

New Zealand.



ANALYSIS.

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1902, No. 3.—*Local.*

AN ACT to rectify an Error in a Special Order of the Council of the County of Hawke's Bay, made on the Twenty-fifth Day of January, One thousand nine hundred, in pursuance of "The Government Loans to Local Bodies Act Amendment Act, 1899." Title.
[13th September, 1902.]

WHEREAS on the eighteenth day of April, one thousand eight hundred and eighty-seven, the Council of the County of Hawke's Bay made and passed a special order in the words and figures following, that is to say,— Preamble.

"That, for the purpose of securing the interest and sinking fund upon a loan of six thousand pounds to be borrowed by the County Council under the provisions of 'The Government Loans to Local Bodies Act, 1886,' for defraying the expense of erecting a bridge over the Tukituki River at or near Matahiwi, a special rate of six-tenths of a penny in the pound be made and levied upon all that portion of the Clive Riding of the County of Hawke's Bay containing twenty-eight thousand eight hundred and thirty-eight acres, or thereabouts, and comprising the Clifton, Grange, and Tukituki Estates, and Sections Two hundred and sixteen and Two hundred and thirty-six, Clive, being the Tukituki Ward of the Clive Road Board District; such special rate shall be an annual-recurring rate for a period of twenty-six years from the first day of February, one thousand eight hundred and eighty-seven, and shall be paid annually in advance on the first day of February in each year":

And whereas, in pursuance of the provisions of "The Government Loans to Local Bodies Act, 1886," the said sum of six thousand pounds was advanced and lent to the Chairman, Councillors, and Inhabitants of the County of Hawke's Bay, upon the terms mentioned and set forth in the said special order of the eighteenth day of April, one thousand eight hundred and eighty-seven:

And whereas on the first day of June, one thousand eight hundred and eighty-seven, the Road Board of the District of Clive, being a road district within the County of Hawke's Bay, made and passed a special order in the words and figures following, that is to say,—

“ That, for the purpose of securing the interest and sinking fund upon a loan of three thousand pounds to be borrowed by the Clive Road Board under the provisions of ‘ The Government Loans to Local Bodies Act, 1886,’ for the purpose of defraying the expense of constructing a road from the Tukituki Bridge to Mr. Loughnan's Tukituki Station, a special rate of three-tenths of a penny in the pound be made and levied upon all that portion of the Clive Riding of the County of Hawke's Bay containing twenty-eight thousand eight hundred and thirty-eight acres, or thereabouts, and comprising the Clifton, Grange, and Tukituki Estates, and Sections Two hundred and sixteen and Two hundred and thirty-six, Clive, being the Tukituki Ward of the Clive Road District; such special rate shall be an annually recurring rate for the period of twenty-six years from the first day of February, one thousand eight hundred and eighty-seven, and shall be payable annually in advance on the first day of February in each year ” :

And whereas, in pursuance of the provisions of “ The Government Loans to Local Bodies Act, 1886,” the said sum of three thousand pounds was advanced and lent to the inhabitants of the Clive Road District upon the terms mentioned and set forth in the said special order of the first day of June, one thousand eight hundred and eighty-seven :

And whereas, in pursuance of the provisions of “ The Counties Act, 1886,” the County of Hawke's Bay, by special order dated the thirteenth day of September, one thousand eight hundred and ninety-two, declared that, *inter alia*, the Road Board of the said District of Clive should be dissolved, and that such road district should be merged in the said County of Hawke's Bay, and all proceedings were duly taken and the said road district became merged in the said county :

And whereas the said Council of the County of Hawke's Bay, on the twenty-fifth day of January, one thousand nine hundred, in pursuance of “ The Government Loans to Local Bodies Act Amendment Act, 1899,” made and passed a special order in the words and figures following, that is to say,—

“ That the provisions of section two of ‘ The Government Loans to Local Bodies Act Amendment Act, 1899,’ be applied to the now existing loans to the Chairman, Councillors, and Inhabitants of the County of Hawke's Bay inscribed in the Treasury to the first day of February, one thousand eight hundred and ninety-nine, under ‘ The Government Loans to Local Bodies Act, 1886,’ and amounting to the sum of twenty-four thousand five hundred and twenty-six pounds seven shillings and fivepence, and that the said loans be readjusted under subsection three of the said section number two; and, further, that this special order do take effect immediately upon the passing thereof, in order that the proposed readjustment may take effect on the first day of February, one thousand nine hundred ” :

And whereas the respective loans of six thousand pounds and three thousand pounds mentioned in the hereinbefore-recited special orders were included in the sum of twenty-four thousand five hundred and twenty-six pounds seven shillings and fivepence mentioned in the lastly-hereinbefore-recited special order :

And whereas the said loans of six thousand pounds and three thousand pounds were so included in error, and against the wishes of the ratepayers of that portion of the County of Hawke's Bay—namely, the Tukituki Ward of the Clive Road Board District—who became responsible for the payment of the same :

And whereas the said ratepayers and the said Council of the County of Hawke's Bay are desirous that the said special order of the twenty-fifth day of January, one thousand nine hundred, should be read and construed as though it had not affected the said respective loans of six thousand pounds and three thousand pounds, and the terms of the said special orders of the eighteenth day of April, one thousand eight hundred and eighty-seven, and the first day of June, one thousand eight hundred and eighty-seven :

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 Tukituki Bridge Loans Act, 1902.” Short Title.

2. The said special order of the Council of the County of Hawke's Bay of the twenty-fifth day of January, one thousand nine hundred, shall be read and construed as though the sum of twenty-four thousand five hundred and twenty-six pounds seven shillings and fivepence therein mentioned did not include the said respective loans for six thousand pounds and three thousand pounds respectively mentioned in the said special orders of the eighteenth day of April, one thousand eight hundred and eighty-seven, and the first day of June, one thousand eight hundred and eighty-seven ; and the said respective special orders of the eighteenth day of April, one thousand eight hundred and eighty-seven, and the first day of June, one thousand eight hundred and eighty-seven, shall be deemed to be and to have been unaffected by the passing of the said special order of the twenty-fifth day of January, one thousand nine hundred. Special order of Hawke's Bay County Council to be construed as though certain loans were not thereby affected.

3. The said respective loans of six thousand pounds and three thousand pounds shall be and shall be deemed to have been repayable to the Government upon the same terms and conditions in all respects as those upon which they were advanced and lent. Loans to be repayable on original terms.