

No. VII.

AN ACT to authorize the Municipal Council of the Town of Port Chalmers to raise Money for the purpose of completing the Waterworks for the Supply of the Town and the Shipping of the Port with Water. [9th October, 1877.]

PORT CHALMERS
WATERWORKS ACT
AMENDMENT.

WHEREAS by the provisions of "The Port Chalmers Waterworks Act, 1873," the Municipal Council of the Town of Port Chalmers was authorized to borrow fifteen thousand pounds for the purpose of supplying the Town of Port Chalmers and the shipping of the port with water: Provided that the said money should not be raised until the undertaking shall have become a duly authorized undertaking within the provisions of "The Municipal Corporations Waterworks Act, 1872:" And whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Otago intituled "The Port Chalmers Waterworks Empowering Ordinance, 1873," the said Act, intituled "The Municipal Corporations Waterworks Act, 1872," was brought into operation in and for the Town of Port Chalmers, by which the said undertaking was duly authorized: And whereas the said sum of fifteen thousand pounds has, in pursuance of the said Acts, been borrowed, and contracts duly entered into for the carrying out of such undertaking; but the said sum of money has been found to be insufficient to provide for the purchase of the property required, and for the completion of the works necessary to provide for the supply of water to the ratepayers of the town and the shipping of the port; and the ratepayers are liable to pay the special rate of one shilling and threepence in the pound to be levied under the provisions of "The Municipal Corporations Waterworks Act, 1872:" And whereas it is expedient that further powers be conferred upon the said Council for the completion of the said waterworks, and that the said Act, intituled "The Port Chalmers Waterworks Act, 1873," should be amended: And whereas certain claims have been made against the said Municipal Council of the said Town of Port Chalmers, for the taking by the Corporation of the said town of certain lands and water rights for the said waterworks: And whereas certain of these claims have not been paid: And whereas some provision should be made for the settlement of the said claims:

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 shall be "The Port Chalmers Waterworks Act Amendment Act, 1877."

LOCAL.

Dunedin Drill-shed Reserve Act 1876 Amendment.

Municipal Corporation, Port Chalmers, may borrow additional £10,000 to complete waterworks.

2. The Municipal Council of the Town of Port Chalmers may borrow any sum or sums of money not exceeding in the whole the sum of ten thousand pounds, in addition to the sums authorized to be raised by "The Port Chalmers Waterworks Act, 1873," aforesaid, and may secure the repayment of the same with interest in manner provided by the provisions of "The Municipal Corporations Act, 1876," relating to waterworks constructed under that Act, and may apply the same in the construction or purchase of waterworks under the provisions of the said Act, for the supply of the Town of Port Chalmers and the shipping of the port with water.

Debentures heretofore issued shall be a first charge, but holders of debentures under this Act not entitled to preference.

3. Debentures issued for the sum of fifteen thousand pounds, already borrowed under the Act hereinbefore mentioned, shall be a first charge, and shall have priority over debentures issued or mortgage made under this Act; but the holder of any debenture or mortgage issued or given under this Act shall not have any preference over any other debenture-holder or mortgagee under this Act by reason of any priority of date or otherwise, but all debenture-holders or mortgagees shall rank alike, and shall be entitled to equal privileges.

Compensation for lands taken or water rights injured.

4. All persons who may have had lands taken or injured or water rights injured by the said Municipal Council or Corporation of the Town of Port Chalmers for the purposes of waterworks, and who may or may not have lodged or served the claims in writing required by section ten of "The Municipal Corporations Waterworks Act, 1872," may, at any time within six months after the passing of this Act, claim compensation for any lands taken or water rights injured, and unless the said Municipal Council or Corporation of the Town of Port Chalmers shall, within three months after the receipt of the said claims, proceed to have the amount of compensation, if any due, settled and awarded in the manner provided by Part III. of "The Public Works Act, 1876," the said Corporation of the Town of Port Chalmers shall pay the amount of such claims.

Incorporation of Acts.

5. Parts II. and III. of "The Public Works Act, 1876," shall be incorporated with and form part of this Act; and all provisions of "The Municipal Corporations Act, 1876," relating to waterworks, not inconsistent with the provisions of the said Parts II. and III. shall be deemed to be in force in the said Town of Port Chalmers.