

Whakatoputanga i Nga Take.

- Ingoa.
- Ingoa Poto.
- Whakamaramatanga.
- Ma te pukapuka inoi ka ahei kia whakamana tenei Ture.
- Me kimi te pono te he ranei o taua pukapuka inoi.
- Te Panuitanga o nga Takiwa.
- Nga rohe o nga takiwa.
- Ka ahei te Kawana ki te whakamana i te Ture.
- Te arainga o te hoko waipiro ki nga Maori.
- Me tutaki nga whare hoko waipiro a nga Maori.
- Te whiu mo te hoko pokanoa i te waipiro.
- Ko te pononga e rite ana taua hara ki ta tona rangatira.
- Kaua e tukua he raihana ki nga Maori.
- Ka ahei te Kawana i roto i tona runanga ki te hanga Ture whakahaere.
- Ka ahei kia araia te kawhe ke i nga waipiro.
- Ka ahei kia hopukia nga tangata hara.
- Ka ahei kia tonoa tonutia kia utua te moni whiu.
- Ko nga Ture e hanga ana e te Kawana ka whakanoa i nga Ture o nga Kaunihera Porowini.
- Ma te nuinga o nga tangata e pa ai aua Ture e whakaae.
- Ko nga tauira o nga Kii Runanga me whakatakoto ki te aroaro o te Runanga Niu o te Paremete.
- Komiti Maori whakahaere.
- Ka ahei te Komiti ki te hanga Ture whakahaere ki te whakatau whiu moni tae atu ki te £2.
- Te huarahi e whakawakia ai nga hara.
- Me hapai nga pirihimana Maori katoa i te mana o te Komiti.
- Mo te waipiro e hoatu ana hei rongoa.
- Te whakanoanga o te mana o etahi Ture i roto i etahi Takiwa.
- Kupu apiti.

HE TURE hei whakahaere i te hoko wai whakahaurangi Ingoa. iroto i nga Takiwa Maori.

ME whakamana tenei e te Runanga nui o Niu Tireni hei Ture:—

- Ko te ingoa poto o tenei Ture ko "Te Ture Raihana Maori, Ingoa Poto. 1878."
- Ko tenei kupu "Maori" tona tikanga ko nga tangata katoa o whakamaramatanga. nga motu tae atu ki nga hawhe-kaihe me nga tangata iwi-rua mehemea e noho ana i roto i tetahi iwi Maori:
Ko tenei kupu "Pakeha" he tangata ehara nei i te Maori:
"Pirihimana Maori" tona tikanga ko nga tangata Maori katoa e whakaturia ana hei pirihimana i roto i tetahi takiwa;
"Takiwa" tona tikanga he wahi o te Koroni kua whakaaturia ka whakaaturia ranei e whai mana ai tenei Ture;
"Waipiro": He waipiro, he waina, he pia, me era atu mea whakahaurangi katoa.
- Ka whai mana te Kawana ki te panui i tetahi takiwa e whai mana ai tenei Ture i runga i enei tikanga:
 - Kia tae atu tetahi pukapuka inoi a te kotahi-torutanga o nga Maori kua pakeketia, ahakoa wahine tane ranei, ki Te Kawana he tono kia whakamana tenei Ture ki reira;
Kia tae atu ranei he pukapuka inoi a nga rangatira a nga tino tangata kaua e iti iho to ratou tokomaha i te kotahi tekau;
Ko te maha o nga Maori me penei—me rua Maori mo ia Pakeha i roto i taua takiwa;
Kaua e uru nga taone ki roto ki aua takiwa e panuitia ana.
- Ma te Kawana e ata kimi te pono te he ranei o taua pukapuka inoi a mehemea kahore i iti iho i te kotahi

torutanga o nga tangata Maori o taua takiwa nga tangata nana i whakaae; mana hoki te whakaaro ki te whakaae ki te whakahe ranei i te pukapuka-inoi. Kahore he arai i tenei i ta te Kawana whakaaro mehemea ka hiahia ia ki te whakahe i te tono pera.

- Ka ahei te Kawana ki te whakatu i tetahi takiwa e whakaaturia ana ki a ia i roto i tetahi pukapuka-inoi hei takiwa e whai mana ai tenei Ture.

Ka kiia he "Takiwa kua panuitia" taua tu takiwa i runga i tenei Ture.

- Me whakaatu i roto i ia panui pera nga rohe o taua takiwa kaua e rere ke atu i nga rohe o te takiwa e nohoia ana e nga kai-inoi; engari ka ahei ano te Kawana ki te whakarere ke i nga rohe i roto i taua takiwa.
- Ka ahei te Kawana i runga i nga mea e whakaarohia ana e ia i runga hoki i tona mana ake kia panui i tetahi wahi hei takiwa i runga i te mana o tenei Ture, mana hoki e whakarite nga rohe tika.
- Ekore e tika kia hokona kia hoatu noatia ranei e tetahi tangata e tana pononga ranei tetahi wai whakahaurangi ki tetahi tangata Maori i roto i tetahi takiwa kua oti te panui, ekore hoki e tika kia hoatu kia kainga e nga Maori ekore hoki e tika kia haria atu aua wai ki taua takiwa ki tetahi wahi ranei e tata ana ki reira mehemea ka mohiotia e ia mo nga Maori taua kai.
- Ko nga whare hoke waipiro katoa e tiakina ana e nga Maori a kua raihanatia a kei roto i tetahi takiwa mehemea ka panuitia i runga i tenei Ture hei takiwa ka katia tonutia i te ra e puta ai te panui a kaua rawa he waipiro e hokona ki reira i muri iho.
- Mehemea ka hoko noa ka hoatu noa ranei te tangata, i roto i tetahi takiwa kua panuitia, i tetahi wai whakahaurangi ki tetahi Maori ki tetahi tangata ranei he mea kia kainga e nga Maori ka ahei kia whiua ia mo tana hara ko te whiu tenei me utu ia i te moni kaua e iti iho i te rua tekau pauna moni kaua e nuku ake i te rau pauna me whakawa te hara i te aroaro o nga Kai-whakawa, a mehemea he tangata whai raihana taua tangata hara ka tangohia tana raihana.
- Ko te tangata nona te ringa i whakawhiwhia ai te Maori ki taua kai ka kiia e rite tonu ana tana hara ki te hara o te rangatira o taua wai a ka rite tonu hoki te whiu mona ki te whiu mo tona ranga-tira mehemea ka hokona e ia ki te Maori.
- Ekore e whai mana nga Komihana tuku Raihana ki te tuku raihana hou mo te hoko waipiro i roto i tetahi takiwa kua oti te panui; engari ka ahei aua Komihana ki te ki kia nukuhia te mana o te raihana ki waho o te takiwa kua panuitia me ka tupono ia ki te raihana i roto i taua takiwa.
- Ka ahei te Kawana ki te hanga Ture Kii Runanga mo enei mea, ara:—
 - Mo te peehi i te haurangi;
 - Mo te hoko, mo te kawhe ke mo te aha ranei o te waipiro, mo te arai ranei i taua tu mahi;
 - Mo te whiu i te tangata Maori e haurangi ana, mo tana mahi tutu, mahi whakamea ranei i te iwi kia whakama i runga i tana haurangitanga;
 - Mo te whakatau whiu utu moni kaua e nuku ake i te rima tekau pauna mehemea ka takahia tetahi o aua Ture ka whakanoatia ranei;
- Mo te whakatu i tetahi Komiti Maori hei whakahaere i tenei Ture i roto i to ratou takiwa.

A ko aua Ture katoa ka tino whai mana katoa hei Ture i roto nga takiwa panui, kei te Kawana, ia, te mana ki te whakarere ke ki te whakanoa i aua Ture.

- Ka ahei kia murua e tetahi tangata e whakaturia ana e te Ka ahei kia araia te kawhe ke i nga waipiro. Kai-whakawa Tuturu te waipiro e hokona hetia ana e kawekawea ana ranei. A ma te Kai-whakawa e pupuri taua wai kia puta ra ano te ki a te Kawana kia ahatia ranei taua wai, heoi ka mana te Kawana ki te whakarite tikanga mo te a ahatanga o taua wai.
- Mehemea ka takahia e tetahi tangata tetahi o aua Ture ka Ka ahei kia hopukia nga tangata hara. tika kia hopukia ia kia kawea ki te aroaro o te Kai-whakawa Tuturu kia whiua ai ia ki te whiu o te Ture.
- Ma te pirihihana e tono kia utua nga moni katoa e kiia ana Ka ahei kia tonoa tonutia kia utua te moni whiu. kia utua i te aroaro o te Kai-whakawa Tuturu o nga Kai-whakawa tokorua ranei.
- Ko aua Ture e hanga e te Kawana hei whakanoa i nga Ture i Ko nga Ture e hanga ana e te Kawana ka whakanoa i nga Ture o nga Kaunihera Porowini. hanga e nga Kaunihera Porowini, e te Paremete ranei, mehemea ia e rere ke ana aua mea tawhito.
- Otira me tono kia matua whakaae te kotahi-torutanga o nga Ma te nuinga o nga tangata e pa ai aua Ture e whakaae. Maori e pai ai taua Ture ki a ratou; engari ka puta te Kii Runanga ka mohiotia e tika ana kua whakaae aua tangata.
- Me whakatakoto ki te aroaro o te Runanga Nui te tauira o Ko nga tauira o nga Kii Runanga me whakatakoto ki te aroaro o te Runanga Niu o te Paremete. ia Kii Runanga e hanga ana e te Kawana i muri tonu o te hanganga mehemea ia ka tupono ki te nohoanga o te Runanga Nui, ki te mea ka puta i waenga o te takiwa o te Runanga me whakatakoto i roto i nga ra kotahi tekau tuatahi o te nohoanga o te Whare.
- Me whakatu e nga tangata Maori o te takiwa e panuitia ana Komiti Maori whakahaere. tetahi Komiti ko nga tangata mo taua komiti kaua e iti iho i te toru tangata kaua e nuku ake i te rima tangata ko ta ratou

mahi he whakahaere i nga tikanga o tenei Ture i runga i te mana o nga Kii Runanga, ka hoatu hoki ki a ratou te mana hanga ture whakahaere a ki te whakamana era e te Kawana ka tino whai mana ki roto ki taua takiwa. Ko te huarahi e whakaturia ai nga tangata mo te Komiti ka ata whakaritea a mehemea ka he te whakahaere i te pooti ka ahei te Kawana ki te whakatu i nga tangata mo te Komiti i roto i ia takiwa.

- Ka whai mana te Komiti ki te whakatau whiu moni kua eKa ahei te Komite ki te hanga Ture whakahaere ki te whakatau whia moni tae atu ki te £2.nuku ake i te wha tekau hereni mo te takahanga mo te whakanoatanga ranei i tetahi o aua ture whakahaere. Ma te whakawa e kimi taua moni a ka hoatu taua moni ki te Komiti kei a ratou te whakaaro.
- Ko nga hara a nga tangata i roto i nga takiwa kua panuitia Te huarahi e whakawakia ai nga hara. me whakawa i te aroaro o nga Kooti whakawa o te Ture, engari mehemea he hara haurangi te hara he tutu ranei he mahi whakamea ranei i te iwi kia whakama ka ahei kia hopukia nga tangata pera kia whakawakia e te Komiti o taua takiwa a kei te Komiti te mana ki te whiu ara ki te tono kia utu te tangata hara ra i te moni kua e nuku ake i te wha tekau hereni mo tona hara a ki te kore e utua ka ahei te komiti ki te tango i ona taonga hei whakaea i taua moni.
- Ko nga pirihimana Maori katoa me hapai i te mana o te Me hapai nga pirihimana Maori katoa i te mana o te Komiti. Komiti whakahaere e whakaturia ana i runga i te mana o tenei Ture, i ia mema hoki o taua Komiti.
- Mehemea hei rongoa te waipiro e hoatu ana ki te Maori ehara tena i te hara, kua tena e whakawakia.
- Ko nga ture i raro iho nei ka noa te mana i roto i nga takiwa e panuitia ana i te wa e mana ai taua panui.

Kupu apiti. Kupu Apiti.Ko ENEI TURE KA WHAKARAKOREA.

- Te Ture o te tau 1847 mo te hoko waipiro ki te Maori.
- Te Ture hoko waipiro i roto i nga takiwa Maori, 1870.
- Te Ture hoko waipiro i roto i nga takiwa Maori, 1874.
- Te Ture whakamana i nga Kii runanga i puta i runga i te mana o Te Ture hoko waipiro i roto i nga Takiwa Maori 1870, 1874.

New Zealand. Quadregesimo Secundo Victoriæ Reginæ. No. 32.

Analysis.

- Title.
- Short Title.
- Interpretation.
- On petition, Act may be brought into force.
- Genuineness of petition to be ascertained.
- Localities proclaimed.
- Boundaries of localities.
- Governor may bring Act into force.
- Sale of liquor to Natives prohibited.
- Native publichouses to be closed.
- Penalty for illicit sale of liquor.
- Agents and servants liable as principals.
- No licenses to be granted to Natives.
- Governor in Council may make regulations.
- Removal of spirits, &c., may be prohibited.
- Offenders may be apprehended.
- Penalties may be enforced under Summary Proceedings Ordinance.
- Regulations to supersede laws of Provincial Councils.
- Regulations to be with general assent of population affected.
- Copy of Order in Council to be laid before General Assembly.
- Native Committee of Administration.
- Committee may frame by-laws and recover penalties to £2.
- How offences to be tried.

- Native police to assist Committee.
- Saving in case of illness.
- Suspension of Acts in localities.
- Schedule.

AN ACT to control the Sale of Intoxicating Liquors Title. within Native Districts.

[1st November, 1878.]

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

- The Short Title of this Act shall be "The Native Licensing Short Title. Act, 1878."
- In the interpretation of this Act— Interpretation.
 - "Native" means an aboriginal native of any of the islands of the Pacific Ocean, and includes half-castes and all persons of mixed race living as members of any Native tribe;
 - "European" includes all persons other than Natives as herein defined;
 - "Native police" means any Native heretofore or hereafter to be appointed to perform the duties of a constable within Native districts, or within any locality;
 - "Locality" means any part of the colony defined, or to be defined, wherein this Act is to take effect;
 - "Intoxicating liquors" or "liquor" means any spirits, wine, ale, beer, porter, cider, perry, or other fermented, distilled, or spirituous liquor of an intoxicating nature.
- The Governor may proclaim any part of the colony to be a locality wherein this Act shall come into operation, subject to the following conditions:—
 - That a petition is presented to the Governor from not less than one-third of the adult male or female Native residents of the locality, praying that this Act may take effect therein; or
 - That a petition of the like tenor is presented to the Governor from not less than ten of the chiefs and principal Natives of the different settlements within a district proposed to be declared a locality;
 - That the Native residents in the locality number not less than in the proportion of two Natives to one European resident therein;
 - That no town or borough is included within the limits of any locality when proclaimed.
- The Governor shall ascertain in such manner as he shall think fit as to the genuineness of any petition presented to him as first aforesaid, and whether such petition meets with the general assent of not less than one-third of the Native residents in the locality; and, in respect of petitions presented to him as last aforesaid, as to the expediency of acceding to the petition. Nothing herein shall preclude the Governor from refusing to act in accordance with the prayer of any petition.
- The Governor may thereafter, by Proclamation, declare the district referred to in any petition as aforesaid to be a locality under this Act, wherein, from and after a day to be stated in the Proclamation, this Act shall come into operation.
 - From and after the day last named, and until the revocation of the aforesaid Proclamation, the locality described in such Proclamation shall be a "proclaimed locality" under this Act.
- Every Proclamation declaring a locality shall define the boundaries thereof, which shall not extend beyond the limits of the district wherein the petitioners reside; but within such limits the Governor from time to time may vary or alter the boundaries of any locality.
- The Governor may, in any case where he shall think it necessary and of his own proper motion, proclaim any part of the colony to be a locality under this Act, and fix the boundaries of such locality as he shall think right and expedient.
- It shall not be lawful for any person, whether or not holding a license under any licensing law, or the agent or servant of any person, to sell or supply, by purchase or otherwise, any intoxicating liquors within a proclaimed locality to any Native, or to any person for the purpose of being consumed by Natives, nor to bring any such liquor into such locality for any such purpose, nor to bring any such liquor into the neighbourhood of any proclaimed locality, knowing the same is intended to be consumed by Natives in such locality.
- All premises kept by Natives, in respect of which a license authorizing the sale of any intoxicating liquors

has been issued and is in force within a locality on the day when such locality becomes a proclaimed locality under this Act, shall be closed, as far as regards the sale of intoxicating liquors therein, on and after the day herein last named.

- Any person who, within a proclaimed locality, sells or supplies in any manner, or allows to be supplied in or from his house or premises, by purchase or otherwise, any intoxicating liquor to a Native, or to any person for consumption by Natives, shall be liable to forfeit and pay a penalty of not less than twenty nor more than one hundred pounds for every such offence, to be recovered in a summary way before a Resident Magistrate or any two Justices of the Peace; and, if such first-mentioned person is a licensed person, he shall forfeit his license forthwith on conviction for a first or any subsequent such offence.
- The person who actually gives or supplies any intoxicating Agents and servants liable as principals. liquor within any proclaimed district to a Native, or to any person for consumption by Natives, shall be liable to the same penalty as the owner of such liquor would be if he there sold the same to a Native.
- It shall not be lawful for any Licensing Commissioners No licenses to be granted to Natives. to authorize the granting of any new license for the sale of intoxicating liquors which is intended to take effect within any proclaimed locality; but such Commissioners may authorize the removal to any place outside of a proclaimed locality of any license as aforesaid which is in force within the locality at the time it becomes proclaimed under this Act.
- The Governor, by Order in Council, may from time to time Governor in Council may make regulations. make regulations—
 - For the suppression of drunkenness;
 - For the sale, removal, and disposal of intoxicating liquors, and for the restriction or prohibition of such sale, removal, or disposal;
 - For the punishment of Natives guilty of drunkenness, or of violent or indecent conduct when in a state of intoxication;
 - Imposing penalties not exceeding fifty pounds for the breach or non-observance of any such regulation;
 - For the election by the Native residents of a locality of a Committee of Administration of this Act therein:And all such regulations shall have the force of law within proclaimed localities, and may be varied and revoked from time to time by the Governor in Council.
- It shall be lawful, by any regulation made in pursuance of this Removal of spirits, &c., may be prohibited. Act, to order that any intoxicating liquors (whereof the sale, removal, and disposal shall be prohibited), and all casks and vessels containing the same, which shall be sold, removed, or disposed of, or be in progress of being sold, removed, or disposed of, contrary to such regulations, may be seized by any person to be appointed by any Resident Magistrate in that behalf, and, being so seized, the same shall be detained in such manner as such Resident Magistrate shall direct, until the same shall be disposed of by or by direction of the Governor, and the Governor is hereby empowered to dispose thereof at his pleasure accordingly.
- It shall be lawful, by any such regulation as aforesaid, to Offenders may be apprehended. order that any person guilty of any breach of such regulations may be apprehended and brought before any Resident Magistrate, to be dealt with according to law, and such person may be apprehended and dealt with accordingly.
- All penalties imposed by or by virtue of any such regulation Penalties may be enforced under Summary Proceedings Ordinance. may be sued for and recovered by any constable by virtue of his office, or by any other person specially authorized by the Governor in that behalf, in a summary way, either within or without the limits of the localities within which such penalties may have been incurred, before any Resident Magistrate or two Justices of the Peace, in the mode prescribed by the laws for the time being in force for regulating summary proceedings before Justices of the Peace.
- All such regulations shall control and supersede or preclude Regulations to supersede laws of Provincial Councils. the operation of all laws or ordinances in any wise repugnant thereto or inconsistent therewith which, before the date thereof, may have been or may be made or ordained by the General Assembly, or by any Superintendent and Provincial Council.
- All such regulations shall be made as far as possible with the general assent of not less than one-third of the Native population affected thereby, to be ascertained in such manner as the Governor may deem fitting: Provided that the issue of any Order in Council under this Act shall be conclusive proof of such general assent to any regulation thereby made.
- A copy of every Order in Council made under this Act shall be laid before both Houses of the General Assembly immediately upon the issue thereof, if the General Assembly be then in session, otherwise within ten days from the commencement of the session next following the issue thereof.
- A Committee of not less than three nor more than five Natives for each proclaimed locality shall be

elected by the Native residents thereof, who shall be charged with the administration of this Act to such extent as shall be regulated by Order in Council, with power to frame by-laws, which, when approved by the Governor, shall take effect within the locality. Such election shall be conducted in manner prescribed by general regulations, and in every case of default or error in such election the Governor may nominate any or all the persons of the Committee in any locality.

- Any Committee as aforesaid may by by-law impose penalties not exceeding forty shillings for the breach or non-observance of any such by-law by any person intended to be affected thereby; and every such penalty may be sued for and recovered in a summary manner before any Justice of the Peace by any member of such Committee, and such penalty shall be paid to the Committee of Administration, and shall be applied by the said Committee to the discharge of any expenses incident to or about their administration of this Act.
- All offences committed within proclaimed localities shall be tried before the ordinary Courts of competent jurisdiction, excepting that, in cases of drunkenness of Natives, or of riotous or indecent conduct by intoxicated Natives, the offenders may be apprehended and taken before the Committee of the locality, who are hereby empowered to hear and adjudicate thereon; and may impose in respect thereof, and recover, by seizure and sale of the goods and chattels of the offender, if necessary, any penalty not exceeding the aforesaid sum of forty shillings for every such offence.
- All Native police are hereby required to assist any Committee of Administration appointed under this Act, and every member of such Committee, in carrying out the provisions of this Act.
- No penalty shall be recoverable for supplying intoxicating liquors to any Native, in case it shall be satisfactorily proved that the liquor so supplied was administered medicinally.
- The Ordinance of the Legislative Council of New Zealand, and the Acts of the General Assembly, cited in the Schedule hereto, shall have no operation within any proclaimed locality under this Act whilst such locality continues so proclaimed.

Schedule. Schedule.ORDINANCE AND ACTS REPEALED.

- "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."
- "The Outlying Districts Sale of Spirits Act, 1870."
- "The Outlying Districts Sale of Spirits Act, 1874."
- "The Outlying Districts Sale of Spirits Act 1870 Orders in Council Validation Act, 1874"