

New Zealand.

ANALYSIS.

- | | |
|--|---|
| <p>Title.
Preamble.
1. Short Title.
2. Prior Acts deemed part of this Act.
3. "The Municipal Corporations Act, 1900."
4. Suburban districts.
5. Corporation deemed promoter of tramways.
6. Power to make by-laws.</p> | <p>7. Form of debentures.
8. Authority for issue and sale of debentures.
9. Tramways not liable to be rated by local authority.
10. Power to borough to delegate authority to be stated in Order in Council.
11. Further sums may be borrowed under Municipal Corporations Act.
Schedule.</p> |
|--|---|

1901, No. 26.—*Local.*

Title	AN ACT to amend and extend "The Dunedin City and Suburban Tramways Act, 1900." [8th November, 1901.]
Preamble.	<p>WHEREAS under and pursuant to the provisions of "The Dunedin City and Suburban Tramways Act, 1900" (herein called "the said Act"), the Corporation of the Mayor, Councillors, and Citizens of the City of Dunedin has purchased from the Dunedin City and Suburban Tramways Company the tramways freehold and leasehold lands, good-will, chattels, and other property of the said company: And whereas the said tramways were, by several deeds and assurances made and dated the twenty-first day of March, one thousand nine hundred and one, transferred, conveyed, and assured to the said Corporation, and are now, together with the several Orders in Council, concessions, and contracts relating to the said several tramways, and all the rights which belonged to the said company in virtue of such several Orders in Council, concessions, and contracts, absolutely vested in the said Corporation: And whereas, in contemplation of the purchase of the said tramways and property, and of the obtaining of the said mining privileges, steps were taken by the said Corporation to raise a loan of two hundred thousand pounds pursuant to the powers in the said Act contained: And whereas all steps and proceedings to obtain the sanction of the electors of the said city to the raising of the said loan were duly taken, and the raising of the same was, by a poll taken on the twenty-first day of January, one thousand nine hundred and one, duly sanctioned by such electors: And whereas by the same vote the said electors, pursuant to section twelve of the said Act, duly authorised the acquisition by purchase of the said tram-</p>

ways and property: And whereas, for the purpose of completing the said purchase, and for other purposes mentioned in the proposal submitted to the said electors, the said Council has raised the sum of fifty thousand pounds, part of the said sum of two hundred thousand pounds, by means of debentures in the form set forth in the Schedule hereto, and contemplates raising the further sum of one hundred and fifty thousand pounds authorised by the said Act and sanctioned by the said vote, either in New Zealand, or in the United Kingdom, or elsewhere: And whereas further sums may be from time to time required for the completion or extension of the said system of tramways and for other purposes connected therewith, and with the use and enjoyment of the said mining privileges:

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 Dunedin City and Suburban Tramways Act 1900 Amendment Act, 1901.” Short Title.

2. This Act shall be deemed to amend and extend the said Act and “The Tramways Act, 1894,” and this Act and the said two Acts shall be deemed to incorporate each other, and shall, together with any other Acts read and incorporated with either of the said Acts, be read as one Act, but in case of conflict the provisions of the said Act and of this Act shall prevail. Prior Acts deemed part of this Act.

3. Wherever in the said Act or any Act incorporated therewith “The Municipal Corporations Act, 1886,” or any Part, section, or clause thereof is referred to, such reference shall be deemed to be a reference to “The Municipal Corporations Act, 1900,” or the Part, section, or clause thereof corresponding with the Part, section, or clause so referred to. “The Municipal Corporations Act, 1900.”

4. In lieu of the interpretation of the expression “the suburban districts” in the said Act, the said expression shall be deemed to include, and as from the passing of the said Act to have included, the boroughs contiguous to the City of Dunedin, the boroughs in section five of the said Act mentioned, and the territory of counties contiguous to Dunedin or to such boroughs. Suburban districts.

5. The Corporation shall, as from the twenty-first day of March, one thousand nine hundred and one, be deemed to be the promoter of all the said tramways, and shall for all purposes whatsoever be deemed to have, and as from the said date to have had, vested in it all the powers, rights, and privileges respecting or arising out of the Orders in Council, concessions, and contracts relating to the said tramways which were theretofore vested in the said company: Corporation deemed promoter of tramways.

Provided that no such power, right, or privilege shall be deemed to permit the Corporation to construct any tramway through that part of the Town Belt of Dunedin known as the “Botanical Gardens,” and being all that land on the east side of the Main North Road, and between the aforesaid road and the Opoho Road.

6. With respect to the wires and appliances used by the said Corporation for the purpose of conducting electricity to the city, and all property connected therewith, the Corporation shall have all the power of making by-laws and all other powers which it would have Power to make by-laws.

were the same situated within the said city, and all provisions in "The Municipal Corporations Act, 1900," and any other Act relating to offences respecting such wires, appliances, and property within the city shall apply thereto.

Form of debentures

7. The debentures and coupons issued in the form set forth in the Schedule hereto shall be deemed to be in all respects in conformity with the provisions of the said Act, and the provisions of this section shall not be deemed to affect the provisions of subsection six of section fifteen of the said Act.

Authority for issue and sale of debentures.

8. The said Act and this Act shall be for all purposes sufficient authority for the issue and sale of the debentures representing the said further sum of one hundred and fifty thousand pounds authorised by the said Act and the said vote, and no person shall be entitled to call for any further evidence of the power of the Corporation to borrow the said sum and issue such debentures than the production of a copy of the said Act and this Act.

Tramways not liable to be rated by local authority.

9. The tramways shall not, nor shall any property or appliances belonging to the city in any way connected therewith or with the generation or transmission of power to be used in connection therewith, be liable to be rated by any local authority.

Power to borough to delegate authority to be stated in Order in Council.

10. The period for which any borough in the suburban district may delegate the authority conferred by any authorising order shall be stated in the Order in Council, and shall not be limited by law otherwise than as stated in such Order.

Further sums may be borrowed under Municipal Corporations Act.

11. All such further sums as may be required for the purposes of the said Act or this Act, or any of them, may be borrowed under the provisions of "The Municipal Corporations Act, 1900."

Schedule.

SCHEDULE.

No. .] The City of Dunedin, New Zealand. [£100.

DUNEDIN CITY AND SUBURBAN TRAMWAYS LOAN, £200,000.

SECURED on the profits of the whole of the tramways and property to be acquired or constructed under the provisions of "The Dunedin City and Suburban Tramways Act, 1900," and being a debt payable by the city as provided by the said Act and "The Municipal Corporations Act, 1900."

DEBENTURE for £100, payable at the Town Hall, Dunedin, New Zealand, on the day of , 19 .

Issued by the Corporation of the City of Dunedin, New Zealand, under the aforesaid Acts.

(N.B.—The holder of this debenture has no claim in respect thereof upon the Government of the Colony of New Zealand or the revenues of the said colony.)

ON presentation of this debenture at the Town Hall, Dunedin, New Zealand, on or after the day of , 19 , the bearer thereof will be entitled to receive £100.

Interest on this debenture will cease after the day when payment falls due, unless default is made in payment.

Issued under the corporate seal of the City of Dunedin, the day of , 19 .

, Mayor.
, Treasurer.

