

Mr. E. G. Allen.

BOROUGH OF PORT CHALMERS BORROWING.

[LOCAL BILL.]

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Interpretation.</p> <p style="text-align: center;">BORROWING.</p> <p>3. Power to borrow £5,000 at 4½ per cent. 4. Application of loan.</p>	<p>5. Provisions as to raising loan.</p> <p style="text-align: center;">SECURITY.</p> <p>6. Power to levy special rate. 7. Irregularity in making rate not to invalidate same. 8. Power to increase or diminish rate. Schedules.</p>
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A BILL INTITULED

AN ACT to empower the Borough of Port Chalmers to borrow Title.  
Five Thousand Pounds.

WHEREAS the present water-supply to the Borough of Port Preamble.  
5 Chalmers and the shipping of the port is insufficient for the require-  
ments of the ratepayers of the borough and of the shipping of the  
port: And whereas it is expedient that further powers be conferred  
upon the Corporation of Port Chalmers for the improvement and  
extension of the said water-supply: And whereas it is desirable  
10 that the indebtedness of the Borough of Port Chalmers, represented  
by its bank overdraft due on its Water-supply Account, should be  
paid off by means of a loan at a lower rate of interest, and that by  
means of such loan provision should be made for the repayment of a  
loan maturing at an early date:

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

1. The Short Title of this Act is "The Borough of Port Chalmers Short Title.  
Borrowing Act, 1899."

20 2. In the interpretation of this Act, the following expressions Interpretation.  
shall have the meanings hereby assigned to them:—

"The Corporation" shall mean the Corporation by the name of  
the Mayor, Councillors, and Burgesses of the Borough  
of Port Chalmers.

25 "The Council" shall mean the Council of the said Borough of  
Port Chalmers, and for carrying out the provisions of  
this Act it shall have and exercise all the powers of the  
Corporation.

The debentures authorised by this Act to be issued shall be termed "Port Chalmers Borough Debentures, 1899," and the security and remedy therefor shall extend to the coupon thereto attached.

## BORROWING.

Power to borrow  
£5,000 at  $4\frac{1}{2}$  per cent.

3. The Corporation is hereby empowered to borrow at such rate of interest not exceeding four pounds ten shillings per centum per annum as it shall think fit any sum or sums of money not exceeding in the whole the sum of five thousand pounds.

Application of loan.

4. Such loan or loans shall be raised and expended exclusively for the purposes herein specified, that is to say,—

(1.) In payment of such commission, charges, and expenses, including the cost of obtaining this Act, as the Council shall determine to have been actually incurred in connection with such loan or loans. 15

(2.) In payment of the cost of the improvements and extension of the present waterworks and water-supply to the said Town of Port Chalmers, and to the shipping of the Port, including—

(a.) The purchase of new water-mains, pipes, and other necessary plant. 20

(b.) The uplifting and replacing of the present water-mains and pipes.

(c.) The repairs to the reservoir, and in all other necessary and proper outgoings in connection with the improvement and extension of the said waterworks. 25

(3.) In payment of a sum or sums not exceeding in the whole the sum of twelve hundred pounds towards the extinction of the overdraft of the Corporation owing on Water-supply Account. 30

(4.) In payment and extinction, when it falls due, of the loan specified in the *First* Schedule hereto, in so far as the said loan is not completely extinguished by means of the sinking fund applicable thereto.

(5.) If there shall remain any balance of the said sum of five thousand pounds, after deducting a sum sufficient for all the purposes above specified, such balance may be raised and applied by the Corporation in refunding to its general account moneys heretofore paid from such account into the Water-supply Account. 40

Provisions as to  
raising loan.

5. The following provisions shall apply to any loan raised under the powers herein contained :—

(1.) The debentures issued under this Act shall be payable to bearer and shall be transferable by delivery. No stamp duty shall be payable in respect of any such debentures or coupon. 45

(2.) No debentures under this Act shall be sold at a price that will produce to the purchaser a greater interest than five pounds per centum per annum.

(3.) The debentures issued under the provisions of this Act shall have a currency not exceeding thirty years from the date of issue. 50

(4.) Such debentures and the coupons attached thereto shall bear the form set forth in the *Second Schedule* hereto, with such modifications as to the Council seem desirable, and the same need not have the Corporation seal attached thereto, and may be signed by the Mayor and Treasurer, and they shall be numbered consecutively, and the signatures to any coupon may be made by lithography or any other process, and the sum secured by any such debenture shall, both as to principal and interest, be payable at a place to be determined by the Council and stated in such debenture and coupon.

(5.) Sections numbered from two hundred and four to two hundred and seventeen, both inclusive, of "The Municipal Corporations Act, 1886," shall not apply to any loan or loans to be raised under the provisions of this Act.

## SECURITY.

6. The Council may, by special resolution, make and levy as security for any such loan or loans such special rate or special rates as it may deem necessary, and may pledge the same as security for any loan; and in so doing its authority shall not be limited to the making and pledging of a special rate or special rates estimated as sufficient to cover the interest of such loan, but it may make and pledge a rate or rates of a greater amount: Provided that it shall not levy more in any year during the currency of such loan than shall be sufficient to provide such interest, so long as such interest shall be punctually paid.

Power to levy special rate.

7. No objection shall be allowed in any Court to any rate which the Council shall purport to strike, make, or levy under the provisions of this Act, or which shall or may form the security for the debentures or coupons issued hereunder, and no informality or irregularity, whether in form or in substance, or in the making, striking, or levying of such rate, or in the election or appointment of any body or person acting in connection therewith, shall be allowed by any Court as a defence to any act or proceeding for the recovery of such rate, or be entertained as a ground for quashing such rate or restraining the recovery thereof.

Irregularity in making rate not to invalidate same.

8. The Council shall have power from time to time to amend any special rate made by it under the provisions hereof by increasing or diminishing the same.

Power to increase or diminish rate.

## SCHEDULES.

Schedules.

## FIRST SCHEDULE.

Date of Issue.	Date of Maturity.	Amount of Loan.	Rate of Interest.	Amount of Accrued Sinking Fund.
1st Nov., 1871	1st Nov., 1901	£5,000	7 per cent. per annum	£3,286 2s. 9d.

## SECOND SCHEDULE.

## FORM OF DEBENTURE.

Loan of £5,000.

Borough of Port Chalmers.

*"The Port Chalmers Borough Debenture Act, 1899," Loan.*

DEBENTURE for £ , payable at , on , 19 , issued by the Council of the Borough of Port Chalmers, New Zealand, under "The Borough of Port Chalmers Borrowing Act, 1899."

N.B.—The holder of this debenture has no claim in respect thereof upon the Government of the Colony of New Zealand or the revenues of such colony.

ON presentation of this debenture at , on or after the day of , 19 , the bearer thereof will be entitled to receive £ . Interest on this debenture will cease after the day when payment falls due, unless default is made in payment.

Issued under the corporate seal of the Borough of Port Chalmers this day of , 1899.

C.D.,  
Treasurer.

A.B.,  
Mayor.

## FORM OF COUPON.

DEBENTURE No. of the Borough of Port Chalmers, New Zealand, issued under "The Borough of Port Chalmers Borrowing Act, 1899."

ON presentation of this coupon at , on or after the day of , 19 , the bearer thereof will be entitled to receive

C.D.,  
Treasurer.

A.B.,  
Mayor.