

- (2.) That all liquor sold or exposed for sale under any brand or trade-mark shall be the genuine liquor to which such brand or trade-mark refers.
- (3.) That no liquor shall be sold between the hours of ten p.m. and seven a.m.
- (4.) That no liquor shall be sold on Sundays except to *bona fide* lodgers in the said house.
- (5.) That no person in a state of drunkenness, nor any person against whom a prohibition order has been issued, as hereinafter provided, shall be served with intoxicating drink, nor shall any person in a state of drunkenness be allowed to remain in any part of the said house.
- (6.) That any person authorised by the Resident Commissioner may, at any reasonable time, be permitted to enter into the said house for the purpose of inspecting any liquor exposed for sale, and such person may take samples of such liquor for the purpose of testing the same.
- (7.) That any barman or other person appointed by the licensee for the purpose of selling liquor shall be approved of from time to time by the Resident Commissioner, and shall be subject to removal at the request of the Resident Commissioner.
- (8.) That the licensee shall be responsible for the act or acts of any servant or servants in contravention of the license and the conditions under which the same is granted.
- (9.) That no spirituous liquor shall be sold to any Native except upon the written order of the Government medical officer: Provided that a limited quantity of beer or wine shall be allowed to be sold to any Native, such limit to be defined by regulation made by the said Island Council.
- (10.) That if there shall be any breach by the licensee or his servant or servants of the conditions of the license, the same shall be an offence against this Ordinance, and the said licensee shall be liable on conviction to a fine not exceeding twenty pounds. If the said licensee shall be three times convicted of any offence under this Ordinance his license shall be liable to forfeiture by the Resident Commissioner.

8. Any license granted under the provisions hereof may be transferred with the sanction of the Resident Commissioner and the said Island Council.

9. Immediately after the date on which this Ordinance shall come into operation the Collector of Customs may take possession of all intoxicating liquor on the Island of Rarotonga, and may pay such compensation therefor to the owners thereof as shall be arranged between the said Collector of Customs and the said owners: Provided that any person being in possession of liquor as aforesaid may export same if he object to the compensation offered: Provided also that the Collector of Customs may refuse to take over any liquor which in his opinion is unsaleable.

10. An order prohibiting the supply of intoxicating liquors to any person, whether European or Maori, may be granted by the High Court of the Cook Islands upon due cause being shown, and may thereafter be revoked; the Registrar of the High Court shall forthwith forward to the licensee a notice of the said order or of any revocation thereof having being made.

11. Any person who shall distil or manufacture any intoxicating liquor other than orange, banana, or pine-apple beer, shall be liable on conviction to a penalty not exceeding £100, or, in default, twelve months' hard labour.

12. All informations and complaints under this Ordinance shall be heard before the High Court of the Cook Islands. All penalties recovered hereunder shall be paid into the public revenues of the Cook Islands, but the Court may order portion of such penalty to be paid to any person or persons.

13. This Ordinance shall come into operation by proclamation of the Resident Commissioner in the *Cook Islands Gazette* not less than three months after the Governor shall have assented to the same.

Passed this 8th day of November, 1902.

S. SAVAGE, Clerk to Council.

MAKEA.
NGAMARU.
TINOMANA.
PA.
KARIKA.

No. 39.

ORDINANCE OF THE ISLAND COUNCIL OF RAROTONGA, No. 2, 1902, FORWARDED BY THE RESIDENT COMMISSIONER FOR THE ASSENT OF HIS EXCELLENCY THE GOVERNOR (December, 1902.)

No. 2.—*An Ordinance to conserve the Coast Forests of Rarotonga.*

WHEREAS certain persons have sold timber growing on land situated between the coast road and the lagoon, and this timber has been cut without the knowledge of the Ariki, and contrary to the old law of the land, and to the injury of those cultivating the adjacent land: And whereas these lands have for more than twenty years been recognised as under the special control and mana of the district Arikis, and it is desirable that the coast shelter should be rigidly conserved:

Be it enacted by the Island Council of Rarotonga:—

1. The Short Title of this Ordinance shall be "The Coast Timber Conservation Ordinance, 1902."

2. From and after the date of this Ordinance it shall not be lawful for any landholder to cut or sell any tree growing on land situated between the sea and the coast road known as the Purumu,