

P A P E R S

RELATING TO

THE PURCHASE OF LAND IN THE MANAWATU
DISTRICT BY COLONEL FEILDING,

AND

THE WANGANUI BRIDGE TOLLS.

LAI D O N T H E T A B L E B Y T H E H O N O U R A B L E M R . F I T Z H E R B E R T , A N D T H E H O N O U R A B L E
M R . V O G E L , W I T H L E A V E O F T H E H O U S E .

WELLINGTON.

—
1872.

PAPERS RELATIVE TO THE PURCHASE OF LAND AT MANAWATU BY COLONEL FEILDING, ETC.

No. 1.

The Hon. W. GISBORNE to His Honor W. FITZHERBERT.

SIR,— Colonial Secretary's Office, Wellington, 25th January, 1872.

Your Honor is already aware that, after much consideration and consultation with yourself, an agreement was entered into between Her Majesty and the Hon. Colonel Feilding, as the representative of the Emigrant and Colonist's Aid Corporation, for the sale and occupation of a block of 106,000 acres in the district of Manawatu.

As you will probably desire to have a copy of the agreement for official record, I now enclose one for that purpose.*

His Honor the Superintendent, Wellington.

I have, &c.,
W. GISBORNE.

No. 2.

The Hon. W. GISBORNE to His Honor W. FITZHERBERT.

SIR,— Colonial Secretary's Office, Wellington, 9th March, 1872.

I have the honor to inform you that the subject of the disposal of the funds received for the sale of portions of the land included in the Second Schedule of "The Wellington Debts Act, 1871," has been brought under my notice through a sum of £207 19s. having been paid to the Public Account by the Receiver of Land Revenue, in terms of Act already mentioned.

As the Province only desires that the sum of £75,000 shall be raised under that Act, and the General Government already hold bills to an equal amount, received from Colonel Feilding on behalf of the Emigrant's Aid Society for the purchase of a portion of the land; and as payment on account of such land will have to be made by the General Government, as required by "The Public Works and Immigration Act, 1871," I have directed that all moneys, other than the proceeds of these bills, received for sales of that land, shall be paid over from time to time to the Province.

His Honor the Superintendent of Wellington.

I have, &c.,
W. GISBORNE.

No. 3.

MEMORANDUM for His Honor the SUPERINTENDENT, Wellington.

THE upset price of the land comprised in the Second Schedule of "The Wellington Debts Act, 1871," and of the land comprised in the block sold to the Hon. Colonel Feilding, is, and always has been, not less than twenty shillings per acre.

I have, &c.,
J. G. HOLDSWORTH,
Commissioner, Crown Lands.

Crown Lands Office, 2nd August, 1872.

WANGANUI BRIDGE TOLLS.

No. 4.

Mr. J. WOODWARD to Mr. H. BUNNY.

SIR,— Treasury, Wellington, 16th January, 1872.

I am instructed by the Colonial Treasurer to inform you that, as the cost of erecting the Wanganui Bridge has been provided for out of loans, the Government does not deem it needful to collect the tolls, and will be quite willing to leave the whole to the Provincial authorities, if you see fit to assume the charge.

I have, &c.,
J. WOODWARD,
Assistant Treasurer.

The Provincial Treasurer, Wellington.

* For copy of Agreement, see Sess. Paper, 1872--D. No. 11, p. 5.

No. 5.

The Hon. J. VOGEL to the ATTORNEY-GENERAL.

WILL the Attorney-General be good enough to advise upon the position of the Wanganui Tolls, and upon the effect of the letter written to the Superintendent on the 16th January, by Mr. Woodward.

I have, &c.,

5th August, 1872.

JULIUS VOGEL.

No. 6.

The ATTORNEY-GENERAL to the Hon. J. VOGEL.

6th August, 1872.

As the Colony is secured by a charge on all the revenues of the Province—both Ordinary Revenue and Land Revenue,—and as the tolls, if received by the Province, form part of the Provincial revenues, these tolls are also charged with the liability in question.

The history of the advance is, that in 1869, by the Appropriation Act, the Colonial Government was authorized to advance out of Consolidated Revenue, to the Province, for a period not exceeding seven years, £15,000 for the erection of the bridge.

At the end of the same year (1869), the Province passed an Ordinance reciting the fact of the loan by the Colony, and that the Colony required the security mentioned in such Ordinance. The Ordinance provides that all tolls should be paid to the Colonial Treasurer, and that the Collectors of Tolls should be appointed by the Colonial Treasurer; and the proceeds were to be applied in paying interest, at the rate of £6 per cent., on the loan authorized by "The Appropriation Act, 1869," the balance to go in reduction of principal.

The Provincial Ordinance also provides that the toll-houses shall be vested in the Colonial Treasurer.

This Ordinance provides, that it is to remain in force until the Governor by Proclamation, or by such means as he thinks fit, declares that the debt, &c., is paid.

In 1870, authority was given, by the Defence and other Purposes Loan Act, to raise moneys sufficient to repay to Colony this advance. Provision was made for charging moneys so raised and applied in such repayment, and the interest and sinking fund, &c., of the moneys so raised on the revenues of the Province.

I understand that moneys were so raised and applied.

If that be so, the debt of £15,000 secured by the Provincial Act has been repaid to the Colony; but all the revenues of the Province are charged with the moneys raised for the purpose of such repayment, and, so long as the tolls form part of the Provincial revenues, the Colony cannot be said to be prejudiced by the change in its security.

I think that the letter may be fairly considered an informal mode of carrying out the provisions of the Provincial Act, and be treated as a declaration by the Governor that, the original loan having been repaid, the security on the tolls had been discharged.

I think, therefore, that the Colonial Treasurer cannot now insist upon receiving the tolls or appointing collectors. Nevertheless, the Colonial Government cannot, by anything that has taken place, be deemed to have assented to the Province denuding itself of those revenues which are derivable from the tolls.

JAMES PRENDERGAST.

The Hon. the Colonial Treasurer.