

Nelson Gas and Waterworks Sale Act 1877

Local Act 1877 No 72
Date of assent 8 December 1877

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An Act to vest in the Municipal Corporation of the City of Nelson certain Waterworks and Gasworks in the City of Nelson.

Preamble.

WHEREAS by an Act passed by the Superintendent and Provincial Council of the Province of Nelson, in Session XII., No. 6, intituled "The Nelson Waterworks Loan Act, 1864," the Superintendent was authorized to raise by way of loan a sum not exceeding twenty thousand pounds, and to issue debentures to that amount for the purpose of defraying the cost of constructing waterworks for supplying the City of Nelson with water, and for carrying out the provisions of "The Nelson Waterworks Act, 1863," such debentures being charged upon, and the Superintendent being authorized to pay the same out of, the public revenue of the province, subject to appropriation by the Superintendent and Provincial Council thereof: And whereas by an Act of the General Assembly of New Zealand intituled "The Nelson City Loan Act, 1871," the Superintendent was authorized to raise, pursuant to the provisions thereof, a loan not exceeding in the whole a sum of thirty thousand pounds for the purpose of constructing a gasworks within the City of Nelson, and the construction and extension of waterworks within the City of Nelson: And whereas under the authority of the Act lastly recited the sum of thirty thousand pounds has been raised,

and the same is now charged as by the sixth section of the said recited Act is provided: And whereas by “The Nelson City Loan Act, 1875,” the Municipal Corporation of the City of Nelson are authorized to borrow for the further construction and extension of the said waterworks and gasworks a loan of not exceeding the sum of ten thousand pounds, and the said Corporation has, under the authority of the Act now in recital, borrowed the sum of five thousand nine hundred pounds, and the same is now charged as by the fifth section of the Act now in recital is provided: And whereas Her Majesty has agreed with the Municipal Corporation of the City of Nelson to transfer to the Corporation the said waterworks and extension of waterworks and gasworks constructed with moneys raised under the authority of the said recited Acts, and all lands, appurtenances, plant, materials, and other property held in connection therewith, and paid for, purchased, or acquired out of or by means of such funds: And whereas it is expedient to give effect to such agreement:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1 Short Title.

The Short Title of this Act shall be “The Nelson Gas and Waterworks Sale Act, 1877.”

2 Waterworks and gasworks, &c., vested in Municipal Corporation of City of Nelson.

From and after the payment to the Colonial Treasurer of the sum of four hundred and twenty-two pounds ten shillings and a penny, all waterworks and extensions of waterworks, and all gasworks constructed out of funds raised under the authority of the Ordinance of the Province of Nelson intituled “The Nelson Waterworks Loan Act, 1864,” and under the authority of “The Nelson City Loan Act, 1871,” and “The Nelson City Loan Act, 1875,” and all lands, plant, material, and other property and appurtenances held in connection therewith, and paid for, purchased, or acquired out of or by means of such funds, shall, subject to the payment of the said principal sums of thirty thousand pounds and five thousand nine hundred pounds, and interest thereon, and to all debts and liabilities chargeable on such waterworks and gasworks, be and be deemed to be vested in the Municipal Corporation of the City of Nelson for the benefit of the said city.

3 Act not to apply to moneys borrowed under “Nelson Waterworks Loan Act, 1864.”

Nothing herein contained shall be deemed to render the said waterworks, gasworks, and property, or the said Corporation and their successors, or the property or estates of the said Corporation, liable to or chargeable with the sums of money borrowed under the authority of the hereinbefore-recited “Nelson Waterworks Loan Act, 1864;” but such sums of money shall be charged upon

the Land Lund of the Provincial District of Nelson as part of the permanent debt thereof.

4 Certain powers vested in Superintendent of Province of Nelson vested in Borough Council of the Municipal Corporation of Nelson.

All the powers, duties, and functions which immediately before “The Abolition of Provinces Act, 1875,” came into operation were vested in or to be exercised or performed by the Superintendent of the Province of Nelson, either alone, or with the advice and consent, or on the recommendation or with the approval of, the Executive or Provincial Council of the Province of Nelson, under the authority of any of the Acts or Ordinances specified in the Schedule hereto, and which are now vested in or to be exercised or performed by the Governor, shall, and the same are hereby declared to be vested in, and may be exercised and performed by, the Borough Council of the Municipal Corporation of the City of Nelson.

Schedule

Acts or Ordinances of the Province of Nelson

“The Nelson Waterworks Act, 1863.”

“An Act to amend ‘The Nelson Waterworks Act, 1863.’” Session XX., No. 1, 1870.

“The Nelson Waterworks Act Amendment Act, 1875.”

Acts of the General Assembly

“The Nelson City Gas Act, 1871.”

“The Nelson City Gas Act Amendment Act, 1872.”