

## New Zealand.

ANNO TRICESIMO

# VICTORIÆ REGINÆ.

[*Local and Personal.*]

No. 1.

### ANALYSIS.

<p>Title.</p> <p>Preamble.</p> <p>1. Short Title.</p> <p>2. Repealing section twelve of "The Dunedin Water Works Act 1864."</p> <p>3. Power to borrow money.</p>	<p>4. Power to let meters for hire.</p> <p>5. Penalty for taking water without agreement.</p> <p>6. Recovery of penalties.</p> <p>7. Amendment of section forty-four of "The Dunedin Water Works Act 1864."</p> <p>8. Act to be read as part of former Act.</p>
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**AN ACT for amending and altering "The Dunedin Water Works Act 1864" to enable the Dunedin Water Works Company to raise Money on Mortgage Bond or Debenture and for other purposes.**

Title.

[8th October 1866.]

**W**HEREAS by section ten of "The Dunedin Water Works Act 1864" it is enacted that the capital of "The Dunedin Water Works Company" shall be fifty thousand pounds divided into five thousand shares of ten pounds each.

Preamble.

AND WHEREAS three thousand six hundred and seventy of such shares have been subscribed for or agreed to be taken and six pounds per share have been called up.

AND WHEREAS by section twelve of the said Act the said Company are empowered to borrow on mortgage any sums not exceeding in the whole the sum of ten thousand pounds but it is provided that no part thereof shall be borrowed until the whole of the capital of the Company is subscribed for and one half thereof paid up.

AND WHEREAS the works authorized by the said Act have been proceeded with and the Company require to borrow money to enable them to complete the same but by reason of the whole of their said capital not having been subscribed for and one half thereof not having been paid up the said Company are unable to exercise their said borrowing powers and it is expedient that the said twelfth section should be repealed and other provisions made in lieu thereof.

AND WHEREAS it is also expedient that certain other amendments should be made in 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—

I. The Short Title of this Act shall be "The Dunedin Water Works Act Amendment Act 1866" and this Act may be so cited for all purposes.

Short Title.

*Dunedin Water Works Act Amendment.*

Repealing section  
twelve of "The  
Dunedin Water  
Works Act 1864."

Power to borrow  
money.

Power to let meters  
for hire.

II. Section twelve of "The Dunedin Water Works Act 1864" shall be and the same is hereby repealed.

III. The Company may borrow on Mortgage Bond or Debenture any sums not exceeding in the whole the sum of fifteen thousand pounds.

IV. The Company may let for hire to any consumer of water supplied by measure any meter or instrument for measuring the quantity of water supplied and consumed and any pipes and apparatus for the conveyance reception or storage of the water for such remuneration in money as may be agreed upon between them and the consumer which shall be recoverable in the same manner as rates due to the Company for water and the meters instruments pipes and apparatus shall not be subject to distress or to the landlord's claim or lien for rent of the premises where the same are used or be attached or taken in execution under any process of any Court of Law or Equity or under or in pursuance of any adjudication or order in bankruptcy or insolvency or other legal proceeding against or affecting the consumer of the water or the occupier of the premises or other the person in whose possession the meter instruments pipes and apparatus may be.

Penalty for taking  
water without agree-  
ment.

V. If any person not being supplied with water by the Company wrongfully takes or uses any water from any reservoir water-course conduit or pipe belonging to the Company or from any pipe leading to or from any such reservoir water-course conduit or pipe or from any cistern or other like place containing water belonging to the Company or supplied by them for the use of any consumer of the water of the Company he shall for every such offence be liable to a penalty not exceeding the sum of ten pounds.

Recovery of  
penalties.

VI. All penalties recoverable or enforced by the said Dunedin Water Works Company may be recovered and enforced in manner provided for that purpose by the said "Dunedin Water Works Act 1864" or any Act wholly or partially incorporated therewith either expressly or by reference thereto.

Amendment of  
section forty-four of  
"The Dunedin  
Water Works Act  
1864."

VII. The forty-fourth section of "The Dunedin Water Works Act 1864" shall be read and take effect as if the words and figures "the 31st day of January" had been inserted therein instead of the words and figures "the 20th day of January."

Act to be read as  
part of former Act.

VIII. This Act shall be read and construed as if the same formed part of "The Dunedin Water Works Act 1864."

WELLINGTON, NEW ZEALAND:

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