

181

(Hon. Mr. McLean.)

### Outlying Districts Sale of Spirits.

#### ANALYSIS.

Title.  
Preamble.  
1. Short Title.

2. Certain Orders in Council issued under the said Act validated.  
Schedule.

#### A BILL INTITULED

AN ACT to validate certain Orders in Council issued under the provisions of "The Outlying Districts Sale of Spirits Act, 1870."

WHEREAS by the seventeenth section of "The Outlying Districts Sale of Spirits Act, 1870," (hereinafter referred to as "the said Act,") it is enacted that the Ordinance of the Lieutenant-Governor and Legislative Council of New Zealand, intituled "An Ordinance to prohibit the Sale &c. of Spirits, and to regulate the Sale &c. of other Intoxicating Liquors, to persons of the Native Race," Session VIII. No. 3, shall except in any such town district or province as may be included in any such Order in Council as thereinafter provided, be repealed on and from the thirty-first day of December, one thousand eight hundred and seventy:

And whereas by the eighteenth section of the said Act, it is further enacted that it shall be lawful for the Governor in Council at any time before the said thirty-first day of December, one thousand eight hundred and seventy, to suspend the operation of the last preceding section of the said Act, within any town province or district within the colony, and at any time thereafter to revoke any such Order in Council, and upon any such revocation the said Ordinances shall be repealed within the town district or province to which the said last-named order relates:

And whereas in exercise and pursuance of the powers and authorities vested in him by the said Act, Sir George Ferguson Bowen, the then Governor of the Colony of New Zealand, did under and by virtue of divers Orders in Council, bearing date respectively the thirty-first day of December, one thousand eight hundred and seventy, order and declare that the operation of the said seventeenth section of the said Act should be and the same was thereby suspended in the respective districts mentioned in the first column of the Schedule hereto, which said Orders in Council were published in the *New Zealand Gazette* at the dates and times respectively set out in the second column of the said Schedule:

And whereas doubts have arisen whether the said Orders in Council are valid and effectual, inasmuch as the same were not made before the said thirty-first day of December, one thousand eight hundred and seventy, as provided by the said eighteenth section, but bear date on the said thirty-first day of December, one thousand eight hundred and seventy, and it is expedient to set at rest such doubts:

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 Outlying Districts Sale of Spirits Act 1870 Orders in Council Validation Act, 1874.” 5

Certain Orders in Council issued under the said Act validated

2. The several Orders in Council bearing the date and published in the *New Zealand Gazette* of the number and date mentioned respectively in the second column of the Schedule hereto, suspending or purporting to suspend the operation of the said seventeenth section of the said Act in the several districts mentioned and described in the first column of the Schedule hereto, shall be, and the same are hereby declared to have been, valid and effectual, to all intents and purposes, from the said thirty-first day of December, one thousand eight hundred and seventy; and the operation of the said seventeenth section shall be, and be deemed to have been from the said thirty-first day of December, one thousand eight hundred and seventy, suspended in the said districts respectively as if the said Orders in Council bore date and had been made and published prior to the said thirty-first day of December, one thousand eight hundred and seventy. 10 15

Schedule.

### SCHEDULE.

First Column.	Second Column.
<p style="text-align: center;">AUCKLAND.</p> <p>The district comprising all that area which is bounded towards the North by a line from Okura on the East Coast to Muriwai on the West Coast; towards the East by the sea, Waitemata Harbour, Whau Creek and Portage, to the Manukau Harbour; towards the South by the Manukau Harbour; and towards the West by the sea to Muriwai, the commencing point: Also all that area which is bounded towards the North by the Waitemata Harbour from the Meola Stream to the north-west angle of Lot No. 38A of Tamaki Farms; and thence towards the East, South, and West by the boundaries of the Auckland Municipal Police District (including the Town of Auckland).</p>	<p>Orders in Council bearing date respectively the 31st day of December, 1870, and published in the <i>New Zealand Gazette</i>, No. 5, dated the 20th January, 1871.</p>
<p style="text-align: center;">WAIUKU.</p> <p>The district bounded towards the North by the Manukau Harbour; towards the East by the eastern and northern boundaries of the Parish of Puni, by part of the eastern boundary of the Parish of Waiuku, and by a line southerly from the south-eastern angle of Camerontown to the summit of and along the watershed between the Waikato River and the West Coast, to a point due east of Waikorea on the West Coast; towards the South by a line to Waikorea; and towards the West by the sea to the South Head of the Manukau Harbour, the commencing point.</p>	
<p style="text-align: center;">PAPAKURA.</p> <p>The district bounded towards the North by the Tamaki Strait from Oreri Point to the mouth of the Wairoa River; thence by the north-western and south-western boundaries of the Parish of Wairoa to a point due east of the south-eastern angle of the Parish of Manurewa; thence by a line due west and by the southern boundary of the Parish of Manurewa to the Manukau Harbour; towards the East by a line from Oreri Point to the Wairoa Range, and along that range and by a line due south to the most northerly source of the Mangatawhiri Creek; thence towards the South by that creek and by the Waikato River; and towards the West by the eastern and northern boundaries of the Parish of Puni, by part of the eastern boundary of the Parish of Waiuku, and by the Manukau Harbour to the southern boundary of the Parish of Manurewa.</p>	
<p style="text-align: center;">ONEHUNGA.</p> <p>The district as defined in the Schedule to the Proclamation of the Governor of New Zealand constituting Resident Magistrates' Districts under “The Resident Magistrate's Act, 1867,” dated the 29th day of November, 1867, and published in the <i>New Zealand Gazette</i>, No. 69, of the 21st day of December, 1867; including all towns therein.</p>	

SCHEDULE—continued.

First Column.

Second Column.

COROMANDEL.

The district comprising all that area which is included within the boundaries of Queen's County (including the Towns of Kapaunga, Shortland, and Grahamstown), and including the adjacent islands.

WAIKATO.

The district as defined in the Schedule to the Proclamation of the Governor of New Zealand constituting Resident Magistrates' Districts under "The Resident Magistrates Act, 1867," dated the 29th day of November, 1867, and published in the *New Zealand Gazette*, No. 69, of the 21st day of December, 1867.

WHANGAREI.

The district bounded towards the East by the sea from Rocky Bay to Cape Bream Tail; thence by the southern and western boundaries of the Parish of Waipu, and the western boundaries of the Parishes of Rururangi and Mangakaramea, to the Waionepu River; thence by a line westerly to Omanu on the Wairoa River; thence by the Wairoa River to its confluence with the Wairoa River; thence by the Wairoa River to the southern boundary of the County of Bedford; and thence easterly by the boundary of that county to the commencing point; including the adjacent islands.

NEW PLYMOUTH.

The district bounded towards the North by a line from the most northerly point of the Province of Taranaki to Te Rua Point; towards the East by portion of the eastern boundary of the Province of Taranaki, and by a line from Waihi Point to the summit of Mount Egmont; towards the South by a line from the summit of Mount Egmont in an easterly direction to the boundary of the Taranaki Province; and towards the South-west and West by the sea (including the Town of Taranaki).

NAPIER AND WAIPUKURAU.

The district bounded towards the North-east by a line from the mouth of the Tongohio River to its source, and by a line drawn North-east from the source of that river to the northern boundary of the Province of Hawke's Bay; towards the North-west and South by the boundaries of the Province of Hawke's Bay; and towards the East by the sea (including the Town of Napier).

WHANGANUI.

The district as defined in the Schedule to the Proclamation of the Governor of New Zealand constituting Resident Magistrates' Districts under "The Resident Magistrates Act, 1867," dated the 29th day of November, 1867, and published in the *New Zealand Gazette*, No. 69, of the 21st day of December, 1867 (including the Town of Whanganui).

OTAKI.

This district as defined in the Schedule to the Proclamation of the Governor of New Zealand constituting Resident Magistrates' Districts under "The Resident Magistrates Act, 1867," dated the 29th day of November, 1867, and published in the *New Zealand Gazette*, No. 69, of the 21st day of December, 1867.

WAIARAPA.

The district bounded towards the North by the southern boundary of Hawke's Bay from the Manawatu Gorge to the sea; towards the East and South by the sea to Cape Taurakirae; towards the North-west by a line running in a north-easterly direction from Taurakirae Head to and along the Rimutaka and Tararua Mountains to the southern boundary of the Province of Hawke's Bay (including all towns).

Orders in Council bearing date respectively the 31st day of December, 1870, and published in the *New Zealand Gazette*, No. 5, dated the 20th January, 1871.

483

SCHEDULE—*continued.*

First Column.	Second Column.
<p style="text-align: center;"><b>WELLINGTON.</b></p> <p>The district bounded towards the North by a right line from the Porirua Ferry to the north-west corner of Section No. 34, Takapu District; thence along the northern boundary of the said section and a line in continuation of the same to the summit of the hills forming the watershed between Port Nicholson and Porirua; thence towards the North-west by the summit of the said hills to the Tararua Range; thence towards the South-east by the summit of the Tararua and Rimutaka Ranges to Cape Taurakirae; and thence towards the South and West by the sea to the commencing point (Porirua Ferry); including the Town of Wellington and other towns, and including the adjacent islands.</p> <p style="text-align: center;"><b>WESTLAND.</b></p> <p>That portion of the colony formerly in the Province of Canterbury, and being now the Province of Westland, comprised within the following boundaries:—The sea coast from the mouth of the River Awarua to the mouth of the River Grey; thence the southern boundary of the Province of Nelson to the saddle between the Rivers Teremakau and Hurunui; thence the watershed between the eastern and western coasts of the said Province of Canterbury to its intersection with the northern boundary of the Province of Otago; thence the said last-named boundary to the commencing point at the mouth of the River Awarua.</p>	<p>Orders in Council bearing date respectively the 31st day of December, 1870, and published in the <i>New Zealand Gazette</i>, No. 5, dated the 20th January, 1871.</p>