

COUNTIES.

The Act of 1886 excludes certain specified sections from operation in counties wherein the Act is suspended. We have added to the excluded sections several from the amending Acts, in cases where we considered it necessary in order to give effect to the original excluding provision.

Section 99 of the Act of 1886 (following section 31 of "The Financial Arrangements Act 1876") provides that in the counties wherein the Act is suspended the Council shall hold an annual meeting on or before the 31st March, for the purpose of apportioning moneys to be expended during "the financial year commencing on the first day of July then next ensuing." As the financial year now commences on the 1st April, we have altered the dates to correspond (see sections 197 and 198 of the Consolidation Act).

Section 6 of "The Public Revenues Act, 1892," makes the Audit Office the auditor of the accounts of all local authorities. We have modified the audit provisions of the Counties Act so as to accord with this (section 135 of the Consolidation Act). The section providing for a special auditor has been retained; but we have inserted (from the Public Revenues Amendment Act of 1896) the defence of good faith and legal advice.

Sections 266 to 288, and subsections (2) and (3) of section 311 of "The Counties Act, 1886," dealt with irrigation-works, drainage-works, and water-supply. These provisions were repealed by section 56 of "The Water-supply Act, 1891," so far as they related to water-races or irrigation-works. These references are accordingly omitted from the Consolidation Act (see sections 166 to 179, and clause 31 of Fourth Schedule, which are confined to drainage-works). By section 2 of "The Water-supply Act Amendment Act, 1892," this repeal is declared not to apply in the case of certain specified Road Boards. To give effect to this revival we have reprinted the original provisions as a Schedule to "The Water-supply Act, 1908," with modifications as mentioned in section 75 of that Act. The expedient may appear to be clumsy, but we could see no better way of dealing with the matter.

Section 273 of the Act of 1886 provides for certain loans, and says that the aggregate amount of all such loans shall not exceed 10s. per acre on all the land in the district, or "six-farthings in the pound on the rateable property" in the district. The latter limit must, we think, have been intended to refer to the rate—and not to the loans—and we have therefore omitted it, as a rate of six-farthings in the pound is provided for in the subsequent part of the section (section 170 of the Consolidation Act).

By-laws as to billiard-rooms are provided for by section 8 of the Act of 1903 and by section 6 of the Act of 1904. The latter Act, however, speaks merely of "billiard-rooms," whilst the earlier has "public billiard-rooms." We have construed the Act of 1904 as referring only to public billiard-rooms (see clause 22 of Fourth Schedule to the Consolidation Act). Section 9 of the Act of 1903 (regulating the closing-hours of public billiard-rooms) has been dropped, as section 2 of "The Police Offences Amendment Act, 1903," contains identical provisions—save as to the power of the County Council to prescribe earlier closing-hours—and this we have saved in our clause (22).

CRIMES.

This is a consolidation of various Acts relating to crimes and criminal procedure, and as the title "Criminal Code Act" is not appropriate we have substituted "Crimes."

In section 337 of "The Criminal Code Act, 1893" (Rules as to arrest), the crimes are indicated by reference to the sidenotes in the various Parts of the Act. The sidenotes are not always accurate, and we have substituted the numbers of the sections (section 358 of the Consolidation Act). The same change is made in other places.

The bail provisions of section 345 of "The Criminal Code Act, 1893" (section 368 of the Consolidation Act), have been extended to include defamatory libel. The omission was plainly a mistake in the Act of 1901, which defined that offence and provided for its punishment.

The provisions of "The Lunatics Act, 1882," relating to criminal lunatics appear in sections 436 to 441.