



NEW ZEALAND GOVERNMENT-GAZETTE.

Published by Authority.

All Public Notifications which appear in this Gazette, with any Official Signature thereunto annexed, are to be considered as Official Communications made to those persons to whom they may relate, and are to be obeyed accordingly.

By His Excellency's Command,
ANDREW SINCLAIR, Colonial Secretary.

VOL. II.] AUCKLAND, SATURDAY, NOV. 11, 1854. [No. 37.

Colonial Secretary's Office, Auckland,
November 4, 1854.

IN pursuance of the provisions of the New Zealand Constitution Act, His Excellency the Officer Administering the Government directs the publication of the following Acts of the General Assembly for public information.

By His Excellency's command,
ANDREW SINCLAIR, Colonial Secretary.

LAW PRACTITIONERS ACT, 1854.

IN THE EIGHTEENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

No. 8.

ANALYSIS.

- | | |
|--|--|
| <p>Title.
Preamble.</p> <p>1. Barristers and Solicitors of the Supreme Court may act as general Law Practitioners within this Colony and its dependencies.</p> | <p>2. No action to be carried on against any Barrister for having acted as Solicitor.</p> <p>3. Short Title.</p> |
|--|--|

AN ACT to enable the Barristers and the Solicitors of the Supreme Court to act as general Law Practitioners. Title.

(Assented to 14th September, 1854.)

WHEREAS by the Ordinance Number three of the late Legislative Council of this Colony, passed in the ninth Session thereof, it was enacted that it should be lawful for any person being a Barrister or Solicitor of the Supreme Court, to act therein in the twofold capacity of Barrister and Solicitor, for a period of five years from the passing of such Ordinance, subject to the proviso therein contained.

Preamble, Ordinance
Session 9, No. 3.

AND WHEREAS the said Ordinance expired in the month of November in the year last passed, and has not since been revived, nor any of the provisions thereof.

AND WHEREAS it is expedient that the Barristers and the Solicitors of the said Supreme Court should be empowered to act as general Law Practitioners within this Colony and its Dependencies.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand as follows :

Barristers and Solicitors of the Supreme Court may act as general Law Practitioners within this Colony and its dependencies.

1. It shall be lawful for any Barrister or Solicitor of the said Supreme Court, to act as well in the capacity of Barrister and Advocate as of Attorney and Solicitor within this Colony and its Dependencies, and in the several Courts of Justice which are now, or shall be at any future time therein erected and constituted, for the period of five years, to be computed from the passing of this Act.

No action to be carried on against any Barrister for having acted as Solicitor.

2. No action shall be commenced or carried on in the said Supreme Court against any Barrister thereof, for having acted as an Attorney or Solicitor of such Court, since the expiration of the Ordinance hereinbefore recited.

Short Title.

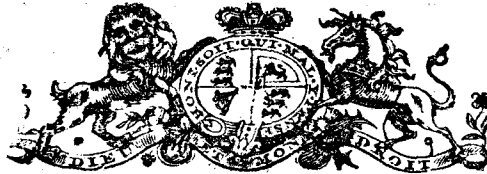
3. This Act shall be termed and may be cited and referred to as the "Law Practitioners Act, 1854."

In the name of Her Majesty I assent to this Act.

R. H. WYNYARD,

Officer Administering the Government.

Auckland, 14th September, 1854.



POWERS OF ATTORNEY ACT, 1854.

IN THE EIGHTEENTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

No. 10.

ANALYSIS.

- Title.
Preamble.
1. Certain Powers of Attorney to continue in force until notice of death, or of revocation, shall have been received by the Attorney.
 2. A solemn declaration made by the Attor-

ney shall, in certain cases, be conclusive proof of non-revocation.

3. Justice of the Peace or Notary Public may take Declarations in the form in the Schedule. Penalty for false declarations.
4. Short Title. Schedule.

AN ACT to give greater effect to Powers of Attorney.

Title.

(Assented to 16th September, 1854.)

WHEREAS difficulties frequently arise as to Titles to Land, by reason of Conveyances or other Instruments; and acts affecting same having been executed and done under Powers of Attorney from absent persons, of whom it cannot be known whether they are alive, or whether they may not have revoked such Powers of Attorney at the date of the execution of such conveyances or other instrument, or of such acts being done.

Preamble.

BE IT THEREFORE ENACTED by the General Assembly of New Zealand:

1. Whenever the person who may have executed or shall hereafter execute any Power of Attorney, (whether such person were or be at the time within the Colony or not) shall not have declared or shall not declare therein that such power shall continue in force only until his death or revocation thereof, then, and in every such case, such power shall, so far as may concern all Contracts entered into *bona fide*, and all Conveyances, Leases, Mortgages, and other dispositions of or relating to Lands or Tenements in the Colony of New Zealand, for valuable consideration only, and no farther or otherwise, operate and continue in force until notice of his death or of the revocation of such power shall have been received by the Attorney named therein, and every Act (within the scope of the powers and authority conferred upon the said Attorney to such extent as aforesaid) heretofore or hereafter to be done or suffered by him after such death or revocation as aforesaid, and before notice thereof shall have been received, shall be as effectual in all respects as if such death or revocation had not happened or been made.

Certain Powers of Attorney to continue in force until notice of death or of revocation shall have been received by the Attorney.

2. A Solemn Declaration, in the form set forth in the Schedule hereunto annexed, made by any such Attorney, that he has not received any notice or information of the revocation of such Power of Attorney by death or otherwise, shall, if made immediately before or after any such Act as aforesaid, be taken to be conclusive proof of such non-revocation at the times thereof respectively.

A solemn declaration made by the Attorney shall, in certain cases, be conclusive proof of non-revocation.

3. It shall be lawful for any Justice of the Peace or Notary Public to take and receive the Declaration of any person voluntarily making the same before him in the form in the Schedule to this Act annexed, and any person who shall wilfully and corruptly make and subscribe any such Declaration, knowing the same to be untrue in any material particular, shall be deemed guilty of misdemeanour, and on conviction thereof shall be liable, at the discretion of the Court trying the offence, to be imprisoned with or without hard labour for any term not exceeding three years, or to pay such fine or both as the said Court shall award.

Justice of the Peace or Notary Public may take declarations in the form in the Schedule. Penalty for false declarations.

Short Title.

4. This Act shall be termed "The Powers of Attorney Act, 1854," and may be cited and referred to as such.

In the name of Her Majesty I assent to this Act.

R. H. WYNYARD,

Officer Administering the Government.

Auckland, 16th September, 1854.

Form of Declaration.

SCHEDULE REFERRED TO IN THE FOREGOING ACT.

I (A. B. of (place of abode and occupation) do solemnly and sincerely declare that (insert facts). And I make this solemn Declaration conscientiously believing the same to be true, and by virtue of an Act of the General Assembly of New Zealand, intituled the "Powers of Attorney Act, 1854."



PROVINCIAL WASTE LANDS ACT, 1854.

IN THE EIGHTEENTH YEAR OF THE REIGN OF HER MAJESTY QUEEN VICTORIA.

No. 13.

ANALYSIS.

- | | |
|--|--|
| <p>Title.
Preamble reciting New Zealand Constitution Act.</p> <p>1. General Assembly authorized to empower Provincial Councils to make Laws for regulating, &c., the Waste Lands of the Crown.</p> | <p>2. General Assembly authorised to empower Superintendents &c. to exercise powers vested in the Governor and General Assembly.</p> <p>3. Act not to come into operation till it shall have received the Royal assent,</p> <p>4. Short Title.</p> |
|--|--|

AN ACT to authorise the General Assembly to empower the Provincial Councils to enact Laws for regulating the Sale, Letting, Disposal, and Occupation of the Waste Lands of the Crown. Title.

(16th September, 1854.)

[Reserved for Her Majesty's assent.]

WHEREAS by an Act of the Imperial Parliament of the Session holden in the 15th and 16th years of the reign of Her Majesty Queen Victoria, chapter 72; it is amongst other things enacted, that subject to the provisions therein contained, it shall be lawful for the General Assembly of New Zealand to make laws for regulating the sale, letting, disposal, and occupation of the Waste Lands of the Crown. And Whereas it is expedient that the Superintendent of any Province with the advice and consent of the Provincial Council thereof, should have the power to make laws for regulating the sale, letting, disposal, and occupation of the Waste Lands of the Crown within the limits of such Province.

Preamble reciting New Zealand Constitution Act.

BE IT THEREFORE ENACTED by the General Assembly :

1. Subject to the provisions in the said recited Act contained, it shall be lawful for the General Assembly of New Zealand to authorise and empower the Superintendent of any Province with the advice and consent of the Provincial Council thereof, to make laws for regulating the sale, letting, disposal, and occupation of the Waste Lands of the Crown in such Province, either absolutely or upon such terms or conditions, and subject to such restrictions and limitations, as may be prescribed by any Act or Acts to be passed by the said General Assembly in that behalf, anything in the said recited Act to the contrary notwithstanding.

General Assembly authorised to empower Provincial Councils to make Laws for regulating, &c., the Waste Lands of the Crown.

2. And Whereas in the said in part recited Act the Governor is authorised and required to pay out of the Revenue arising from the disposal of the Waste Lands of the Crown in New Zealand, all the costs, charges, and expenses, incident to the collection management and receipt thereof: And whereas it is also provided by the said Act, that all costs charges and expenses in relation to the Revenue of the said Waste Lands, shall be regulated and audited in such manner as shall be directed by laws of the said General Assembly. And whereas it is expedient that the General Assembly should be authorised to vest such powers and duties in the Superintendents and Provincial Councils respectively. Be it therefore enacted, that it shall be lawful for the General Assembly of New Zealand to authorise and empower the Superintendent and Provincial Council respectively of each Province, (so far as relates to the administration of the Revenue arising from the Waste Lands of the Crown in such Province) to perform and exercise all the powers and duties so vested in the Governor and General Assembly respectively as aforesaid. Provided always that from the time such powers and duties as aforesaid shall be so vested in any Superin-

General Assembly authorised to empower Superintendents, &c., to exercise powers vested in Governor and General Assembly.

tendent and Provincial Council, all the costs, charges, and expenses, incident to the Administration of the Waste Lands in any such Province, shall be regulated, paid, and audited in such manner as shall be provided in that behalf, by Laws to be from time to time enacted by the Superintendent of such Province with the advice and consent of the Provincial Council thereof.

Act not to come into operation till it shall have received the Royal assent.

3. This Act shall not come into operation until it shall have received the Royal assent, and until the notification of such assent shall have been made in the *New Zealand Government Gazette*, by order of the Governor or the Officer Administering the Government of New Zealand for the time being.

Short title.

4. This Act shall be entitled and may be cited as "The Provincial Waste Lands Act 1854."

I hereby declare that I reserve this Act for the signification of Her Majesty's pleasure thereon.

R. H. WYNYARD,

Officer administering the Government.

Auckland, 16th September, 1854.