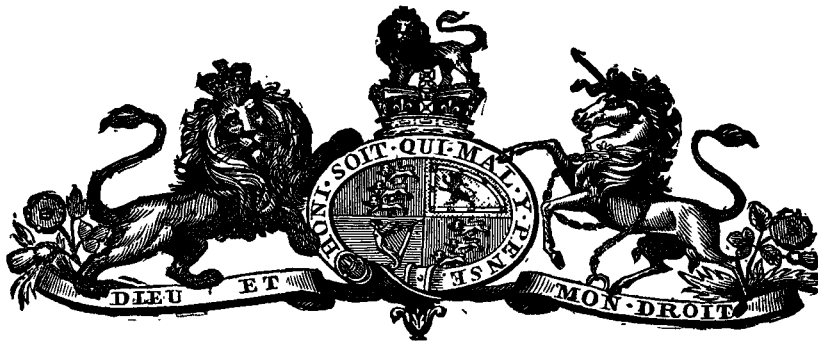


## NEW ZEALAND.



TRICESIMO NONO

## VICTORIÆ REGINÆ.

No. III.

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## ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Repeal of section 2, "Invercargill Gas Loan Act, 1874."</p> <p>3. Power to borrow, and purposes to which money to be applied.</p> <p>4. How security to be signed.</p> <p>5. No priority amongst holders of securities.</p> <p>6. Power to levy rates.</p> <p>7. Moneys borrowed a charge upon rates, &amp;c.</p> <p>8. Recovery of rates.</p> <p>9. Receiver may be appointed in certain cases.</p> <p>10. Power to contract for supplying gas.</p>	<p>11. Power to let meters.</p> <p>12. Power to enter buildings for ascertaining quantities of gas consumed.</p> <p>13. Recovery of rents due for gas.</p> <p>14. Power to remove pipes.</p> <p>15. Penalty for fraudulently using gas.</p> <p>16. Notice of discontinuance.</p> <p>17. Incoming tenant consuming gas without notice liable for arrears.</p> <p>18. Holders of debentures or other security have no claim on the revenue of the Colony of New Zealand or of the Province of Otago.</p>
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AN ACT to amend "The Invercargill Gas Loan Act, 1874," and to make further provision for enabling the Municipal Council of the Town of Invercargill to supply the Town of Invercargill with Gas. Title.

[28th August, 1875.]

BE IT 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 shall be "The Invercargill Gas Loan Act 1874 Amendment Act, 1875." Short Title.

2. The second section of "The Invercargill Gas Loan Act, 1874," is hereby repealed, but such repeal shall not affect any power exercised or contract entered into under the authority of the section hereby repealed. Repeal of section 2, "Invercargill Gas Loan Act, 1874."

3. It shall be lawful for the Municipal Council of the Town of Invercargill from time to time to borrow and raise, by debentures or otherwise, any sum or sums not exceeding in the whole the sum of Power to borrow, and purposes to which money to be applied.

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sixteen thousand pounds, and to prescribe the mode and conditions of repayment of such loan, and the time of such repayment, and the rate of interest thereon, and the place or places where such principal and interest shall be made payable, and the form of security to be given: Provided always that such interest shall not exceed the sum of six pounds for every one hundred pounds expressed to be borrowed. The moneys hereby authorized to be borrowed and raised shall be applied in the construction or purchase of gasworks for the supply of the Town of Invercargill with gas.

How security to be signed.

4. Every debenture or other security given under the authority of this Act shall be signed by the Mayor and Town Clerk of the said town, and such debentures may be issued with or without coupons attached.

No priority amongst holders of securities.

5. The holder of any debenture or other security issued under the authority of this Act shall not have any preference over any other such holder by reason of the priority of the date of such debenture or security or otherwise.

Power to rates.

6. It shall be lawful for the said Council, after borrowing and raising any such sum or sums as aforesaid, to impose and levy special rates to defray all costs interest charges and expenses connected with the supply of gas, and the said rates shall be made and levied and be paid in the same manner as the other rates are made and levied by the said Council, and paid under the authority of any Act or Ordinance now in force: Provided that such special rate shall not be levied unless the price at which gas is supplied shall exceed ten shillings for one thousand cubic feet: Provided always that private consumers of gas shall be charged for the quantity of gas used or consumed by them respectively at such rates as may be from time to time fixed by the said Council over and above any special rate which may be payable for gas consumed for public purposes or connected with the supply of gas.

Moneys borrowed a charge upon rates, &c.

7. All moneys borrowed and raised under the authority of this Act shall be a charge upon the special rates and upon the works erected or purchased by the said Council in exercise of the powers herein conferred, and shall be expended solely for the purchase or construction of gasworks for the use of the citizens of Invercargill.

Recovery of rates.

8. The Council shall have the same powers competent to them for the recovery of the ordinary rates to enforce the recovery of the special rates imposed by virtue of this Act, and sums due by consumers of gas; and in addition thereto it shall be lawful for the Council to order the supply of gas to any person in arrear of the special rate to be stopped.

Receiver may be appointed in certain cases.

9. In case default be made in payment of the moneys borrowed under the authority of this Act, or any instalment thereof, or of the interest which may become payable in respect thereof, for the space of six calendar months after the same shall become due, it shall be lawful for the Supreme Court, on the application of the holders of securities for the same to the amount of not less than one thousand pounds, to appoint a receiver of all rates and moneys upon which the same shall be secured.

Power to contract for supplying gas.

10. The Council may from time to time enter into any contract with any person body of persons or body corporate for lighting or supplying with gas any public or private buildings in the said town or outside the boundaries thereof, or for providing any person body of persons or body corporate with pipes burners meters and lamps, and for the repairs thereof, and may also from time to time enter into any contract with any person for lighting the streets within the Town of Invercargill or any of them with gas, and for providing such persons with lamps lamp posts burners and pipes for such purpose, and for the

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repairs thereof, in such manner and upon such terms as shall be agreed upon between the Council and the said persons.

11. The Council may let for hire any meter for ascertaining the quantity of gas consumed or supplied, and any fittings for the gas, for such remuneration in money as shall be agreed upon between the Council and any person to whom the same may be so let, and such remuneration shall be recoverable in the same manner as the rents or sums due for gas, and such meters and fittings shall not be subject to distress for rent of the premises where the same may be used, nor be taken in execution under any process or proceeding of a Court of law or equity or in bankruptcy against the person in whose possession the same may be.

Power to let meters.

12. The clerk, collector, engineer, or other officer duly appointed for the purpose by the Council, may at all reasonable times enter any dwelling or place lighted with gas supplied by the Council, in order to inspect the meters fittings and works for regulating the supply of gas, and for the purpose of ascertaining the quantity of gas consumed or supplied; and if any person shall hinder such officer as aforesaid from entering and making such inspection as aforesaid at any reasonable time, he shall for every such offence forfeit a sum not exceeding five pounds.

Power to enter buildings for ascertaining quantities of gas consumed.

13. If any person supplied with gas neglect to pay the rent due for the same, the Council may stop the gas from entering the premises of such person by cutting off the service pipe, or by such means as they shall think fit, and recover the rent due from such person, together with the expense of cutting off the gas and the costs of recovering the rent, by action in any Court of law of competent jurisdiction.

Recovery of rents due for gas.

14. In all cases in which the Council is authorized to cut off and take away the supply of gas from any house building or premises under the provisions of this Act, the Council, their agents, or workmen, after giving twenty-four hours' previous notice in writing to the occupier, or if no occupier, then after leaving such notice on any portion of the premises, may enter into the same between the hours of nine in the forenoon and five in the afternoon, and remove and carry away any pipe meter fittings or other works the property of the Council.

Power to remove pipes.

15. Every person who shall lay or cause to be laid any pipe to communicate with any pipe belonging to the Council without their consent, or shall fraudulently injure any such meter as aforesaid, or who, in case the gas supplied is not ascertained by meter, shall use any burner other than such as has been supplied or approved of by the Council, or of larger dimensions than he has contracted to pay for, or shall keep the lights burning for a longer time than he has contracted to pay for, or who shall otherwise improperly use or burn such gas, or shall supply any other person with any part of the gas supplied to him by the Council, shall forfeit to the Council the sum of five pounds for every such offence, and also the sum of forty shillings for every day such pipe shall so remain, or such works or such burners shall be so used, or such excess be so committed or continued, or such supply furnished; and the Council may take off the gas from the house and premises of the person so offending, notwithstanding any contract which may have been previously entered into.

Penalty for fraudulently using gas.

16. Notice to the Council from a consumer for the discontinuance of a supply of gas shall not be of any effect unless it be in writing, and be left at the office for the time being of the Council in the borough.

Notice of discontinuance.

17. When any consumer leaves the premises where gas has been supplied to him without paying to the Council the gas rent due from him, the Council shall be entitled to require from the next tenant

Incoming tenant consuming gas without notice liable for arrears.

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payment of arrears accruing since meter shall have been last taken by the Council and left unpaid by the former tenant if such next tenant shall consume any gas of the Council without having first given to the Council twenty-four hours' notice of his intention to do so, and if such notice shall be given, such incoming tenant shall not be liable for such arrears as aforesaid.

Holders of debentures or other security have no claim on the revenue of the Colony of New Zealand or of the Province of Otago.

**18.** No holder of any debenture mortgage or other security issued under this Act shall have any claim whatsoever in respect of any such debenture mortgage or other security on the revenue of the Colony of New Zealand or of the Province of Otago, but every such debenture mortgage or other security shall be chargeable only on the works material property and security charged therewith by this Act.

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