

Arms.

ful for any two Justices of the Peace, upon application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied as to the amount of such damage by the oath or solemn affirmation as the case may require of two witnesses competent from practical knowledge or otherwise to estimate the same, to award to the party sustaining such damage any sum not exceeding twenty pounds by way of compensation for the same.

And in certain cases although the land be not substantially fenced.

3. In case the person sustaining any such damage shall be of the Native race, it shall be lawful for the said Justices in like manner to award compensation although the land trespassed upon shall not be substantially fenced: Provided always that it shall be lawful for His Excellency the Governor by Proclamation from time to time to declare certain districts within which persons of the Native race shall not be entitled to recover compensation unless the land trespassed upon shall be substantially fenced, and the limits of such districts from time to time to alter as occasion may require, and also, if he shall see fit, to revoke the Proclamation by which any such district shall have been declared.

Penalty for cattle wandering in public streets.

4. If any cattle shall be found wandering at large in any street or public place within the limits of any town or village which shall be proclaimed by the Governor to come within the operation of this present provision, the owners thereof shall forfeit and pay for every head of cattle so wandering any sum not exceeding five shillings, to be recovered in a summary way: Provided always that any town or village which may already have been proclaimed to come within the operation of the said first recited Ordinance shall be deemed and taken to come within the operation of this present provision from and immediately upon the passing of this Ordinance.

Interpretation.

5. For the purposes of this Ordinance the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government of the Colony for the time being, and the word "Cattle" shall be taken to include horned or neat cattle horses mules asses sheep goats and swine.

Commencement.

6. This Ordinance shall come into operation on the first day of January, one thousand eight hundred and forty-seven.

No. XVIII.

ARMS.

AN ORDINANCE to regulate the Removal and the Making and Repairing of Arms Gunpowder and other Warlike Stores within the Colony of New Zealand.

[12th November, 1846.]

Preamble.

WHEREAS provision hath been made for regulating the importation and sale of arms gunpowder and other warlike stores, and it is expedient that restriction should also be placed on the removal making and repairing of the same:

BE IT ENACTED by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—

Arms &c. not to be removed without a license.

1. It shall not be lawful for any person to remove or cause to be removed from any one part of the Colony of New Zealand to any other

Native Land Purchase.

other part of the said Colony, either by inland carriage or coastways, any arms or other warlike stores or any gunpowder exceeding the weight of two pounds without a license for removing and carrying the same granted by some Justice of the Peace: Provided always that nothing herein contained shall extend or be construed to extend to prevent any person from carrying arms for the defence of his person or for sporting as by law he might before the passing of this Ordinance.

2. Every person who shall remove or cause to be removed any such arms gunpowder or other warlike stores contrary to the provisions of this Ordinance, shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than five pounds, to be recovered in a summary way.

Penalty for removing.

3. It shall be lawful for any Justice of the Peace, upon information on oath, to search for and seize, or to grant a warrant to any person to search for and seize, and for any officer of the Navy on full pay, harbour master, officer of Customs, police officer or constable, or for any other person acting in his or their aid and assistance, without such information on oath, to search for and seize all such arms gunpowder and other warlike stores which shall be in progress of removal or shall be removed without such license, or without producing such license on demand of any such person as aforesaid. And all such arms gunpowder and other warlike stores so to be seized as aforesaid shall be forfeited to Her Majesty.

Arms &c. on removal may be searched for and seized.

4. No person shall make construct amend or repair any arms gunpowder or other warlike stores without a license to be for that purpose granted under the authority of His Excellency the Governor.

No person to repair arms &c. without a license.

5. Every person who shall make construct amend or repair any arms gunpowder or other warlike stores without having obtained such license, shall for every such offence forfeit and pay any sum not exceeding fifty pounds nor less than five pounds.

Penalty.

6. Provided always that nothing herein contained shall extend to prevent the removal or the making or repairing of arms gunpowder and other warlike stores by or on account of the New Zealand police force, or by or on account of Her Majesty's land or sea forces.

Not to prevent the repairing of arms for Her Majesty's land or sea forces &c.

7. For the purposes of this Ordinance the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government of the Colony for the time being.

Interpretation.

8. This Ordinance shall come into operation on the first day of January, one thousand eight hundred and forty-seven.

Commencement.

No. XIX.

AN ORDINANCE to provide for the Prevention, by Summary Proceeding, of Unauthorized Purchases and Leases of Land. [16th November, 1846.]

NATIVE LAND PURCHASE.

WHEREAS it is essential to both the peaceable and prosperous colonization of New Zealand that the disposal of land therein should be subject to the control of the Government of the Colony; and to that end the right of pre-emption in and over all lands within the Colony hath been obtained by treaty and is vested in Her Majesty, her heirs and successors; and all lands alienated without the sanction of the Crown by any person of the Native race to any person not of the same race do by virtue of such alienation vest in the Crown as

Preamble.

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