

Session IV. 1855 (April to July 1855)

1. The Empowering Extension Ordinance 1855

Whereas it is expedient to extend the operation of an Ordinance passed by the Superintendent and Provincial Council of the Province of Canterbury, entitled the "Empowering Ordinance, Session II., No. 1."

Be it therefore enacted by the Superintendent of the said Province, with the advice and consent of the Provincial Council thereof, as follows:

1. Empowering Ordinance to extend to Ordinance in the Schedule.

From and after the passing of this Ordinance, the operation of the recited Ordinance shall be taken and deemed to extend to the Ordinance recited in the Schedule hereto annexed in the same manner and to the same extent as though the said Ordinance recited in the Schedule hereto annexed had been recited in and formed part of the Schedule to the said recited Ordinance, Session II., No. 2.

2. Title.

This Ordinance shall be entitled and may be cited as the "Empowering Extension Ordinance, Session IV., No. 1."

Schedule.

Session XII.

2. The Land Registration Amendment and Extension Ordinance.

An Ordinance to amend "The Land Registration Ordinance," and to extend the operation of the same to the Canterbury Settlement.
[29th December, 1852.]

Whereas by an Ordinance enacted by the Governor and Legislative Council of New Zealand, (Session II., No. 9,) intituled "An Ordinance to provide for the Registration of Deeds and Instruments affecting Real Property," it is provided that there shall be deposited in the Register Office of every county or district maps of all lands which shall from time to time be surveyed within the limits thereof, which maps shall be signed by the Surveyor-General of the Colony and by the Registrar:

Be it enacted by the Governor-in-Chief of the Islands of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—

1. Signature of any person duly authorized as effectual as that of Surveyor-General

The signature of any person duly authorized in that behalf by His Excellency the Governor-in-Chief affixed to maps for the purposes of the in part recited Ordinance, or of this Ordinance, shall be of the same force and effect, to all intents and purposes whatsoever, as the signature of the Surveyor-General required to be fixed to maps by the said in part recited Ordinance.

2. Maps and plans to be registered with deeds

And whereas doubts have arisen in the construction of the said recited Ordinance, Session II. No. 9), as to the necessity of registering maps or plans delineated upon instruments to be registered under the said Ordinance: Be it enacted that such maps or plans shall in all cases be registered in the same manner as and together with the instrument itself.

3. Extension of Ordinance to Canterbury Settlement

And whereas the operation of the said in part recited Ordinance is confined to the registration of grants by the Crown of land within the Colony, and or deeds contracts wills judgments suits acceptances of office inquisitions bankruptcies insolvencies and private Ordinances, so far as regards any land to be affected thereby subsequently to the date of such grants: And whereas it is expedient to extend the operation of the said Ordinance to Lands within the Canterbury Settlement:

Be it enacted that every conveyance of land within the Canterbury Settlement, made or to be made by the Canterbury Association, incorporated by Her Majesty's Royal Charter bearing date at Westminster the thirteenth day of

November, in the thirteenth year of her reign, by the name and style of " The Canterbury Association for Founding a Settlement in New Zealand," now called " The Canterbury Settlement," and every deed or contract, except as excepted in the above-named Ordinance, and every will judgment suit acceptance of office inquisition bankruptcy insolvency or private Ordinance whereby such land may be affected, subsequently to the date of such conveyance, may be registered in like manner as a grant by the Crown of land within the Colony, deed or contract will judgment suit acceptance of office inquisition bankruptcy insolvency or private Ordinance, may be registered, and such registration shall have the like force and effect to all intents and purposes whatsoever, and all the regulations and provisions contained therein or in the said recited Ordinance shall apply to the same:

4. Limitation of effect of registration

Provided that nothing herein, or in the said in part recited Ordinance, shall be construed to confer any advantage on deeds contracts or wills registered by virtue of this Ordinance, by reason of their having been registered before other deeds contracts or wills previously executed, until after the first day of January, one thousand eight hundred and fifty-four.

5. Commencement

That this Ordinance shall come into operation from and after the passing hereof.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 7th June 1855, and assented to by the Superintendent on 19th June.

2. The Census Ordinance 1855

Whereas an Ordinance was passed by the Governor-in- Chief and Legislative Council of the Islands of New Zealand, entitled " An Ordinance for taking a Census of the Colony of New Zealand, Session XI, No. 8:" And Whereas it is expedient that further provisions should be made for obtaining full statistical information respecting the Province of Canterbury and the inhabitants thereof:

Be it therefore enacted by the Superintendent of the said Province, with the advice and consent of the Provincial Council thereof as follows:—

1. Repealing former Ordinance.

A Census of the number and condition of the Inhabitants of the Province of Canterbury shall be taken in the first, fourth, and seventh years of every decade

of years, and in such other years as the Superintendent, with the advice of the Executive Council shall think fit, upon the days and in the manner hereinafter provided.

2. Census to be taken at certain times.

The Superintendent shall appoint fit and proper persons to collect the said Census, and may cause a reasonable allowance to be made to any such person, not exceeding Twenty Shillings a day for every day during which he shall be actually employed in collecting the said Census.

3. Superintendent to appoint Collectors of Census.

The Superintendent shall, on or before the First day in January in each year in which it is intended such Census shall be taken, cause a Notice to be published in all the Newspapers within the Province, and to be affixed in such conspicuous places as he shall think fit, calling upon every Householder to be prepared, on the Fifteenth day of January, or so soon thereafter as he shall be required by any Collector duly authorised, to give all such information as is required by the Schedule hereunto annexed.

4. Superintendent to publish notice of Census to be taken.

Every such Collector shall, on or before the Tenth day of January in each year in which it is intended such Census shall be taken, leave at every house within the district assigned to him a Schedule, being a blank copy of the Schedule hereunto annexed; and every Householder able to write, shall, on the Fifteenth day of January, furnish, in writing, the information required by the said Schedule, by filling up the same, and subscribing his name at the foot thereof, and shall deliver the same to any such Collector on demand.

5. Schedules, when to be left at houses and filled in.

If the Master of any house shall have been absent therefrom on the Fifteenth day of January, it shall be lawful for any competent person resident therein, to fill up and sign the said Schedule on behalf of the said Householder.

6. If master of house absent, Schedule by whom to be filled in.

Every such Collector shall, as soon after the Fifteenth day of January as possible, call at every house in his district to collect the Schedules; and is hereby authorised to put such questions as may be necessary to the complete filling up thereof to any Householder, who, from inability to write, may not have duly filled up the same; or, in case of the absence of such householder, to any other person who may be resident in such house; and the Collector shall thereupon himself fill up the Schedule with the information so supplied, and shall sign the same.

7. Collector to call for Schedules, if not filled in, Collector to obtain necessary information.

And whereas, by reason of the population being thinly scattered over some parts of the said Province, the said Collectors could not conveniently leave the

Schedules and call for the same at each house as hereinbefore required without much unnecessary loss of time and expense be it enacted, it shall be lawful for the Superintendent to authorise the Collectors, in such parts as he shall think fit, to call only once at each house therein upon the Fifteenth day of January, or so soon after as possible, and to obtain, by enquiry, from the Master of such house, or, in his absence, from any other person resident therein, such information as may be necessary to enable him to fill up the said Schedule; and the Collector shall in such case fill up and sign the said Schedule.

8. In certain cases Collectors may call only once at each house.

Every Householder who shall wilfully refuse, or, without lawful excuse, neglect to fill up the said Schedule to the best of his knowledge and belief, or to sign and deliver the same, or shall make, sign or deliver, or shall cause to be made, signed, or delivered any false Return of any of the matters specified in the said Schedule, and any person whatever who shall refuse to answer, or wilfully give a false answer to any such questions as aforesaid, shall, for every such refusal, neglect, or wilful false answer, upon conviction before any two Justices of the Peace, forfeit a sum not exceeding Five Pounds, nor less than Twenty Shillings.

9. Penalties for refusal or neglect in filling in Schedules or for making false Returns.

Every such Collector who shall have been duly appointed, and shall have consented to act under the authority of this Ordinance, and who shall thereafter refuse, or shall wilfully neglect to fulfil the duties of such his office, not being hindered by illness or other sufficient cause, shall, upon conviction of such refusal or neglect, before any two Justices of the Peace, be liable to a penalty not exceeding Ten Pounds.

10. Penalty on Collector for neglect of duty.

It shall be lawful for the Superintendent, any of the provisions herein contained notwithstanding, to issue such Instructions as he shall collecting think fit to the said Collectors, or any of them, for collecting the Census of the Native Inhabitants of the said Province, and such Instructions shall be taken and deemed to be a part of this Ordinance, and shall be received and complied with accordingly by any Collectors to whom the same shall have been addressed: Provided that no Native person shall be liable to any fine or penalty imposed under the provisions of this Ordinance.

11. Superintendent may issue instructions for collecting Native Census.

The several Collectors shall return the Schedules within one Collectors to return month after they shall have been filled up, into the Office of the Provincial Secretary, unless reasonable cause shall be shewn to the contrary.

12. Collectors to return Schedules within one month to Provincial Secretary.

The Superintendent shall cause the totals of the Returns contained in the said Schedules for each District to be made up, so soon as conveniently may be, after they shall have been sent in to the Secretary, and shall publish the same in the Government Gazette of the Province.

13. Superintendent to publish totals of Returns in Gazette.

So soon as the said Returns shall have been published, the original Schedules shall be deposited in the Office of Public Records, and shall be preserved therein.

14. Original Schedules to be deposited in Public Record Office.

15. Title

This Ordinance shall be entitled and may be cited as the " Census Ordinance, Session V., No. 1."

Schedule.

Census Form.

Notes.

Passed by the Provincial Council on the 12th June, and assented 19th June 1855.

It was disallowed by the Governor: See Proclamation in New Zealand Gazette, No. 21, 15th September 1855, page 106.

3. The Provincial Council Extension Amendment Ordinance 1855

An Act to Amend the Provincial Council Extension Ordinance.

Title.

Preamble.

1. Boundaries of Lyttelton District defined.
2. Title

Notes.

Passed on 19th June 1855, and reserved for Governor's assent. This was given by the Administrator, R.H. Wynyard, on 23rd August, 1855.

The full text of this Ordinance was not included in the Volume of Ordinances published by Charles Lucas, the Official Printer of the Canterbury Provincial Government.

4. The Christ's College Ordinance 1855

Whereas by Letters Patent, under the Great Seal, bearing date the Thirteenth day of November, one thousand eight hundred and forty-nine, certain persons therein named were constituted a Body Corporate, with perpetual succession and a common seal, by the name of the Canterbury Association for founding a Settlement in New Zealand, and by such Letters Patent the said Association, was made able and capable in Law to purchase, receive, and enjoy to it and its Successors any goods and chattels whatsoever and wheresoever, and any messuages, land, tenements, or hereditaments in New Zealand and its dependencies, and also to sell, alienate, mortgage, charge, or otherwise dispose of such property as it should think proper, and to act in all the concerns of the said Body Corporate for the purposes and objects mentioned in the said letters patent as fully and effectually to all intents and purposes whatsoever as any other of her Majesty's subjects might or could do in their respective concerns, and the purposes and objects of the said Association were in such Letters Patent declared to be amongst other things for the establishment and maintenance of Ecclesiastical and Educational Institutions in the Settlement so to be founded as aforesaid in connexion with the Church of England as by Law established. And Whereas, in pursuance of the said Letters Patent, the said Association founded a Settlement in New Zealand, called "the Canterbury Settlement," within the Province of Canterbury: And Whereas, under and by virtue of the said Letters Patent, and of an Act of Parliament, made and passed in the Thirteenth and Fourteenth years of the Reign of her present Majesty, entitled "An Act Empowering the Canterbury Association to Dispose of certain Lands in New Zealand," and under and by virtue of divers Acts, Deeds, and things made done and executed in pursuance of the said Letters Patent and Acts of Parliament, the said Association, or some person or persons in trust for it, became possessed of, or entitled to divers Goods, Chattels, and Personal Estate, and also seized of or entitled to divers messuages, buildings, lands, tenements, hereditaments and real estate for the Ecclesiastical and Educational purposes mentioned in the said Letters Patent. And Whereas, by a certain Ordinance made and passed by the Superintendent and Provincial Council of the said Province of Canterbury, in the Seventeenth year of the Reign of her said Majesty Queen Victoria, entitled "The Church Property Trust Ordinance, Session II, No. 3," it was amongst other things enacted that certain persons therein named, and all such other persons as should be thereafter elected or appointed Trustees under the provisions of the said Ordinance and their Successors should be, and they were thereby

constituted a Body Politic and Corporate, by the name of "The Church Property Trustees," and by that name should have perpetual succession and a common seal, and be for ever capable in the Law to purchase, receive, possess, and enjoy to them and their Successors, any goods and chattes, whatsoever and wheresoever, and any messuages, lands, tenements, and hereditaments, in the said Province of Canterbury, and also to lease, sell, alienate, mortgage, charge, or otherwise dispose of such property, as well real as personal as they should think proper, and also to act in the concerns of the said Body Politic and Corporate as effectually as any person or persons might or could do in his or their respective concerns for the purpose and object of establishing and maintaining Ecclesiastical and Educational Institutions within the said Province of Canterbury, and it was by the said Ordinance further enacted, that it should be lawful for the said Canterbury Association, and any other person or persons holding in trust for them or his or their agents duly authorized in that behalf, to convey and assign to the said Trustees and their Successors in trust for Ecclesiastical and Educational purposes within the said Settlement, all or any part of the real or personal property applicable to Ecclesiastical or Educational purposes vested in the said Association, or in any other person or persons in trust for them for Educational purposes, subject to any terms or conditions which might be agreed on between the Trustees and the said Association, or their Agent or Agents in their behalf, and such other person or persons in trust for them. And Whereas, in pursuance of the said Ordinance, by two several Deeds, bearing date respectively the Sixteenth and Eighteenth day of May, one thousand eight hundred and fifty-five, divers lands, tenements, and hereditaments, theretofore vested in the said Canterbury Association, or in certain Trustees appointed by the said Association, upon trust for the said Ecclesiastical and Educational purposes within the said Settlement, were conveyed and assured unto the Trustees for the time being of the said Church Property Trust Ordinance and their Successors, upon the trusts of the said Ordinance.

And Whereas the said Trustees, being desirous of promoting and establishing Educational and Ecclesiastical Institutions within the said Province of Canterbury, in accordance with the doctrine and discipline of the Church of England, as now by Law established, have, by a certain deed or instrument, in writing, a copy whereof is set forth in the Schedule hereunto annexed, founded a College, by the name and style of "Christ's College, Canterbury," consisting of a Warden, Sub-Warden and Fellows: And Whereas the said Sub-Warden and Fellows are desirous of obtaining for the said College an Ordinance of Incorporation, and it is expedient that the same should be granted accordingly:

1. Warden, Sub-Warden and Fellows to be a Body Politic and Corporate, by name of "Christ's College, Canterbury."

Be it therefore enacted by the Superintendent of the said Province, with the advice and consent of the Provincial Council thereof as follows:—The Bishop of the Diocese for the time being the Warden, the Reverend Henry Jacobs, Master of Arts, the Sub-Warden, together with the Reverend Robert Bateman Paul, Master of Arts, the Reverend Octavius Mathias, Bachelor of Arts, the Reverend

William Wellington Willock, Master of Arts, the Reverend James Wilson, Master of Arts, the Reverend George Cotterill, Bachelor of Arts, James Edward FitzGerald, Bachelor of Arts, John Bealey, Master of Arts, Charles Robert Blakison, Henry Barnes Gresson, Bachelor of Arts, and William John Warburton Hamilton, the Fellows, and all such other persons as shall hereafter become Wardens, or be elected or appointed Sub-Warden or Fellows and their Successors shall be, and they are hereby constituted a Body Politic and Corporate, by the name of "Christ's College, Canterbury," and by such name they shall have perpetual succession and a comon seal, with full power and authority by the same name and style to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all Courts of Law whatsoever, and shall be able and capable in Law to purchase, receive, possess, and enjoy to them and their Successors, any goods, chattels, and personal property whatsoever, and any messuages, lands, buildings, tenements, and hereditaments situate within the said Colony or elsewhere, and that they and their Successors shall be able and capable in Law to grant devise, alienate, or otherwise dispose of all or any of the property real or personal, belonging to the said College, and also to do all other matters and things incidental or appertaining to a Body Politic, subject to the restrictions and conditions in the said Deed or Instrument of Foundation set forth and contained.

2. Title.

This Ordinance shall be entitled "Christ's College Ordinance, Session IV., No. 4," and may be cited by such title.

Deed of Foundation of Christ's College, Canterbury.

In the name of God, Amen. We, the Church Property Trustees, duly appointed, nominated, and elected under and by virtue of an Ordinance passed by the Superintendent and Provincial Council of the Province of Canterbury, Session II., No. 3, entitled "The Church Property Trust Ordinance," being desirous of promoting Ecclesiastical and Educational Institutions within the said Province of Canterbury, by virtue and in exercise of the powers vested in us as such Trustees, and of every power and authority enabling us in that behalf, do by this present Deed, sealed with our Corporate Seal, testify and declare that the several lands, tenements, and hereditaments, specified and set forth in the first Schedule hereunder, within, or hereunto annexed, with their respective appurtenances are, and henceforth shall be held by us, and our Successors, and Assigns upon, and for the several uses, trusts, intents, and purposes following, and upon or for no other use, trust, intent, or purpose whatsoever, that is to say: upon trust for the foundation, endowment, and maintenance of a College, to be henceforth established within the said Province of Canterbury, by the name and style of "Christ's College, Canterbury." And we do accordingly hereby found the

said College, to the Honor and Glory of the Eternal and ever Blessed Trinity, for the propagation of the Most Holy Christian Religion, as it is now professed and taught by the United Church of England and Ireland, and for the promotion of sound piety and useful learning, more especially within the said Province of Canterbury. And we do hereby declare that the said College shall be constituted as follows, that is to say: There shall be a Warden, Sub-Warden, and Fellows, not fewer than six, nor exceeding twenty-five in number; subject, however, to increase in the manner provided for by the Statute in that behalf, in the second Schedule hereunto annexed. The Bishop of the Church of England for the time being of the Diocese, in which the said College shall be situate, shall be ex officio the Warden of the College; provided, that if at any time such Bishop should refuse to hold the said office of Warden, it shall be competent to the Fellows of the College for the time being, to elect a person to fill such office for such period as shall elapse between the refusal of such Bishop to accept the said office of Warden, and the consecration of his Successor to the Bishopric held at the time of such refusal by the Bishop so refusing, and no longer. The Governing Body of the said College shall consist of a Society formed of the Warden, Sub-Warden, and Fellows, of whom the Sub-Warden and Fellows shall be nominated by us in the first instance. And we do hereby accordingly nominate, constitute, and appoint the Reverend Henry Jacobs, Master of Arts, to be Sub-Warden, and the following persons to be the Fellows of the said College, that is to say—The Reverend Robert Bateman Paul, Master of Arts, the Reverend Octavius Mathias, Bachelor of Arts, the Reverend William Wellington Willock, Master of Arts, the Reverend James Wilson, Master of Arts, the Reverend George Cotterill, Bachelor of Arts, James Edward FitzGerald, Bachelor of Arts, John Bealey, Master of Arts, Charles Robert Blakison, Henry Barnes Gresson, Bachelor of Arts, and William John Warburton Hamilton. The Metropolitan Bishop of the Church of England for the time being, of the Ecclesiastical Province, within which the said College shall be situate, shall be the visitor thereof. The Sub-Warden and Fellows shall hold office during life, subject nevertheless to the provisions in the Statutes in the second Schedule for the determination of such Sub-Wardenship or Fellowship respectively. All future Sub-Wardens shall be elected by the Fellows, subject to a veto to be exercised by the Warden; provided nevertheless, that if at any time, from the omission of the Fellows of the said College for the time being to exercise their right of election, or from any other cause, the office of Sub-Warden shall remain vacant for a period of three calendar months at any one time, then and so often as the same shall happen, the nomination and appointment of a person to fill such vacant office shall thereupon devolve upon the Warden of the said College for the time being, who is hereby empowered, in such event, to make such appointment by his own sole authority. The said College shall be governed by the Statutes set forth in the said second Schedule hereunto annexed, together with such other Statutes as shall from time to time be made in pursuance of the power vested in the said Society under the Statutes in that behalf contained in the said second Schedule. Immediately upon the passing of an Ordinance granting corporate powers to the said Warden, Sub-Warden, and Fellows, the said lands, tenements, and hereditaments set forth in the said first

Schedule, with their appurtenances, shall be duly conveyed and assured to the said Warden, Sub-Warden, and Fellows, and their Successors, to be held by them and their Successors, upon trust, for the endowment and maintenance of the said College. It shall be lawful for the Warden, Sub-Warden, and Fellows of the said College for the time being, to alienate so much of the said lands, tenements, and hereditaments as may be necessary for payment of a sum of four hundred pounds with which the same now stands charged, and also of such further sum, not exceeding five hundred pounds, as may be required for the erection of such buildings and making such improvements as may be required for the said College; and it shall be lawful also for the said Sub-Warden and Fellows, with the approbation, in writing, of the Warden of the said College for the time being, but not otherwise, and subject to the proviso for re-investment hereinafter contained, from time to time, to sell such further portion or portions of the said lands, tenements, and hereditaments, as they shall think proper; provided nevertheless, that immediately, or so soon as conveniently may be after every such sale, the proceeds thereof shall be re-invested in lands, tenements, and hereditaments within the said Province, of the like tenure, to be duly conveyed to and held by the Warden, Sub-Warden, and Fellows of the said College for the time being, upon and for the like uses and trusts as are in these presents declared concerning the lands, tenements, and hereditaments which shall have been so sold as last aforesaid, or as near thereto as circumstances will admit of, and upon or for no other use or trust whatsoever. But save as aforesaid, it shall not be lawful for the said Warden, Sub-Warden and Fellows to alienate, mortgage, charge, or demise the said lands, tenements, or hereditaments, or any other lands, tenements, or hereditaments, to which the said College may become entitled by grant, purchase, or otherwise, unless under the authority of an Ordinance or Ordinances of the Provincial Council of the said Province, to be made in that behalf, except by way of Lease, for a term not exceeding thirty-one years from the time when such Lease shall be made, in and by which Lease there shall be reserved and made payable during the whole of the term thereby granted the best yearly rent that can be reasonably procured for the same, without any fine or premium. In Witness, whereof, we, the said Church Property Trustees, have to this Deed, and also to the two Schedules hereunto annexed, affixed our Corporate Seal, this twenty-first day of May, in the year of our Lord, one thousand eight hundred and fifty-five.

L.S.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 27th June 1855, and assented to by the Superintendent on 28th June.

5. The Appropriation Ordinance 1855

Be it enacted by the Superintendent of the said Province, by and with the consent of the Provincial Council thereof as follows:

1. Appropriation of Provincial Revenue for Year ending 31st March 1856.

Out of the Public Revenue of the said Province there may be issued and applied, in the manner hereinafter mentioned, any Sum or Sums of Money, not exceeding the several Sums hereinafter specified, amounting in the whole to the sum of Twenty Thousand Five Hundred and Sixty Pounds Sixteen Shillings for defraying the charge of the Government of the said Province for the Year commencing on the First day of April, one thousand eight hundred and fifty-five, and ending upon the Thirty-first day of March, one thousand eight hundred and fifty-six, that is to say, for the service of the department of—

Total £ s. d.

The Superintendent
Provincial Council
Provincial Secretary
Provincial Treasurer
Provincial Auditor
Provincial Solicitor
Registrar
Supreme Court
Resident Magistrate
Sheriff and Gaol
Police
Provincial Surgeon
Coroner
Harbor Master
Inspector of Sheep
Printing and Stationery
Akaroa
Miscellaneous charges, including Rent and
Insurance of Government Offices, Council
Chamber, Fuel &c.
Immigration
Education
Public Works
Steam

550	0	0
625	0	0
510	0	0
200	0	0
100	0	0
300	0	0
370	0	0
100	0	0
425	0	0
304	16	0
887	6	0
473	0	0
30	0	0
327	10	0
400	0	0
300	0	0
293	4	0

175	0	0
2,100	0	0
1,000	0	0
9,410	0	0
1,680	0	0

£20,560 16 0

2. Provincial Treasurer, etc., shall issue and be allowed credit for the sums appropriated.

The Provincial Treasurer and Sub-Treasurers shall issue, from time to time, any Sum or Sums of Money for the purposes hereinbefore mentioned, not exceeding in the whole the Sums respectively specified to such persons, and in such portions as the Superintendent shall, by an Order or Orders, in writing, under his hand, from time to time direct; and such Treasurer and Sub-Treasurers shall, in their Accounts, be allowed credit for all Sums paid by them in pursuance of such Orders; and the receipts of the persons to whom such Sums have been so paid, shall be a full discharge for the Sum or Sums for which such receipts shall be given.

3. Provincial Treasurer, &c., shall be allowed credit for certain sums expended up to 31st March, 1855.

And Whereas, in defraying the charge of the Provincial Government for the year ending the Thirty-first day of March, one thousand eight hundred and fifty-five, and on account of the several services hereinafter mentioned, certain Sums of Money, amounting in the whole to the sum of One Thousand Three Hundred and

Eighty-seven Pounds Seven Shillings and Ten pence, were issued and paid by the Provincial Treasurer in pursuance of Warrants under the hand of the Superintendent, whereof certain Sums, that is to say, for the service of—

Provincial Council
 Provincial Secretary
 Resident Magistrate
 Police
 Provincial Surgeon
 Charitable Aid
 Immigration
 Printing
 Census
 Public Records
 Provincial Engineer
 Steam
 Repairs of Bridle Path
 Harewood Road
 Ferry over the Courtenay (Waimakariri)
 Sumner Bar
 Miscellaneous Expenses

£	s.	d.
14	9	5
238	19	3
4	2	0
3	12	4
29	2	1
128	6	7
100	0	0
95	11	0
5	7	10
0	1	10
109	16	4
3	15	0
17	10	5
97	14	7
15	9	8
4	0	0
23	0	0

£890 18 4

were so issued and paid in excess of the Sums by Law appropriated to the said several services; and certain other Sums, that is to say, for the service of

The Provincial Council
 Fitting up Offices, &c.
 North Road
 Road South of Christchurch
 Alterations to Hospital
 Bridges over Avon

£	s.	d.
100	0	0
60	0	0
117	0	0
81	8	10
119	13	11
18	4	0
£496	9	6

were so issued and paid in pursuance of Resolutions of the Provincial Council in that behalf, but were not included in any Bill for the Appropriation of the Public Revenues of the Province for the said year: Be it therefore enacted: The Provincial Treasurer shall be allowed credit in his Accounts for all Sums of Money so issued and paid by him for the said several services, and not exceeding the several amounts hereinbefore particularly specified. And the receipts of the persons to whom such Sums of Money shall have been paid under such Warrants as aforesaid, shall be a complete discharge for the Sum or Sums for which such receipts shall have been given

4. Title.

This Bill shall be entitled and may be cited as “The Appropriation Ordinance, 1855-6, Session IV., No. 5.”

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 5th July 1855, and assented to on the 10th July.

6. The Canterbury Association Ordinance 1855

Whereas by Letters Patent, bearing date the Thirteenth day of November, in the Thirteenth year of the reign of her present Majesty, certain persons therein named were constituted a Body Corporate, with perpetual succession and a common seal, by the name of the Canterbury Association, for founding a Settlement in New Zealand: And Whereas an Act was passed in the Session of

Parliament holden in the Thirteenth and Fourteenth years of the reign of her present Majesty, chapter seventy, entitled " An Act Empowering the Canterbury Association to Dispose of Certain Lands in New Zealand : " And Whereas an Act was passed in the Session of Parliament holden in the Fourteenth and Fifteenth years of the reign of her present Majesty, chapter eighty-four, entitled " An Act to Alter and Amend an Act Empowering the Canterbury Association to Dispose of Certain Lands in New Zealand : " And Whereas, by the said Letters Patent and Acts of Parliament, divers functions, powers and authorities were vested in the said Association, soe of which the said Association was empowered lawfully to exercise only for a certain term of years in the said first recited Act mentioned, subject nevertheless to expiration at the end of such term, or to sooner determination upon certain conditions therein set forth: And Whereas, by an Act passed in the Session of Parliament holden in the Fifteenth and Sixteenth years of the reign of her present Majesty, entitled " An Act to Grant a Representative Constitution to the Colony of New Zealand," it was enacted, in respect of the functions, powers and authorities, at the time of the passing of the said Act, vested in or lawfully exercised by the said Association, that it should be lawful for the Canterbury Association, at any time after a Provincial Council should have been constituted under the said Act for the Province of Canterbury, to transfer to the said Council all such functions, powers and authorities, and the said Council was thereby empowered to accept such transfer upon such terms and conditions as sould be agreed upon between the said Association and the said Council: Provided always, that nothing contained in such terms and conditions should interfere with the rights of her Majesty, her Heirs and Successors, or of the New Zealand Company respectively; and that, from and after such time as should be agreed upon between the said Council and the said Association, the said Council should have, and be entitled to exercise, all the said functions, powers and authorities: And Whereas the said Association, being desirous of transferring the said functions, powers and authorities, did, by a certain Deed Poll, or Instrument in writing, executed by the said Association; under its common seal, and bearing date the Sixteenth day of September, one thousand eight hundred and fifty-two, which Deed Poll, or Instrument in writing is annexed as the Schedule A to this Ordinance, transfer to the said Provincial Council all functions, powers and authorities then vested in the Association, subject nevertheless to a certain poviso therein contained that such transfer should not take effect until the said Provincial Council should have been constituted, nor until the said transfer should have been duly accepted and agreed to by the said Provincial Council, nor until the terms and conditions of transfer between the said Association and the said Provincial Council should have been duly agreed to and certified by a Certificate under the hand and seal of Henry Sewell, Esquire, the Agent of the said Association, in manner therein mentioned, nor until the time fixed by such terms and conditions: And Whereas, in pursuance of the said desire, the said Association did, by the said Deed Poll, or Instrument in writing, constitute and appoint the said Henry Sewell the Attorney of the said Association, in its name, and on its behalf, to do and execute all matters and things whatever in any way material or necessary for effecting and completing such transfer, and to settle

and arrange the terms and conditions thereof, and to make, do, and execute all such Acts, Deeds and Instruments whatsoever as should be necessary for effecting the same: And Whereas, since the passing of the said last mentioned Act, and the execution by the said Association of the said Deed Poll, or Instrument in writing, certain of the functions, powers and authorities theretofore vested in the said Association have ceased and determined, in pursuance of certain conditions set forth in the said first mentioned Act: And Whereas, under and by virtue of the powers vested in the said Association by the said Letters Patent and Acts of Parliament respectively, and of certain Acts and Deeds done and executed in the exercise of such powers, and especially by the execution of two Deeds which are annexed as the Schedule B to this Ordinance, the said Association became or claimed to be seized, possessed of, or entitled to certain lands, tenements, and hereditaments, and have become possessed of certain goods and chattels: And Whereas it is expedient that all the functions, powers and authorities now vested in or which may be lawfully exercised by the said Association should be transferred to the said Provincial Council, upon certain terms and conditions which have been agreed upon between the said Provincial Council and the said Henry Sewell, testified by the Certificate under the hand and seal of the said Henry Sewell, set forth in the Schedule C to this Ordinance: And it is further expedient that all the lands and tenements, goods and chattels, respectively, now vested in, claimed by, or belonging to the said Association (except such portion thereof as may be held in trust for Ecclesiastical and Educational purposes) should be conveyed and assigned to and vested in the Superintendent of the said Province, to be held by him in trust for the public uses thereof in the manner and under the conditions in this Ordinance particularly set forth: And Whereas for the quieting of all doubts which may arise or have arisen respecting the title to the said lands and tenements, as to whether the said Association has full power and authority legally to convey the same, it is expedient that such Conveyance should be confirmed by the Governor of New Zealand on Her Majesty's behalf: And Whereas certain Deeds, Conveyances, Contracts, and Dispositions have been heretofore made, executed, and entered into by the Agents and Attorneys of the said Association authorised in that behalf, of and relating to portions of the Estates vested in the said Association for Ecclesiastical and Educational purposes, and it is expedient that the same should be confirmed: And Whereas in carrying into effect the objects for which the said Association was incorporated, and in defraying the cost of founding the Settlement of Canterbury in the said Province, a certain debt was incurred by the said Association, the amount whereof has been ascertained as not exceeding the sum of Twenty-eight Thousand Nine Hundred and Thirty-nine Pounds Ten Shillings and Seven Pence; and it is just and expedient that the said debt should be charged upon and paid out of the Public Revenues of the said Province:

Be it therefore enacted by the Superintendent of the Province of Canterbury, with the advice and consent of the Provincial Council thereof, as follows:

1. Powers, &c., of the Canterbury Association to be vested in the Provincial Council.

From and after the execution of the Deeds and Certificate in the Schedule C to the Ordinance annexed, all the functions, powers, and authorities now vested in or which may be lawfully exercised by the Canterbury Association shall be, and the same are declared to be vested in, and may be lawfully exercised by the Provincial Council of the said Province in the manner hereinafter provided.

2. Powers to be exercised by Ordinance.

All such functions, powers, and authorities shall be exercised in such manner as shall be set forth and prescribed in any Ordinance or Ordinances to be passed by the Superintendent and Provincial Council in that behalf.

3. Property to be vested in the Superintendent and his successors.

From and after the due execution of the said Deeds in the Schedule C to this Ordinance annexed by the Governor of New Zealand for and on behalf of the Crown, and by the said Henry Sewell, for and on behalf of the Canterbury Association, respectively, all the property, whether real or personal, now vested in or belonging to the Canterbury Association, or claimed by the said Association as vested in or belonging to them (excepting only such property as now is or may be held by the said Association in trust for Ecclesiastical and Educational purposes, in accordance with the provisions of the said recited Letters Patent and Acts of Parliament respectively), shall be taken and deemed to be duly conveyed and transferred to and vested in the Superintendent of the said Province and his Successors; and the said Superintendent is hereby enabled to accept and take such conveyance and transfer, and to receive and hold such property to him and his Successors as a Body Corporate as effectually as if the same were vested in him under the Provisions of an Act of the General Assembly of New Zealand, entitled the " Public Reserves Act 1854;"

4. Property to be held by the Superintendent in trust for the Province on the terms set forth in the "Public Reserves Act."

All lands, tenements, and hereditaments so conveyed to the Superintendent, shall be held by him in trust for the public uses of the said Province, upon the terms and conditions set forth in the said Act of the General Assembly of New Zealand, entitled the " Public Reserves Act, 1854;" and all such lands shall be managed and disposed of according to the provisions of the said Act.

5. Existing Contracts with regard to lands affected by this Ordinance not prejudiced.

Provided always, that nothing in this Ordinance contained shall prejudice the rights of any person or persons whatsoever, who shall, not before the passing thereof, have entered into any contracts with the Canterbury Association, or with any Agent or Agents lawfully acting in its behalf, in respect of any of the lands affected by this Ordinance.

6. Contracts, &c., with regard to lands held in trust for Ecclesiastical and Educational purposes shall be valid.

All Deeds; Contracts, Conveyances and Dispositions made, entered into, and executed, of any lands, tenements, or hereditaments heretofore held by the said Association or by any person in trust for them for Ecclesiastical and Educational purposes, by any Agents or Attorneys authorised in that behalf by the said Association, or such other persons as aforesaid, shall be valid and effectual to all intents and purposes.

7. Superintendent may issue Debentures.

At any time after the execution of the Deeds hereinbefore mentioned, it shall be lawful for the Superintendent of the said Province to issue Debentures charging the Public Revenues of the said Province to an amount not exceeding in the whole the sum of Twenty-eight Thousand Nine Hundred and Thirty-nine Pounds Ten Shillings and Seven Pence, in satisfaction of all claims of the said Association, or of any other person or persons whomsoever, in respect of the debt hereinbefore mentioned.

8. Such Debentures to be for sums not less than £25 and not more than £100.

Such Debentures shall be issued for sums not less than Twenty-five Pounds and not exceeding One Hundred Pounds each, and shall be numbered consecutively, and shall be in the form set forth in the Schedule D to this Ordinance annexed.

9. Principal of Debentures to be payable in London on the 1st of July, 1865; notice to be given of anticipated payment.

The principal of such Debentures shall be payable at the Union Bank of Australia, or such other place in London as the Superintendent shall appoint, on First day of July, in the year one thousand eight hundred and sixty-five. Provided that if the Superintendent of the said Province shall, with the advice of the Provincial Council, deem it expedient to pay off the same, or any part thereof, at an earlier day, and of such intention shall give six calendar months' notice, by advertisement in some Newspaper published in London, for six consecutive weeks, specifying the Debentures intended to be paid off, and the day of payment; in such case payment may be made at such earlier date as aforesaid: Provided that it shall be lawful for the said Superintendent, with the advice of his Executive Council, out of the proceeds of any personal property late belonging to the said Association which may be converted into money, to pay off a proportionate part of the said Debentures and interest.

10. Debentures to be paid in order as they are numbered.

In case of such anticipated payment, the order in which the said Debentures shall be paid off shall be the order in which they shall be respectively numbered.

11. Interest to be at six per cent, and payable in London half yearly.

All such Debentures shall bear interest at the rate of Six Pounds Sterling per centum per annum; and such interest shall be payable at the Union Bank of Australia, or such other place in London as the Superintendent shall appoint, half-yearly, on the Thirtieth day of June and the Thirty-first day of December in every year.

12. Place of payment may be changed to the Provincial Treasury.

If the Holder of any such Debenture shall present the same at the office of the Provincial Treasurer, in the said Province, and shall require the place of payment to be changed from London to the said office, the Provincial Treasurer shall make an endorsement on such Debenture to that effect, and the place of payment of the principal and interest of such Debenture shall be changed accordingly.

13. Notice of anticipated payment in such Case to be given in the Province.

In case of such anticipated payment as aforesaid of any Debentures which shall have been so made payable in the said Province, the notice hereinbefore required to be given in some Newspaper published in London, shall, instead thereof, be given in the Provincial Government Gazette, and in some Newspaper published in the said Province.

14. Principal and interest of Debentures to be a first charge on the general revenues.

The Superintendent shall cause the principal and interest of such Debentures, according to the tenor thereof respectively, to be paid as a first charge out of all the General Revenues of the said Province of what kind soever.

15. Payment and receipt of Debentures as cash for the purchase of Waste Lands to be an effectual discharge of the principal of such Debentures.

Provided that if by any Law or Regulation at any time in force within the said Province, such Debentures shall be made payable and receivable as cash, for the purchase of the waste lands of the Crown in the said Province, the payment and receipt thereof accordingly shall be an effectual discharge of the principal of such Debentures so paid. and received.

16. Title.

This Ordinance shall be entitled and may be cited as the Title " Canterbury Association's Ordinance, Session IV., No. 6."

List of the Schedules appended to this Ordinance.

Schedule A.

A Power of Attorney, dated the Sixteenth day of September, one thousand eight hundred and fifty-two, executed under the common seal of the Canterbury Association, appointing Henry Sewell, Esq., to be the Attorney of the said Association, for the purpose of effecting a transfer of the powers and property of the Association to the Provincial; Council of the Province of Canterbury.

Schedule B.

Two Deeds, dated the Ninth day of September, one thousand eight hundred and fifty-one, and the Twenty-seventh day of February, one thousand eight hundred and fifty-two respectively, executed under the common seal of the Canterbury Association, declaring certain Lands" within the Province of Canterbury to be reserved and- held in trust by the Association for public purposes.

Schedule C.

1. A Certificate, under the hand and seal of Henry Sewell, certifying that the terms and conditions of the transfer of the powers and property of the Canterbury Association to the Provincial Council have been duly agreed on.
2. A Deed under the hand and seal of Henry Sewell, as Agent and Attorney of the Canterbury Association, conveying to the Superintendent of the Province of Canterbury all the property, real and personal, of the Canterbury Association, to be held under the terms and conditions of this Ordinance.
3. A Deed executed under the public seal of the Islands of New Zealand in confirmation of the last-mentioned Deed, conveying all the estate and interest of the Crown in the aforesaid property to the; Superintendent of the Province, to be held by him in Trust for Public' Purposes, under the terms and conditions set forth in the "Public Reserves Act, 1854."

Schedule D.

The Form of Debenture.

Schedule A. referred to in the foregoing Ordinance.

To All To Whom These Presents Shall Come, The Canterbury Association For Founding A Settlement In New Zealand, Send Greeting:

Whereas, under and by Virtue of her Majesty's Letters Patent, under the Great Seal of Great Britain, bearing date at Westminster, the Thirteenth day of November, one thousand eight hundred and forty-nine, the said Association Were and are incorporated for certain purposes, With certain powers, and subject to certain conditions in the said Letters Patent expressed: And Whereas by certain Acts passed in the Thirteenth and Fourteenth, and the Fourteenth and Fifteenth years of the reign of her present Majesty, the said Association obtained certain powers, in the said Acts expressed for selling and disposing of lands in New Zealand, and certain other powers therein expressed, subject to certain conditions in the said Acts expressed: And Whereas, under and by virtue of the said Letters Patent and Acts of Parliament respectively, or some of them, the said Association have acquired and are now invested with certain powers, functions, and authorities, and have acquired certain lands, tenements, hereditaments, goods, ad chattels in New Zealand: And Whereas, under and by virtue of a certain other Act . passed in the last Session of Parliament for Establishing a Constitution of Representative Government in New Zealand, it was, amongst other things provided that a certain Province to be termed the Province of Canterbury, should be formed in New Zealand, and a certain Provincial Council should be established therein in manner in the said Act mentioned, and with such powers as are in the said Act expressed: And it is further provided that it should be lawful for the said Canterbury Association, at any time after a Provincial Council should have been constituted for the Province of Canterbury, to transfer to the said Council all such functions, powers, and authorities, and the said Council was thereby empowered to accept such transfer upon such terms and conditions as should be agreed upon between the said Council and the said Association: Provided that nothing contained in such terms and conditions should interfere with the rights of her Majesty, her Heirs and Successors, or of the New Zealand Company respectively. And from and after such time as should be agreed on between the said Association and the said Council, the said Council should have and be entitled to exercise all the said functions, powers, and authorities: And Whereas the said Association have resolved to exercise so far as in them lies, the power of transfer in the last-mentioned Act contained, and to transfer to the said Legislative Council for the said Province of Canterbury all functions, powers, and authorities in any way vested in them, and which they are by the said last-mentioned Act empowered to transfer unto the said Provincial Council, such transfer to take effect after the said Provincial Council shall have been constituted in manner and upon the terms and conditions hereinafter mentioned: And Whereas, by reason of distance between New Zealand and England, it is necessary to depute some person or persons with sufficient authority to make such transfer, and to negotiate and agree upon such terms and conditions as aforesaid, and for that purpose the Association have deputed and appointed Henry Sewell, late of Bloomsbury Square, in the County of Middlesex, Esquire, to manage and transact such transfer, and to negotiate and agree upon such terms and conditions on behalf of

the said Association: And Whereas the said Association are further desirous of winding up and settling all their affairs in New Zealand, and of effectually transferring and disposing of all property, real and personal, vested in them in New Zealand in such manner that after and subject to the payment of all just debts and liabilities, the same may be held and appropriated according to a plan to be arranged and agreed upon between the Provincial Council and the said Association, to the purposes for which the same real and personal property ought to be held and appropriated. Now these presents witness that the said Association, for divers good causes and considerations them thereunto moving, by virtue and in pursuance and exercise of the power and authority in that behalf vested in them by the said recited Act of the last Session of Parliament, and of all other powers and authorities whatsoever them in that behalf in anywise enabling, do, by these presents, sealed with their common seal, resolve and determine to transfer, and do transfer to the Provincial Council of the said Province of Canterbury, after the same shall have been constituted, such transfer to take effect in manner and subject to the provisions hereinafter mentioned, all powers, functions and authorities whatsoever, in any way vested in the said Association by virtue of the said Letters Patent and Acts of Parliament respectively or either of them, so and in such manner that the same powers, functions, and authorities, and every of them, may, from the time and subject to the provisions herein expressed, be fully and effectually vested in and exercised by the said Provincial Council of the said Province of Canterbury: Provided nevertheless that this present transfer shall not take effect until the said Provincial Council shall have been constituted; nor until this present transfer shall have been duly accepted and agreed to by the said Provincial Council according to Law, nor until the terms and conditions of transfer between the said Association and the said Provincial Council shall have been duly agreed to and certified in manner hereinafter mentioned, nor until the time fixed by such terms and conditions as aforesaid: Provided always that a Certificate in that behalf, under the hand and seal of the said Henry Sewell, made in manner hereinafter mentioned, shall be conclusive evidence that said terms and conditions have been agreed upon, and such original Certificate shall be delivered to the said Provincial Council, or in such manner as the said Council shall direct, and a Copy thereof, shall as soon as conveniently may be thereafter, be transmitted to the Governor-in-Chief of New Zealand, and to the said Association in England, and such transfer shall be perfected by such delivery of the said original Certificate as aforesaid: Provided always, that until such transfer shall have been perfected in manner aforesaid, all powers, functions, and authorities in any way vested in the said Association or its Attorney or Attornies, Managing Committee or Managing Committees, shall subsist and continue: And these presents further witness that for such causes and considerations as aforesaid, the said Association do, by these presents, make, constitute, and appoint the said Henry Sewell their true and lawful Attorney, for them, in their name and on their behalf to do and execute all matters and things whatsoever in any way material or necessary for affecting and completing such transfer, and to settle and arrange the terms and conditions thereof, and on behalf of the said Association to agree to such terms and

conditions, and to make, do, and execute all such Acts, Deeds, and Instruments whatsoever as shall be necessary for effecting the same, and for that purpose, if requisite, to affix the duplicate seal of the Association to any such Deeds and Instruments, which duplicate seal shall, for the purposes aforesaid, be deemed to be the original seal of the said Association, and generally to do and perform all acts whatsoever necessary for completing and perfecting such transfer as aforesaid, and all and whatsoever he the said Henry Sewell shall do or cause to be done in the premises, and all terms and conditions of arrangement and agreement whatsoever which the said Henry Sewell shall make or enter into, the said Association doth ratify, confirm and allow, and agree to ratify, confirm, and allow as fully and effectually as if the same were duly made, done, or entered into by the said Association under its common seal or otherwise in due course of Law: Provided nevertheless, that nothing in the said terms and conditions shall interfere with the rights of her Majesty, her Heirs and Successors, or of the New Zealand Company: And these presents further witness that if the said Henry Sewell shall die, or refuse, or neglect to execute the powers and authorities hereby vested in him before the same shall be fully executed and performed, or if the said Henry Sewell shall not arrive within the said Colony of New Zealand within nine months from the date hereof, or shall leave the same before the said powers and authorities shall be fully executed and performed, then and in either of the said cases, the said Association do, by these presents, nominate and appoint the Reverend Robert Paul, Clerk, John Robert Godley, Esquire, Charles Simeon, Esquire, James Edward FitzGerald, Esquire, and William Guise Brittan, Esquire, all of the said Colony, and the Survivors and Survivor of them, to be true and lawful Attornies and Attorney of the said Association in the place of the said Henry Sewell, to do, execute, and perform all matters and things whatsoever, and to exercise all powers, authorities, and discretion whatsoever which the said Henry Sewell is hereby authorised to do, execute, perform, or exercise, as effectually as if their or his names or name had been throughout substituted in these presents for that of the said Henry Sewell, and the acts of any three of the said last mentioned Attornies shall be as effectual as if done by all: And all and whatsoever the said Henry Sewell, or the said other Attornies shall do or cause to be done in the Premises, the said Association doth ratify, confirm, and allow, and agree to ratify, confirm, and allow. In witness whereof the said Canterbury Association have hereunto affixed their common seal, this Sixteenth day of September, in the year of our Lord one thousand eight hundred and fifty-two.

By order of the said Association, at a Meeting held
this Sixteenth day of September, one thousand
eight hundred and fifty-two.

H. F. Alston,
Secretary.

Schedule B Referred To In The Foregoing Ordinance.

To All To Whom These Presents Shall Come, The Canterbury Association For Founding A Settlement In New Zealand, Incorporated By Letters Patent Dated Thirteenth November, One Thousand Eight Hundred And Forty-Nine, Send Greeting:

Whereas by the said Letters Patent, after reciting amongst other things that the said Association had entered into arrangements for procuring to be set apart and placed at the disposal of the said Association a large tract of land in the Colony of New Zealand or its Dependencies, which it was the purpose of the said Association to sell and convey, or cause to be sold and conveyed, in lots or parcels to such of the subjects of her Majesty, being Members of the Church of England, as might be willing to purchase portions thereof; and reciting that it was the purpose of the said Association to expend the whole of the funds which might come to their hands, whether arising from the sale of lands or otherwise, in founding the said intended Settlement in New Zealand, and promoting the prosperity thereof, more especially by the execution of divers works and operations of a public nature adapted to prepare the site of the intended Settlement for the reception of Emigrants, and afford peculiar facilities for the immediate occupation thereof, and by the establishment and maintenance of Ecclesiastical and Educational Institutions in connection with the Church of England as by Law established, and which expenditure was intended to be regulated, so far as circumstances would admit, according to the following distribution and appropriation, that is to say: the said funds should be considered to be divided into six equal parts, whereof one sixth part should be appropriated to the acquisition of the tract of land requisite for the site of the said intended Settlement, two other sixth parts should be appropriated to the emigration of Settlers, two other such parts should be appropriated to Ecclesiastical and Educational purposes, and the remaining sixth part should be appropriated to the general purposes of the Association, including the execution of such preparatory and other works and operations as aforesaid, it was amongst other things declared, that the said Association should be a Body Politic and Corporate for the purposes and objects aforesaid by such name or style as aforesaid: And it was declared that they should be for ever able and capable in the Law, notwithstanding the Statutes of mortmain, to take, purchase, possess, hold, and enjoy, to them and their Successors, any messuages and tenements of any tenure, with the appurtenances, situate in any part or parts in the United Kingdom of Great Britain and Ireland requisite to be occupied or used for transacting or carrying on the business of the said Association, not exceeding the net annual value of Two Thousand Pounds (such net annual value to be calculated and ascertained at the period of taking, purchasing, or acquiring the same), and any messuages, lands, tenements, or hereditaments in the said Colony of New Zealand or its Dependencies, and also to sell, alienate mortgage, charge, or otherwise dispose of the property, as well real as personal, of the said Body Politic and Corporate as they should think proper, and also to act in all the

concerns of the said Body Politic and Corporate for the purposes and objects aforesaid as fully and effectually to all intents and purposes whatsoever, as any other of her Majesty's subjects could or might do in their respective concerns. And it was further declared that there should be a General Meeting of the members of the said Body Politic and Corporate, to be held from time to time as thereafter mentioned, and that there should always be a Committee of Management formed of and chosen from the members of the said Body Politic and Corporate as therein after-mentioned: And it was further declared that the funds of the said Body Politic and Corporate should be regulated according to the distribution and appropriation thereinbefore particularly mentioned, subject only to such variations or modifications as might at any time, or from time to time, be directed or approved by the Resolution of a General Meeting, sanctioned as thereafter provided: And that the said Body Politic and Corporate should cause distinct and true accounts, in writing, under each head of expenditure, to be kept in proper books as therein mentioned: And it was further declared that the said Body Politic and Corporate should not make or enter into any contract or agreement involving an expenditure by the said Body Politic of a sum exceeding Two Thousand Pounds or upwards, unless at the time of the making thereof, or within ten days thereafter, two members of the Committee of Management, nominated for that purpose by the Lords of the Committee of Privy Council appointed for the consideration of all matters relating to trade and foreign plantations, should, by writing, under their hands, at the foot of a Copy of such Contract or Agreement, certified by the Secretary or other proper Officer of the said Body Politic and Corporate, declare that it appeared from the Accounts of the said Body Politic and Corporate, submitted to them, that the said Body Politic and Corporate was, at the date of such Contract or Agreement, possessed of funds available and adequate to answer the same: And Whereas, in pursuance of the powers conferred by the said Letters Patent, and of a certain Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth Years of the reign of her present Majesty, chapter seventy, the said Association have procured, to be set apart by the Crown and placed at their disposal, a large tract of land in the said Colony of New Zealand, known by the name of the Canterbury Settlement, in which the lands situate in the town and port of Lyttelton and around it, within the said Canterbury Settlement, delineated in the plan drawn on the third and fourth skins of these presents, and therein distinguished by green colour, are part, on condition of the said Association paying one-sixth part of the whole produce of any sales that may be made by the said Association to her Majesty, her Heirs and Successors, and subject to the regulations in the said Act contained: And Whereas the said Association, having become possessed of divers large funds, such funds have been considered as divided into six equal parts, and the expenditure thereof has been regulated according to the distribution and appropriation mentioned in the said Letters Patent, and Accounts of such expenditure have from time to time been kept in proper books, under four heads, in manner following, that is to say: Such portion of the said funds as has been appropriated to the acquisition of the tract of land requisite for the site of the said intended Settlement, being one-sixth part of the whole funds which has

come to the hands of the said Association, has from time to time been carried over to an Account in the books of the said Association, entitled "The Crown Account." And such portion of the said funds as has been appropriated to the emigration of Settlers, being the two-sixth parts of the whole funds which have come to the hands of the said Association, has from time to time been carried over to an Account in the books of the said Association entitled "The General Emigration Account." And such portion of the said funds as has been appropriated to Ecclesiastical and Educational purposes, being the other two-sixth parts of the whole funds which have come to the hands of the said Association, has from time to time been carried over to an Account in the books of the said Association, entitled "The Ecclesiastical and Educational Account." And such portion of the said funds as has been appropriated to the general purposes of the said Association, being the remaining sixth part of the whole funds which have come to the hands of the said Association, has, from time to time, been carried over to an Account in the books of the said Association entitled "The Miscellaneous Account." And Whereas, by an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth years of the reign of her present Majesty, chapter eighty-nine, it is, amongst other things enacted, that it should be lawful for the said Association, and they are thereby empowered, from time to time, by Deed, under the common seal of the said Association, to reserve and appropriate for any of the purposes to which the funds of the said Association are by the said Letters Patent made applicable, any part or parts of the land in the said Settlement, being at the time unsold and unappropriated, and every such Deed shall declare the purpose for which the said land therein mentioned is intended to be reserved and appropriated, and upon due execution of every such Deed the land therein mentioned shall vest in, and be held by the said Association in trust for the purpose therein declared. Provided always, that for every acre of land so reserved and appropriated as aforesaid, that part of the funds of the said Association which, under the said Letters Patent and the said recited Act, is or shall be applicable to the purpose for which such land is declared to be reserved and appropriated, shall be charged with and subject to the payment of a sum of money, equal to the current price of every such acre considered as sold to an ordinary Purchaser, and the said money shall be distributed and appropriated in the same manner as money arising from ordinary sales of land by the said Association. Provided also, that it shall not be lawful for the said Association to reserve and appropriate land as aforesaid, unless the said part of the said funds in the hands of the said Association for the time being, applicable as aforesaid, is sufficient to pay a sum equal to the price of such land considered as sold to an ordinary Purchaser, after deducting the amount which would be appropriated to such part of the said funds on such distribution as aforesaid: And Whereas the said Association, in pursuance of the said power contained in the said last mentioned Act, are desirous of reserving and appropriating, and intend to reserve and appropriate, for general purposes, including the execution of divers works and operations of a public nature, the several parcels of land particularly described in the Schedule hereto annexed: And Whereas the whole price of the land so intended to be reserved and appropriated, considered as sold to an

ordinary Purchaser, would amount to the sum of Three Thousand Three Hundred and Fifty-one Pounds, Thirteen Shillings and Tenpence, and after deducting the amount which would be appropriated to the said part of the said funds, on such distribution as aforesaid, the price of the said lands amounts to the sum of Two Thousand Seven Hundred and Ninety-three Pounds, One Shilling and Sixpence Half-penny: And Whereas the funds now in the hands of the said Association for the time being, applicable to the general purposes of the said Association, are sufficient to pay a sum equal to the said sum of Two Thousand Seven Hundred and Ninety-three Pounds, One Shilling and Sixpence Half-penny: And Whereas the said Association have distributed and appropriated the said sum of Two Thousand Seven Hundred and Ninety-three Pounds, One Shilling and Sixpence Half-penny, in manner following, that is to say: Firstly, they have transferred and carried over the sum of Five Hundred and Fifty-eight Pounds, Twelve Shillings and Threepence Half-penny, standing in the books of the said Association on the credit side of the said "Miscellaneous Account" to the credit side of the "Crown Account." Secondly, they have carried over and transferred the sum of One Thousand One Hundred and Seventeen Pounds, Four Shillings and Sevenpence, standing on the books of the said Association, on the credit side of the said "Miscellaneous Account" to the credit side of the said "General Emigration Account." Thirdly, they have transferred and carried over the sum of Eleven Hundred and Seventeen Pounds Four Shillings and Seven Pence standing on the books of the Association on the credit side of the said "Miscellaneous Account" to the credit side of the said "Ecclesiastical and Educational Account." Now these presents witness that the said Association do, in pursuance of the power contained in the said Act of the Fourteenth and Fifteenth Victoria, chapter eighty-four, and of every other power in that behalf enabling them by this Deed under their common seal, declare that they do, by these presents, reserve and appropriate, to the intent and purpose that the same may be used for laying out and making roads, streets, squares, markets, parks, and sites of public buildings, and erecting buildings thereon, if they shall so think fit, with the necessary additional space, and for other public purposes, adapted to afford facilities for the beneficial occupation of the lands so reserved and appropriated, and of the other lands sold by the said Association according to the true intent and meaning of the said Letters Patent and the said last recited Act, the several parcels of town and rural land described in the Schedule hereto annexed, containing the several admeasurements set forth in the said Schedule, and which said lands are more particularly delineated on the map drawn on the third and fourth skins of these presents, and colored green, to the intent that such lands may be held by the said Association, in trust, for the said purpose, and with such power of sale, alienation, mortgage, charge, or other disposition, and of general management as the said Association are, by the said Letters Patent, capable of having and enjoying over or in respect of real and personal property in New Zealand, purchased or acquired by them, so far as the same is consistent with the provisions of the said last recited Act. In witness whereof the said Canterbury Association have hereunto affixed their common seal, this Ninth day of September, in the year of our Lord one thousand eight hundred and fifty-one.

The Schedule Above Referred To.

The Schedule Above Referred To.

NO. TOWN LANDS.	A.	R.	P.	£.	s.	d.
5						
9						
10						
11						
15						
16						
29						
31						
32						
33						
34						
35						
36						
37						
38						
21						
22						
23						
24						
25						
39						
41						
The Gaol						
Mechanics' Institute						
Association's Offices						
Hospital						
Government Offices ,						
Association's Store						
Hospital						
Custom House						
Wharves and Store						
Boathouse, &c						
Agent's House and Offices, Immigration Barracks, &c.						
Exchange and Post Office						

Town Hall
Police Court
Gaol

RURAL LANDS.
Botanical Garden
Cattle Market
Abattoir
Town Reserve
Government Domain
Store at Sumner
The Ferry House

0	3	28
0	16	4
0	0	16
0	3	0
0	1	18
0	0	30
0	1	17
0	2	32
1	0	10
0	1	27

1	2	28
0	1	0
0	1	0
0	1	0
0	1	0

23	0	0
7	2	0
2	0	0
897	0	0
64	2	0
0	3	5
0	1	0

1002	2	27	
	4	16	0
	4	16	0
	36	0	0
	17	8	0
	9	0	0
	17	2	0
	33	12	0

44 8 0

51	0	0
20	2	0
80	8	0
12	0	0
12	0	0
12	0	0
12	0	0
69	0	0
22	10	0
6	0	0
2691	0	0
193	10	0
2	6	10
0	15	0
<hr/>		
3351	13	10

The first Plan referred to in the foregoing Deed is a Tracing headed "The Association's Reserves at Lyttelton, otherwise Christchurch," shewing the Town of Christchurch, and the Reserves marked 5, 9,10, 11,15, 16, 21, 22, 23, 24 and 25 respectively, and is deposited in the Provincial Council Chamber.

George A.E. Ross,

Clerk to the Council.

Deeds.

No. 186. 10 a.m., 24th January, 1854

Dated the 27th of February, 1852:

Canterbury Association.

Declaring the Reservation of Further Lands by the Association, for Public Purposes in Town and Port of Lyttelton and around it.

To All To Whom These Presents Shall Come, The Canterbury Association For Founding A Settlement In New Zealand, Incorporated By Letters Patent Dated Thirteenth November, One Thousand Eight Hundred And Forty-Nine, Send Greeting:

Whereas by the said Letters Patent, after reciting amongst other things that the said Association had entered into arrangements for procuring to be set apart and placed at the disposal of the said Association a large tract of land in the Colony of New Zealand or its Dependencies, which it was the purpose of the said Association to sell and convey, or cause to be sold and conveyed, in lots or parcels to such of the subjects of her Majesty, being Members of the Church of England, as might be willing to purchase portions thereof: And reciting that it was the purpose of the said Association to expend the whole of the funds which might come to their hands, whether arising from the sale of lands or otherwise, in founding the said intended Settlement in New Zealand and promoting the prosperity thereof, more especially by the execution of divers works and operations of a public nature, adapted to prepare the site of the said intended Settlement for the reception of emigrants, and accord peculiar facilities for the immediate occupation thereof, and by the establishment and maintenance of Ecclesiastical and Educational Institutions in connection with the Church of England as by Law established, and which expenditure was intended to be regulated, so far as circumstances would admit, according to the following distribution and appropriation: that is to say, the said fund should be considered to be divided into six equal parts, whereof one-sixth part should be appropriated to the acquisition of the tract of land requisite for the site of the said intended Settlement; two other sixth parts should be appropriated to the emigration of Settlers; two other sixth parts should be appropriated to Ecclesiastical and Educational purposes, and the remaining sixth part should be appropriated to the general purposes of the Association, including the execution of such preparatory and other works and operations as aforesaid; it was amongst other things declared that the said Association should be a Body Politic and Corporate for the purposes and objects aforesaid, by such name or style as aforesaid: And it was declared that they should be for ever able and capable in the Law, notwithstanding the Statutes of mortmain, to take, purchase, possess, hold and enjoy to them and their Successors, any messuages or tenements of any tenure, with the appurtenances, situate in any part or parts in the United Kingdom of Great Britain and Ireland, requisite to be occupied or used for transacting or carrying on the business of the said Association, not exceeding the net annual value of Two Thousand Pounds (such net annual value to be calculated and ascertained at the period of taking, purchasing, or acquiring the same), and any messuages, lands, tenements, or hereditaments in the said Colony of New Zealand or its Dependencies; and also to sell, alienate, mortgage, charge, or otherwise dispose of the property, as well real as personal, of the said Body Politic and Corporate, as they should think proper. And also to act in all the concerns of the said Body Politic and Corporate for the purposes and objects aforesaid as fully and effectually, to all intents and purposes whatsoever, as any other of her Majesty's subjects could or might do in their respective concerns: And it was further declared that there should be a General Meeting of the Members of the said Body Politic and Corporate, to be held from time to time as hereinafter mentioned, and that there should always be a Committee of

Management formed of and chosen from the Members of the said Body Politic and Corporate as thereinafter mentioned. And it was further declared that the expenditure of the funds of the said Body Politic and Corporate should be regulated according to the distribution and appropriation thereinbefore particularly mentioned, subject only to such variations or modifications as might at any time, or from time to time, be directed or approved by the Resolution of a General Meeting sanctioned as thereinafter provided: And that the said Body Politic and Corporate should cause distinct and true accounts in writing, under each head of expenditure, to be kept in proper books as therein mentioned. And it was further declared that the said Body Politic and Corporate should not make or enter into any contract or agreement involving an expenditure by the said Body Politic of a sum exceeding Two Thousand Pounds or upwards, unless at the time of the making thereof or within ten days thereafter, two Members of the Committee of Management, nominated for that purpose by the Lords of the Committee of Privy Council appointed for the consideration of all matters relating to trade and foreign plantations, should, by writing, under their hands, at the foot of a Copy of such Contract or Agreement, certified by the Secretary or other proper Officer of the said Body Politic and Corporate, declare that it appeared from the Accounts of the said Body Politic and Corporate submitted to them, that the said Body Politic and Corporate was, at the date of such Contract or Agreement, possessed of funds available and adequate to answer the same: And Whereas, in pursuance of the powers conferred by the said Letters Patent, and of a certain Act passed in the Session of Parliament holden in the Thirteenth and Fourteenth years of the reign of her present Majesty, chapter seventy, the said Association have procured to be set apart by the Crown, and placed at their disposal a large tract of land in the said Colony of New Zealand, known by the name of the Canterbury Settlement, of which the lands situate within the said Canterbury Settlement, delineated in the plan drawn on the third skin of these presents and specified and therein distinguished by green color are part, on condition of the said Association paying one-sixth part of the whole produce of any sales that may be made by the said Association to her Majesty, her Heirs, and Successors, and subject to the Regulations in the said Act contained: And Whereas the said Association having become possessed of divers large funds, such funds have been considered as divided into six equal parts, and the expenditure thereof has been regulated according to the distribution and appropriation mentioned in the said Letters Patent, and Accounts of such expenditure have, from time to time, been kept in proper books, under four heads, in manner following, that is to say: such portion of the said funds as has been appropriated to the acquisition of the tract of land requisite for the site of the said intended Settlement, being one-sixth part of the whole funds which have come to the hands of the said Association, has, from time to time, been carried over to an Account in the books of the said Association, entitled "The Crown Account," and such portion of the said funds as has been appropriated to the emigration of Settlers, being other two-sixth parts of the whole funds which have come to the hands of the Association has, from time to time, been carried over to an Account in the books of the said Association, entitled "The General

Emigration Account,” and such portion of the said funds as has been appropriated to Ecclesiastical and Educational purposes, being other two-sixth parts of the whole funds which have come to the hands of the said Association, has, from time to time, been carried over to an Account in the books of the the said Association, entitled “The Ecclesiastical and Educationa Account,” and such portion of the said funds as has been appropriated, to the general purposes of the said Association, being the remaining sixth part of the whole funds which have come to the hands of the said Association, has, from time to time, been carried over to an Account in the books of the said Association, entitled “The Miscellaneous Account:” And Whereas, by an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth years of the reign of her present Majesty, chapter eighty-four, it is, amongst other things enacted, that it should be lawful for the said Association, and they are thereby empowered, from time to time, by Deed, under the common seal of the said Association, to reserve and appropriate, for any of the purposes to which the funds of the said Association are, by the said Letters Patent made applicable, any part or parts of the land in the said Settlement, being at the time unsold and unappropriated; and every such Deed shall declare the purpose for which the said land therein mentioned is intended to be reserved and appropriated, and upon due execution of every such Deed, the land therein mentioned shall vest in and be held by the said Association, in trust, for the purposes therein declared. Provided always, that for every acre of land so reserved and appropriated as aforesaid, that part of the funds of the said Association which, under the said Letters Patent and the said recited Act, is or shall be applicable to the purpose for which such land is declared to be reserved and appropriated, shall be charged with and subject to the payment of a sum of money equal to the. current price of every such acre considered as sold to an ordinary Purchaser, and the said money shall be distributed and appropriated in the same manner as money arising from ordinary sales of land by the said Association. Provided also, that it shall not be lawful for the said Association to reserve and appropriate land as aforesaid, unless the said part of the said funds, in the hands of the said Association for the time being, applicable as aforesaid, is sufficient to pay a sum equal to the price of such land considered as sold to an ordinary Purchaser after deducting the amount which would be appropriated to such part of the said funds on such distribution as aforesaid. And Whereas the said Association, in pursuance of the said power contained in the said last-mentioned Act, by Indenture, under their common seal, bearing date the Ninth day of September last, one thousand eight hundred and fifty-one, did, after reciting, as hereinbefore is recited, reserve and appropriate the several lands mentioned and described in the Schedule thereto annexed, and the Map drawn thereon, to and for the general purposes of the Asociation hereinbefore referred to, and as are after particularly mentioned: And Whereas the said Association, in pursuance of the power hereinbefore referred to, contained in the said last-mentioned Act of Parliament, are desirous of reserving and Appropriating, and intend to reserve and appropriate for general purposes, including the execution of divers works and operations of a public nature, the further several parcels of land particularly described in the Schedule

hereto annexed: And Whereas the said last-mentioned land so now intended to be reserved and appropriated has not yet been sold or appropriated, and the current price of such parcel of land considered as sold to an ordinary purchaser, and the acreage thereof is set forth in the said Schedule hereto annexed: And Whereas the whole price of the land so intended to be reserved and appropriated, considered as sold to an ordinary Purchaser, would amount to the sum of Nine Hundred and Twenty Pounds, Three Shillings and Sixpence, and after deducting the amount which would be appropriated to the said part of the said funds on such distribution as aforesaid, the price of the said lands amounts to the sum of Seven Hundred and Sixty-six Pounds, Sixteen Shillings, and Threepence: And Whereas the funds now in the hands of the said Association for the time being, applicable to the general purposes of the said Association, are sufficient to pay a sum equal to the said sum of Seven Hundred and Sixty-six Pounds, Sixteen Shillings and Threepence: And Whereas the said Association have distributed and appropriated the said sum of Seven Hundred and Sixty-six Pounds, Sixteen Shillings and Threepence in manner following, (that is to say,) Firstly, they have transferred and carried over the sum of One Hundred and Fifty-three Pounds, Seven Shillings and Threepence, standing in the books of the said Association on the credit side of the said "Miscellaneous Accounts" to the credit side of the said "Crown Account." Secondly, they have transferred and carried over the sum of Three Hundred and Six Pounds, Fourteen Shillings and Sixpence standing in the books of the said Association, on the credit side of the said "Miscellaneous Account", to the credit side of the said "General Emigration Account." Thirdly, they have transferred and carried over the sum of Three Hundred and Six Pounds Fourteen Shillings and Sixpence standing in the books of the said Association, on the credit side of the said "Miscellaneous Accounts," to the credit side of the said "Ecclesiastical and Educational Account." Now these presents witness that the said Association do, in pursuance of the power contained in the said Act of the Fourteenth and Fifteenth Victoria, chapter eighty-four, and of every other power in that behalf enabling' them, by this Deedj under their common seal, declare that they do, by these presents, reserve and appropriate, to the intent and purpose that the same may be used for laying and making roads, streets, squares, markets, parks, and sites of public buildings, and erecting buildings thereon if they shall so think fit, with the necessary additional space, and for other public purposes, adapted to afford facilities for the beneficial occupation of the lands so reserved and appropriated, and all the other lands sold by the said Association, according to the true intent and meaning of the said Letters Patent and the said last recited Act, the several parcels of Town and Rural Land described in the Schedule hereto annexed, containing the several admeasurements set forth in the said Schedule, and which said lands are more particularly delineated in the said Map drawn on the third skin of these presents and coloured green, to the intent that such lands may be held by the said Association in trust for the said purposes, and with such power of sale, alienation, mortgage, charge, or other disposition, and of general management, the said Association are, by the said Letters Patent, capable of having and enjoying over or in respect of real and personal property in

Land to be selected as a Landing Place for Sheep to be taken within one year from the date hereof out of No. 62 described in the annexed Map.

Total. 0 0 25

0 1 0

0 1 12

0 2 0

29 1 24

45 0 0

28 3 0

200 0 0

304 1 21

7 10 0

00 0 15 0

0 19 6

1 10 0

88 4 0

135 0 0

86 5 0

600 0 0

920 3 6

Schedule C 1 Referred To In The Foregoing Ordinance.

these presents, grant, convey; and assure unto the said Superintendent and his Successors all and singular the messuages, lands, tenements, and hereditaments situate in the Province of Canterbury and Colony of New Zealand, referred to in the Deeds contained in the Schedule B to the said Canterbury Association's Ordinance hereunto annexed and specified and set forth in the Schedules to te said Deeds respectively, with all and singular the rights, easements and appurtenances to the same belonging, all which said hereditaments and premises are more particularly delineated and described by the Plans thereof respectively drawn upon the skins of parchment to the said Deeds respectively annexed. And all the estate, rights, title, and interest whatsoever, at Law and in equity of the said Association, of, in, or to the said hereditaments and premises intended to be hereby conveyed, to hold the said hereditaments and premises hereby conveyed, with their appurtenances, unto and to the use of the said Superintendent and his Successors, nevertheless, for the purposes and subject to the provisions expressed and contained in the said Ordinance of the Superintendent and Provincial Council of the Province of Canterbury, called "The Canterbury Association's Ordinance, Session IV., No. 6": And this Deed further witnesseth that the said Canterbury Association doth hereby transfer and make over to the said Suptintendent and his Successors all and singular the goods and chattels of and belonging to the said Association specified and set forth in the Schedule hereunto annexed; and all other, if any, the personal property of the said Association, to hold the said goods, chattels, and personal property unto the said Superintendent and his Successors for the purposes and subject to the provisions expressed and contained in the said Ordinance, called the "Canterbury Association's Ordinance, Session IV., No. 6." In witness whereof, the said Canterbury Association hath signified its assent hereto by the signature of Henry Sewell, its Attorney in that behalf, lawfully authorized, the day and year first above written.

Henry Sewell,

Attorney for the Canterbury Association for
founding a Settlement in New Zealand.

Signed by the said Henry Sewell, Agent and Attorney of the Canterbury
Association, for and on behalf of the said Association, in the presence of us:

George A. E. Ross,

Clerk to the Provincial Council of Canterbury, Christchurch.

H. B. Gresson,

Christchurch, Barrister-at Law.

Schedule Referred To In The Annexed Deed Marked C 2

- A Trigonometrical and Topographical Map, 2 inches to a mile.
- B Trigonometrical and Topographical Map, Harewood District, 2 inches to a mile.
- C Trigonometrical Map, Christchurch District, 4 inches to a mile.
- D General Map of the Country South of the Ashley.
- E General Map of the Surveyed Country, Canterbury Block, 1 inch to a mile.
- F General Map of the Surveyed Country, Canterbury Block, shewing Pasturages.
- G Map of Native Reserves from Kaiapoi to Waitangi.
- H Trigonometrical Map of the Town and Suburbs of Akaroa.
- I Map of Banks' Peninsula, shewing Sections, &c.
- J Working Map of the Town of Christchurch, 4 chains to an inch.
- K Copy Map of the Town of Christchurch, 4 chains to an inch.
- L Map of Lyttelton (complete), 4 chains to an inch.
- M Map of Lyttelton (eastern part), 2 chains to an inch.
- N Map of Lyttelton (eastern part), 2 chains to an inch.
- O Map of Lyttelton (western part), 2 chains to an inch.
- P Map of Sumner, 4 chains to an inch.
- Q Chart of the Harbour of Port Victoria.
- R General Map of Topographically Surveyed Districts.
- S Mr. Hamilton's Map of the Country North of the Canterbury Block.
- T Mr. Jollie's Map of the Country from Nelson.
- U European Reserves, 10 Maps.
- V Section 201, at Harewood.
- W Sketch Maps on the Trig.-work of Surveyed Districts.
- X Tracings by Heaphy and Torlesse, portions of Middle Island.
- Y Sketch Maps (2) of Canterbury Block.
- Z Ground Plan of Cookson and Bowler's Wharf.
- AA 10 Plans of Sections Surveyed in Port Victoria.
- BB Plans of Sections on Banks' Peninsula, exclusive of Port Victoria.
- CC Plan of Road from Christchurch to the Ferry.
- DD Land Office Copy of Surveyed Districts, 2 inches to a mile.
- EE Land Office Copy of Surveyed Districts, Christchurch.
- FF Land Office Copy of Surveyed Districts, Lyttelton.
- GG Map of Pasturages between Bridle-path and Godley Head.
- HH Land Office, Copy of Lithographic Map.
- II Tracings of the Working Maps, Christchurch District.
- JJ Tracings of the Working Maps, Mandeville District.
- KK Tracings of Reserves for Public Purposes.
- LL Tracings of European Reserves by Carrington.
 - Working Maps of the Christchurch District.
 - Working Maps of the Mandeville District.
 - Working Maps of the Lincoln District.

MM Map of the Canterbury Block, shewing the Third Class Runs.

- 1 Map, N.Z., Arrowsmith.
- 1 Map, Lyttelton.
- 1 Map, Christchurch.
- 2 Lithographic Maps—Surveyed Districts.
- 1 Chart—Port Victoria, &c.
- 1 Sketch Map of Country.
- 1 Map of Pasturages about Lyttelton.
- 1 Map of Norwich Quay.

List Of Field Books.

Topographical Survey—11 Field Books.

Mr. Jollie's Town and Road—Field Books.

Trigonometrical Survey, Messrs. Cass, Torlesse and Boys—9 Field Books.

Land and Sections around Christchurch—4 Field Books.

Transit Instrument One [handed over to the Provincial Engineer]

Theodolite (six inch) Two

Theodolite (five inch) Five

Sextant One

Quadrants Two

Artificial Horizons Two, wanting mercury

Protractors (brass) Two

Protractors (card) Nine

Pentagraph One

Standard Scale (3 feet) One

Brass Straight Edge (5 feet) One

Steel Straight Edge (30 inches) One

T Square (mahogany) One

Level One

Levelling Staves Two

Brass Rolling Parallels (12 inches) Three

Ebony Rolling Parallels (12 inches) One

Brass Rolling Parallels (3 feet) One

Ebony Rolling Parallels (2 feet) One

Box of Ivory Plotting Scales One

Extra Plotting Scales Nine long and Six offset

Box of Drawing Instruments One

Box of Drawing Pens One

Pocket Sextants Two

Prismatic Compasses Two

Pocket Compass One

Rain Gauge One

Universal Dial One

Barometer One

Thermometers Two
 Camera Lucida One, out of order
 Chronometer Compass One
 Standard Chain One
 Gunter's Chains Twenty, 17 perfect, 3 broken
 Arrows for do Twelve sets
 Lithographic Press One, complete
 Stone One
 Telescope One
 Chronometer Watch One, out of order
 Weights (map) Nine
 Tape Measure One
 Leather Slings for Theodolite Legs One set
 Log Glass One
 Log Chip One
 Erasing Knives Two
 Wafer Stamps Two
 Colour Pallets Six
 One Large Drawing Table.
 One Small Drawing Table.
 One Writing Table with Drawers.
 One Common Table, fixture under staircase.
 Two Tables in Land office (one of them in the Registrar's Office).
 Seal and Press.
 Sundry Cupboards, Pigeon-holes, and other fittings in Offices.
 Packing cases
 Fire Annihilator

Sundry Stores.

Bill Hooks Two
 Axe One
 Camp Oven One
 Camp Kettle One
 Frying Pan One (broken)
 Branding Irons Two Sets
 Bucket One
 Block (double) One
 Hooks Two Gate Bar One
 Trig. Clamp Irons Two
 Saw, Crosscut One
 Saw, Hand One
 Pickaxe One
 Beetle Rings One Set
 Grindstone One

Ranging Poles Four
Pile Driver One

Stationery, Drawing Materials, &c.

Antiquarian Drawing Paper, about 200 Sheets.
Double Elephant Double Cartridge, about 800 Sheets.
Mounted Drawing Paper, about 80 feet.
Tracing Paper, 1 Roll.
Blank Levelling Books, Four.
Pencils, Lead, Three Dozen.
Camel-hair Pencils, Half-dozen.
Colors, Water, Six Cakes.
Indian Ink, Two Pieces.
India Rubber, Half-pound.
Nautical Almanacs, 1848, 1849, 1850.
100 Pieces Iron Piping, more or less.
1 Cast-iron Pit Crane, Jib and Crab complete, on the Jetty at Lyttelton

Lyttelton.

1 Pile Engine, Monkey and Apparatus complete.
Fittings, &c., of Powder Magazine at Sumner (damaged).
Windlass, and part of small Pile Engine.
Sets (more or less) Clamps for Trigonometrical Survey.

Schedule C Referred To In The Foregoing Ordinance.

To All To Whom These Presens Shall Come, I, Robert Henry Wynyard
Commander Of The Most Honourable Order Of The Bath, Officer Administering
The Government, And Commander-In-Chief In And Over The Islands Of New
Zealand, Send Greeting:

Know ye that in pursuance of the provisions of the Ordinance hereunto annexed,
passed by the Superintendent and Provincial Council of the Province of
Canterbury, entitled "The Canterbury Association's Ordinance, Session IV., No.
6," and in exercise of the powers vested in me by an Act of the General
Assembly of New Zealand, passed in the first Session thereof, entitled "The
Public Reserves Act, 1854," and of every other power enabling me in that behalf,
I, the said Robert Henry Wynyard, by and with the advice of my Executive
Council, in the name and on behalf of her most Gracious Majesty Queen Victoria,
do by this Grant, sealed with the public seal of the Islands of New Zealand, grant
unto the Superintendent of the Province of Canterbury and his Successors, all
and singular, the messuages, lands, tenements, and hereditaments, situate in
the Province of Canterbury and Colony of New Zealand, referred to in the

Schedule B of the Canterbury Association's Ordinance hereunto annexed, and specified and set forth in the Schedules to the said Deeds respectively, and more particularly delineated and described by the Maps or Plans thereof respectively, drawn upon skins of parchment annexed to the said Deeds, with all the rights, and appurtenances to the said messuages, lands, tenements, and hereditaments belonging; and all the estate, right, title, and interest (if any,) of her said Majesty therein or thereto, to hold unto the said Superintendent of the said Province of Canterbury and his Successors, upon the several trusts for the Public Service of the said Province in the said Deeds particularly set forth and described, but subject nevertheless to the proviso in that behalf contained in the said Act of the General Assembly for changing the said trusts and appropriating the said premises to other and different purposes of public utility for the public service of the said Province, in the manner in the said Act set forth.

In testimony whereof, I have caused this Grant to be sealed with the public seal of the said Colony of New Zealand.

Given under my hand and sealed under the public seal of the Islands of New Zealand, at Auckland, this Eleventh day of August, in the year of our Lord one thousand eight hundred and fifty-five.

R. H. WYNYARD.

Signed by the said

In the presence of

Schedule D Referred To In The Foregoing Ordinance.

Province Of Canterbury, New Zealand.

£ _____

No. _____

Debenture For

Pounds Sterling.

To the Provincial Treasurer of the Province of Canterbury.

In pursuance of the "Canterbury Association's Ordinance, Session IV No. 6," you are hereby authorized and required to pay on the First day of July, one thousand eight hundred and sixty-five, to the Bearer hereof, out of the General Revenues of the Province of Canterbury, the sum of Pounds sterling, together with interest thereon, in the meantime, at the rate of Six Pounds sterling per centum per annum, commencing from the date hereof, by equal half-yearly payments on the Thirty-first day of December, and the Thirtieth day of June, in each year, such Payments to be made at the Union Bank of Australia, in London.

Dated at Christchurch, this day of one thousand eight hundred and fifty-five.

Sealed by me with the public seal of the Province

Keeper of the Public Records.

In my presence

Member of the Executive Council

Notes.

This Ordinance was passed by the Canterbury Provincial Council and assented to by the Superintendent on 10th July 1855.

7. The Sumner Road Ordinance 1855

Whereas it is desirable that a public highway should be made from Lyttelton through Sumner Valley to the Ferry over the River Heathcote, and that the Owners and Occupiers of private lands through which such highway shall pass should obtain compensation for any damage which they may suffer thereby:

Be I therefore enacted by the Superintendent of the Province of Canterbury, with the advice and consent of the Provincial Council thereof as follows:

1. Certain lands declared to be a road.

From and after the passing of this Ordinance there shall be a Public Road lying within the distance of one chain on either side of the line drawn on the plan to this Ordinance annexed, and marked thereon as the line of the Sumner Road: Provided that such road shall allow one chain in width.

2. Road to be marked out by Provincial Engineer, and deemed a public highway

Such road shall be marked out on the ground by the Provincial Engineer within the limits above described, and, being so marked out, shall be taken and deemed to be a public highway to all intents and purposes whatsoever. Provided always, that in case the lands so taken shall have been enclosed or cultivated, the road taken shall not be deemed a public highway until a good and sufficient fence shall have been erected to enclose such lands from the road, which fence shall be made by the Provincial Government.

3. Owner or Occupier may receive compensation.

If any person being the Owner of the said lands, or of any part thereof, or being entitled to any less estate, term, or interest therein, shall, within two years from the date of the passing of this Ordinance deliver a Statement to the Superintendent, in writing, under his hand, or under the hand of his Agent or Attorney, lawfully authorized, setting forth the damage done to him by the making of such highway, and claiming compensation for the same, and if the amount of compensation so claimed shall appear to be just and reasonable, it shall be lawful for the Superintendent, by and with the advice and consent of the Executive Council, to pay and discharge the same in the manner provided by this Ordinance: Provided nevertheless, that if the amount of compensation so claimed shall appear to the Superintendent and Executive Council to be excessive, such person shall be entitled to receive such amount of compensation as shall be awarded to him in the manner hereinafter provided.

4. Arbitrators and Umpire to be appointed.

Every person delivering such a Statement shall, within seven days after being required by written Notice from the Superintendent so to do, by writing, under his hand, nominate and appoint some person to act as Arbitrator in the case in the manner hereinafter provided, setting forth the name, description, and place of abode of such person so appointed; and the Superintendent shall, within seven days after the receipt of such Statement, nominate and appoint some other person to act as Arbitrator in like manner; and the Arbitrators so appointed shall, before proceeding to business, nominate a third person to act as Umpire in the case if necessary: Provided that such Arbitrators and Umpire shall be persons resident, and who shall have resided at least one year in the said Province: And provided also, that no person having any interest, direct or indirect, in the said lands or any part thereof, shall act as such an Arbitrator or Umpire as aforesaid.

5. Statement to be referred to Arbitrators.

The Superintendent shall, as soon as conveniently may be, refer the said Statement to the Arbitrators so appointed, who shall within one calendar month thereafter consider the same, and shall, by their award, determine the amount of compensation to which the Claimant shall be entitled in respect of the damage done to him by reason of the making of such highway.

6. If Arbitrators cannot agree, case to be referred to Umpire.

If the Arbitrators so appointed shall be unable to agree on the amount of compensation, the case shall be referred to the Umpire, who shall, in like manner, by his award, determine the amount of such compensation, and the award of the Umpire so appointed shall be final.

7. Value added, and damage done to be considered.

In making any award under this Ordinance the value added, as well as the damage done to any lands by the formation of a road, shall be taken into consideration in deciding upon the amount of compensation.

8. Vacancies by death or otherwise to be filled up.

In case any Arbitrator or Umpire shall die, or shall become incapacitated from proceeding to business, or shall refuse to act, before an award shall have been made, the vacancy shall be filled up as in the manner already provided.

9. Grant of land to discharge all claims for compensation.

All the costs of such arbitration and the amount of the compensation awarded thereby shall be a charge upon, and shall be paid compensation. out of the public revenues of the said Province. Provided always, that if any person entitled to such compensation shall accept and receive in lieu thereof a Grant of waste lands of the Crown under any Regulations at any time in force within the said Province in that behalf, he shall not be entitled to receive any further compensation out of the public revenues of the said Province, but such Grant of waste land shall be taken and deemed to be a full and sufficient discharge of all claims on account of any damage he may have sustained by the making of such highway as aforesaid.

10. Title.

This Ordinance shall be entitled and may be cited as the " Sumner Road Ordinance, Session IV., No. 7."

Notes.

This Ordinance was passed by the Canterbury Provincial Council, and assented to by the Superintendent on 10th July 1855.