

Payments to Provinces.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Repeal.</p> <p>3. Certain sums to be placed to credit of Provinces monthly.</p> <p>4. Amounts to be proportional to population.</p> <p>5. Rate of payment for each year.</p> <p>6. Special allowances :—Westland. Auckland. Hawke's Bay. Wellington. Taranaki.</p> <p>7. Population for first year fixed.</p> <p>8. Population in subsequent years to be fixed by Resolution.</p> <p>9.</p> <p>10. Provinces to be debited as at present.</p> <p>11. Interpretation :—"Auditor." "Road Board."</p>	<p>12. Fifty thousand pounds to be divided among Provinces.</p> <p>13. Payments out of fifty thousand pounds to be placed to special account.</p> <p>14. Scheme of disposal of money to be prepared by Superintendent and approved.</p> <p>15. Governor may amend scheme.</p> <p>16. Assembly may amend scheme.</p> <p>17. In Provinces, money to be drawn out on warrant.</p> <p>18. Auditor to certify warrant.</p> <p>19. Penalty on Auditor illegally certifying.</p> <p>20. Auditor to furnish accounts.</p> <p>21. In Westland, money to be drawn out by cheque countersigned. Penalties. Schedule.</p>
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A BILL INTITULED

AN ACT to alter the Amount of Revenue of the Colony Title.
payable to the several Provinces.

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, 1870." Short Title.

2. So much of the forty-fourth section of "The Public Revenues Act, 1867," as prescribes the mode of ascertaining the amount to be placed to the credit of each Province in the said section mentioned, is hereby repealed; and so much of "The County of Westland Act, 1868," as incorporates the provision hereby repealed is also hereby repealed. Repeal.

3. The Colonial Treasurer shall as soon as possible, but not later than thirty days after the expiration of each month expiring after the passing of this Act, prepare an account for such month between the General Government and the Government of each Province in the Colony and of the County of Westland severally, and shall therein credit each such Province or County with one equal twelfth part of the amounts ascertained as hereinafter mentioned, the amounts so Certain sums to be placed to credit of Provinces monthly.

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payable to each Province or County together with the special allowances hereinafter mentioned, shall be called the Capitation Money of such Province.

Amounts to be proportional to population.

4. The said amounts shall be ascertained in each year by multiplying the fixed sum by this Act prescribed for such year by the number of the population for such year of the Province or County with which the said account is being prepared, and adding to the sum so ascertained the amount (if any) for the time being payable to such Province or County as a special allowance, as hereinafter provided. 5

Rate of payment for each year.

5. The fixed sum for each year shall be as follows:— 10

For the year from the first day of July, one thousand eight hundred and seventy, to the thirtieth day of June, one thousand eight hundred and seventy-one, both inclusive, two pounds.

For the year from the first day of July, one thousand eight hundred and seventy-one, to the thirtieth day of June, one thousand eight hundred and seventy-two, both inclusive, thirty-eight shillings. 15

For the year from the first day of July, one thousand eight hundred and seventy-two, to the thirtieth day of June, one thousand eight hundred and seventy-three, both inclusive, thirty-six shillings. 20

For the year from the first day of July, one thousand eight hundred and seventy-three, to the thirtieth day of June, one thousand eight hundred and seventy-four, both inclusive, thirty-four shillings. 25

For the year from the first day of July, one thousand eight hundred and seventy-four, to the thirtieth day of June, one thousand eight hundred and seventy-five, both inclusive, thirty-two shillings. 30

For the year from the first day of July, one thousand eight hundred and seventy-five, to the thirtieth day of June, one thousand eight hundred and seventy-six, both inclusive, thirty shillings.

For every year subsequent to the year one thousand eight hundred and seventy-six, computed from the first day of July to the thirtieth day of June, both inclusive, thirty shillings. 35

Special allowances.

6. The following amounts shall be payable to the several Provinces as special allowances, that is to say— 40

Westland.

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

Auckland.

To the Province of Auckland for each and every year after the first day of July, one thousand eight hundred and seventy, the sum of three thousand pounds. 45

Hawke's Bay.

To the Province of Hawke's Bay for each and every year after the first day of July, one thousand eight hundred and seventy, the sum of three thousand pounds. 50

Wellington.

To the Province of Wellington for each and every year after the first day of July, one thousand eight hundred and seventy, the sum of one thousand five hundred pounds.

Taranaki.

To the Province of Taranaki for each and every year after the first day of July, one thousand eight hundred and seventy, the sum of five hundred pounds. 55

Population for first year fixed.

7. The number of the population of each Province and of the County of Westland for the year ending on the thirtieth day of June, one thousand eight hundred and seventy-one, shall be deemed for the purposes of this Act, to be the number set against the name of such Province or County in the Schedule to this Act. 60

8. The number of the population of each Province and of the County of Westland in each succeeding year shall for each year be determined, for the purposes of this Act, by Resolution of both Houses of the General Assembly.

Population in subsequent years to be fixed by Resolution.

5 9. If on the first day of July in any year, 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
10 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.

15 10. All the provisions of "The Public Revenues Act, 1867," "The Public Revenues Act, 1868" "The County of Westland Act, 1868," 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
20 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
25 and of the County of Westland were so placed under the provisions of the forty-fourth section of "The Public Revenues Act, 1867."

Provinces to be debited as at present.

30 11. In the construction of the sections of this Act hereinafter contained, the term "Auditor" shall mean the Provincial Auditor of a Province, and the Deputy Provincial Auditor when he is acting in the
35 stead of the Provincial Auditor; and it shall also include the Auditor of the County of Westland. The term "Road Board" shall mean any Board, Road Board, Board of Wardens, Trustees, Municipal Corporation, or other person or body having the control of the roads and public highways within any district, town, or city.

Interpretation. "Auditor."

"Road Board."

40 12. In each and every year during the seven years ending on the thirtieth day of June, one thousand eight hundred and seventy-seven, there shall be paid out of the Consolidated Revenue of the Colony the sum of fifty thousand pounds, which shall be divided among and paid
45 to the several Provinces and the County of Westland in proportion to their respective populations as fixed for the time being for the purposes of this Act.

Fifty thousand pounds to be divided among Provinces.

50 13. All sums paid under the last preceding section to any Province or the County of Westland, as the case may be, shall be paid into the bank at which the Provincial Account, or the Province of Westland
45 Account, as the case may be, is for the time being kept, and shall there be placed to the credit of a special account to be called the Road District Funds Account of the Province or County, and all moneys for the time being standing to the credit of the said account shall be disposed of and accounted for in manner
50 hereinafter provided.

Payments out of fifty thousand pounds to be placed to special account.

55 14. The said moneys shall be available only for division among the Road Boards of the Province or County, in accordance with a scheme to be proposed for each year by the Superintendent or Deputy Superintendent of the Province, or the Chairman of the County
60 Council of the County, for his Province or County as the case may be, and approved by the Governor in Council, for the first year, and by Resolution of both Houses of the General Assembly for the remaining years.

Scheme of disposal of money to be prepared by Superintendent and approved.

60 15. The Governor in Council may amend any proposed scheme before approving it; and the scheme, when amended and approved by

Governor may amend scheme.

him, shall have the same force and effect as if originally proposed and approved in its amended form.

Assembly may amend scheme.

16. Both Houses of the General Assembly may amend any proposed scheme before approving it; and the scheme, when so amended and approved, shall have the same force and effect as if originally proposed and approved in its amended form. 5

In Provinces, money to be drawn out on warrant.

17. In the case of Provinces, no money shall be drawn out of any such account, or be issued or paid by any person having the custody or control thereof, except by the person for the time being authorized to draw money out of the Provincial Account in pursuance of warrant under the hand of the Superintendent of the Province, directed to such person and certified by the Auditor. 10

Auditor to certify warrant.

18. Every such warrant as aforesaid shall before the same is signed by the Superintendent be laid before the Auditor, who shall not certify the same unless the sums therein specified are then legally available for the services therein specified by virtue of a scheme approved as herein provided. 15

Penalty on Auditor illegally certifying.

19. If any Auditor in the case of a Province shall certify any warrant for payment of money out of the said account except in accordance with the provisions of this Act, he shall be liable to forfeit and pay to Her Majesty the sum of five hundred pounds, and an additional sum equal to the amount of the sum for which such warrant shall have been made; and all such sums, together with full costs of suit, shall be recoverable by action suit or information in the Supreme Court, in like manner as money due to Her Majesty within the Colony. 20 25

Auditor to furnish accounts.

20. Every Auditor shall, at such times as the Governor shall from time to time direct, prepare and furnish to the Governor an account showing in what manner and for what purposes any moneys have been drawn out of the said account, and for that purpose shall have all the powers which by the seventeenth, eighteenth, and nineteenth sections of "The Provincial Audit Act, 1866," are conferred upon Provincial Auditors. 30

In Westland, money to be drawn out by cheque countersigned.

21. In the case of the County of Westland, no money shall be drawn from the said account except by cheque signed by the County Treasurer, and countersigned by the Chairman of the County Council and the Auditor for the County of Westland, or by the said Auditor and one Member of the said Council appointed by the Council for the purpose; and such Treasurer shall not sign, nor shall such Chairman or any Member of the said Council countersign, any such cheque unless the same shall be for a purpose authorized by a scheme approved as aforesaid; and if such Treasurer or Chairman or any such Member shall sign or countersign any such cheque except in accordance with the provisions of this Act, he shall, over and beyond any other penalty or punishment he may thereby have rendered himself liable to, forfeit and pay a penalty of five hundred pounds, to be recovered in the Supreme Court at the suit of the Auditor for the County for the benefit of the Consolidated Fund; and if any such Auditor shall countersign any such cheque except in accordance with the provisions of this Act, he shall, over and beyond any other penalty or punishment he may have rendered himself liable to, forfeit and pay a penalty of five hundred pounds, to be recovered in the Supreme Court at the suit of the Attorney-General for the benefit of the Consolidated Fund: Provided however that the recovery of any such penalty shall not discharge any such Chairman, Treasurer, Member or Auditor, from any suit for the recovery of any money which he shall have illegally drawn from such account. 35 40 45 50 55

Penalties.

SCHEDULE.

POPULATIONS OF THE SEVERAL PROVINCES AND THE COUNTY OF WESTLAND FOR THE YEAR ENDING 30TH JUNE, 1870.

Name of Province or County.	Number of Population.
Auckland	62,000
Taranaki	4,800
Wellington	25,000
Hawke's Bay	6,000
Nelson	24,000
Marlborough	4,700
Canterbury	40,000
Westland	13,500
The Province constituted by the Union of Otago and Southland ...	70,000