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Mr. Symes.

STRATFORD BOROUGH EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

Title.	
Preamble.	pay commuted sums; (3) for waterworks;
1. Short Title.	(4) for drainage; (5) for street construction; (6) for Council chambers; (7) for contingencies.
2. Borough Council may pay off loans raised by County. First and Second Schedules.	6. Loans may be raised together or separately, or in instalments.
3. Borough Council may pay to County and Manganui Road District certain commuted sums. Third and Fourth Schedules.	7. Rate of interest.
4. Application by County and Road District of the commuted sums.	8. Majority, and polling-booths.
5. Borough Council may raise special loans to pay off existing loans, and for certain public works. (1) To pay off loans; (2) to	9. Drainage powers as to streets and streams.
	10. Drains and water-pipes may be laid under private lands.
	11. Council may make drainage by-laws. Schedules.

A BILL INTITULED

AN ACT to confer Additional Powers on the Council of the Borough of Stratford. Title.

WHEREAS the Borough of Stratford was constituted on the first day of August, one thousand eight hundred and ninety-eight: Preamble.

5 And whereas the said borough, at the time of its said constitution, consisted, and still consists, of (1) the area formerly known as the Stratford Town District, and previously as the Central Riding of the County of Stratford; and of (2) certain portions of the Manganui Road District; and of (3) certain other portions of

10 the County of Stratford: And whereas, prior to the constitution of the said borough as aforesaid, the several special loans set out in the *First* Schedule hereto had been raised under the provisions of "The Government Loans to Local Bodies Act, 1886,"

15 by the Council of the County of Stratford: And whereas the said special loans are charged upon the said area, formerly being the Town District of Stratford, except sections eight, nine, ten, eleven, and twelve, Block II., Ngairu Survey District, commonly called "Stratford Extension": And whereas the several amounts now

20 unpaid in respect of the said respective special loans are set out opposite the descriptions thereof respectively in the said *First* Schedule: And whereas, under certain arrangements made on the occasion of the constitution of the said borough, the Corporation thereof agreed to pay to the Corporation of the said county the annual payment of

25 ~~sixty two pounds eleven shillings and eightpence~~ *one hundred and twenty-five pounds three shillings and fourpence* in respect of interest and

sinking fund on and in relation to the Central Mountain Road Loan and Further Loan, and the annual payment of ~~fifty-two pounds fifteen shillings and elevenpence~~ *one hundred and five pounds eleven shillings and tenpence* in respect of interest and sinking fund on and in relation to the Patea Bridge Loan and Further Loan, respectively : 5 mentioned in the *First* Schedule, during the currency of such loans respectively :

And whereas, previously to the constitution of the said borough, the Stratford Town Board raised, under the provisions of "The Government Loans to Local Bodies Act, 1886," the loans set out in 10 the *Second* Schedule hereto, such loans being charged on the several areas described in such Schedule, and therein set opposite to the descriptions of the said loans respectively, all such areas being parts of the said late Town District of Stratford: And whereas the amounts now unpaid in respect of such last-mentioned loans are set 15 opposite the descriptions thereof respectively contained in the said *Second* Schedule :

And whereas at the time of the constitution of the said borough as aforesaid there existed, and still exist, certain loans raised by the Council of the County of Stratford and the Manganui Road 20 Board respectively (for which these bodies had previously become responsible), which loans are charged upon lands lying partly within and partly without the boundaries of the said borough, particulars of which loans are set out in the *Third* and *Fourth* Schedules hereto : And whereas, on the occasion of the constitution of the borough, the 25 Council thereof agreed to pay to the Council of the said county and to the said Road Board respectively the annual sums set forth in the said *Third* and *Fourth* Schedules towards interest and sinking fund on and in relation to the said loans during the currency thereof respectively : And whereas it is proposed to commute the said annual 30 payments payable to the Council of the County of Stratford and the Manganui Road Board respectively, by the payment of such respective sums in lieu thereof as shall be hereafter mutually agreed upon between the Council of the Borough of Stratford and the Council of the said county, and the Council of the Borough of Stratford and the said 35 Road Board respectively :

And whereas the Council of the Borough of Stratford is desirous of raising a special loan, to be a charge upon the whole borough, for the purpose of paying off the said existing loans set out in the said *First* and *Second* Schedules hereto, and raised by the Council of the 40 County of Stratford and the late Stratford Town Board as aforesaid, and for paying to the said County Council and the Manganui Road Board the commuted sums to be hereafter agreed upon as aforesaid, and also for the purposes of the various public works hereinafter specified : 45

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

Short Title.

1. The Short Title of this Act is "The Stratford Borough Empowering Act, 1899."

2. (1.) It shall be lawful for the Council of the Borough of Stratford to pay off all moneys owing in respect of the said several loans described in the *First* and *Second* Schedules to this Act, and it

Borough Council may pay off loans raised by County. First and Second Schedules.

shall may be lawful for the Colonial Treasurer at any time to receive such moneys.

(2.) Upon such payment being made, the said Council shall, by force of this Act, be exonerated from all future payments to the Corporation of the County of Stratford in connection with the loans described in the *First* Schedule hereto; and all special rates made or struck for the purpose of providing interest, or interest and sinking fund, on or in relation to the loans described in the said *First* and *Second* Schedules shall cease and be extinguished.

3. (1.) It shall be lawful for the Council of the Borough of Stratford, with the consent of the Colonial Treasurer, to pay to the Council of the County of Stratford and the Manganui Road Board respectively such commuted sums as shall be hereafter mutually agreed upon as aforesaid in full for all future payments to be made by the Council of the Borough of Stratford to the said County Council and Road Board respectively, in relation to the loans set out in the *Third* and *Fourth* Schedules hereto; and it shall be lawful for the said County Council and Road Board to receive the said sums accordingly.

Borough Council may pay to County and Manganui Road District certain commuted sums.

Third and *Fourth* Schedules.

(2.) Upon payment of the said several sums as aforesaid, all rateable property situate within the said borough and charged with any special or other rate in respect of the said several loans shall become discharged therefrom, and every such rate shall, as regards and to the extent of rateable property situate within the said borough, cease and be extinguished.

4. The Stratford County Council and the Manganui Road Board respectively shall apply the sums to be received by them as aforesaid towards meeting the loans in respect of which such sums shall have been paid, and to no other purpose whatever, and shall appropriate such sums amongst the several loans mentioned in the *Third* and *Fourth* Schedules respectively in proper proportions.

Application by County and Road District of the commuted sums.

5. It shall be lawful for the Council of the Borough of Stratford to raise, by way of special loan under the provisions of "The Municipal Corporations Act, 1886," and of this Act, the following sums, to be charged on all rateable property within the said borough, such sums to be raised for and appropriated to the several purposes next hereinafter mentioned in relation thereto respectively, that is to say :—

Borough Council may raise special loans to pay off existing loans, and for certain public works.

(1.) The sum of six thousand five hundred pounds for paying off the said loans raised by the Council of the County of Stratford and by the late Stratford Town Board respectively, and set out in the *First* and *Second* Schedules hereto :

To pay off loans.

(2.) A sum sufficient for paying to the Stratford County Council and the Manganui Road Board respectively, in lieu of the annual sums set forth in the said *Third* and *Fourth* Schedules hereto, such commuted sums as shall be hereafter mutually agreed upon as aforesaid :

To pay commuted sums.

(3.) The sum of thirteen thousand pounds for constructing waterworks for the supply of water to the Borough of Stratford, under the provisions of "The Municipal Corporations Act, 1886," and of this Act, and for the taking under "The Public Works Act, 1894," and the

For waterworks.

- purchasing and acquiring lands, streams, and waters within and beyond the borough, and rights and easements in any lands within or beyond the borough, for any purposes in connection with the construction of such waterworks: 5
- For drainage.** (4.) The sum of seven thousand pounds for providing a system of drainage for the said borough, under the provisions of "The Municipal Corporations Act, 1886," and of this Act, and for the taking under "The Public Works Act, 1894," and the purchasing and acquiring lands within and beyond the borough, and rights and easements in any lands within or beyond the borough, for any purposes in connection with such system of drainage: 10
- For street-construction.** (5.) The sum of twelve thousand pounds for forming, constructing, metalling, and improving public streets within the borough, and the formation and construction of footpaths to any such streets: 15
- For Council chambers.** (6.) The sum of one thousand pounds for the erection of Council chambers and borough offices, and for additions and improvements to the Town Hall: 20
- For contingencies.** (7.) The sum of two hundred pounds for the costs and expenses of obtaining this Act, and of the payment-off of the said existing loans, and the payment of the said commuted sums, and for other contingencies. 25
- Loans may be raised together or separately, or in instalments.** 6. The Council may raise the whole amount of the several sums referred to in section *five* by one special loan under section one hundred and eighty-seven of "The Municipal Corporations Act, 1886," or the Council may include some of the said sums in one such special loan, and others thereof in another special loan, or may raise all or any of the said sums as and by way of separate special loans; and the Council may raise any of the said sums mentioned in subsections *three*, *four*, and *five* of section *five*, in instalments from time to time as required by the Council, and that whether the Council proceeds by way of separate special loans or by way of special loan under the said section one hundred and eighty-seven. 30
- Rate of interest.** 7. No debenture issued in respect of any special loan raised under this Act shall be sold at such a price as to produce to the purchaser an interest of more than ~~five~~ *four and a half* per centum per annum on the price paid. 35
- Majority, and polling-booths.** 8. If a majority of three-fifths of the votes actually given upon the taking of any poll of the burgesses on any proposal to raise any loan or part of a loan authorised to be raised by this Act shall be in favour of the proposal, the same shall be deemed carried, and the Council may proceed therewith accordingly. On taking any such poll there may be either one polling-booth or several polling-booths at such place or places within the borough as the Returning Officer shall appoint. 40

Struck out.

9. The Council may, without being liable to make any compensation for so doing, construct or erect any ventilating-shafts or ventilating-grids, man-holes, and other structures upon or under public or private highways situate either within or beyond the borough; and also may, without liability to compensation, lead any storm or surface waters into any stream or watercourse within the borough. 45

New clause.

9. The Council may, without being liable to make any compensation for the right so to do, construct or erect any ventilating-shafts or manholes and other structures upon or under public or private streets situate within the borough, and public or private roads situate beyond the borough, and also may, without liability for compensation for the right so to do, lead any storm or surface waters along any public or private street into any stream or watercourse within the borough; but the right to construct or erect such ventilating-shafts or manholes and other structures upon or under any public roads or private roads situate beyond the borough shall be subject to the following conditions:—

Drainage powers as to streets and streams.

(1.) A plan and description of such ventilating-shafts or manholes and other structures, showing how they affect any such public roads or private roads, shall be deposited for public inspection at some place within the borough.

(2.) The Council shall give notice in writing to the County Council or Road Board or other local body having the control of such public roads, or, as the case may be, to the owners (when known) of such private roads, of the intention to construct or erect such ventilating-shafts or manholes and other structures, and shall refer in such notice to such plan and description, and state where the same are on view. In the case of a private road of which the owner is not known, such notice may be served by being affixed in a conspicuous place thereon.

(3.) If within one month after such notice is given the said County Council or Road Board or other local body, or, as the case may be, the said owner, serve on the Council a written objection to the proposed work, the matter shall be referred to the Minister for Public Works, whose decision thereon, and in all matters relating thereto, shall be final.

10. It shall be lawful for the said Council to make and lay any sewer, or drains, or any water-pipe through, upon, or under any private lands or buildings situate either within or beyond the boundaries of the said borough; and the provisions of sections *two hundred and twenty-seven and two hundred and seventy-five* of "The Municipal Corporations Act, 1886," shall, *mutatis mutandis*, extend and apply to the exercise by the said Council of the powers conferred upon it by this present section.

Drains and water-pipes may be laid under private lands.

11. (1.) The Council may, in manner provided by "The Municipal Corporations Act, 1886," make, alter, repeal, and bring into force all such by-laws as they shall consider proper and reasonable with respect generally to the subjects of the drainage and sanitation of the borough, and in particular the Council may by such by-laws regulate the connection and disconnection of private drains with and from the public drains of the borough.

Council may make drainage by-laws.

(2.) Any such by-law may lawfully require any works to be executed to the satisfaction or approval of the Council or any officer thereof, and may lawfully empower the Council from time to time to regulate or apply or to dispense with the performance of any of its provisions in any particular cases by resolution in that behalf.

(3.) Every such by-law may be proved in the manner provided by "The Municipal Corporations Act, 1886."

Schedules.

SCHEDULES.

FIRST SCHEDULE.

LOANS RAISED BY THE STRATFORD COUNTY COUNCIL AND CHARGED UPON LANDS LYING WITHIN THE BOROUGH OF STRATFORD.

Description or purpose of Loan.	When raised.	Amount raised.	Area charged.	Amount now unpaid.
(a.) Central Mountain Road	1892	£ 2,276 s. 3 d. 9	That part of Stratford Borough formerly known as Stratford Town District, omitting the Stratford Extension	£ 2,003 s. 0 d. 10
The like, further loan	1893	227 3 2	Ditto	208 19 8
(b.) Patea Bridge ...	1897	1,921 13 10	"	1,883 5 1
The like, further loan	1898	190 0 5	"	190 0 5
				£4,285 6 0

SECOND SCHEDULE.

LOANS RAISED BY THE LATE STRATFORD TOWN BOARD AND CHARGED UPON LANDS LYING WITHIN THE BOROUGH OF STRATFORD.

Description or Purpose of Loan.	When raised.	Amount raised.	Area charged.	Amount now unpaid.
(a.) Various road improvements	1892	£ 614 s. 17 d. 8	The late town district, except Stratford Extension	£ 541 s. 1 d. 8
(b.) Juliet Street construction	1894	337 5 1	Sections 266, 267, and 229 to 243, Juliet Street	310 5 5
(c.) Page Street construction	1895	142 12 9	Sections 778 to 780, 782, 820, 821, 859, 860, 897, and 937	134 1 9
(d.) Fenton and Cordelia Streets construction	1896	301 18 2	Sections 82, 83, 39, 40, 41, 43, 519, Subdivisions 14, 15, 25, 26, 35, 36, 45, 46, and 47 of Sections 64, 65, 66, and 67, Block II., Ngaire Survey District; and Sections 70 to 73, Block II., Ngaire Survey District	289 16 6
(e.) The like ...	1897	206 1 10	The like ...	201 19 4
(f.) Cloton Street construction	1897	102 18 3	Sections 73, 74, 76, and part Section 78, Block III., Ngaire Survey District	100 17 2
				£1,578 1 10

THIRD SCHEDULE.

LOANS RAISED OR TAKEN OVER BY THE STRATFORD COUNTY COUNCIL AND CHARGED UPON LANDS LYING PARTLY WITHIN AND PARTLY WITHOUT THE BOUNDARIES OF THE BOROUGH OF STRATFORD.

Description or Purpose of Loan.	When Loan matures.	Amount raised.	Area charged.	Annual Payment by Borough to County.
(a.) Opunake Road construction	1st February, 1915	£ 300 0 0	Sections 65A, 66A, and 78A, Block I., Ngaire Survey District, in borough and land lying within county	£ 3 15 0
(b.) Brooke's and Brecken Roads construction	1st February, 1923	500 0 0	Sections 48, Block I., Ngaire Survey District, and Subdivisions 1 and 2 of Sections 78A, Block I., Ngaire Survey District, in borough and land lying within county	3 5 0
(c.) South Mountain Road construction	1st February, 1915	1,200 0 0	Sections 28, 98, 99, and 100, Block II., Ngaire Survey District, in borough and land lying within county	1 0 0
				£8 0 0

FOURTH SCHEDULE.

LOANS RAISED BY THE MANGANUI ROAD BOARD AND CHARGED UPON LANDS LYING PARTLY WITHIN AND PARTLY WITHOUT THE BOUNDARIES OF THE BOROUGH OF STRATFORD.

Description or Purpose of Loan.	When Loan matures.	Amount raised.	Area charged.	Annual Payments by Borough to Road Board.
(a.) Pembroke Road construction	1st February, 1919	£ 1,276 12 6	Section 13, Block I., Ngaire Survey District, in borough and land lying within road district	£ 0 10 0
(b.) Flint Road construction	1st February, 1921	257 13 5	Subdivisions 1, 2, Part 12 of Section 3, Parts 3 and 12 and Subdivision 4 of Section 4, Subdivisions 5, 6, 11, 12 of Section 5, Sections 10 and 12 of Block II., Ngaire Survey District, in borough and land lying within road district	2 10 0
				£3 0 0