

SESSION II.
1906.
NEW ZEALAND.

COOK AND OTHER ISLANDS
(ORDINANCES OF THE).

Laid before both Houses of the General Assembly pursuant to Section 9 of "The Cook and other Islands Government Act, 1901."

ORDINANCES OF THE FEDERAL COUNCIL.

- No. 14. The Immigration and Vagrancy Ordinance, 1904.
- No. 15. The Public Health Ordinance, 1904.
- No. 16. The High Court Ordinance, 1904.
- No. 17. The Unimproved-land Tax Ordinance, 1906.

ORDINANCE OF THE RAROTONGA ISLAND COUNCIL.

- No. 5. The Rarotonga Regulations Ordinance, 1904.

ORDINANCES OF THE MANGAIA ISLAND COUNCIL.

- No. 1. The Mangaia Village Regulation Ordinance, 1905.
- No. 2. The Mangaia Regulations Ordinance, 1906.

ORDINANCE OF THE AITUTAKI ISLAND COUNCIL.

- No. 3. The Aitutaki Ordinance No. 3.

ORDINANCE OF THE RAKAHANGA ISLAND COUNCIL.

- No. 1. The Rakahanga Ordinance No. 1.

ORDINANCES OF THE NIUE ISLAND COUNCIL.

- No. 15. The Niue Island Sale of Cocoanuts Prohibition Ordinance, 1905.
- No. 16. The Niue Island Fish-protection Ordinance, 1905.
- No. 17. The Niue Island Public Roads and Landing Reserves Dedication Ordinance, 1906.
- No. 18. The Niue Island Maintenance of Public Roads Ordinance, 1905.

FEDERAL ORDINANCE No. 14.—AN ORDINANCE TO PREVENT THE LANDING AND REMAINING IN THE COOK AND NORTHERN ISLANDS OF PERSONS OF BAD CHARACTER, OR OF UNSOUND MIND, OR DRUNKEN HABITS.

BE IT ENACTED by the Federal Council of the Cook and Northern Islands as follows :—

1. The Short Title of this Ordinance shall be "The Immigrants and Vagrancy Ordinance, 1904."

2. No person who shall have been convicted at any place outside the Cook and Northern Islands of any indictable offence, and no person of notoriously bad character, or of drunken habits, or of unsound mind, shall be brought to, or land, or remain in the said islands.

3. The master of any vessel arriving at the said islands from places beyond the said islands shall forthwith report in writing to the Collector of Customs, or to the European Resident Agent at the island at which such vessel arrives, the names, and, as far as is known, the occupations of all passengers on board such vessel.

4. The master of such vessel shall, if required in writing by such Collector of Customs or European Resident Agent, give a substantial guarantee to an amount not exceeding fifty pounds for each passenger left at any one of the said islands that such passenger will not within six months from the date of his landing within the said islands become a burden to the Government or people of the said islands.

5. If the master of such vessel shall neglect or refuse to make such report as aforesaid, or to give such guarantee when called upon so to do, he may be forthwith summoned before a European Judge of the High Court of the Cook Islands, or before a Resident Magistrate, and shall be liable to a penalty for each offence not exceeding the sum of fifty pounds. Such penalty shall be recoverable from such master, and failing him, from the owners of such vessel. The Collector of Customs or other officer shall not be bound to give any vessel a clearance until the master thereof shall have paid such penalty, or shall have complied with the provisions of the two preceding sections.

6. If any person shall be brought to, or shall land and remain in the said islands in contravention of section two hereof, or if any person, a passenger by any vessel as aforesaid, shall, within six months after his arrival in the said islands, be convicted of the charge of vagrancy as hereinafter mentioned, or if such person shall within such period become a burden to the Government or people of the said islands (of which latter fact the declaration in writing of the Resident Commissioner shall be conclusive evidence), such person may be ordered by the Resident Commissioner to leave the said islands, and the master or owners of the vessel which brought such person to the said islands shall be bound to take such person away from such islands, or, in default, the Resident Commissioner may deport such person to the place from which he came by any other vessel at the expense of the master or owners of the vessel by which he had been brought to the said islands. The Resident Commissioner may take all steps necessary to secure the deportation of such person, and for that purpose may authorise any constable of police to take such person into custody and to place him on board ship.

7. Any person, other than a Polynesian Native, living in the said islands, and having no visible lawful means of subsistence or support, may be charged as a vagrant, and, on conviction thereof, may be sentenced to hard labour for a period not exceeding three months.

8. All complaints for offences under this Ordinance may be heard before a European Judge of the High Court of the Cook Islands or a Resident Magistrate.

9. "The Immigrants Act, 1896," and section six of "The Offenders Punishment Act, 1899," are hereby repealed.

Passed by the Federal Council, this seventeenth day of October, one thousand nine hundred and four.

S. SAVAGE,

Clerk to Council.

W. E. GUDGEON, President.

[Assented to by the Governor on the 5th September, 1905.]

FEDERAL ORDINANCE No. 15.—AN ORDINANCE TO DEAL WITH PUBLIC HEALTH.

BE IT ENACTED by the Federal Council of the Cook and Northern Islands as follows :—

1. The Short Title of this Ordinance shall be "The Public Health Ordinance, 1904."

2. The Resident Commissioner may in case of leprosy or any infectious or contagious disease being or appearing in any part of the Cook or Northern Islands make such orders or give such directions as he thinks expedient for the isolation of the persons affected with leprosy or such disease, or for preventing communication between them and other persons as he may think fit, and all such orders and directions shall have the force of law.

3. The Resident Commissioner may appoint any place in which to isolate persons affected with leprosy or infectious or contagious disease, and any place so appointed shall be deemed to be a quarantine-ground, and the provisions of "The Public Health Act, 1900," of New Zealand (including penalties) relating to quarantine-grounds and to persons liable to remain there, and with respect to communicating with or quitting a quarantine-ground or the return to a quarantine-ground of persons quitting the same shall be applicable to such places and persons respectively.

4. Whenever in any house or kainga any person is found to be sick of leprosy or any infectious or contagious disease, or of any sickness the symptoms of which raise a reasonable suspicion that it may be leprosy or infectious or contagious disease, the occupier or head of such house or kainga shall immediately give notice thereof in writing to the Government Medical Officer or to the Resident Agent at the island at which such house or kainga is situate. Any occupier or head of such house or kainga who fails or neglects to give such notice shall be liable to a penalty not exceeding ten pounds, or, in default, six months' hard labour.

5. Where the Government Medical Officer or the Resident Agent at any island has reason to suspect that leprosy or any infectious or contagious disease exists in any house or kainga, and no notice thereof has been given in accordance with section four hereof, such Government Medical Officer or Resident Agent may visit and inspect the suspected premises and all persons therein. Any person obstructing the Government Medical Officer or the Resident Agent during such visit and inspection shall be liable to a penalty not exceeding five pounds or, in default, three months' hard labour.

6. Any complaint for an offence under this Ordinance may be heard before a Judge of the High Court of the Cook Islands or before the European Resident Agent at the island where such offence was committed.

Passed by the Federal Council, this seventeenth day of October, one thousand nine hundred and four.

S. SAVAGE,

Clerk to Council.

W. E. GUDGEON,

President, Federal Council.

[Assented to by the Governor on the 5th September, 1905.]

FEDERAL ORDINANCE NO. 16.—AN ORDINANCE TO EXTEND THE JURISDICTION OF THE HIGH COURT OF THE COOK ISLANDS.

BE IT ENACTED by the Federal Council of the Cook and Northern Islands as follows :—

1. The Short Title of this Ordinance shall be "The High Court Ordinance, 1904."

2. The High Court of the Cook Islands shall have jurisdiction in bankruptcy within the Cook and Northern Islands, and the said High Court and the European Judges and Registrar thereof shall as far as practicable have such powers and authorities as are conferred on a Court having jurisdiction in bankruptcy, or the Judge or Registrar thereof, by "The Bankruptcy Act, 1892," of New Zealand.

3. The High Court of the Cook Islands shall be a Court of Probate, and as such shall, as far as circumstances admit, have for and within its jurisdiction, with respect to the property, real or personal, of deceased persons, other than Natives of the said islands, subject to the jurisdiction of the Court, all such jurisdiction as for the time being belongs to any Court exercising probate jurisdiction in New Zealand.

4. The jurisdiction conferred by sections two and three hereof shall be deemed to have been vested in the said High Court as from the eleventh day of June, one thousand nine hundred and two.

5. The High Court of the Cook Islands shall have jurisdiction in all matters in which jurisdiction was conferred on the Supreme Court or the Federal Court by any Act of the Federal Parliament of the Cook Islands now in force.

Passed by the Federal Council, this seventeenth day of October, one thousand nine hundred and four.

S. SAVAGE,

Clerk to Council.

W. G. GUDGEON,

President, Federal Council.

[Assented to by the Governor on the 5th September, 1905.]

FEDERAL ORDINANCE NO. 17.—UNIMPROVED-LAND TAX ORDINANCE, 1906.

WHEREAS there is much valuable land in the hands of the Native owners thereof which is unimproved and unplanted, and consequently of no benefit to the said owners or to the community generally: And whereas it is expedient that the Native owners should improve and plant their said lands:

Be it therefore enacted by the Federal Council of the Cook and Northern Islands as follows :—

1. The Short Title of this Ordinance shall be "The Unimproved-land Tax Ordinance, 1906."

2. An Island Council may at any time hold an inspection of lands in any district of an island over which such Island Council has jurisdiction, and may by resolution in writing under the hand of the President of such Island Council recommend to the Resident Commissioner that the lands mentioned in such resolution be taxed as unimproved and unplanted lands. Thereupon it may be lawful for the Resident Commissioner to impose a tax on such lands not exceeding one shilling per acre per annum; and such tax shall continue to be a charge on the said land until payment, and shall be paid up to the thirty-first day of March in each year by the Native owner or occupier of the same respectively until the Resident Commissioner or some officer appointed by him for that purpose is satisfied that the land has been sufficiently improved and planted.

3. Notice of any tax imposed as aforesaid shall be duly given in the *Cook Islands Gazette*, and shall also be served on the owner or occupier of the land so taxed. Such notice shall name a reasonable time within which such tax shall be paid.

4. Any such tax may be recovered by proceedings in the High Court of the Cook Islands, or in the Resident Agent's Court in the Islands where the land is situated.

5. The Registrar of the Cook and Other Islands Land Titles Court shall keep records of all matters under this Ordinance; and all moneys received under this Ordinance shall be paid into the Cook Islands Treasury to the credit of the general revenue.

Passed by the Federal Council, this thirteenth day of January, one thousand nine hundred and six.

S. SAVAGE,

Clerk to Council.

W. E. GUDGEON,

President.

[Assented to by the Governor on the 28th June, 1906.]

RAROTONGA LOCAL ORDINANCE No. 5.—AN ORDINANCE TO REGULATE MATTERS IN THE ISLAND OF RAROTONGA.

BE IT ENACTED by the Island Council of Rarotonga as follows:—

1. The Short Title of this Ordinance shall be "The Rarotonga Regulations Ordinance, 1904."

Regulation of Traffic.

2. Every person driving a vehicle or riding a horse or bicycle shall keep to the left side of the road when passing a vehicle, horse, or bicycle coming in the opposite direction.

3. Every person driving a vehicle or riding a bicycle shall exhibit a light between the times of half an hour after sunset and half an hour before sunrise. Every person riding a bicycle in the daytime shall ring a bell when approaching and passing any other person, bicycle, or vehicle.

4. No person shall drive a vehicle or ride a horse or bicycle within the boundary of any settlement at a greater speed than seven miles an hour.

Regulation of Tea-shops, Dancing, &c.

5. All tea-shops shall be closed between the hours of nine at night and six in the morning, and no business shall be done by the licensee or his servants in such tea-shop between such hours.

6. No person other than the licensee or his servants shall remain in any tea-shop between the said hours of nine at night and six in the morning. No child under the age of thirteen years shall remain in any tea-shop except for the purpose of obtaining refreshment, and any child remaining in any tea-shop except for such purpose may be removed therefrom by any member of the police.

7. No Native singing, dancing, drum-playing, or other form of rekareka or tangi, shall take place or be held without the written permission of the Ariki of the district after the hour of nine at night.

Sanitary Regulation.

8. Every householder shall keep clean his yard and ground around the house, and all accumulations of refuse and rubbish shall be destroyed by fire. Any refuse or rubbish which cannot be destroyed by fire shall be buried in the ground. Any member of the police may at any hour during the daytime enter any yard or ground for the purpose of seeing that the provisions of this regulation are carried out.

Penalty for Offences.

9. Any person contravening any of the provisions of this Ordinance shall be liable to a penalty not exceeding two pounds, or, in default of payment, twenty-eight days' hard labour.

10. Any complaint under this Ordinance may be heard before the High Court of the Cook Islands or before the Ariki's Court in the district where the offence was committed.

Passed by the Rarotonga Island Council, this seventeenth day of October, one thousand nine hundred and four.

S. SAVAGE,

Clerk to Council.

W. E. GUDGEON,

President, Federal Council.

[Assented to by the Governor on the 5th September, 1905.]

MANGAIA LOCAL ORDINANCE No. 1.—VILLAGE REGULATION ORDINANCE, 1905.

BE IT ENACTED by the Island Council of Mangaia:—

1. The Short Title of this Ordinance is "The Mangaia Village Regulation Ordinance, 1905."

2. A curfew bell or gong shall be sounded in each of the Mangaia villages at nine p.m. every evening, after which bell all beating of drums and other loud noises shall cease, and the villagers retire to their houses:

Provided always that this section shall not be deemed to apply to those who have a valid excuse for being abroad after nine p.m.:

Provided also that the President of the Island Council may grant permission to any "tare-kareka" or entertainment to be extended to midnight.

3. It shall be the duty of the police to see that the provisions of this Ordinance are strictly observed. Any person offending against the provisions of section two, or obstructing the police in the execution of their duty, shall be liable on conviction to a fine not exceeding twenty shillings, and in default of payment to twenty days' hard labour.

4. Except with the permission of the President of the Island Council, no human corpse shall be buried in any place other than a burial-ground recognised by the Native inhabitants as such, or reserved or set apart by them or some duly constituted authority as a burial-ground, nor in less than twenty-four hours from the time of apparent death.

Any person infringing this section shall be liable on conviction to a penalty not exceeding twenty shillings or twenty days' hard labour.

5. Any person found playing for money, whether by cards or any other game, shall be liable on conviction to a penalty not exceeding twenty shillings. Any owner or occupier of a house or premises situate in any village who shall permit or allow gambling or playing for money in such house or upon such premises shall be liable to the same penalty.

6. The President of the Island Council may by notice in writing direct the owner or occupier of any house or other building in a dirty or unwholesome state to clean or cause the same to be cleaned within a time to be specified in such notice. And if after the service of such notice upon him any person shall refuse or neglect to comply with such notice he shall be liable to a penalty not exceeding twenty shillings or twenty days' hard labour.

For the purposes of this section the President of the Island Council, or any person duly authorised by him, may inspect any house or premises in the presence of the owner thereof.

7. No nightsoil, refuse, or offensive rubbish shall be cast or deposited or allowed to flow into any spring, stream, or watercourse used as a water-supply by the inhabitants of the island. All refuse as aforesaid shall be buried in the earth without delay.

Any offender against this section shall be liable to a fine not exceeding twenty shillings or twenty days' hard labour.

8. Except with the permission of the President of the Island Council no guns shall be fired within the limits of any Native village between the hours of nine p.m. and six a.m. Any offender against the provision of this section shall be liable to a penalty not exceeding ten shillings or ten days' hard labour.

9. And whereas many prisoners are in the habit of stowing away on board of vessels calling at Mangaia: From and after the passing of this Ordinance it shall not be lawful for any prisoner to visit a trading or other vessel unless provided with a pass signed by the Resident Magistrate of the Island. Any prisoner offending under this section shall be liable to a fine not exceeding twenty shillings. And any person who shall knowingly aid or abet him or her in breaking the provisions of this section shall be liable on conviction to a fine of twenty shillings, and in default of payment twenty days' hard labour.

Animals.

10. It shall not be lawful to tether horses, cattle, or other animals on the public road; and no beast shall anywhere be tethered in such a position that it can reach nearer than ten feet of the public thoroughfare.

Any person infringing the provisions of this section shall be liable to a fine not exceeding ten shillings for each offence or ten days' hard labour.

11. "The Wandering Animals Ordinance, 1902" (No. 8), is hereby adopted and brought into force within the limits of the Island of Mangaia; and it is further enacted by the Island Council of Mangaia that sections six and eight of the above Act shall also be deemed to apply to the public roads and Government reserves on Mangaia; and section seven shall also apply to bulls.

12. Any person placing rocks, timber, or other obstacles on the public road, whereby the traffic may be impeded or injury caused to person or property, shall be liable to a fine not exceeding ten shillings, and to pay any damage caused by such obstruction.

13. Any person guilty of furious riding or driving on the public roads within the limits of any settlement on Mangaia shall be fined not exceeding ten shillings and be liable for any damage caused thereby to person or property.

14. Any person guilty of wanton cruelty to dumb animals, such as riding or driving a horse with bad abraded back, shoulders, or withers, or guilty of other atrocious and shameful usage of dumb animals, shall be fined not exceeding ten shillings or ten days' hard labour.

15. Whereas packs of hungry curs cause much mischief and disturbance at night by chasing animals, stealing food, &c., it is hereby enacted that all dogs on Mangaia shall remain tied up at night from sunset to sunrise the following morning. Any owner or person in charge of a dog who neglects to conform to this clause shall be liable to a fine not exceeding ten shillings or ten days' hard labour.

16. All cases under this Ordinance and "The Wandering Animals Ordinance, 1902," incorporated herein, shall be heard in the Island Court before the Resident Agent: Provided always that there shall be a right of appeal to the High Court if due notice of such appeal be given in writing within seven days of the first hearing.

Passed by the Mangaia Island Council, this thirteenth day of February, one thousand nine hundred and six.

JOHN T. LARGE,

President, Mangaia Island Council.

[Assented to by the Governor on the 11th August, 1906.]

MANGAIA LOCAL ORDINANCE No. 2.—MANGAIA REGULATIONS ORDINANCE, 1906.

BE IT ENACTED by the Island Council of Mangaia as follows:—

1. The Short Title of this Ordinance shall be "The Mangaia Regulations Ordinance, 1906."

Regulation of Traffic.

2. Any person driving a vehicle or riding a horse or bicycle shall keep to the left side of the road when passing a vehicle, horse, or bicycle coming in the opposite direction.

3. Every person driving a vehicle or riding a bicycle shall exhibit a light between the times of half an hour after sunset and half an hour before sunrise. Every person riding a bicycle in the daytime shall ring a bell when approaching and passing any other person, bicycle, or vehicle.

Regulation of Tea-shops.

4. All tea-shops shall be closed between the hours of nine at night and six in the morning the following day; and no business shall be done by the licensee or his servants in such tea-shops between such hours.

5. No person other than the licensee or his servants shall remain in any tea-shop between the said hours of nine at night and six in the morning. No child under the age of thirteen years shall remain in any tea-shop except for the purpose of obtaining refreshment; and any child remaining in any tea-shop except for such purpose may be removed therefrom by any member of the police.

6. Any person contravening any of the provisions of this Ordinance shall be liable to a penalty not exceeding thirty shillings, or in default of payment thirty days' hard labour.

7. All cases under this Ordinance shall be heard in the Island Court, before the Resident Agent: Provided always that there shall be a right of appeal to the High Court if due notice of such appeal be given in writing within seven days of the first hearing.

Passed by the Mangaia Island Council, this thirteenth day of February, one thousand nine hundred and six.

JNO. T. LARGE,
President, Mangaia Island Council.

[Assented to by the Governor on the 28th June, 1906.]

AITUTAKI LOCAL ORDINANCE No. 3.—AITUTAKI ORDINANCE No. 3.

BE IT ENACTED by the Island Council of Aitutaki:—

1. The Short Title of this Ordinance shall be "The Aitutaki Ordinance No. 3."

2. No pig shall be allowed to run at large on Aitutaki except in the "Lagoon-side Enclosure"; and any person who finds a pig loose and devouring or destroying the food in any plantation or kainga may kill such pig there and then, and shall at once give notice to the constable of the district that he has done so.

3. On and after the 1st January, 1906, all cattle on Aitutaki shall be subject to a yearly tax of twenty shillings per head, payable in January of each and every year; but no calf shall be liable to be taxed until it shall have attained the age of one year. Owners of cattle are liable for any and all damage done by their cattle; and those owners who refuse or neglect to pay the above tax may have their cattle destroyed by order of the Council. No person shall be allowed to import cattle into Aitutaki unless by special permission of the Council.

4. And whereas the women of Aitutaki now occupy the several bathing and washing pools of Aitutaki from daylight to dark, to the exclusion of the men, who are thus unable to bathe until night: From and after the passing of this Ordinance the bathing and washing pools shall be at the disposal of the women from early morning until four p.m. on each and every day, at which hour every woman shall have finished her washing, &c., and shall leave the waters for the use of the men only.

Any woman offending against this section shall be liable on conviction to a fine of not exceeding five shillings for each offence.

5. Section 12 of Aitutaki Island Ordinance No. 1, being inexpedient and unnecessary, is hereby rescinded, cancelled, and declared null and void, and no longer in force in Aitutaki.

6. All tea-shops shall be closed between the hours of nine o'clock p.m. and six o'clock a.m.; and children under the age of thirteen years shall not be allowed to congregate or wait about or in any tea-shop, except when in charge of their parents.

Any tea-shop licensee who neglects to see the provisions of this section attended to shall be liable to have his license cancelled or suspended; and it shall be the duty of the police to assist in seeing that this section is enforced.

J. C. CAMERON,
President, Aitutaki Island Council.

19th August, 1905.

[Assented to by the Governor on the 23rd September, 1905.]

RAKAHANGA LOCAL ORDINANCE No. 1.—RAKAHANGA ORDINANCE No. 1.

BE IT ENACTED by the Island Council of Rakahanga as follows:—

1. The Short Title of this Ordinance shall be "The Rakahanga Ordinance No. 1."

2. Sections 2 to 19 of the "Manihiki Ordinance No. 1" are hereby adopted for the Island of Rakahanga, and shall be deemed to form part of this Ordinance, substituting therein the name "Rakahanga" for the name "Manihiki."

Passed by the Rakahanga Island Council, this eleventh day of June, one thousand nine hundred and five.

HENRY WILLIAMS,
President.
W. E. GUDGEON,
Resident Commissioner.

[Assented to by the Governor on the 28th June, 1906.]

NIUE ISLAND ORDINANCE No. 15.—THE NIUE ISLAND SALE OF COCOANUTS PROHIBITION ORDINANCE, 1905.

NIUE ISLAND COUNCIL.

WHEREAS it is expedient that the sale of dry cocoanuts by Natives to traders should be prohibited, as the practice is detrimental to making of copra by the people of Niue, and gives rise to dishonesty by the theft of fallen cocoanuts for sale to the stores :

Be it therefore enacted by the Niue Island Council, with the approval of the Resident Commissioner, as follows :—

1. The Short Title of this Ordinance is "The Niue Island Sale of Cocoanuts Prohibition Ordinance, 1905."

2. No Native of Niue, or Natives of other islands of the Pacific residing in Niue, shall sell any cocoanuts to traders, and no trader shall purchase any cocoanuts, save and except green cocoanuts for drinking purposes, or dry cocoanuts for feeding fowls or other animals.

3. No restriction is imposed by this Ordinance upon the sale or supply of either green or dry cocoanuts to vessels desiring to obtain the same, and such nuts may lawfully be sold or supplied by either Natives or European traders to any vessels visiting Niue.

4. Any Native of Niue, or Native of any other island of the Pacific, contravening the provisions of this Ordinance, shall be liable to a penalty not exceeding ten shillings for each offence, or ten days' hard labour on the public roads.

5. Any trader purchasing dry cocoanuts from any Native as aforesaid for the purpose of converting the same into a marketable product shall be liable to a fine not exceeding ten shillings for each offence.

Enacted and passed by the Niue Island Council, at Alofi, Niue, this third day of November, one thousand nine hundred and five.

TOGIA,
President of Niue Island Council.
C. F. MAXWELL,
Resident Commissioner.

[Assented to by the Governor on the 13th January, 1906.]

NIUE ISLAND ORDINANCE No. 16.—NIUE ISLAND FISH-PROTECTION ORDINANCE, 1905.

NIUE ISLAND COUNCIL.

WHEREAS the practice of destroying fish with dynamite on the shores of Niue Island is becoming general, and the fish are thereby being driven away, and it is expedient to impose restrictions upon this injurious method of taking fish :

Be it therefore enacted by the Niue Island Council as follows :—

1. The Short Title of this Ordinance is "The Niue Island Fish-protection Ordinance, 1905."

2. From and after the date on which His Excellency the Governor of New Zealand shall have assented to this Ordinance it shall be unlawful to kill fish with dynamite or other explosives on the reefs surrounding Niue ; but no one shall be prosecuted for so doing until the Governor's assent to this Ordinance is made known in Niue.

3. Every person who infringes the provisions of section two of this Ordinance shall be prosecuted by the police in the Courts of the Native Magistrates, or before the Resident Commissioner, and upon conviction may be fined not exceeding five pounds, or sentenced to hard labour on the public roads, or other work of public utility, for any term not exceeding two months.

The Niue Island Administration may offer a reward for the detection of offenders, and such reward shall be paid out of the public revenue.

Enacted and passed by the Niue Island Council, this the third day of November, one thousand nine hundred and five.

TOGIA,
President of Niue Island Council.
C. F. MAXWELL,
Resident Commissioner.

[Assented to by the Governor on the 13th January, 1906.]

NIUE ISLAND ORDINANCE No. 17.—NIUE ISLAND PUBLIC ROADS AND LANDING RESERVES DEDICATION ORDINANCE, 1906.

NIUE ISLAND COUNCIL.

WHEREAS it is expedient that the roads and landing-places in Niue should be dedicated to His Majesty King Edward VII, and thereby withdrawn from the control of private individuals :

Be it therefore enacted by the Niue Island Council as follows :—

1. The Short Title of this Ordinance is "The Niue Island Public Roads and Landing Reserves Dedication Ordinance, 1906."

2. All roads and landing reserves in Niue Island marked on the ground and delineated in the map of Niue Island, deposited in the Government Survey Office of New Zealand (a tracing thereof being now produced before the Niue Island Council), are hereby dedicated to and vested in His Majesty King Edward VII and his successors, absolutely and without reserve, for ever, to wit,—

The landing reserves at Avatele, Alofi, Tuapa, and Mutakau respectively ;

The main road commencing at Alofi and extending round the island, connecting all the villages except Hikutavake, Fatiau, and Tamakautoga :

The main roads from Lakepa, Liku, and Hakupu converging on Alofi, through the centre of the island ;

The branch roads to Hikutavake, Fatiau, and Tamakautoga.

3. The average width of the main roads is sixty-six feet. All cocoanut-palms growing within the limits of any road shall remain the property of their present owners, but may be removed at any time by the Niue Island Administration for the purpose of widening the formation. Fair compensation shall be paid to the owner for any trees so removed.

4. From and after the date on which this Ordinance is assented to by His Excellency the Governor of New Zealand, all public roads and landing reserves in Niue as aforesaid shall be vested in His Majesty the King, and any person obstructing the same in any way shall be liable to a penalty of not exceeding five pounds or to not exceeding two months' hard labour.

Enacted and passed by the Niue Island Council, this eighth day of March, one thousand nine hundred and six.

TOGIA,

President of Niue Island Council.

C. F. MAXWELL,

Resident Commissioner.

[Assented to by the Governor on the 28th June, 1906.]

NIUE ISLAND ORDINANCE NO. 18.—NIUE ISLAND MAINTENANCE OF PUBLIC ROADS ORDINANCE, 1905.

NIUE ISLAND COUNCIL.

WHEREAS it is expedient that action should be taken to enforce the weeding and maintenance of public roads by the owners or occupiers of land through which such roads pass, and who are benefited thereby, such labour being done in lieu of payment of road rates :

Be it therefore enacted by the Niue Island Council as follows :—

1. The Short Title of this Ordinance is "The Niue Island Maintenance of Public Roads Ordinance, 1905."

2. The inhabitants of every village in Niue Island shall keep the main roads passing through such village free of weeds or other vegetation. Every householder shall maintain in good order that portion of the main road in front of his or her section or dwelling-place.

3. Once in every three months, or when the state of the roads require it, all landowners or householders in every village of Niue shall be notified by the police to weed the roads passing through their lands. One day of each week shall be devoted to such work until the task is completed. If a landowner or householder is from any cause unable to attend personally to such work, a substitute shall be provided by him or her.

4. Neglect on the part of any householder or landowner to comply with the police notification as aforesaid shall render him or her liable to a fine of five shillings for every such act of neglect.

The Niue Administration may have the necessary work executed, and recover the cost of the same from the landowner.

5. The Native constables in every village are hereby appointed Road Inspectors under this Ordinance, and it shall be their duty to see that the provisions of this Ordinance are carried into effect.

Enacted and passed by the Niue Island Council, this fifth day of December, one thousand nine hundred and five.

TOGIA,

President of Niue Island Council.

C. F. MAXWELL,

Resident Commissioner.

[Assented to by the Governor on the 28th June, 1906.]

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