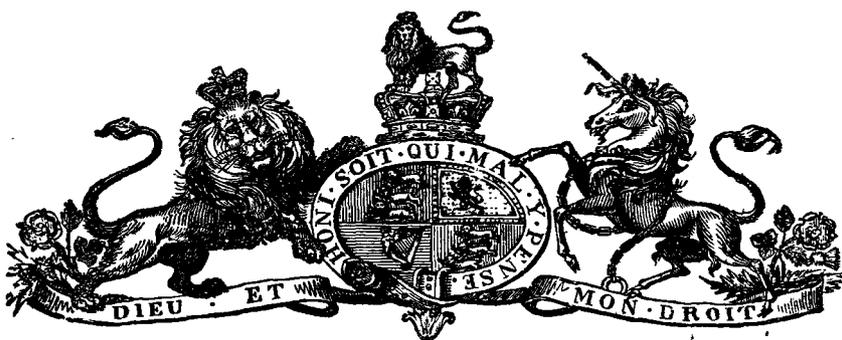


NEW ZEALAND.



ANNO VICESIMO PRIMO ET VICESIMO SECUNDO

VICTORIÆ REGINÆ,

No. 68.

ANALYSIS:

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| Title.<br>Preamble.<br>1. Apportionment amongst Provinces of Northern Island of fund for extinguishment of Native Title.<br>2. Sums raised for such extinguishment to be charged against the Provinces for which raised.<br>3. New Plymouth to be allowed £20,000 out of fund for extinguishment without charge. | 4. New Plymouth receipts for Land Sales &c., to be made up to £2,200.<br>5. Apportionment amongst Provinces of Southern Island of the charge of £200,000.<br>6. Auckland relieved from annual charge of Balance of Refund.<br>7. Interpretation of terms.<br>8. Short Title. |
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**AN ACT** to apportion amongst the Provinces of the Northern Island the sum of £180,000 to be raised for the extinguishment of Native Title; and to make the Provincial Revenues of the several Provinces chargeable, in exoneration of the Revenue of the Colony, with specific portions of the Public Debt. [21st August, 1858.]

**WHEREAS**, under and by virtue of the Act of Assembly intituled "The New Zealand Loan Act, 1856," the General Reveue of the Colony is or will become charged with the repayment of the principal sums to be borrowed under the said Act, amounting in the whole to the sum of £500,000, and with interest thereon at the rate of Four per centum per annum, and with a fur-

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ther payment at the rate of Two per centum per annum on the amount of such principal sums, for the purpose of providing a sinking fund for the liquidation of the said debt ;

And Whereas by the said Act it is provided that the money to be borrowed under the authority thereof, shall be applied as follows, (namely) First, the sum of £200,000, in liquidation and full discharge of the debt then due to the New Zealand Company and towards repayment of such sums as the Province of Ackland should have paid towards liquidation of the said debt ; Secondly, any sum not exceeding the sum of £120,000, in payment of any public debt of the Colony which should be due on the 1st day of January, 1858 ; Thirdly, any sum not exceeding the sum of £180,000 for the purpose of extinguishing the right of the Aboriginal Inhabitants to lands in the Northern Island of New Zealand ;

And whereas the said sum of £200,000, has been fully raised, and began to bear interest on the 1st day of January 1858 ; And whereas it is expedient to provide, as between the several Provinces of the Northern Island, in what proportions the said sum of £180,000 shall be applied for the extinction of the rights of the Aboriginal Inhabitants, to lands within the present limits of the said Provinces respectively. And whereas it is also expedient to provide, as between the Colony and the several Provinces thereof, that the Provincial Revenues of the several Provinces shall be chargeable in exoneration of the Revenue of the Colony with specific portions of the said sums of £180,000 and £200,000 ; And whereas, in consideration of the limited extent of land over which the Title of the Aborigines to lands within the Province of New Plymouth has been extinguished, and on other grounds, it is also expedient to make special provision respecting the charge of such extinguishment within that Province ; and to make temporary provision for making good to the same Province the deficiency in its Land Revenue in any year in which the same shall not amount to the sum of £2,200. And whereas it is expedient that the sum of £911 8s. 9d., being the principal money secured by certain outstanding debentures issued under an Ordinance of the Lieutenant-Governor of New Zealand and the Legislative Council thereof, Session VII, No. 22, intituled, "An Ordinance to authorise compensation in Colonial Debentures to be made to certain claimants to land in the Colony of New Zealand," should be charged against the Province of Auckland in exoneration of the General Revenue of the Colony ; And whereas in pursuance of the provisions of the "New Zealand Loan Act, 1856," and of Resolutions of both Houses of the General Assembly to the effect that a Refund ought to be made to the the Province of Auckland of such sums as should have been contributed from its Revenues towards liquidation of the New Zealand Company's Debt, the sum of £32,973 9s. 3½d., being the Balance of the said sum of £200,000 remaining after the discharge of the same Debt, has been paid, or is in course of payment, to the Treasurer of the said Province on account of such refund ; And whereas after making the said payment of £32,973

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9s. 3½d., and after charging against the Province of Auckland the said sum of £911 8s. 9d., there will remain payable into the Treasury of the said Province, on account of the said Refund a Balance of £11,151 10s. 1½d; And whereas the said Balance of the said Refund is payable out of monies raised under the "New Zealand Debentures Act, 1856," but will be ultimately charged against the said sum of £120,000; And whereas it is expedient that provision be made for relieving the Provincial Revenue of the Province of Auckland from any part of the annual charge of such part of the said sum of £120,000 as shall be applied in discharge of the said Balance;

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

I. The sum of £180,000, part of the said loan of £500,000 to be raised under the "New Zealand Loan Act, 1856," shall be applied for the extinguishment of the rights of the Aboriginal Inhabitants to lands within the present limits of the Provinces next hereinafter mentioned, in the following proportions, (that is to say): within the Province of Auckland there shall be applied for the purpose aforesaid, five tenths of the said sum of £180,000: within the Province of Wellington, three tenths of the said sum: and within the Province of New Plymouth, two tenths of the said sum.

Apportionment amongst Provinces of Northern Island of fund for extinguishment of Native Title.

II. As between the Colony on the one part, and the Provinces of Auckland, Wellington, and New Plymouth, respectively, on the other part, the principal sums raised from time to time out of the said sum of £180,000 in order to be applied as aforesaid within the limits of any one of the said Provinces, and the annual charge in respect of such principal sums, shall be primarily charged upon the Provincial Revenue of such Province, in exoneration of the Ordinary Revenue of the Colony.

Sums raised for such extinguishment to be charged against the Provinces for which raised.

III. Provided always that the Provincial Revenue of the Province of New Plymouth shall not be so chargeable until after the sum of £20,000, in the aggregate shall have been raised in order to be applied as aforesaid within the limits of the said Province, and then shall be chargeable only with the principal of such sums as shall for the time being have been so raised in excess of the sum of £20,000, and with the annual charge in respect thereof.

New Plymouth to be allowed £20,000 out of fund for extinguishment, without charge.

IV. Commencing on the 1st day of July, 1858, and until the said sum of £20,000 in the aggregate shall have been raised as aforesaid, and expended within the limits of the said Province of New Plymouth, there shall be annually payable into the Treasury of the said Province such a sum as, together with the gross proceeds during the year, of the sale, letting, disposal, and occupation of the Waste Lands of the Crown, within the said Province, will amount to the sum of £2,200.

New Plymouth receipts for Land Sales, &c, to be made up to £2,200.

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Apportionment  
amongst Provinces of  
Southern Island of the  
charge of £200,000.

V. As between the Colony on the one part, and the Provinces of Nelson, Canterbury, and Otago, respectively, on the other part, the principal sum of £200,000, part of the sum of £500,000, raised under "The New Zealand Loan Act, 1856," and the annual charge in respect thereof, shall, on and from the 1st day of January, 1858, be primarily charged upon the respective Provincial Revenues of the same Provinces, in exoneration of the Ordinary Revenue of the Colony, in the following proportions, (that is to say); upon the Provincial Revenue of the Province of Nelson, the principal sum of £45,000, together with the annual charge in respect thereof; upon the Provincial Revenue of the province of Canterbury, the principal sum of £77,500, together with the annual charge in respect thereof; and upon the Provincial Revenue of the Province of Otago, the principal sum of £77,500, together with the annual charge in respect thereof.

Auckland relieved  
from annual charge of  
Balance of Refund.

VI. In order to relieve the Provincial Revenue of the Province of Auckland, from the annual charge of the Balance of £11,151 10s. 1½d. payable to the Treasurer of the said Province as aforesaid, the said Province shall as from the 30th day of June, 1858, be annually credited in account with the Colony, with such a sum as will suffice to throw such charge exclusively upon the Provincial Revenues of the other Provinces of the Colony.

Interpretation of  
terms.

VII. In the construction of this Act, the expression "Provincial Revenue" shall import the monies payable under the Acts of Assembly respectively intituled, "The Surplus Revenues Act, 1858," and "The Land Revenue Appropriation Act, 1858," into the Treasury of the Province with reference to which such expression is used; and the expression "annual charge," used in reference to any principal sum raised under the Act of Assembly intituled "The New Zealand Loan Act, 1856," shall include both the interests thereon, and the annual payment of two per cent. for providing a sinking fund for the liquidation thereof.

Short Title.

VIII. The Short Title of this Act shall be "The Public Debt Apportionment Act, 1858."