

Mr. Cowan.

PORT CHALMERS AND WINTON BOROUGHES.

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Port Chalmers and Winton to be boroughs under "The Municipal Corporations Act, 1876."</p> <p>4. Port Chalmers a divided, Winton an undivided, borough.</p> | <p>5. Existing Councils to continue in office.</p> <p>6. Election of new Councils.</p> <p>7. Corporations under this Act to be the same Corporations as before.</p> <p>8. Existing by-laws to remain in force.</p> <p>9. Certain loans to be special loans.</p> <p>10. Repeal.</p> <p>Schedules.</p> |
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A BILL INTITULED

AN ACT to constitute the Towns of Port Chalmers and Winton as Boroughs under "The Municipal Corporations Act, 1876." Title.

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

1. The Short Title of this Act is "The Port Chalmers and Winton Boroughs Act, 1884." Short Title.

2. In this Act—

10 "The said Act" means "The Municipal Corporations Act, 1876," and includes all Acts and enactments passed in amendment or extension thereof. Interpretation.

15 3. The Towns of Port Chalmers and Winton, respectively incorporated under the provisions of "The Otago Municipal Corporations Ordinance, 1865," as mentioned in the *First* Schedule to this Act, are hereby constituted boroughs under "The Municipal Corporations Act, 1876," upon and from the first day of *January* next, and shall be called the Borough of Port Chalmers and the Borough of Winton respectively. Port Chalmers and Winton to be boroughs under "The Municipal Corporations Act, 1876."

20 The boundaries of such boroughs respectively shall be those of the Towns of Port Chalmers and Winton as respectively existing immediately prior to their constitution as boroughs under the said Act.

25 4. The Borough of Port Chalmers shall be a divided borough, and the existing divisions of such borough into wards shall continue until altered under the provisions of the said Act. Port Chalmers a divided, Winton an undivided, borough.

The Borough of Winton shall be an undivided borough, and the existing divisions of such borough into two wards are hereby abolished; but the members elected for such wards respectively in the Municipal Council of Winton, and holding office at the time of the constitution of the said town as a borough, shall continue to be members of the Borough Council thereof until the time appointed for their retirement from office as hereinafter mentioned, and shall be deemed to be members representing the entire borough in such Council. 5

Existing Councils
to continue in office.

5. The Municipal Councils of Port Chalmers and Winton, and the members thereof respectively, though being fewer in number than as by the said Act provided, and notwithstanding the constitution of Winton as an undivided borough, shall be deemed to have been, and shall continue to be, the duly-constituted Councils of such boroughs respectively until the day appointed for the next annual election of Councillors under the said Act, on which day all the members of such Councils shall go out of office. 15

Election of new
Councils.

6. On the day last aforesaid,

The burgesses of each ward of Port Chalmers shall elect the number of Councillors assigned by the said Act in the case of divided boroughs; and 20

The burgesses of Winton shall elect the number of Councillors assigned by the said Act in the case of undivided boroughs.

Corporations under
this Act to be the
same Corporations as
before.

7. The provisions following shall apply in respect of the Boroughs of Port Chalmers and Winton respectively:— 25

(1.) The Corporation of each such borough shall, in respect of all property, rights, claims, obligations, liabilities, contracts, and engagements, and for all purposes whatsoever, in law or in equity, be deemed to be the same Corporation as that existing in such place before its constitution as a borough under the said Act. 30

(2.) Every person holding any office in or under any such last-mentioned Corporation shall continue to hold such office until the time when, if appointed or elected under the said Act, he might be removed from or would vacate the same. 35

(3.) Any valuation of rateable property, and any burgesses' or citizens' list or roll in force in Port Chalmers or Winton at the time when such place becomes a borough under the said Act, shall be deemed to be the valuation roll and the burgess roll respectively, duly made under the provisions of the said Act or of "The Rating Act, 1876." 40

(4.) From the valuation rolls and burgess rolls aforesaid in force in the borough, the Town Clerk of Winton shall forthwith on the constitution of the borough prepare, under the Acts hereinabove last mentioned, a valuation roll of all the rateable property in the borough, and a burgess roll for the borough comprising all the ratepayers thereof. 45

Existing by-laws to
remain in force.

8. All by-laws or regulations in force in Port Chalmers or Winton on the date at which such place respectively is constituted a borough under the said Act, and whether the same were made under any Act of the General Assembly or under any Provincial Ordinance, 50

shall be and be deemed to have been as valid and effectual to all intents and purposes as if the same had been made under the said Act.

And all such by-laws or regulations shall continue in force until altered or repealed in the manner provided by the said Act, and shall be proved and received in evidence in like manner as by-laws made under the said Act are proved and received in evidence.

9. All loans authorized to be raised by either of the Towns of Port Chalmers or Winton by any Act or Ordinance in force prior to the passing of this Act shall be deemed to be special loans within the meaning of the said Act. Certain loans to be special loans.

No repeal effected by this Act shall affect the terms on which any money has been borrowed before the commencement of this Act.

10. The Act and the several Provincial Ordinances enumerated in the *Second* Schedule are hereby repealed. Repeals.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

CORPORATIONS CONSTITUTED UNDER "THE OTAGO MUNICIPAL CORPORATIONS ORDINANCE, 1865," AND NOW CONSTITUTED UNDER "THE MUNICIPAL CORPORATIONS ACT, 1876."

Town.	Date of Proclamation.	Page in Prov. Gazette.
Port Chalmers ...	9th April, 1866 ...	<i>Otago Gazette</i> , 1866, p. 72.
Winton ...	20th November, 1875 ...	„ 1875, p. 548.

SECOND SCHEDULE.

ACT AND ORDINANCES REPEALED.

Act of the General Assembly.

1865, No. 55.—The Otago Municipal Corporations Empowering Act, 1865.

Ordinances of the Province of Otago.

- 1865, Sess. 20, No. 191.—The Otago Municipal Corporations Ordinance, 1865.
- 1865, Sess. 21, No. 208.—The Municipal Corporations Ordinance 1865 Amendment Ordinance, 1865.
- 1866, Sess. 22, No. 239.—The Otago Municipal Corporations Ordinances Amendment Ordinance, 1866.
- 1870, Sess. 28, No. 330.—The Otago Municipal Corporations Ordinance 1865 Amendment Ordinance, 1870.
- 1870, Sess. 28, No. 331.—The Otago Municipal Corporations Ordinances Extension Ordinance, 1870.
- 1872, Sess. 30, No. 374.—The Otago Municipal Corporations Ordinance Amendment Ordinance, 1872.
- 1873, Sess. 32, No. 399.—The Otago Municipal Corporations Ordinance 1865 Amendment Ordinance, 1873.
- 1874, Sess. 33, No. 433.—The Otago Municipal Corporations Ordinances Amendment Ordinance, 1874.
- 1875, Sess. 34, No. 469.—The Otago Municipal Corporations Ordinance, 1875.
- 1875, Sess. 34, No. 489.—The Municipalities Validation Ordinance, 1875.
- 1874, Sess. 33, No. 432.—The Municipal Corporations Act Amendment Act 1873 Introduction Ordinance, 1874.

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