

Act No. 10, 1897.

An Act to enable the Councils of Municipalities constituted by the division of a municipality to borrow for the repayment of their respective proportions of the debts and liabilities of the divided municipality. [28th July, 1897.]

MUNICIPAL LOANS.

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) Where under the Municipalities Act of 1867 any municipality has been divided and the two divisions have, before or after the commencement of this Act, been constituted separate municipalities within the meaning of the said Act (the debts and other liabilities attaching to the divided municipality having been previously duly adjusted in accordance with the said Act), it shall be lawful for the council of a municipality, constituted as aforesaid, to borrow moneys—

On division separate municipalities may borrow to repay their respective proportions of the debt.

- (a) for the purpose of repaying its proportion of the debts and other liabilities appearing upon the adjustment aforesaid to be due by or attaching to that municipality ; or
- (b) for the purpose of repaying moneys advanced to the council and used for repaying the said proportion of the said debts and other liabilities :

Provided that any borrowing as aforesaid shall be subject to such of the provisions of the Acts under which the said proportion of the debts or other liabilities was incurred by the council of the divided municipality as are applicable in the circumstances.

## Act No. 11, 1897.

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*Service of Equitable Process.*

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(II) A council borrowing under the provisions of this Act may give the security and do the things which might have been given and done by the council of the divided municipality under the Acts in virtue of which the said proportion of the debts or other liabilities was incurred by the council of the last-mentioned municipality :

Provided that the security so given shall be subject to any charge or security given by the council of the divided municipality in respect of a loan to the said council which has not been paid or discharged, and any rights thereunder :

Incorporation of  
Acts and short title.

2. This Act shall be construed as one with the Municipalities Act of 1867 and any Acts amending the same, the Municipal Gas Act of 1884, the Municipal Gas Act Amendment Act of 1886, the Municipal Loans Act of 1888, and the Municipal Loans Extension Act of 1893, and may be cited as the "Municipal Loans Act, 1897."

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