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HOUSE OF REPRESENTATIVES.

RESOLUTIONS OF THE PROVINCIAL COUNCIL OF CANTERBURY,

RELATIVE TO AN ALLEGED OVER-PAYMENT TO THE PROVINCIAL TREASURY ON ACCOUNT OF THE LAND FUND.

Laid on the table of the House April 17th, 1856, and ordered to be Printed.

Provincial Council Chamber,
20th October, 1855.

SIR,—

I have the honor to transmit herewith a copy of certain Resolutions passed by the Provincial Council on the 17th October, on the subject of the Land Fund, and I am directed respectfully to request that you will cause them to be laid on the table of the House.

I have the honor, &c.,

CHARLES BOWEN,

Speaker.

To the Honorable the Speaker
House of Representatives.

Provincial Council Chamber.

Extract from the Journal of Proceedings of the Provincial Council, 17th October, 1855.

Motion made, and question proposed—

That this Council re-affirms the following Resolutions passed in the last Session:—

That this Council is of opinion that the Province of Canterbury is of right entitled to the moneys claimed by the General Government to be refunded, as an alleged over-payment on account of the Land Fund.

That this Council undertakes to sanction such measures as his Honor the Superintendent may be legally advised to adopt, for recovering any sum wrongfully paid to or retained by the General Government in respect of such alleged over-payment.

That this Council fully relies on the General Assembly for seeing right done in the above matter of difference between the Province and the General Government.

That it is indispensably necessary for the proper conduct of Provincial affairs, that the respective Provinces should obtain by law, immediate and direct control over some specific and adequate portion or quota of the Public Revenue. That in order to settle such portion or quota, an equitable adjustment ought to take place between the Provinces, of the public burthens, and that, subject to such adjustment, such portion or quota ought to be fixed with reference to the rights of the respective Provinces under the Constitution Act.

That this Council relies on the General Assembly taking the above matter into their consideration at the earliest possible moment.

2. That this Council has observed with satisfaction the Resolution passed by the House of Representatives on the 13th day of September, in the Session just closed—

That, pending the final adjustment of the public accounts of the Colony, it is just and expedient that the proportion of the Land Fund now in course of being retained by the General Government in repayment of alleged over payments to the Provinces of Canterbury and Nelson, should again be paid over to the Provincial Treasurers of those Provinces for the public uses thereof, according to the present system of advances to Provinces, and that the question of the repayment of such alleged over-payments should remain open until such final adjustment, and be subject to such arrangements for liquidation as may then be deemed necessary.

3. That although the instructions which have recently reached the Commissioner of Crown Lands, bearing date the 15th September, and now before the Council, are in opposition to such Resolution of the Representatives of the Colony, the Council still confidently relies upon the central Executive Government for adopting and giving effect to it without a delay which will be seriously prejudicial to the progress of Canterbury.

4. That, in the opinion of this Council, the accounts between the General and Provincial Governments ought to be adjusted at the earliest period by an independent Board of Audit.

5. That such accounts ought to be placed before the Provincial authorities immediately on the close of each financial year, in order that they may be at once assured of the unappropriated surplus which by law belongs to them.

6. That his Honor the Superintendent be requested to forward the above Resolutions to his Excellency the Governor, praying him to give effect thereto, and that they further be forwarded by Mr. Speaker to the Speaker of the House of Representatives, respectfully requesting that he will cause them to be laid on the table of the House.

Question put and agreed to.

GEORGE A. E. ROSS,
Clerk of the Council.