

ANNO NONUS
VICTORIÆ REGINÆ.

SESSION VI. No. I.

ARMS IMPORTATION. AN ORDINANCE to empower the Governor of New Zealand to regulate the Importation and Sale of Arms Gunpowder and other Warlike Stores.

[13th December, 1845.]

Preamble.

WHEREAS certain tribes of the Native race of New Zealand have taken up arms against the Queen's sovereign authority : And whereas for the purpose of effectually subduing the present insurrection, and of preventing the recurrence of an armed resistance to the authority of Her Majesty, and of securing the peace and good order of the Colony, it is expedient that restrictions should on fitting occasions be placed on the importation and sale of arms gunpowder and other warlike stores within the same :

BE IT THEREFORE ENACTED by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows, that is to say :—

Power to Governor to prohibit the importation of arms &c.

1. It shall be lawful for His Excellency the Governor from time time as to him shall seem meet, by Proclamation, to prohibit throughout the Colony or within any district thereof (to be in such Proclamation defined) the importation or sale, or both the importation and sale, of arms gunpowder and other warlike stores.

And to regulate the sale thereof.

2. It shall also be lawful for His Excellency the Governor from time to time as to him shall seem meet, by Proclamation, to make provision for regulating and restricting throughout the Colony or within any district thereof (to be in such Proclamation defined) the importation or sale, or both the importation and sale, of arms gunpowder and other warlike stores.

Penalty on importer.

3. Every person who shall import or bring into the Colony any arms gunpowder or other warlike stores (whether the owner thereof or not), and who shall wilfully and knowingly, and contrary to the provisions of any such Proclamation as aforesaid, land or dispose of, or cause to permit to be landed or otherwise disposed of, such arms gunpowder or other warlike stores or any part thereof, shall for every such offence forfeit and pay any sum not exceeding five hundred pounds, to be recovered in a summary way. And any arms gunpowder or other warlike stores which shall have been imported and landed or otherwise disposed of contrary to the provisions of any such Proclamation as aforesaid shall be forfeited to Her Majesty, and may be seized by any Justice of the Peace, or peace officer, or by any officer of Her Majesty's Customs, or by any person duly authorized and appointed in writing by His Excellency the Governor.

Arms &c. to be forfeited.

4. The

Arms Importation.

4. The master or person commanding the ship or vessel in which such arms gunpowder or other warlike stores shall have been imported, if he shall wilfully and knowingly, and contrary to the provisions of any such Proclamation as aforesaid, land or dispose of, or cause or permit to be landed or otherwise disposed of, such arms gunpowder and other warlike stores or any part thereof, shall also for every such offence forfeit and pay any sum not exceeding five hundred pounds, to be recovered in a summary way. And upon the conviction of any such master or person, such ship or vessel, with all her furniture or apparel, shall be forfeited to Her Majesty, and may be seized by any Justice of the Peace, or peace officer, or by any officer of Her Majesty's Customs, or by any person duly authorized and appointed by His Excellency the Governor.
5. Every person who shall wilfully and knowingly, and contrary to the provisions of any such Proclamation as aforesaid, sell or dispose of any arms gunpowder or other warlike stores, shall for every such offence forfeit and pay any sum not exceeding five hundred pounds, to be recovered in a summary way. And all arms gunpowder and other warlike stores so unlawfully sold or disposed of shall be forfeited to Her Majesty, and may be seized in manner hereinbefore provided.
6. It shall be lawful for any Justice of the Peace to enter and search, or to grant a warrant to any person or persons to enter and search, any house place ship or vessel where such Justice shall from information on oath have reasonable grounds to suspect any arms gunpowder or other warlike stores to be deposited for any purpose contrary to this Ordinance.
7. In case of any conviction under the provisions of this Ordinance, where any person or persons shall appear to have been active in or towards the procuring of any such conviction, it shall be lawful for His Excellency the Governor to award to such person or persons such portion of the penalty recovered upon such conviction, but not exceeding in the whole one-half thereof, as to him shall seem meet.
8. For the purposes of this Ordinance, the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government of the Colony for the time being; and the word "vessel" shall be taken to include any boat barge punt or canoe.

Penalty on master of vessel.

Vessel &c. to be forfeited.

Penalty for unlawfully selling arms &c.

Arms &c. to be forfeited.

Power to search.

Reward for activity in procuring convictions.

Interpretation clause.