

Schafer and Others Pension.

ANALYSIS.

- | | |
|---|---|
| <p>Title.
Preamble.
1. Short Title.
2. Pension of £30 per annum to Charlotte Schafer.
3. Pension to be paid out of Consolidated Revenue.
4. Pension to Ellen McGuire.
5. Pensions to William Rogers and William Russell.
6. Date at which pensions to commence.
7. To be paid out of Consolidated Fund.
8. Pension to widows of loyal Maoris named in Schedule.</p> | <p>9. Pension to children of loyal Maoris named in Schedule.
10. Pensions to be paid out of Consolidated Revenue.
11. Power to Governor to appoint trustees for children.
12. How moneys to be applied on behalf of children.
13. Payments when to cease.
14. Declaration may be required before payment. Schedule.</p> |
|---|---|

A BILL INTITULED

AN ACT to grant Pensions to Charlotte Schafer and others. Title.

WHEREAS Charles Schafer of the City of Auckland in the Province of Auckland while on duty in the Second Class Militia in that Province in the year one thousand eight hundred and sixty-three received certain injuries by the falling of a target upon him and ever since has suffered great bodily and mental affliction and is unable to maintain himself: And whereas Charles William Schafer and Frederick William Schafer the two sons of the said Charles Schafer died in the year one thousand eight hundred and sixty-four from illness contracted by them while on duty in the First Class Auckland Militia in the Province aforesaid: And whereas Charlotte Schafer is the wife of the said Charles Schafer and was the mother of the said Charles William Schafer and Frederick William Schafer and by reason of the premises she is reduced to great want and is unable to provide for the support of her husband and herself and it is expedient that some provision should be made for her as hereinafter mentioned: Preamble.

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

1. The Short Title of this Act shall be "The Schafer and Others Pension Act 1871." Short Title.

2. There shall be paid to the said Charlotte Schafer during the life of her said husband the annual sum of thirty pounds by equal quarterly payments the first whereof will become due on the day of _____ and from and after the decease of the said Charles Schafer the like annual sum shall be paid to her in manner aforesaid during her life if she shall so long remain a widow. Pension of £30 per annum to Charlotte Schafer.

3. The said sum shall be payable out of and chargeable on the Consolidated Revenue of the Colony and shall be paid to the said Charlotte Schafer free from the debts control or engagements of her said husband. The receipt of the said Charlotte Schafer or of such other person as shall be duly appointed by her to receive such annual sum or any part thereof, shall be a good and sufficient discharge for the payment thereof. Pension to be paid out of Consolidated Revenue.

And whereas Francis McGuire whilst on duty as a Militiaman in the

year one thousand eight hundred and sixty-five was drowned by the upsetting of a surf-boat at Manawapou in the Province of Taranaki and has left a widow and four children dependent on him for support: And whereas William Rogers of Maketu in the Bay of Plenty settler in the month of March in the year one thousand eight hundred and sixty-nine while performing patrol duty met with an accident caused by the explosion of his gun which shattered his right arm and he now has four children depending on him for support and is in impoverished circumstances: And whereas William Russell of Wanganui settler was accidentally wounded by a Militia sentry at Westmere in the month of November in the year one thousand eight hundred and sixty-eight and the said William Russell has been occasioned considerable expense in consequence of his wound which is likely to incapacitate him from following his usual occupation: And whereas the said several persons hereinbefore mentioned are not by law entitled to receive pensions yet it is considered just that pensions should be granted to them in manner hereinafter provided:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows:—

Pension to Ellen McGuire.

4. There shall be paid to Ellen McGuire the widow of the said Francis McGuire as and in manner hereinafter mentioned the annual pension or sum of eighteen pounds six shillings during the term of her natural life if she shall so long remain a widow.

Pensions to William Rogers and William Russell.

5. There shall be paid to each of them the said William Rogers and William Russell the annual pension or sum of eighteen pounds six shillings during the term of their respective natural lives.

Date at which pensions to commence.

6. The said several pensions herein provided for shall be respectively deemed to have commenced on the first day of July last past and shall be payable by equal quarterly payments.

To be paid out of Consolidated Fund.

7. The said pensions shall be payable out of and chargeable on the Consolidated Revenue of the Colony and the receipts of the said Ellen McGuire William Rogers and William Russell respectively or of such other person as any of them shall duly appoint to receive such respective pensions or any part thereof shall be a good and sufficient discharge for the payment thereof.

And whereas certain loyal Maoris whose names are set forth in the first column of the Schedule hereunder written were killed by rebel Maoris at Poverty Bay in the Province of Auckland on or about the dates in the said Schedule mentioned: And whereas there is reason to believe that the said loyal Maoris were killed as aforesaid because of their loyalty and adherence to the British Crown in New Zealand and they have left widows and children who were dependent upon them for support and are now unprovided for: And whereas it is just that pensions should be granted to the said widows and children as and in manner hereinafter set forth:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows:—

Pension to widows of loyal Maoris named in Schedule.

8. There shall be paid to each of the said widows whose names appear in the second column of the said Schedule so long as they shall respectively remain sole and unmarried the annual sum of twelve pounds by equal quarterly payments and their receipts respectively shall be good discharges for the same.

Pension to children of loyal Maoris named in Schedule.

9. There shall be paid to some person or persons as hereinafter mentioned for and on behalf of each of the children whose names and present ages are set forth in the third and fourth columns of the said Schedule the annual sum of four pounds by equal quarterly payments until they shall respectively attain the age of twelve years and in case any of them shall die under that age then such annual payment shall wholly cease as to such of them as shall so die.

10. The pensions hereby provided for shall be paid out of the Consolidated Revenue of the Colony and the payment thereof shall respectively be deemed to have commenced on the dates mentioned in the fifth column of the Schedule hereto.

Pensions to be paid out of Consolidated Revenue.

11. It shall be lawful for the Governor to appoint such person or persons as he may think fit for the purpose of receiving the said pensions hereby made payable to the said children and every such appointment or appointments from time to time to revoke and another or others to appoint as he may think expedient: Provided that if the Governor shall so think fit he may direct that the mother or any other relative of any child or children mentioned in the said Schedule shall receive such pension or allowance on behalf of such child or children.

Power to Governor to appoint trustees for children.

12. Any person or persons (including a mother or other relative) appointed under the last preceding section who shall receive the pensions hereby made payable to the said children shall apply the same in and towards their maintenance and education and the receipt or receipts of any such person or persons so appointed as aforesaid shall be a good discharge for the payment thereof.

How moneys to be applied on behalf of children.

13. Whenever in this Act it is provided that any payment shall cease on the happening of any event then if such event shall happen in the interval between two periodical payments the next following periodical payment shall be made as if the event had not happened and thereafter the payment shall cease as the case may require.

Payments when to cease.

14. The Colonial Treasurer or any officer charged with the payment of any money under this Act may before making any payment under this Act require the person to whom such payment is to be made to make a declaration under "The Justices of the Peace Act 1866" stating whether any of the events have happened upon which the payment ought to cease and he may withhold such payment until such declaration be produced.

Declaration may be required before payment.

SCHEDULE.

Schedule.

Name of Deceased Loyal Maori.	Name of Widow.	Names of Children.	Present Ages of Children.	Place and Date of Death of Loyal Maoris.
Pera Kararehe ...	Maraea Morete Kararehe ...	Wiremu Te Kowhaki, boy	5 years ...	Matawhero 10th November 1868.
Himiona Katipa	Emma Katipa ...	Pera, boy ... Eripa, boy ... Pehimana, boy ...	3 years ... 10 years ... 4 years ...	Pukepuke 13th November 1868.
Tutere Kapai ...	Miriama Whakahira	Waitaria 10th November 1868.
Hori Paraone (George Brown Half-caste)	Hariata Waea ...	Keriana, girl ...	4 years ...	Pukewhinau 31st August 1868.
Te Warihi Poutini	Wikitoria Topa	Thrown overboard from "Rifleman" 5th July 1868.