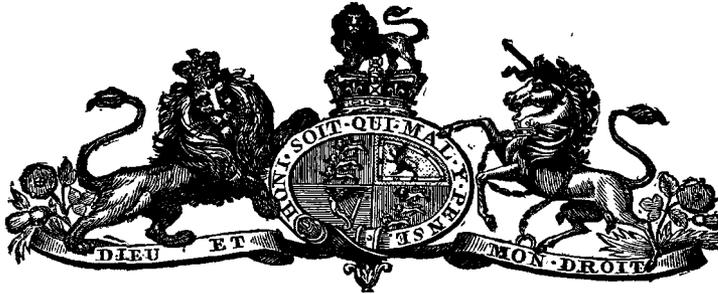


NEW ZEALAND.



TRICESIMO SEXTO

VICTORIÆ REGINÆ.

No. LXX.

ANALYSIS.

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| <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. Pension to William Russell.
6. Date at which pensions to commence.
7. To be paid out of Consolidated Fund.</p> | <p>8. Pension to widows of loyal Maoris named in Schedule.
9. Pension to child named in Schedule.
10. Pensions to be paid out of Consolidated Revenue.
11. Power to Governor to appoint trustees for child.
12. How moneys to be applied on behalf of child.
13. Payments, when to cease.
14. Declaration may be required before payment.
Schedule.</p> |
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AN ACT to grant Pensions to Charlotte Schafer, Ellen McGuire, and others. Title.
[25th October, 1872.]

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, McGuire, and Others Pension Act, 1872." 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 Pension of £30 per annum to Charlotte Schafer.

Schafer, McGuire, and Others Pension.

quarterly payments, the first whereof will become due on the first day of July, one thousand eight hundred and seventy-two, 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 to be paid out of Consolidated Revenue.

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.

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 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.

Pension to William Russell.

5. There shall be paid to William Russell the annual pension or sum of eighteen pounds six shillings during the term of his natural life.

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 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 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 to the child of one of such loyal Maoris as 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

8. There shall be paid to each of the said widows whose names

Schafer, McGuire, and Others Pension.

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.

loyal Maoris named in Schedule.

9. There shall be paid to some person or persons, as hereinafter mentioned, for and on behalf of the child whose name and present age are set forth in the third column of the said Schedule, the annual sum of four pounds by equal quarterly payments, until she shall attain the age of twelve years; and in case she shall die under that age, then such annual payment shall wholly cease.

Pension to child named in Schedule.

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 fourth 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 child mentioned in the said Schedule, and every such appointment 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 the said child shall receive such pension or allowance on behalf of such child.

Power to Governor to appoint trustees for child.

12. Any person or persons (including a mother or other relative) appointed under the last preceding section, who shall receive the pension hereby made payable to the said child, shall apply the same in and towards her 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 child.

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.	Name of Child.	Place and Date of Death of Loyal Maoris.
Tutere Kapai ...	Miriama Whakahira	...	Waitaria, 10th November, 1868.
Hori Paraone (George Brown, half-caste)	Hariata Waea ...	Keriana, girl, aged about 5 years	Pukewhinau, 31st August, 1868.
Te Waribi Pontini	Wikitoria Tops	Thrown overboard from "Rifleman," 5th July, 1868.

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