

[AS REPORTED FROM THE LOCAL BILLS COMMITTEE, 4TH SEPTEMBER, 1900.]

Mr. Hornsby.

GREYTOWN ELECTRIC LIGHTING AND LOAN EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to empower the Mayor, Councillors, and Burgesses of the Borough of Greytown, a Corporation constituted under the Provisions of "The Municipal Corporations Act, 1886," to produce and supply Electric Lighting in and for the Borough of Greytown, and to raise certain Moneys by way of Special Loan for that Purpose.

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 is "The Greytown Electric Lighting and Loan Empowering Act, 1900."

2. In this Act, unless inconsistent with the context,—

"Council" shall mean the Greytown Borough Council:

"Borough" shall mean the Borough of Greytown:

"The said Act" shall mean "The Municipal Corporations Act, 1886":

The word "person" shall include corporations, whether aggregate or sole:

The word "lands" shall include messuages, lands, tenements, and hereditaments:

The words "streets and roads" shall include any street, court, or alley, highway, lane, thoroughfare, or public passage or place within the limits of this Act.

3. The Greytown Borough Council may raise by way of special loan, under the provisions of Part IX. of the said Act, a sum not exceeding four thousand pounds, to be appropriated to the respective purposes set forth in section five hereof: Provided always that

section *four* hereof shall apply to every poll taken under the authority of this Act, in substitution for the provisions of section one hundred and eighty-two of the said Act.

Poll to be taken.

4. If, upon the taking of any poll under the authority of this Act, the number of votes given in favour of the proposal be not less than ~~three-fifths~~ *a majority* of the votes recorded upon the taking of such poll, then the proposal shall be deemed carried, and the Council may proceed with such proposal accordingly; but, if not, the proposal shall be deemed rejected, and the Council shall not so proceed.

Purposes for which loan raised.

5. The purposes to which the moneys which the Council is hereby authorised to raise and to be appropriated shall be the following, that is to say:—

- (1.) In acquiring land and erecting buildings within or without the borough;
- (2.) In acquiring water-rights within or without the borough, and in constructing works to make the same available for electric-lighting purposes or motive-power;
- (3.) In procuring and constructing all machinery and plant necessary for electric lighting;
- (4.) In doing all things necessary to keep the electric-lighting plant and everything appertaining to the supply of electric light in good repair;
- (5.) Generally for all purposes necessary for the due exercise by the Council of its powers and fulfilment of its obligations as defined by this Act.

Interest and sinking fund may be secured by special rate.

6. The Council may pledge, as security for the interest and sinking fund, any special rate within the meaning of the said Act, and may, by special order, make and levy such special rate in the manner as in the said Act is provided. The Council may pledge a special rate exceeding in amount the estimated amount required to provide such interest and sinking fund, and shall not be required to levy more in any year during the currency of such loan than shall be sufficient to provide such interest and sinking fund, so long as such interest and sinking fund shall be punctually paid: Provided, however, that such lighting plant shall be security for such loan, any special rate pledged under this section being in addition to such security: And provided further that there shall be a sinking fund provided for such loan by the Council of not less than one-half per centum per annum of the total amount of the loan. *But no money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five pounds per centum per annum, anything in any other Act notwithstanding.*

Limit of land affected.

7. The limits of this Act shall extend to and include all lands lying within a radius of five miles from the Post-office at Greytown.

Council empowered to construct and maintain works.

8. The Council may construct and maintain works, and may do all things necessary to light the streets and public places within the limits of this Act with electricity, and supply electricity for lighting purposes and for motive-power to the inhabitants thereof, or such of them as the Council may agree to supply; and the Council shall, in addition to the powers herein given, have all the powers within such limits which could be exercised within the Borough of Greytown under section five of "The Municipal Corporations Act Amendment Act, 1887."

9. Notwithstanding anything contained in any Act of the General Assembly, it shall not be lawful for any person or company other than the Greytown Borough Council or its successors or assigns to establish gasworks, manufacture or supply gas for lighting, heating, or motive-power, or to establish works for the supply of electric lighting or power, within the limits prescribed by this Act, except with the consent of the local authority, such consent to be testified by special order of the said local authority: Provided, however, that nothing in the foregoing provisions of this section shall render it necessary for any private person or company to obtain such consent as above mentioned before constructing works or providing plant and machinery for the supply of gas or electricity for lighting, heat, or motive-power to be used only for the purposes of and in connection with the business and premises of the person or company constructing such works, or providing such machinery, and not for the purposes of sale to other persons.

Restriction on others than the Council establishing works for lighting purposes.

Proviso.

10. The powers conferred on the borough by this Act, by which electric energy may be used for lighting or motive-power, shall be subject to the provisions of "The Electric Lines Act, 1884."

Act subject to provisions of "The Electric Lines Act, 1884."