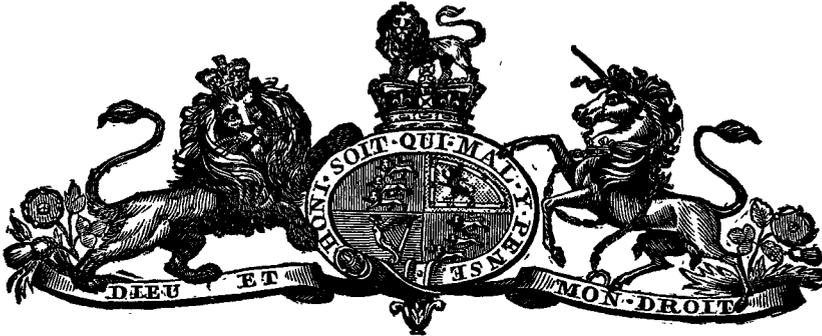


NEW ZEALAND.



TRICESIMO SEXTO

VICTORIÆ REGINÆ.

No. XXIV.

ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. Commencement of Act. 2. Term "capitation money" interpreted. 3. Amounts to be proportional to population. 4. Special allowances. Westland. Auckland. Hawke's Bay. Wellington. Taranaki. 5. Population in subsequent years to be fixed by Resolution. 6. Registrar-General to furnish estimate of the number of population of Province or County. 7. In estimating population, Maoris not to be counted. Interpretation of "Maori." 8. Provinces to be debited as at present. <p style="text-align: center;">ROAD BOARD ALLOWANCES.</p> <ol style="list-style-type: none"> 9. Interpretation. "Auditor." "Road Board." "Superintendent." | <ol style="list-style-type: none"> 10. £50,000 to be divided among Provinces. 11. Amounts allotted to Provinces to be divided amongst Road Boards. 12. Money to be expended in roads, &c. 13. Money to be deposited in Bank. 14. Sums unapplied under "The Payments to Provinces Act, 1871," to be applied during present year under this Act. 15. Provisions of "The Payments to Provinces Act, 1871," relating to duties to be performed by certain officers, to be deemed to have continued in operation, and such persons indemnified for having heretofore acted as if such provisions were in force. <p>Schedule.</p> |
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AN ACT to provide for the Payment of certain Sums to the Provinces and Road Boards. Title.

[25th October, 1872.]

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

1. The Short Title of this Act shall be "The Payments to Provinces Act, 1872." Short Title.

This Act shall be deemed to have come into operation on the first day of July last. Commencement of Act.

2. For the purposes of this Act and "The Public Revenues Act Amendment Act, 1871," the term "capitation money" shall mean the amounts to be credited each year under this Act to each Province and the County of Westland. Term "capitation money" interpreted.

The yearly sums, of which an equal twelfth part is to be credited monthly to each Province and the County of Westland, shall be ascertained as hereinafter provided.

Payments to Provinces.

Amounts to be proportional to population.

3. The said amounts shall be ascertained in each year by multiplying the sum of fifteen shillings by the number of the population for such year of the Province or County with which the monthly account to be prepared in accordance with the provisions of "The Public Revenues Act Amendment Act, 1871," is being prepared, and adding to the sum so ascertained the amount (if any) for the time being to be credited to such Province or County as a special allowance as hereinafter provided.

Special allowances.

4. The following amounts shall be credited to the several Provinces as special allowances, that is to say—

Westland.

To the County of Westland during the year ending on the thirtieth day of June, one thousand eight hundred and seventy-three, the sum of two shillings and sixpence per head for the population of the said County for such year.

Auckland.

To the Province of Auckland for each and every year the sum of four thousand pounds.

Hawke's Bay.

To the Province of Hawke's Bay for each and every year the sum of one thousand five hundred pounds.

Wellington.

To the Province of Wellington for each and every year the sum of seven hundred and fifty pounds.

Taranaki.

To the Province of Taranaki for each and every year the sum of two hundred and fifty pounds.

Population in subsequent years to be fixed by Resolution.

5. The number of the population of each Province and of the County of Westland in each year shall for each year be determined for the purposes of this Act by Resolution of both Houses of the General Assembly; but for the year ending the thirtieth day of June next, the population of each Province and County shall be taken to be that specified in the Schedule hereto.

Registrar-General to furnish estimate of the number of population of Province or County.

6. If on the first day of July next, or in any year thereafter, the number of the population of any Province or County shall not have been determined for the year commencing on that day by Resolution as hereinbefore provided, the Registrar-General appointed under "The Registration Act, 1858," shall furnish to the Colonial Treasurer an estimate of the number of the population of such Province or County for the year commencing on such first day of July; and the number stated in such estimate shall, until the passing of a Resolution determining the number, be deemed to be the number of the population of such Province or County for such year for the purposes of this Act.

In estimating population, Maoris not to be counted.

7. In determining under the preceding sections of this Act the numbers of the population of the several Provinces in the North Island, the Maori inhabitants thereof shall not be counted; and for the purposes of this Act the word "Maori" shall include half-castes living as members of or with Maori tribes.

Interpretation of "Maori."

Provinces to be debited as at present.

8. All the provisions of "The Public Revenues Act, 1867," as altered by other Acts heretofore or in this Session or hereafter passed altering or amending the same, and all the provisions of "The County of Westland Act, 1868," as altered by other Acts heretofore or in this Session or hereafter passed altering or amending the same, relating to the sums with which the several Provinces and the County of Westland shall be debited, to the payments to be made to the several Provincial Accounts and to the County of Westland Account, to the withholding of payments to the several Provincial Accounts and to the County of Westland Account, and to payments to be made in certain cases to the Consolidated Fund, shall continue in force and have the same application as if the capitation moneys by this Act directed to be placed to the credit of the several Provinces and of the County of Westland were so placed under the provisions of the forty-fourth section of

Payments to Provinces.

“The Public Revenues Act, 1867;” and “The Public Revenues Act Amendment Act, 1871,” where the same mentions “The Payments to Provinces Act, 1871,” shall be construed as referring to this Act:

Provided that in the monthly account rendered to each Province or County under “The Public Revenues Act, 1867,” or any amendment thereof, it shall not be lawful to debit to any Province or County any payment not authorized by law so to be debited, except with the consent of the Superintendent of such Province or Chairman of such County; and if any dispute shall arise between the Colonial Treasurer and any such Province or County as to whether any payment has been authorized by law so to be debited, such dispute shall be determined by the Attorney-General, on a statement by the Colonial Treasurer and the Superintendent of such Province or Chairman of such County being submitted to him.

ROAD BOARD ALLOWANCES.

9. In the construction of the sections of this Act hereinafter contained, the terms and expressions following shall have the meanings attached to them respectively, unless the context be repugnant to or inconsistent with such meaning, that is to say—

The word “Auditor” shall mean the Provincial Auditor of a Province and the Deputy Provincial Auditor when he is acting in the stead of the Provincial Auditor, and with reference to the County of Westland it shall mean the Auditor of the County of Westland; and the word “Province” shall include County of Westland.

The term “Road Board” shall mean any Road Board, Board of Wardens, or Highway or other Board of Trustees, or other person or body having the control of the roads and public highways within any district.

And the word “Superintendent” shall include the Chairman of the County Council of Westland; and where in this Act it is provided that a Superintendent shall act with the advice of his Executive Council, in the like case the Chairman of the County Council of Westland shall act with the concurrence of the County Council of Westland.

10. During the Financial Year ending thirtieth June, one thousand eight hundred and seventy-three, there shall be paid out of the moneys authorized to be raised under “The Immigration and Public Works Loan Act, 1870,” and applicable to immigration, the sum of fifty thousand pounds, to be divided among the several Provinces in proportion to their respective populations as fixed for the time being for the purposes of this Act.

11. The amount so to be allotted to each Province shall be divided amongst the several Road Boards therein, in aid of the purposes for which rates are leviable by such Boards, in such proportions and in accordance with such regulations and subject to such conditions as shall be agreed on between the Superintendent of such Province, acting with the advice of his Executive Council, and the Governor:

Provided that such regulations may provide for the payment from the portion allotted to any Province of contributions to be expended in outlying districts in which no Road Boards are constituted, subject to such conditions as shall be prescribed in such regulations.

12. The money appropriated to Road Boards under this Act shall be expended exclusively on the formation of roads bridges and other works of such kinds as shall be agreed upon as aforesaid.

Interpretation.

“Auditor.”

“Road Board.”

“Superintendent.”

£50,000 to be divided among Provinces.

Amounts allotted to Provinces to be divided amongst Road Boards.

Money to be expended in roads, &c.

Payments to Provinces.

Money to be deposited in Bank.

Sums unapplied under "The Payments to Provinces Act, 1871," to be applied during present year under this Act.

Provisions of "The Payments to Provinces Act, 1871," relating to duties to be performed by certain officers, to be deemed to have continued in operation, and such persons indemnified for having heretofore acted as if such provisions were in force.

13. The amount appropriated to each Province shall be deposited in some Bank to the credit of a special account to be called "The Road Boards Account," to be paid out as agreed upon as aforesaid.

14. As to all sums appropriated under "The Payments to Provinces Act, 1871," whether reserved or not, which shall have been unapplied under the provisions of the said Act, the appropriation of the said sums shall be applied, during the year ending the thirtieth day of June next, to such purposes as shall be approved of by the Governor and the Superintendent of the Province to which the same were allotted, acting with the advice of his Executive Council.

15. Notwithstanding that "The Payments to Provinces Act, 1871," continued in operation only until the first day of July last, the provisions of the said Act relating to powers or duties to be exercised or performed by the several Superintendents, Provincial Treasurers, Provincial Auditors, Chairmen of Road Boards, and other officers and persons, shall, so far as such provisions relate or are applicable to the moneys appropriated by the eleventh section of the said Act for the year ending the thirtieth day of June, one thousand eight hundred and seventy-two, be deemed to have continued and been in force from the thirtieth day of June last hitherto, and shall continue and be in force; and all officers and persons aforesaid are hereby indemnified for and on account of any acts done by them since the thirtieth day of June last hitherto which would have been valid if the said Act had not ceased to operate on the said thirtieth day of June.

Schedule.

SCHEDULE.

TABLE OF POPULATION FOR YEAR 1872-73.

Province.	European Population.
Auckland	64,337
Taranaki	4,599
Wellington	25,015
Hawke's Bay	6,212
Nelson	23,062
Marlborough	5,384
Canterbury	48,906
County of Westland	15,381
Otago	73,956
Total	266,852

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