

New Zealand.

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1909, No. 4.—*Local.*

Title.

AN ACT to amend and extend the Borough of South Dunedin Empowering Act, 1904. [3rd December, 1909.]

Preamble.

WHEREAS under and pursuant to the provisions of the Borough of South Dunedin Empowering Act, 1904 (hereinafter called the said Act), the Mayor, Councillors, and Citizens of the City of Dunedin (hereinafter called the Dunedin Corporation) has taken and is in course of taking steps to widen Hillside Road (now known as King Edward Street) in the former Borough of South Dunedin (now the South Dunedin Ward of the City of Dunedin), and has acquired and may hereafter acquire lands other than those required for the widening of the said street, and for the purposes of the said Act has borrowed the sum of thirty thousand pounds on debentures in the manner prescribed by the said Act: And whereas for the purpose of securing the payment of the money borrowed as aforesaid, and the interest thereon, the Dunedin Corporation has appropriated and pledged in terms of the said act, *inter alia*, a special rate of sixpence in the pound upon the annual rateable value of all rateable property in the South Dunedin Ward of the City of Dunedin: And whereas by deed dated the thirteenth day of February, nineteen hundred and five, and made between the Dunedin Corporation of the one part and the Mayor, Councillors, and Burgesses of the Borough of South Dunedin (in the said deed and hereinafter called the South Dunedin Corporation) of the other part, it was, *inter alia*, agreed that if the Dunedin Corporation and the South Dunedin Corporation should become amalgamated into one united borough, and if a poll of the electors should be taken in favour of the proposal to widen Hillside Road in terms of the Act, the said road should be widened

accordingly, and the cost thereof should be a charge upon the said united borough: And whereas a poll of the electors was duly held in terms of the said Act, and resulted in favour of the proposal to widen Hillside Road as aforesaid: And whereas the said united borough has proceeded with the widening of the said Hillside Road accordingly in manner hereinbefore referred to: And whereas the whole cost of the widening of Hillside Road as aforesaid has not yet been ascertained, but it is just and desirable that the said cost shall be a charge upon the said united borough in all respects notwithstanding the terms of the said Act:

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

1. This Act may be cited as the Borough of South Dunedin Empowering Amendment Act, 1909. Short Title.
2. This Act shall be deemed to amend and extend the said Act, and shall be read along with and be incorporated with and form a part of the said Act. Amendment Act to be read as part of original Act.
3. Notwithstanding the provisions of the said Act, the whole cost of the street-widening operations effected and to be effected under and in pursuance of the said Act shall become and be a charge on the united borough known as the City of Dunedin, and shall be paid out of the General Fund of the City of Dunedin. Cost of improvements to be a charge on united borough.
4. Notwithstanding the provisions of the said Act and of the Local Bodies' Loans Act, 1908, the Council of the City of Dunedin may, without any special order, pay the interest and sinking fund on the said loan of thirty thousand pounds out of the District Fund of the City of Dunedin; and to the extent to which the payments authorised by this section are made as therein mentioned it shall not be necessary to strike or collect the special rate above referred to. Payment of interest and sinking fund.