

Mr. Palmer.

GUM AND GUMFIELDS.

ANALYSIS.

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A BILL INTITULED

AN ACT to regulate the Digging and Sale of Zealands in New Zealand.

BE IT 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 is "The Gum and Gumfields Act, 1893."

2. From and after the passing of this Act no person shall dig for kauri-gum without first having obtained a license.

3. Such license shall be granted by any County Council in the Auckland Provincial District wherein the applicant intends (as shown by his declaration hereinafter mentioned) to dig for gum, and any Postmaster within such county shall be a Clerk to such County Council for the purpose of issuing such license, and shall issue the same, and receive the fees hereinafter mentioned for such County Council.

4. Before such license can issue, the applicant therefor shall make a declaration before the Postmaster to whom he applies for the license (who is hereby authorised to take the said declaration), stating,—

(a.) That the applicant has been a resident in this colony for one year immediately preceding the date of the declaration, or that such applicant has been in the colony before this Act came into force;

(b.) As to whether such applicant is a British subject, or an alien;

(c.) That the applicant intends to dig for gum in the county of that County Council within which such post-office lies;

And anyone wilfully making a false declaration therein shall be guilty of and punishable for the crime of perjury.

Licenses to be annual.

5. Such license shall be an annual license only, and be required to be taken out annually, the annual fee for which shall be as follows—to wit: if a British subject, one shilling; if an alien, five pounds; and any person digging gum without such license shall be guilty of an offence under this Act: Provided, however, that a licence once issued for any one of the above counties shall be valid for any of the other of the above counties. 5

Postmaster to keep list of licenses.

6. Each Postmaster shall keep at his post-office a list of all those to whom he has issued licenses (while each license is in force), and such license shall be open to public inspection during post-office hours. 10

Production of license when demanded.

7. Any person finding any one digging gum may demand the name and address of, also the post-office from which the license has been issued to, the person so found digging, and such person shall immediately truly state the same, otherwise he shall be guilty of an offence under this Act. 15

Digging by aliens.

8. All contracts that may be made between any parties tending to introduce into this colony aliens to dig for kauri-gum are hereby declared illegal, null, and void.

Disposal of kauri-gum.

9. All contracts compelling any one to sell or dispose of kauri-gum to any particular storekeeper, person, or company, or to buy goods only from any particular storekeeper, person, or company, are hereby declared illegal, null, and void. 20

Power of Governor in Council.

10. The Governor in Council shall have power from time to time to make, alter, and revoke regulations for carrying this Act into effect; and when such regulations so made are gazetted, the same shall have the full force of law as if enacted herein: Provided always that such regulations must make provision for the appointment of Inspectors or other officers under this Act, who are to be paid out of the funds arising from the aforesaid licensing-fees; and also make provision that any surplus thereafter arising from such fees aforesaid shall be used for the purposes of this Act in the manner by such regulations directed. 25 30

Prosecutions.

11. Any person may lay an information against and prosecute another under this Act for any offence herein, and if the person so charged is proved guilty, he or she shall be liable, on summary conviction therefor before two Justices of the Peace or a Resident Magistrate, to the following punishment, to wit: If a first offence under this Act, to a fine not exceeding *ten* pounds, or, in default thereof, any term of imprisonment not exceeding *one* month; if a subsequent offence under this Act, to a fine not exceeding *twenty* pounds, and, in default thereof, any term of imprisonment not exceeding *three* months. One half of the fines recovered under this section shall, on the application to the Government of the person so prosecuting, be paid over to him for his own use. 35 40 45

Operation of Act.

12. Sections *eight*, *nine*, and *eleven*, shall come into operation immediately upon the passing of this Act, and the remainder when gazetted by the Governor in Council as in force.