

Debentures.

No. XL.

DEBENTURES.

AN ACT to enable the Governor of New Zealand to raise a Loan not exceeding Thirty-seven thousand seven hundred and eighty-nine pounds fifteen shillings and fivepence by Debentures.

[5th November, 1860.]

Preamble.

WHEREAS it is expedient to raise a temporary loan of thirty-seven thousand seven hundred and eighty-nine pounds fifteen shillings and fivepence for the public service of the Colony of New Zealand:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act shall be "*The Debentures Act, 1860.*"

Governor may borrow not exceeding £37,789 15s. 5d. on debentures.

2. 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 thirty-seven thousand seven hundred and eighty-nine pounds fifteen shillings and fivepence, and to take up the same on debentures from time to time as he may deem expedient.

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

3. 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.

To bear interest not exceeding 6 per cent. per annum.

4. 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 six 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.

Coupons may be appended.

Principal and interest charged on revenue from Customs.

5. 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.

No priority among debenture holders.

6. 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.

Principal sums payable not later than the 31st day of December, 1863.

7. The principal sum secured by any such debenture shall be payable on some day certain to be named in such debentures, not later than the thirty-first day of December, one thousand eight hundred and sixty-three.

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

8. 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.

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

9. 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.

10. In

New Zealand Loan.

10. In order to provide ways and means for the liquidation of the principal moneys secured* by the debentures to be issued under this Act, the whole of the surplus ordinary revenue of the Colony, as defined by section six of "*The Surplus Revenues Act, 1858*," in excess of a sum equal to three-eighth parts of the revenue arising from duties of import and export, shall from and after the first day of July, one thousand eight hundred and sixty, and until the liquidation of the said principal moneys, be applicable and applied to the discharge of the same moneys.

Provision for liquidation of principal.

11. Nothing in this Act contained shall prejudice vary or affect any security granted under or by virtue of "*The New Zealand Loan Act, 1856*," and an Act of the Imperial Parliament passed in the twentieth and twenty-first year of the reign of Her present Majesty, intituled "*An Act to guarantee a Loan for the Service of New Zealand*," or either of them.

Saving of securities of "*The Loan Act, 1856*."

SCHEDULE.

NEW ZEALAND DEBENTURE.

No. in words } and figures. }	Date.	{ No. in words and figures.
Amount in words } and figures. }		{ Amount in words and figures.

DEBENTURE for the sum of (pounds) sterling, issued under the authority of an Act of the General Assembly of New Zealand, intituled "*The Debentures Act, 1860*."

ON presentation at the Colonial Treasury in New Zealand, on the day of , 18 , the bearer of this debenture will be entitled to receive the sum of £ Sterling. Interest in the meantime after the rate of per centum per annum will be payable to the bearer of this debenture on the first days of and in every year, at the [Colonial Treasury, Auckland, or at the Bank of Sydney, or elsewhere, as the case may be].

Dated at Government House, this day of 18 .
A.B., Governor.
C.D., Colonial Secretary.

Entered at the Colonial Treasury, New Zealand, and issued at this
day of , 18 .

Colonial Treasurer.

NOTES.—The principal and interest of this debenture are charged upon and payable out of the revenue arising from the duties of import and export, and all taxes duties rates and imposts levied by the General Assembly.

No interest will be paid on this debenture after the day therein fixed for the payment of the same.