

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed as now printed, is transmitted to the HOUSE OF REPRESENTATIVES for its concurrence.

*Legislative Council,
21st August, 1889.*

Hon. Sir F. Whitaker.

NATIVE MEETINGS.

ANALYSIS.

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A BILL INTITULED

AN ACT to prevent Aboriginal Natives assembling in a manner calculated to create Alarm and Inconvenience and Danger to the Public Peace. Title.

5 WHEREAS it is a common practice for aboriginal natives in considerable numbers to travel through the country in a body, and also to appoint and hold meetings which are largely attended : And whereas such travelling through the country and the holding of such meetings frequently cause alarm to Her Majesty's subjects in the neighbourhood, and create a reasonable apprehension that a breach of the peace may result : And whereas such travelling and meetings are also the occasion of serious loss, expense, and inconvenience to the Native inhabitants of the districts through which such travellers pass, or in which such meetings are held : And whereas it is expedient therefore that some provision should be made whereby the evil effects of such travelling and meetings may be prevented in certain cases : Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

20 1. The Short Title of this Act is "The Native Meetings Act, 1889." Short Title.

25 2. Whenever, upon the report of the Resident Magistrate of any district, concurred in by a Native Assessor, it shall appear to the Governor that Natives in considerable numbers are, for a common purpose, lawful or unlawful, travelling in a body through the country in such manner as to cause alarm and apprehension to Her Majesty's subjects, or calculated to cause useless and unnecessary expense, loss, and inconvenience to some of Her Majesty's Native subjects, it shall be Governor to have power to declare travelling by Natives in considerable bodies illegal, and authorise a person to caution them.

lawful for the Governor, by writing under his hand, to declare such travelling to be illegal, and to authorise some discreet and proper person to caution such Natives that their proceedings are illegal, and thereupon require them to disperse forthwith.

Natives disobeying caution to be guilty of an offence.

3. If any Natives to the number of twenty or more, notwithstanding being so cautioned and required to disperse as aforesaid, shall remain or continue their travelling together, every of them shall be guilty of an offence under this Act. 5

Governor may prohibit certain meetings by Natives.

4. Whenever it shall appear to the Governor that any meeting of Natives proposed to be held for a common purpose, lawful or unlawful, is calculated to create alarm, and a reasonable fear that the public peace will be endangered, or to cause unnecessary expense, loss, and inconvenience to some of Her Majesty's Native subjects, it shall be lawful for the Governor, by Proclamation, to prohibit the holding of such meeting. 10 15

Persons present at a prohibited meeting guilty of an offence.

5. Every person who, without lawful excuse, the proof whereof shall be on the person charged, shall attend or be present at any meeting so prohibited as aforesaid, not less than twenty other persons being also present, shall be guilty of an offence under this Act.

Persons committing an offence may be arrested.

6. Every person committing an offence under this Act may be arrested, with or without warrant, by any constable or peace-officer, and every person so arrested shall, as soon as conveniently may be, be taken before a Resident Magistrate or two Justices of the Peace, who are hereby authorised to deal with the case summarily. 20

Offences, how punishable.

7. Every offence under this Act shall be punishable, on summary conviction before a Resident Magistrate or two Justices of the Peace, by a fine not exceeding *one hundred pounds*; and the offender may also be required to enter into recognisances to the Queen, either with or without sureties, to keep the peace and be of good behaviour, and especially not again to commit any offence under this Act. 25 30

Statement in general terms sufficient.

8. Whenever the Governor exercises any power or authority vested in him by this Act, a statement in general terms of the matters which have led to the exercise of such power or authority shall be sufficient and conclusive so far as relates to the validity of any Proclamation issued or appointment made, and it shall not be necessary to specify any particular place of meeting or part of the country where such Natives may be travelling. 35

Not to prejudice excuse or justification.

But nothing herein shall prejudice any matter of excuse or justification which any person may set up or establish subsequent to the exercise of such power or authority. 40

Persons may be prosecuted under other Acts.

9. Nothing in this Act shall be deemed or construed to prevent any person from being prosecuted under any other Act or law for the time being in force for any offence punishable thereunder.

Act to apply only to Natives.

10. Except where otherwise expressly provided, this Act shall apply only to the aboriginal natives of the colony, half-castes, and their descendants by aboriginal natives. 45