

A BILL INTITULED

AN ACT to enable the Governor to acquire land Titls.
required for the Pencarrow Lighthouse.

WHEREAS by an Order made on the fifth day of September one Preamble.
thousand eight hundred and sixty-seven by Thomas Henry Smith
Esquire a Judge of the Native Land Court at a sitting of the said
Court held in Wellington in the Province of Wellington it was declared
5 that Nga Paki te Puni and Henere te Puni both of Pitoone Port
Nicholson Aboriginal Natives of New Zealand were entitled in trust
for themselves and the other members of the Ngatitawhirikura hapu or
branch of the Ngatiawa tribe of Aboriginal Natives of New Zealand to
10 the block of land comprised in the plan marked Pitoone No. II.
appended to a certain Deed of Arrangement bearing date the thirteenth
day of October one thousand eight hundred and forty-seven between
Colonel McCleverty a commissioner appointed for that purpose and
certain Aboriginal Natives including Aboriginal Natives of the said
15 hapu or branch which block of land is in such deed described as follows
—A block of unsurveyed land at Parangarahu including two saltwater
lakes for eel fishing and both banks of the Wainuiomata to section
twenty-five of that district the boundaries being the sea to the west
and south the top of the range of hills east of Wainuiomata to the
east and a line running from the sections in the Lowry Bay District to the
20 Wainuiomata District (excluding the Company's sections) to the crest
of the above hills to the north as shown in the plan number two
Pitoone and including four thousand seven hundred and four and a half
acres and which block of land comprises with other land the piece
or parcel of land described in the Schedule hereto Subject to the
25 provisions of "The Native Lands Act 1865" and "The Native
Lands Act 1866" and subject to a survey of the land comprised
within the said block being deposited in the Native Lands Court
And whereas a lighthouse and keepers residence and store have
been erected upon the piece or parcel of land described in the Schedule
30 hereto at the expense of the Government of New Zealand and it is

necessary for the safety of vessels entering Port Nicholson that the said piece of land should be reserved for the purpose of such lighthouse

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows— 5

Short Title.

1. The Short Title of this Act shall be “The Pencarrow Lighthouse Act 1868.”

Governor may take land for the purpose of lighthouse.

2. Subject to the provisions of this Act it shall be lawful for the Governor by Order in Council to be published in the *New Zealand Gazette* to take for the purpose of the Pencarrow Lighthouse and for the keepers residence store and the necessary space adjacent thereto the piece or parcel of land described in the Schedule hereto annexed. 10

Nga Paki te Puni and Henere te Puni when certified entitled to receive compensation.

3. Nga Paki te Puni and Henere te Puni both of Pitoone Pa Aboriginal Natives of New Zealand on their title to the said land being completely established by the order and certificate of the Native Lands Court shall be entitled to receive compensation for the said land and stand possessed of the money to be received by of compensation for the same in trust for themselves and the other members of the Ngatitawhirikura hapu or branch of the Ngatiawa tribe of the Aboriginal inhabitants of New Zealand and upon such trust and with such conditions and restrictions as the Governor may think fit to direct. 15 20

Failing them the persons certified by the Native Lands Court shall be deemed to be the owners.

4. In the event of the said Nga Paki te Puni and Henere te Puni failing to obtain the certificate of the Native Lands Court to the effect aforesaid then the persons who shall by any judgment or certificate of Native Lands Court be found or certified to be the owners shall be entitled to receive such compensation and the said Nga Paki te Puni and Henere te Puni or the survivors of them or such other persons as aforesaid shall for the purposes of this Act and in the construction of such of the provisions of “The Lands Clauses Consolidation Act 1863” as are made applicable to the settlement of the amount of compensation to be paid for such land be deemed and taken to be the owners of the said land. 25 30

Compensation to be paid.

5. The amount of compensation to be paid shall be settled and determined in the manner provided by “The Lands Clauses Consolidation Act 1863” for settling cases of disputed compensation. 35

Effect of publication of Order in Council.

6. From and after the publication in the *New Zealand Gazette* of the Order in Council to be made as aforesaid the piece or parcel of land described in the Schedule hereto shall be inalienable for any estate or interest whatever to any other than the Queen or such person as the Governor may by order direct. 40

Interpretation.

7. In the construction and application of “The Land Clauses Consolidation Act 1863” so far as the same is made applicable to settlement of compensation to be paid for such land the Governor shall be deemed to be the promoter of the undertaking and the said Nga Paki Te Puni and Henere te Puni shall on their obtaining a final certificate of their title as such trustees to the said block of land or in case of their failing to obtain such certificate then the person who shall by the judgment or certificate of the Native Lands Court be found or shown to be the owners of the said block of land and whether upon any trust or otherwise shall be deemed the owners. 45 50

SCHEDULE.

ALL that piece or parcel of land at Parangarahu at and about Pencarrow Head in the Province of Wellington containing 69 acres or thereabouts more or less situate and being part of the Block known as Pitoone No. 2 bounded towards the North and East by a line starting from high water mark and running south 900 links thence S.S.E. 2498 links thence S.E. $\frac{1}{2}$ S. southerly 1417 links thence in a similar direction in a curved line along the south-western shore of the lake to its outlet 1100 links bounded towards the S.E. by a nearly straight line trending S.W. $\frac{1}{2}$ W. 1180 links from the lake outlet and thence bounded towards the south and west in an irregular line returning to the starting point by the sea all rights of roadway along high water margin being reserved.

POLICE OFFENCES BILL.

ARRANGEMENT OF CLAUSES.

Title.

1. Short Title.
2. Interpretation.

PART I.

POLICE PROVISIONS APPLICABLE TO SPECIAL LOCALITIES.

3. Superintendent may extend provisions of Part I. to various towns.
4. Penalty on offences relating to the good order of towns &c.
5. Local authority to make rules for boatmen and carters.
6. Builders not to erect scaffolding or enclosures for building materials in the streets without permission of local authority.
7. Penalty on exposing articles for sale in public streets. Articles may be seized.
8. Local authority or justice may depute constable to inspect slaughter-houses &c. and remove filth at occupier's expense if he neglect to do so himself.
9. Penalty on building chimney of inflammable materials.
10. Carriage and footways to be set out.

PART II.

GENERAL POLICE PROVISIONS.

11. Penalty on offence tending to personal injury.
12. Penalty on persons committing offences on public thoroughfares &c.
13. Penalty on persons guilty of wilful destruction of property whether public or private.
14. Penalty on cruelty to animals.
15. Penalty on drunkards.
16. Prostitutes importuning passengers.
17. Obscene threatening or abusive language &c. in public.
18. Selling unwholesome meat.
19. Keepers of skittle grounds &c. to register their premises with local authority.
20. Penalty on such persons refusing admittance to justice or constable.
21. Penalty on keepers of refreshment houses not properly conducting them.
22. Sunday to be duly observed and trade on that day prevented.
23. Lotteries disallowed.
24. Summary jurisdiction given to justices in cases of property being illegally detained.
25. Breach of any provisions of Parts I. and II. of this Act deemed an offence.
26. Masters made liable where servants have acted under their orders.

PART III.

SALE AND EXHIBITION OF OBSCENE BOOKS AND OTHER ARTICLES.

27. Penalty for sale &c. of obscene books.
28. Proceeding by indictment.
29. Resident Magistrate or justices may authorize search of suspected premises.
30. Tender of amends.
31. Limitation of actions.

PART IV.

GAMING.

32. Warrant to enter search and seize on premises.
33. Penalty on owner or keeper of a gaming house.
34. Proceeding by indictment.
35. Evidence of being a common gaming house.
36. Proof of gaming for money.
37. Evidence of gaming.
38. Indemnity of witnesses.
39. Empowering constables to visit houses.
40. Cheating at play.
41. Wagers not recoverable at law.
42. Cases not specially provided for and recovery of penalties.
43. Distress not unlawful for want of form.
44. Tender of amends.
45. Limitation of actions.

PART V.

MISCELLANEOUS.

46. Cattle may be driven or led to public pound.
47. Apprehension of offenders.
48. Bail may in certain cases be taken by a constable.
49. Recognizance to be of same obligation as if taken before a justice.
50. Offenders may be admitted to bail by inspector.
51. Offence may be set forth in words of this Act.
52. Offences of a more serious nature not to be tried under this Act.
53. Want of form not to invalidate proceedings.
54. Procedure.
55. Appeal.
56. Penalties appropriated.
57. Want of form.
58. Proceedings under Part V.
59. Assaulting or resisting constables &c.
60. This Act not to interfere with corporations.
61. Provincial Ordinances repugnant to this Act repealed on coming into force of this Act.
62. Provisions of "Malicious Injuries to Property Act 1867" not repealed.
63. Informer's costs.

SCHEDULES.