



SOUTHERN TRUNK RAILWAY GUARANTEED INTEREST ORDINANCE AMENDMENT ORDINANCE 1870.

IN THE THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXVIII. No. 323.

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Superintendent with consent of Executive Council may guarantee to a Company interest on capital paid up.
3. Interest chargeable on and made payable out of Provincial Revenues.

AN ORDINANCE *to further amend the Ordinance of the Superintendent and Provincial Council of the Province of Otago intituled an Ordinance to authorise the Superintendent of Otago to guarantee to any Joint Stock Company which may be formed for the purpose of constructing a Railway from Dunedin to the Clutha River within a period of two years from the passing of this Ordinance interest on its paid up Capital not exceeding £400,000.*

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON 7TH DECEMBER 1870.]

WHEREAS by an Ordinance of the Superintendent and Provincial Council of the Province of Otago shortly intituled the "Southern Trunk Railway Guaranteed Interest Ordinance (No. 2) 1867" it is enacted that in case at any time after the passing of the said Ordinance any Joint Stock Company constituted and registered under the "Joint Stock Companies Act 1860" should be formed for the purpose of constructing a Railway from Dunedin to the Clutha River it should be lawful for the said Superintendent with the advice and consent of the Executive Council of the Province of Otago to enter into any agreement with such Company for the purpose of guaranteeing to the shareholders thereof for and during any period not exceeding fifteen years the payment of any sum or sums of money either as dividend or interest on the paid up capital of the said Company as in the said Ordinance is provided: And whereas it is expedient to empower the said Superintendent to enter into an agreement with any such Company as in the said Ordinance is mentioned for the purpose of guaranteeing to such Company for and during any period not exceeding thirty-five years the payment of any sum or sums of money either as dividend or interest upon the paid up capital of the said Company to an amount not exceeding five pounds and ten shillings by the year for every one hundred pounds of such paid up capital:

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago with the advice and consent of the Provincial Council thereof as follows :—

Short Title.

I. This Ordinance may be cited and referred to as the “Southern Trunk Railway Guaranteed Interest Ordinance Amendment Ordinance 1870.”

Superintendent with consent of Executive Council may guarantee to a Company interest on capital paid up.

II. In case at any time hereafter any Joint Stock Company constituted and registered under the “Joint Stock Companies Act 1860” shall be formed for the purpose of constructing a Railway from Dunedin to the Clutha River it shall be lawful for the Superintendent with the advice and consent of the Executive Council of the Province of Otago either to enter into an agreement with such Company upon the terms and conditions and in manner authorised by the said “Southern Trunk Railway Guaranteed Interest Ordinance (No. 2) 1867” or to enter into an agreement with such Company for the purpose of guaranteeing to the shareholders thereof for and during any period not exceeding thirty-five years the payment of any sum or sums of money either as dividend or interest on the paid up capital of the said Company at a rate which shall be sufficient to increase the dividend or interest payable to such shareholders to an amount not exceeding five pounds and ten shillings by the year for every one hundred pounds of such paid-up capital such period of thirty-five years to be computed from the date of the commencement of such Railway Works and such guarantee to extend to the amount of the paid up capital of such Company at the time of commencement of such works provided that such paid up capital shall not exceed the sum of £100,000 and if such paid up capital at the time of such commencement shall exceed £100,000 then such guarantee shall extend to the amount of £100,000 of such paid up capital and no more until a period of six months shall have elapsed from the commencement of such works and until the paid up capital of such Company shall be increased by payment of calls to £150,000 and then said guarantee shall extend to the amount of £150,000 and when the paid up capital of such Company shall be increased by payment of calls by a further sum of £50,000 over and above such sum of £150,000 such guarantee shall then extend to such additional sum and so on in the same proportion for every additional £50,000 of paid up capital until the whole capital of the Company shall be paid up: Provided always that the amount or portion of such paid up capital upon or in respect of which such dividend or interest shall be so guaranteed as aforesaid shall not exceed the sum of £400,000: And provided also that interest shall not be paid upon more than two-thirds of the paid up capital of the Company until one-half of the entire length of the line of Railway is completed and that the construction of the entire line shall be completed within five years from the commencement of the works and that such constructions shall be carried on subject to such conditions provisions and agreements as the Superintendent with the advice and consent of the said Executive Council shall before agreeing to guarantee such dividends or interest think fit to impose.

Interest chargeable on and made payable out of Provincial Revenues.

III. The amount of all such dividends or interest as shall from time to time be so guaranteed as aforesaid shall be and is hereby charged upon and made payable out of all the Revenues of the said Province of Otago which are now or hereafter may be subject to be appropriated by the Superintendent and Provincial Council thereof.

DUNEDIN, NEW ZEALAND:

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