

Perth Drain Act and Rating

WESTERN AUSTRALIA

ANNO TRIGESIMO NONO

VICTORIÆ REGINÆ

No. 17

An Act to declare valid a certain Rate made by the Perth City Council on the twenty-eighth day of June, one thousand eight hundred and seventy-five, and commonly called the Drainage Rate.

[Assented to 31st December, 1875.]

Preamble

WHEREAS the Council and burgesses of the City of Perth, herein called 'The Perth City Council,' did on the eleventh day of November, one thousand eight hundred and seventy-four, with the sanction of the then Governor, with the advice of his Executive Council, by virtue of and in pursuance of the forty-third section of 'The Municipal Institutions Act, 1871,' borrow from the then Colonial Treasurer of the Colony of Western Australia the sum of two thousand pounds on the credit of their revenues, with interest after the rate of six pounds per centum per annum; and the said Perth City Council did in further pursuance of the said section on the twenty-eighth day of June, one thousand eight hundred and seventy-five, under their common seal, assess and declare from the date thereof a general rate of sixpence in the pound for each half-year upon all rateable property within the limits of their municipality until the said debt should have been thereby paid, and such general rate was to be in addition to the annual rate in the said Act mentioned; and whereas doubts have arisen as to the validity of the said rate so declared and as to the power of the said Perth City Council to abandon the same and assess and declare another rate in lieu thereof after a certain date, and of a less amount, and it is expedient to remove such doubts: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:--

Rate of the 28th
June, 1875, de-
clared valid for a
certain time

1. The said rate declared by the said Perth City Council on the said twenty-eighth day of June, one thousand eight hundred and seventy-five, is hereby declared to be a good, valid and legal rate to all intents and purposes for the half-year ending the twenty-eighth day of December, one thousand eight hundred and seventy-five, and the same may be recovered by the ways and means from the persons and in manner and form prescribed for the recovery of rates by 'The Municipal Institutions Act, 1871': Provided always that after the expiration of the said half-year the said rate shall be and be deemed to be a nullity, except for the purpose of recovering any outstanding arrears of the same.

City Council
empowered to
declare new rate

2. The said Perth City Council is hereby authorised and required on or after the said twenty-eighth day of December, one thousand

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eight hundred and seventy-five, to declare and collect a general rate not exceeding sixpence in the pound for each half-year from its declaration towards the liquidation of the said recited Government mortgage debt as if the said rate declared as aforesaid on the twenty-eighth day of June had never been made.

3. This Act may be cited as 'The Perth Drainage Rate Act, 1875.' Short title
WILLIAM C. F. ROBINSON,
GOVERNOR.
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