



NEW ZEALAND GOVERNMENT GAZETTE.

Published by Authority.

All Public Notifications which appear in this Gazette with any Official Signature thereunto annexed, are to be considered as Official Communications made to those Persons to whom they may relate and are to be obeyed accordingly.

*By His Excellency's Command,
C. W. RICHMOND, Colonial Secretary.*

Vol. IV.] AUCKLAND, MONDAY, AUGUST 4, 1856. [No. 26.

Colonial Secretary's Office, Auckland,
31st July, 1856.

HIS Excellency the Governor is pleased to notify for general information that he has received a despatch from the Right Hon. Henry Labouchere, one of Her Majesty's Principal Secretaries of State, stating that Her Majesty had approved of the appointment of the undermentioned gentleman to a seat in the Legislative Council of the General Assembly, and transmitting a Warrant under the Royal Sign Manual and Signet, authorising his being summoned to that Council accordingly.

The Hon. JOHN YEEDEN LLOYD, Esquire.
By His Excellency's command,
C. W. RICHMOND,
Colonial Secretary,

Colonial Secretary's Office, Auckland,
29th July, 1856.

THE Governor directs it to be notified for general information, that

RICHARD WESTENRA, Esq.,
having requested that his name should be removed from the Commission of the Peace for the Province of Canterbury, His Excellency has complied with his request.

By His Excellency's command,
C. W. RICHMOND,
Colonial Secretary.

COLONIAL BANK OF ISSUE.

TOTAL Amount of Notes in circulation at the Offices of the Colonial Bank of Issue, at Auckland and Wellington, on the 14th day of June, 1856, being the close of the preceding four weeks, as per Returns furnished by the Managers.

| | |
|-------------------------------|---------|
| 5 <i>l.</i> and upwards | £26,205 |
| Under 5 <i>l.</i> | 26,668 |

Total..... 52,873

Total Amount of Coin held by the same offices on the same day:—

| | £ | s. |
|--------------|--------|----|
| Gold | 21,233 | 10 |
| Silver | 639 | 10 |

Total..... 21,873 0

I, Henry Sewell, the Colonial Treasurer, do hereby certify that the above is a true account, as required by the Ordinance, No. 16. Sess. 8.

HENRY SEWELL,
Colonial Treasurer.

Dated at Auckland, this
16th day of July, 1856.

The sum of £31,600 has been invested under the Warrant of His Excellency the Governor in the purchase of £33,066 1*s.* 1*l.* 3 per Cent.—Consols, by arrangements made through the Lords Commissioners of Her Majesty's Treasury.

Colonial Secretary's Office,
Auckland, 31st July, 1856.

IN pursuance of the provisions of the New Zealand Constitution Act, His Excellency the Governor directs the publication of the following Acts of the General Assembly for public information.

By His Excellency's command,

C. W. RICHMOND,
Colonial Secretary.



NELSON WESLEYAN CHAPEL SALE ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

Session 4, No. 7.

ANALYSIS.

| | | |
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| Title. | | and hold same upon trusts for use of Wesleyan Methodists. |
| Preamble. | | |
| 1. Power to sell land &c. at Nelson. | | 3. Trustees' receipts to be sufficient discharges. |
| 2. Trustees to invest proceeds in purchase of other land and to erect buildings | | 4. Appointment of new trustees. |
| | | 5. Short Title. |

Title.

AN ACT to authorise the Sale of certain Land in the Town of Nelson, and of Buildings thereon, appropriated as a Chapel and School-house for the use of the Wesleyan Methodists; and to provide for the Investment of the Proceeds of Sale in the purchase of other Lands and the Erection of Buildings, to be vested in Trustees and appropriated for the like purposes.

(Assented to 29th July 1856)

Preamble.

WHEREAS by a certain Deed of Grant, bearing date the sixth day of September one thousand eight hundred and fifty-one, under the seal of the Province of New Munster, all that piece or parcel of land, situate, lying, and being in the town of Nelson, in New Zealand, containing one-quarter of an acre more or less, bounded on the North East and South by Bridge-street, and on the West by Waimea-street, with all the rights and appurtenances whatsoever thereunto belonging, was granted unto James Watkin, of the Settlement of Wellington, Wesleyan Minister; Samuel Ironside, of the Settlement of Nelson, Wesleyan Minister; John Aldred, of the Settlement of Wellington aforesaid, Wesleyan Minister; William Hough, of the Settlement of Nelson, Storekeeper; Adam Jackson, also of Nelson, Carter; John Riley, also of Nelson, Carpenter; and Richard Wallis, of Waimea East, in the district of Nelson, Schoolmaster, to hold unto the said James Watkin, Samuel Ironside, John

Aldred, William Hough, Adam Jackson, John Riley, and Richard Wallis, and the survivors of them, and the heirs and assigns of such survivor upon trust, to permit the said land and all buildings thereon erected or to be erected to be for ever appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley. AND WHEREAS the said site and the buildings erected thereon as aforesaid have become inappropriate for the purposes of the said trust, and the said trustees are desirous of selling and disposing of the same, and of investing the moneys to arise from such sale in the purchase of another and more appropriate site for and the erection thereon of suitable buildings to be appropriated and used for the purposes of the said trust.

BE IT ENACTED by the General Assembly of New Zealand as follows :

1. It shall be lawful for the trustees or trustee for the time being of the said piece or parcel of land, buildings, and premises, so appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley, and situated within the said town of Nelson as aforesaid, at any time after the passing of this Act, absolutely to make sale and dispose of the said trust premises, either by public auction or by private contract, and in such manner as the said trustees or trustee for the time being shall think fit, and to convey the same trust premises when sold to the person or persons who shall agree to become the purchaser or purchasers thereof.

Power to sell land &c. at Nelson.

2. The said trustees or trustee for the time being shall, immediately after such sale, lay out and invest the money which shall arise from such sale in the purchase of an appropriate site within the said town of Nelson, and in the erection thereupon of a chapel and school-house ; and the said trustees or trustee for the time being, and the survivors and survivor of them, and the heirs and assigns of such survivor, shall stand and be seized of the hereditaments so to be purchased as aforesaid, and of the chapel and school-house to be erected and built thereon as aforesaid, upon trust to permit the same to be for ever appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley.

Trustees to invest proceeds in purchase of other land and to erect buildings and hold same upon trusts for use of Wesleyan Methodists.

3. Every receipt which shall be given by the said trustees or trustee for the time being for the purchase-money of the hereditaments hereby authorised to be sold, shall be a good, valid, and sufficient acquittance for the same ; and every sale which shall be made, and every contract for sale which shall be entered into, and every conveyance which shall be executed by the said trustees or trustee for the time being, under the authority of this Act, shall be binding and conclusive on all persons claiming any benefit or interest under the trusts of the said Deed of Grant, of the sixth day of September, one thousand eight hundred and fifty-one, saving always

Trustees receipts to be sufficient discharges.

to the Queen's most excellent Majesty, her heirs and successors, and to all and every other person and persons, bodies politic, corporate, and collegiate, his, her, and their heirs, successors, executors, and administrators, all such estate, right, title, and interest (other than such as are expressly barred or meant and intended to be barred by this Act) as they, every, or any of them had and enjoyed, of, in, to, or in respect of the lands and premises hereby authorized to be sold and disposed of previous to the passing of this Act, or could or might have had or enjoyed in case the same had not been made.

Appointment of new trustees.

4. In case at any time after the sale and disposition hereby authorized to be made, the trustees or trustee for the time being acting in the trusts hereinbefore mentioned, or any of them, or any future trustees or trustee to be appointed as hereinafter mentioned, shall die or decline to act, or be absent from the Colony of New Zealand for the space of six calendar months, or be desirous of being discharged from or be incapable of acting in the said trusts or any of them, it shall be lawful for the continuing trustees or trustee, or the executors or administrators of the last acting trustee, or if all the then acting trustees shall decline to act, then for the majority of the trustees so declining to appoint by deed any person or persons to be trustees or trustee in the place of the trustees or trustee so dying or declining to act, or being absent, or being desirous of being discharged, or becoming incapable to act as aforesaid, and upon every such appointment the trust property shall vest without any conveyance in the continuing trustees or trustee jointly with such new trustees or trustee, their heirs and assigns as joint tenants, or if there be no continuing trustees or trustee, then in the new trustees, their heirs and assigns, upon the same trusts and with the same powers as the original trustees or trustee.

Short Title

5. This Act may be cited for all purposes as "The Nelson Wesleyan Chapel Sale Act, 1856."

Examined and certified.

JAS. JNO. PIERCY,

Clerk of Legislative Council.

F. E. CAMPBELL,

Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act.

THOMAS GORE BROWNE,

Governor.

Auckland, July 29th, 1856.



BILLS OF SALE REGISTRATION ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

SESSION 4, No. 8.

ANALYSIS.

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| <p>Title. Preamble.</p> <p>1. Bills of sale to be void unless filed within 21 days.</p> <p>2. Defeazance or condition of Bill of Sale to be written on some paper or parchment.</p> <p>3. Registrar to keep book containing particulars of each Bill of Sale.</p> | <p>4. Fee for filing Bill of Sale.</p> <p>5. Office copies or extracts to be given on payment.</p> <p>6. Satisfaction may be entered.</p> <p>7. Interpretation clause.</p> <p>8. Short title. Schedule.</p> |
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AN ACT for preventing frauds upon creditors by secret Bills of Sale of personal chattels. Title.

(Assented to 29th July, 1856.)

WHEREAS frauds are frequently committed upon creditors by secret bills of sale of personal chattels, for remedy whereof Preamble,
BE IT ENACTED by the General Assembly of New Zealand as follows :

1. Every bill of sale of personal chattels made after the passing of this Act either absolutely or conditionally and subject or not subject to any trust and whereby the grantee or holder shall have power either with or without notice, and either immediately after the making of such bill of sale, or at any future time, to seize or take possession of any property or effects comprised in or made subject to such bill of sale, and every schedule or inventory which shall be thereto annexed or therein referred to, or a true copy thereof, and of every attestation of the execution thereof shall, together with an affidavit of the time of such bill of sale being made or given, and a description of the residence and occupation of the person making or giving the same, or in case the same shall be made or given by any person under or in the execution of any pro-

Bills of Sale to be void unless filed within 21 days.

cess, then a description of the residence and occupation of the person against whom such process shall have issued, and of every attesting witness to such bill of sale be filed with the Registrar or Deputy Registrar of the Supreme Court for the District, Division, or Province within which such bill of sale shall be made or given, within twenty-one days after the making or giving of such bill of sale (in like manner as a warrant of Attorney in any personal action is now by law required to be filed), otherwise such bill of sale shall, as against all assignees of the estate and effects of the person whose goods or any of them are comprised in such bill of sale under any laws now or hereafter to be in force relative to Bankruptcy or Insolvency, or under any assignment for the benefit of the creditors of such person, and as against all Sheriff's officers and other persons seizing any property or effects comprised in such bill of sale, in the execution of any process of any Court of Law or Equity, authorising the seizure of the goods of the person by whom or of whose goods such bill of sale shall have been made, and against every person on whose behalf such process shall have been issued, be null and void to all intents and purposes whatsoever, so far as regards the property in or right to the possession of any personal chattels comprised in such bill of sale, which at or after the time of any bankruptcy or insolvency, or of the execution by the debtor of such assignment for the benefit of his creditors, or of executing such process (as the case may be), and after the expiration of the said period of twenty-one days, shall be in the possession or apparent possession of the person making such bill of sale, or of any person against whom the process shall have issued under, or in the execution of which such bill of sale shall have been made or given, as the case may be.

Defeazance or condition of Bill of Sale to be written on some paper or parchment.

2. If such bill of sale shall be made or given subject to any defeazance or condition or declaration of trust not contained in the body thereof, such defeazance or condition or declaration of trust shall, for the purposes of this Act, be taken as part of such bill of sale, and shall be written on the same paper or parchment on which such bill of sale shall be written, before the time when the same or a copy thereof respectively shall be filed, otherwise such bill of sale shall be null and void to all intents and purposes as against the same persons, and as regards the same property and effects, as if such bill of sale or a copy thereof had not been filed according to the provisions of this Act.

Registrar to keep book containing particulars of each Bill of Sale.

3. The said Registrar or Deputy Registrar shall cause every bill of sale, and every such schedule or inventory as aforesaid, and every such copy filed in his said office under the provisions of this Act to be numbered; and shall keep a book or books in his said office, in which he shall cause to be entered an alphabetical list of every such bill of sale, containing therein the name, address, and description, as well of the person making or giving the same, as of the person to whom or in whose favour the same shall have been given; or in case the same shall be made or given under or in the execution of any process as aforesaid, then the name, addition, and description of the person against whom such process shall have

issued, and also of the person to whom or in whose favour the same shall have been given, together with the number and the dates of the execution and filing of the same, and the sum for which the same has been given, and the time or times (if any) when the same is thereby made payable according to the form contained in the Schedule to this Act, which said book or books, and every bill of sale or copy thereof filed in the said office may be searched and viewed by all persons, at all reasonable times, paying to the officer for every search against one person the sum of two shillings and no more

4. There shall be paid to the Registrar or Deputy Registrar, Fee for filing Bill of Sale. upon the filing of every such bill of sale or a copy thereof as aforesaid, the fee or sum of two shillings and no more.

5. Any person shall be entitled to have an office copy or an extract of every bill of sale, or the copy thereof filed as aforesaid, upon paying for the same at the rate of four pence for every folio of seventy-two words contained in such copy or extract. Office copies or extracts to be given on payment.

6. It shall be lawful for any Judge of the Supreme Court to order a memorandum of satisfaction to be written upon any bill of sale or copy thereof respectively as aforesaid, if it shall appear to him that the debt (if any) for which such bill of sale is given as security shall have been satisfied or discharged. Satisfaction may be entered.

7. In construing this Act, the following words and expressions shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such constructions (that is to say)—The expression “bill of sale” shall include bills of sale, assignments, transfers, declarations of trust without transfer, and other assurances of personal chattels, and also powers of attorney and authorities or licences to take possession of personal chattels as security for any debt, but shall not include the following documents (that is to say) assignments for the benefit of the creditors of the person making or giving the same; marriage settlements; transfers or assignments of any ship or vessel or any share thereof; transfers of goods in the ordinary course of business of any trade or calling; bills of sale of goods in foreign parts or at sea; bills of lading; warehouse keeper’s certificates; warrants or orders for the delivery of goods, or any other documents used in the ordinary course of business as proof of the possession or control of goods, or authorising or purporting to authorise, either by endorsement or delivery, the possessor of such document to transfer or receive the goods thereby represented. The expression “personal chattels” shall mean goods, furniture, fixtures, and other articles capable of complete transfer by delivery, and shall not include chattel interests in real estate, nor shares or interest in the stock, funds or securities of any Government, or in the capital or property of any incorporated or joint stock Company, nor choses in action, nor any stock or produce upon any farms or lands which by virtue of any covenant or agreement, or of the custom of the country, ought not to be removed from any farm where the same shall be at the time of the making or giving of such bill of sale; and personal chattels Interpretation clause.

shall be deemed to be in the "apparent possession" of the person making or giving the bill of sale, so long as they shall remain or be in or upon any house, mill, warehouse, building, works, yard, land, or other premises occupied by him, or as they shall be used and enjoyed by him, in any place whatsoever, notwithstanding that formal possession thereof may have been taken by or given to any other person.

Short title.

8. This Act may be cited for all purposes as the "Bills of Sale Registration Act, 1856."

SCHEDULE.

| Name, &c., of the person making or giving the Bill of Sale or of the person divested of property. | Name, &c., of the person to whom made or given. | Whether Bill of Sale, Assignment, Transfer, or what other assurance and whether absolute or conditional. | Date of Execution. | Date of Filing. | Sum for which made or given. | When and how payable. |
|---|---|--|--------------------|-----------------|------------------------------|-----------------------|
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Examined and certified.

JAS, JNO. PIERCY,

Clerk of Legislative Council.

F. E. CAMPBELL,

Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act,

THOMAS GORE BROWNE.

Governor.

Auckland, 29th July, 1856.



BUILDING SOCIETIES' AMENDMENT ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION 4, No. 9.

ANALYSIS.

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| <p>Title. Preamble.</p> <p>1. Rules may be written or printed on paper or parchment.</p> | <p>2. Member of Building Societies may hold more than five shares.</p> <p>3. Short title.</p> |
|--|---|

AN ACT to amend an Ordinance of the Legislative Council of New Zealand, Session XI, No. 11, intituled "An Ordinance for the Regulation of Building and Land Societies." Title.

(Assented to 29th July, 1856.)

WHEREAS, by an Ordinance of the Governor-in-Chief of Preamble.
New Zealand, by and with the advice of the Legislative Council thereof, passed, in the fifteenth year of the reign of Her Majesty, intituled "An Ordinance for the Regulation of Building and Land Societies," it was amongst other things enacted that two copies, fairly printed on parchment, of all rules made in pursuance of the said Ordinance shall be submitted to the revising officer, and it is also provided that the number of shares held by any one member of a Building Society shall not exceed five; And it is expedient to amend such provision as follows:

Be it enacted by the General Assembly of New Zealand:

1. The rules to be made and submitted to the revising officer, in pursuance of the said recited Ordinance, may be either fairly written or printed on paper or parchment. Rules may be written or printed on paper or parchment.

Member of Building Societies may hold more than five shares in a Society.

2. It shall be lawful for any one member of any Society, established under the provisions of the said in part recited Ordinance, to hold any number of shares in such Society. Provided always that any such Society may, if it shall think fit, by any Rule or Rules certified in manner provided by the said Ordinance, prescribe a maximum number of shares to be held by any one member thereof.

Short title.

3. This Act may be cited for all purposes as the "Building Societies' Amendment Act, 1856."

Examined and certified.

JAS. JNO. PIERCY,

Clerk of Legislative Council

F. E. CAMPBELL,

Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act

THOMAS GORE BROWNE;

Governor

Auckland, 29th July, 1856.



MAGISTRATES INDEMNITY ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

SESSION 4, No. 11.

ANALYSIS.

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| <p>Title. Preamble.</p> | <p>1. All persons heretofore Gazetted as Justices</p> | <p>to be deemed to have been duly appointed.</p> | <p>2 Short title.</p> |
|-----------------------------|---|--|-----------------------|

AN ACT to remove doubts respecting the validity of the appointment of certain Justices of the Peace. Title.

(Assented to 29th July, 1856.)

WHEREAS, doubts have arisen respecting the validity of the appointments of certain persons to be Justices of the Peace, and it is expedient that such doubts be removed; Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand, as follows :

1. All persons whose appointments as Justices of the Peace for the Colony or Islands of New Zealand, or for any Province of the said Colony, have at any time heretofore been notified in the New Zealand "Government Gazette." by the direction of the Governor of the said Colony, or of the Officer lawfully administering the Government thereof, shall be deemed to have been duly appointed as such Justices, notwithstanding such persons may not have been appointed by Commission under the Public Seal of the Colony, and notwithstanding any other defect or informality in their appointments. All persons heretofore Gazetted as Justices to be deemed to have been duly appointed

2. This Act shall be intituled, and may be cited as the "Magistrates' Indemnity Act, 1856." Short title.

Examined and certified.

JAS. JNO. PIERCY,
Clerk of Legislative Council.

F. E. CAMPBELL,
Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act.

THOMAS GORE BROWNE,
Governor.

Auckland, July 29th, 1856.



MARRIAGE ACT AMENDMENT ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION 4, No 12.

ANALYSIS.

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| <p>Title. Preamble. 1. Repealing 17th section of "Marriage Act, 1854."</p> | <p>2. In certain cases Judge of Supreme Court may consent to marriage of Infants.</p> |
|--|---|

title.

AN ACT to amend the "Marriage Act, 1854."

(Assented to 29th July, 1856.)

Preamble.

WHEREAS by the seventeenth Section of the "Marriage Act, 1854," it is provided that, in certain cases, the consent of a Judge of the Supreme Court to the marriage of a person under age may be substituted for the consent of the father, guardian, or mother of such person. **AND WHEREAS** it is expedient that the said provision be amended:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand as follows:

1. The said seventeenth Section of the Marriage Act is hereby repealed.

Repealing 17th section of "Marriage Act, 1854".

2. In case any father, guardian, or mother, whose consent is made necessary by the said Act to the marriage of a person under age, shall be *non compos mentis*, or in case any such guardian shall unreasonably or from undue motives refuse or withhold his consent to a proper marriage, then it shall be lawful for any person desirous of marrying in any of the above mentioned cases to apply by petition to a Judge of the Supreme Court in a summary way, and in case the marriage proposed shall, upon examination, appear to be proper, such Judge shall judicially declare the same to be so, and such judicial declaration shall be deemed and taken to be as good and effectual to all intents and purposes as if the father, guardian, or mother of the person so petitioning had consented to such marriage.

In certain cases Judge of Supreme Court may consent to marriage of Infants.

Examined and certified.

JAS. JNO. PIERCY,

Clerk of the Legislative Council.

F. E. CAMPBELL,

Clerk of the House of Representatives.

In the name of Her Majesty I assent to this act,

THOMAS GORE BROWNE,

Governor.

Auckland, 29th July, 1856.



NEW ZEALAND COLONIAL BANK OF ISSUE WINDING UP ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

SESSION 4, No 13.

ANALYSIS.

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| <p>Title. Preamble. 1. Governor to wind up the affairs of the Bank. 2. May contract with any Banking Company</p> | <p>to wind up affairs. 3. Governor may make investment in Colonial or other Government Securities. 4. Short Title.</p> |
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Title.

AN ACT for enabling the affairs of the Colonial Bank of Issue to be wound up.

(Assented to 29th July, 1856.)

Preamble.

WHEREAS, it is expedient to enable the Governor of the Colony to wind up and close the affairs of the Colonial Bank of Issue ;

BE IT ENACTED by the General Assembly as follows :

Governor to wind up the affairs of the Bank,

1. It shall be lawful for the Governor of the Colony, at such time and in such manner as may be deemed convenient after the passing of this Act, to wind up, close, and settle the affairs of the Colonial Bank of Issue ; and for that purpose, when and as may be deemed expedient, to call in all outstanding Notes of the said Bank, and pay the same without any power of reissuing the same. And to sell and dispose of, call in and convert into money all Parliamentary and Public Stocks or Funds, and all property whatsoever held on account of the said Colonial Bank of Issue, and to apply the proceeds thereof towards satisfying the liabilities of the said Colonial Bank of Issue. And as to the surplus, if any, of such proceeds to apply the same in such manner as shall be directed by any Act of the General Assembly. And to make good any deficiency of such proceeds out of the General Revenue of New Zealand.

2. It shall be lawful for the Governor to contract with any Banking Company for the winding up of the affairs of the said Colonial Bank of Issue, upon such terms and conditions as may be agreed on. Provided that in every such contract there shall be an express condition that such Banking Company shall save harmless and keep indemnified the Colony of New Zealand, and the Government and Revenue thereof from and against all losses and liabilities whatsoever on account of the said Colonial Bank of Issue.

May contract with any Banking Company to wind up affairs,

3. Pending the winding up and settlement of the affairs of the said Bank, it shall be lawful for the Governor, from time to time, to invest any monies held on account of the said Colonial Bank of Issue upon the security of Debentures charged on the Public Revenue of the Colony of New Zealand, or upon any other Public Securities of the said Colony.

Governor may make investments in Colonial or other Government Securities.

4. This Act shall be entitled the "New Zealand Colonial Bank of Issue Winding up Act, 1856."

Short Title.

Examined and certified.

JAS. JNO. PIERCY,

Clerk of Legislative Council.

F. E. CAMPBELL,

Clerk of House of Representatives.

In the name of Her Majesty I assent to this Act.

THOMAS GORE BROWNE,

Governor.

Auckland, 29th July, 1856.



NEW ZEALAND DEBENTURE ACT, 1856.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

SESSION 4, No. 14.

ANALYSIS.

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| <p>Title. Preamble.</p> <ol style="list-style-type: none"> 1. Governor may borrow not exceeding £100,000 on debentures. 2. Debentures to be in the form set forth in the Schedule. 3. To bear interest not exceeding £10 per cent. per annum. Coupons may be appended. 4. Principal and interest charged on revenue from Customs, &c. | <ol style="list-style-type: none"> 5. No priority amongst debenture holders. 6. Principal sums payable not sooner than the 1st day of July, 1858, or later than 1st day of July, 1861. 7. Interest to cease to be payable after day fixed for payment of principal. 8. Governor to cause Debentures to be sold for best prices to be obtained for same. 9. Interpretation of the word "Governor." 10. Short title. Schedule. |
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Title. AN ACT to enable the Governor of New Zealand to raise a Loan not exceeding £100,000 by the issue of Debentures.

(Assented to 29th July, 1856.)

Preamble. WHEREAS it is expedient to raise a temporary Loan for the Public Service of the Colony of New Zealand:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand as follows:

Governor may borrow not exceeding 100,000l. on debentures.

1. It shall be lawful for the Governor of New Zealand to borrow any sum or sums of money, not exceeding in the whole the sum of £100,000; and to take up the same on debentures from time to time as he may deem expedient.

2. Such debentures shall be in the form or to the effect set forth in the Schedule to this Act annexed, and shall on the face thereof bear the signatures of the Governor, the Colonial Secretary, and the Colonial Treasurer: Provided always that no debenture shall be issued for a sum less than ten pounds, nor for any fractional part of ten pounds.

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

3. Every such debenture shall be dated on the day on which the same shall be issued, and shall bear interest from that day not exceeding the rate of ten pounds for every one hundred pounds by the year payable half yearly on the first days of January and July in every year at such place in New Zealand or elsewhere as shall be therein named. Provided always that it shall be lawful for the Governor if he shall think fit to direct, that coupons in such form as he shall approve shall be appended to all or any of such Debentures, and such coupons shall be sufficient warrants or authorities for the payment of the interest therein specified as the same shall from time to time become due.

To bear interest not exceeding £10 per cent. per annum. Coupons may be appended.

4. The principal and interest of such debentures are hereby charged upon and made payable out of the revenue arising in the Colony of New Zealand from the duties of import and export and from all taxes, duties, rates, and imposts levied or to be levied under any Act or Acts of the said General Assembly.

Principal and interest charged on Revenue from Customs, &c.

5. The holder of any debenture issued under this Act shall not have any preference over any other such holder by reason of priority of date of such debenture or otherwise.

No priority amongst debenture holders.

6. The principal sum secured by any such debenture shall be payable on some day certain to be named in such debentures not sooner than the 1st day of July, 1858, or later than the 1st day of July, 1861.

Principal sums payable not sooner than the 1st day of July, 1858, or later than the 1st day of July, 1861.

7. Interest shall cease to be payable on any debenture issued under this Act on the day next after the day fixed for the payment thereof.

Interest to cease to be payable after day fixed for payment of principal.

8. The Governor shall cause every such debenture issued under the authority of this Act to be sold either in New Zealand or elsewhere, by public competition or otherwise, for the best price that can be obtained for the same.

Governor to cause debentures to be sold for best prices to be obtained for same.

9. In the interpretation of this Act, the word "Governor" shall be deemed to include the Officer administering for the time being the Government of the Colony of New Zealand.

Interpretation of the word "Governor."

10. This Act may be cited for all purposes as the "Debenture Act, 1856."

Short Title.

