolute and final:

Provided, however, that any person availing himself of the provisions of this section must give notice in writing to the Road Board or County Council of his intention to appeal to the Supreme Court within thirty days from the date of the decision or other action of the Road Board or County Council to which he objects; and if he do not thereupon commence his action in the said Court, and carry it on with reasonable diligence, his right of action shall lapse.

The provisions of this section shall, *mutatis mutandis*, relate back and apply to the act of the Clive Road Board and Hawke's Bay County Council in having stopped and sold certain roads in the Township of Clive: Provided that any person aggrieved by the aforesaid acts of the said Road Board or County Council as aforesaid shall give notice and commence an action thereon in the Supreme Court within three months from the passing of this Act; and the Court, in giving judgment, shall take into consideration the costs and expenses which have been already incurred by any party to such action in heretofore maintaining or defending his rights in the Supreme Court or in the Court of Appeal, and the Court shall have power to give such directions, and make and enforce such orders, as may be necessary.—(Hon. Mr. J. McKenzie.)

On the question being put, That clause 16A be a clause of the Bill, the Committee divided, and the names were taken down as follow: Ayes, 7—Mr. Duncan, Mr. Hogg, Mr. Mackintosh, Hon. Mr. J. McKenzie, Mr. Meredith, Mr. Mills, and Mr. W. C. Smith. Noes, 3—Mr. Lake, Mr. Rhodes, and Hon. Mr. Rolleston. So it was resolved in the affirmative.

Clause agreed to.