

Harbours.

such other particulars as may be necessary for identifying the same. Every such Proclamation shall be received in all Courts of Justice as conclusive evidence that the lands therein described are Crown lands as aforesaid.

Rule as to quantity of land to be granted.

4. Whenever it shall be reported by any Commissioner or Commissioners of Land Claims that any person, whether he shall be a natural born subject or a citizen or subject of any foreign state, is entitled under the provisions of the said Ordinance to a grant of land in respect of his alleged purchase, such person shall, on the report being confirmed by His Excellency the Governor, be entitled to a grant from the Crown, out of the land validly sold to such person, of four times as many acres as he shall be found to have expended pounds sterling in manner and for the purposes hereinbefore mentioned: Provided always that when goods shall have been given to the Natives in barter for land, the value of the goods so given shall be estimated at three times their selling price in Sydney at the time.

Selection of land.

5. The land to be granted at the recommendation of the Commissioner may be selected by the person entitled to such grant out of the land claimed by him: Provided that the land so to be selected shall be in one block, to be as nearly as possible a rectangular figure the breadth of which shall not be more than half its length: Provided also that when the block so to be granted shall be bounded by the sea or a river, the rectangle aforesaid shall be so placed that the narrow side or breadth shall be bounded by the sea or any such river, and that the length of the rectangle shall run back from the sea or river as near as possible at right angles to their general direction.

Compensation &c.

6. When any land to which any claimant shall be found entitled shall be required for public purposes under the provisions of the said recited Ordinance, and shall have been built upon or otherwise improved in value, compensation shall be given in land or money to the owner of such buildings, such compensation to be fixed by the Commissioner assisted by two appraisers, one to be appointed by the Commissioner and the other by the claimant.

Compensation by New Zealand Company.

7. If any part of the land to be granted to the New Zealand Company under the provisions of the aforesaid arrangement shall have been validly sold by the aboriginal inhabitants to any claimant other than the New Zealand Company, compensation in other land shall be made to such claimant by the said Company according to such rate as to the Commissioners shall seem meet.

One Commissioner.

8. And be it lastly enacted, that all the powers of hearing examining and reporting on claims to land given by the said recited Ordinance to any two Commissioners may be exercised as fully and effectually by any single Commissioner whom His Excellency the Governor shall for that purpose appoint.

No. XV.

HARBOURS.

AN ORDINANCE to provide for the Regulation of Harbours. [21st February, 1842.]

Preamble.

WHEREAS it is necessary that provision should be made for the appointment of Pilots in the various harbours of the Colony, and for the regulation of shipping resorting thereto:

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

I.—PILOTS

Harbours.

I.—PILOTS AND PILOTAGE.

1. His Excellency the Governor shall from time to time license such and so many persons to act as Pilots for any harbour within the Colony as he may think meet.

Governor to license Pilots.

2. It shall be lawful for the Governor in Council from time to time to make such regulations respecting the examination and licensing of Pilots, the amount and payment of pilotage, the class of vessels which shall be bound to take Pilots, and respecting all other matters connected therewith, as may be required for securing the good conduct of Pilots and the efficiency of the pilot service: Provided that no coaster shall be subject to any pilotage.

Governor in Council to make regulations respecting Pilots.

II.—QUARANTINE.

3. His Excellency the Governor shall from time to time, by Proclamation, appoint stations or places for the performance of quarantine by such vessels bound to the several harbours of the Colony as may be liable thereto, and shall construct and maintain lazarets, and to take all such measures as may be necessary for securing the due performance of such quarantine.

Governor to appoint quarantine grounds.

4. The master of every vessel arriving at any harbour within the Colony which shall be deemed by the Harbour Master to be liable to quarantine, shall on being directed so to do by such Harbour Master cause the same to be anchored in the quarantine ground appointed for such harbour.

Vessels to anchor if required.

5. The master of every vessel so anchored shall neither himself quit nor permit any seaman passenger or other person to quit the same until he shall have been duly admitted to pratique.

Masters &c. not to quit vessel.

6. It shall be lawful for the Governor in Council from time to time to make all such regulations respecting the placing of vessels in quarantine and the performance of such quarantine as may seem meet, and to appoint all such officers as may be necessary for the purpose of carrying such regulations into effect.

Governor in Council to make regulations respecting quarantine

III.—HARBOUR REGULATIONS.

7. In order to secure the safety of shipping, and to prevent any obstruction of the navigation of any harbour or navigable river not being within the limits of any borough, it shall be lawful for the Governor in Council from time to time to make such regulations respecting the anchoring and mooring of vessels, the package landing deposit and removal of gunpowder, the erection of magazines for the safe keeping thereof and the rent to be charged for the same, for the watering and ballasting and discharging of ballast of or from vessels, and all other matters relating to the safe and commodious navigation of such harbours or rivers, and the order and management of vessels resorting thereto, as may be deemed necessary.

Governor in Council to make harbour regulations.

8. It shall also be lawful for the Governor in Council from time to time to make such regulations requiring declarations to be made by masters of vessels arriving at any of the ports of the Colony, and notices to be given by them of their intended departures from any such port, and prescribing the form and time of making such declarations or giving such notices, as may seem meet: Provided that masters of coasters shall not be compelled to give notice of sailing unless bound from one port of entry to another, and masters of colonial traders only twenty-four hours' notice.

And to require declarations and notices by Masters of vessels.

IV.—PENALTIES.

9. Every master of any vessel who shall offend against the provisions of this Ordinance shall forfeit and pay for every such offence

Penalties for offences against this Ordinance.

Cattle Trespass.

offence any sum not exceeding one hundred pounds, to be recovered in a summary way.

Governor in Council
may impose penalties.

10. For the purpose of giving effect to the regulations hereby authorized to be made by the Governor in Council, the Governor in Council may by any such regulations impose any penalty not exceeding twenty pounds for any offence against the same.

To be recovered in a
summary way.

11. Every such penalty shall be recovered in a summary way.

No. XVI.

CATTLE TRESPASS.

AN ORDINANCE to provide for the Summary Recovery of Compensation for Damage done by Cattle Trespassing. [*14th March, 1842.*]

Preamble.

WHEREAS serious injury is caused by cattle wandering over or breaking into cultivated or enclosed grounds, and it is expedient to provide an easy and speedy remedy for the same:

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

Damages to be
recovered in a
summary way.

1. Whenever any cattle shall trespass upon the land of any person which shall be substantially fenced, and shall do any damage thereon, it shall be lawful for the Police Magistrate of the district, or for any two Justices of the Peace having jurisdiction therein, upon the application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied by the oath of a credible witness as to the amount of such damage, to award to the party sustaining the same any sum not exceeding twenty pounds by way of compensation for the same.

Penalty for cattle
wandering in public
streets.

2. 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 His Excellency the Governor to come within the operation of this Ordinance, the owner 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.

Interpretation of
clause.

3. For the purpose of this Ordinance the word "Cattle" shall be taken to include horned or neat cattle, horses, sheep, goats, and swine.

Commencement of
Ordinance.

4. This Ordinance shall come into operation on the twenty-fifth day of April, one thousand eight hundred and forty-two.

No. XVII.

RAUPO HOUSES.

AN ORDINANCE for imposing a Tax upon Raupo Houses. [*3rd March, 1842.*]

Preamble.

WHEREAS the lives and property of persons residing in towns are endangered by the erection therein of buildings constructed of raupo and other materials which readily take fire: For the purpose of discouraging the erection of such buildings,

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