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This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and having this day passed as now printed is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
1st September, 1875.*

(Hon. Dr. Pollen.)

Napier Municipal Council Empowering and Waterworks Loan.

ANALYSIS.

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A BILL INTITULED

AN ACT to bring the provisions of "The Municipal Corporations Waterworks Act, 1872," into operation in the Borough of Napier, and to authorize the Municipal Council of the said Borough to raise the sum of Ten Thousand Pounds for the construction or purchase of Waterworks for the supply of the Town of Napier with Water.

WHEREAS by "The Municipal Corporations Waterworks Act, 1872," hereinafter called "the said Act," it is enacted that the said Act may be brought into operation in and for any borough within any province by an Act or Ordinance of the Superintendent and Provincial Council of such province, and shall take effect in and for such borough on and from any day which by such Act or Ordinance shall be either fixed or directed to be appointed, and except as aforesaid the said Act shall have no effect or operation: And whereas it is expedient that the provisions of the said Act should be brought into operation in the Borough of Napier, in the Province of Hawke's Bay, from and after the date hereinafter mentioned, notwithstanding that no such Act or Ordinance of the Superintendent and Provincial Council of the said province may have been passed: And whereas it is desirable that the Municipal Council of the said borough should be authorized to borrow and raise, under the provisions of the said Act, any sum or sums of money not exceeding in the whole the sum of ten thousand pounds for the purpose of constructing and purchasing waterworks for the supply of the Town of Napier with water:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

Short Title.

1. The Short Title of this Act shall be “The Napier Municipal Council Empowering and Waterworks Loan Act, 1875.” 5

Provisions of Municipal Corporations Waterworks Act applied to Napier.

2. The provisions of the said Act shall be and the same are hereby brought into operation in and for the Borough of Napier, and shall take effect from and after the first day of October, one thousand eight hundred and seventy-five.

Power to borrow.

3. It shall be lawful for the Municipal Council of the said borough, for the purposes mentioned in the sixteenth section of “The Municipal Corporations Waterworks Act, 1872,” to borrow, and take up at interest not exceeding eight per cent. per annum, any sum or sums of money not exceeding in the whole ten thousand pounds, upon the security of rates, to be made and levied under and by virtue of “The Municipal Corporations Waterworks Act, 1872”: Provided that, notwithstanding anything in the said Act contained, any special rate to be made under section twenty-nine of the said Act shall be chargeable only upon rateable property lying within the circuit of the places shown upon the plans of the undertaking as intended to be supplied with water, and no land shall be regarded as intended to be so supplied unless, upon the completion of the undertaking, a house situate upon such land would be liable to a water rate under section thirty-five of the said Act. 15 20

Debenture holder not to have any claim upon revenue of colony or province.

4. 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 Hawke’s Bay; but every such debenture mortgage or other security shall be chargeable only on the works material property and security charged therewith by this Act. 25 30