

Session VII. 1856 (February to May 1856)

1. The Canterbury Association Debentures Ordinance 1856

Whereas by an Ordinance of the Superintendent and Provincial Council of the Province of Canterbury, entitled "The Canterbury Association's Ordinance, Session IV. No. 6," the Superintendent was authorised to issue Debentures charging the public revenues of the said Province with the sum of Twenty-eight Thousand Nine Hundred Pounds, and such Debentures have been issued accordingly: And Whereas it was by the said Ordinance further enacted, that if by any Law or Regulation at any time in force within the said Province such Debentures should 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 should be an effectual discharge of the principal of such Debentures so paid and received: And Whereas it is expedient that such Debentures should be so made payable and receivable accordingly:

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

1. Debentures to be payable for Waste Lands.

Every Debenture issued under the authority of the said recited Ordinance shall, until it be otherwise enacted by competent authority, be payable and receivable for the amount of principal and interest which shall then be due thereon, in the purchase of waste lands of the Crown within the said Province.

2. Title.

This Ordinance shall be entitled and may be cited as "The Canterbury Association's Debentures Ordinance, Session VII., No. 1, 1856.

Notes.

This Ordinance was passed on 20th November 1856, and reserved for the Governor's assent. Governor Gore Browne assented to it on 6th January 1857.

2. The Waste Lands Regulation Amendment Ordinance 1856

Whereas certain Regulations for the Disposal, Sale, Letting and Occupation of the Waste Lands of the Crown, in the Province of Canterbury, were issued by the Governor of New Zealand, in a Proclamation, bearing date at Auckland, the Twelfth day of February, one thousand eight hundred and fifty-six, and the said Regulations were amended by certain other Regulations issued by the Governor in a Proclamation bearing date at Auckland, the Fourteenth day of August, one thousand eight hundred and fifty-six: And Whereas, by virtue of an Act of the Imperial Parliament, passed in the Session 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," and of certain Acts of the General Assembly of New Zealand, entitled "The Provincial Waste Lands Act, 1854," and "The Waste Lands Act, 1856," respectively, it is lawful for the Superintendent and Provincial Council further to amend the said Regulations, and it is expedient that the said Regulations should be further amended accordingly:

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. Regulations 35 and 43 repealed.

The Regulations standing as the 35th and 43rd in the said Regulations shall be, and the same are hereby repealed; and the Regulations in the Schedule to this Ordinance annexed shall stand in the place thereof, and shall have the force of Law as a part of the said Regulations.

2. Title.

This Ordinance shall be entitled, and may be cited as the "Waste Lands' Regulations Amendment Ordinance, Session VII, No; 2.

Schedule.

35. Save as hereinafter provided, no section of rural land shall be sold containing less than twenty acres; but any section so limited by frontage lines or private lands as to contain less than twenty acres may be sold by auction at the upset price of Forty Shillings per acre, the time and place of sale, and the mode of sale, and payment of purchase money to be as nearly as may be in accordance with the Regulations herein contained applicable to the sale of town land: Provided nevertheless, that if any section so limited shall be included in a Pasturage License with pre-emptive right, the Holder of such License shall be entitled to exercise such pre-emptive right under these Regulations upon payment of the sum of Forty Pounds for such section.

43. If any person shall contract with the Superintendent to make and complete within a given time, any public road, bridge, or drain, or any part of any such road, bridge, or drain, furnishing such security as the Superintendent may require for the due completion of such contract, and shall select such portion of rural land as he shall be willing to accept by way of payment or compensation, or by way of part payment or compensation for such work, it shall be lawful for the Superintendent to reserve such portion of land from public sale for such given time but no longer; and such person shall, on the completion of such contract, be entitled to a free grant of such land, or so much thereof as the Board shall adjudge, not exceeding one acre for every Two Pounds sterling, which the Superintendent shall certify to the Waste Lands Board to be the bona fide value of the work so done by such person according to the prices for work and materials at the time of performing such contract current in the district.

Every such reservation of land from public sale shall be published in in the Government Gazette of the Province as directed in Clause 19 of these Regulations.

No such reservation shall continue in force for a longer period than twelve calendar months from the date on which it shall have been made.

No land included in a Pasturage License with pre-emptive right shall, as against the Holder of such pre-emptive right, be so reserved or granted until he shall have been allowed the option of purchasing such land in the manner prescribed in Clauses 64 and 66 of these Regulations.

No greater amount of land than two hundred and fifty acres shall, under the provisions of this Clause, be reserved or granted to any one person under any such contract, unless in payment of work for which a Vote has been passed by the Provincial Council.

No greater amount of land than one thousand acres in the aggregate shall, in any one year, be reserved or granted under the provisions of

this Clause, without the special sanction of the Provincial Council.

Provided always that every parcel of land so granted shall be subjected to the same conditions as to form and frontage as any rural land sold under these Regulations: Provided also that no application for less than twenty acres shall be received under this Clause but that where any amount of compensation awarded by the Board shall be a less extent than twenty acres of land, the person entitled may pay the balance in cash upon the same terms as other Applicants for the purchase of rural lands under these Regulations.

Notes.

This Ordinance was passed by the Canterbury Provincial Council on 26th November 1856, and reserved for the Governor's assent. Governor Gore Browne assented on 6th January 1856. This Ordinance was repealed by the Land Act 1877.

The Waste Lands Regulations were further amended by "the Waste Lands Regulations Amendment Ordinance 1858 [Session IX., No. 1.]. This was, however, disallowed by the Governor.

3. The Loan Ordinance 1856

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

1. Superintendent may raise any sum not exceeding £30,000, and issue Debentures.

It shall be lawful for the Superintendent to raise, by way of Loan, a sum not exceeding Thirty Thousand Pounds sterling, and to issue Debentures to that amount, and such Debentures, when issued, shall be and are hereby charged and made chargeable upon the Public Revenues of the Province of Canterbury.

2. Debentures to be in the form set forth in the Schedule.

Every such Debenture shall be issued for a sum of not less than One Hundred Pounds, and shall be in the form set forth in the Schedule A to this Ordinance, and shall be numbered consecutively, and shall be dated on the day on which the same shall be issued, and shall be signed by the Superintendent and sealed with the public seal of the Province.

3. To bear interest not exceeding eight per centum per annum. Interest, where payable.

Every such Debenture shall bear interest at a rate not exceeding Eight Pounds sterling per centum per annum, and such interest shall be payable at the Provincial Treasury of the said Province, or at such other place or places as the Superintendent may direct, on the Thirtieth day of June, and the Thirty-first day of December, in each year.

4. Principal payable at Treasury after fifteen years.

The principal of every such Debenture shall be made payable and shall be repaid at the said Provincial Treasury upon the expiration of fifteen years from the day of the issue thereof.

5. Principal and interest charged on general revenues of the Province.

The Superintendent is hereby authorised and required to cause such principal and interest to be paid out of the General Revenues of the said Province.

6. Provision for a sinking fund.

For the purpose of providing a sinking fund for the liquidation of the principal of the debt which may be incurred under the authority of this Ordinance, the Superintendent shall cause, during the first three years which shall elapse from the issue of such Debentures, to be set apart, annually, out of the general revenues of the Province of Canterbury a sum equal to two per centum of the amount of such Debentures, and during the next twelve years a sum equal to four per centum of such amount, as a sinking fund, to be invested in such securities as the Provincial Council shall, by any Resolution to be passed in that behalf direct.

7. Money to be expended in immigration and public works.

No portion of the sum of Thirty Thousand Pounds to be borrowed under the authority of this Ordinance shall be expended in any other way than in the immigration of persons to the Province from Great Britain and Ireland, under any Regulations for the time being legally in force for the conduct of such immigration, or on the public works within the said Province, in accordance with Resolutions to be passed in that behalf by the Provincial Council thereof.

8. Title.

This Ordinance shall be entitled, and may be cited as the " Loan Ordinance, Session VII., No. 3."

Schedule.

No.	Form Of Debenture	No.
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Debenture For One Hundred Pounds Sterling.

To the Provincial Treasurer of the Province of Canterbury.

In pursuance of the "Loan Ordinance, 1856, Session VII., No. 3," you are hereby authorised and required, fifteen years from the date hereof, to pay to the Bearer hereof, out of the general revenues of the Province of Canterbury, the the sum of One Hundred Pounds sterling, together with interest thereon in the meantime, at the rate of pounds sterling per centum per annum, commencing from the date hereof, by equal half-yearly payments, on the Thirtieth day of June, and the Thirty-first day of December, in each year; such payments to be made at the Provincial Treasury, in the said Province, or such other place as the Superintendent shall appoint.

Dated at Christchurch, this day of 185 .

Superintendent.

Sealed by me with the Public Seal of the Province,

Keeper of Public Records.

In my presence
Member of Executive Council.

Notes.

This Ordinance was passed by the Canterbury Provincial Council and assented by the Superintendent on 20th November 1856.

These Debentures were made payable at the Union Bank of Australia in London, by the "Loan Ordinance Amendment Ordinance, Session XI., No. 1." It was assented to 6th February, 1857.