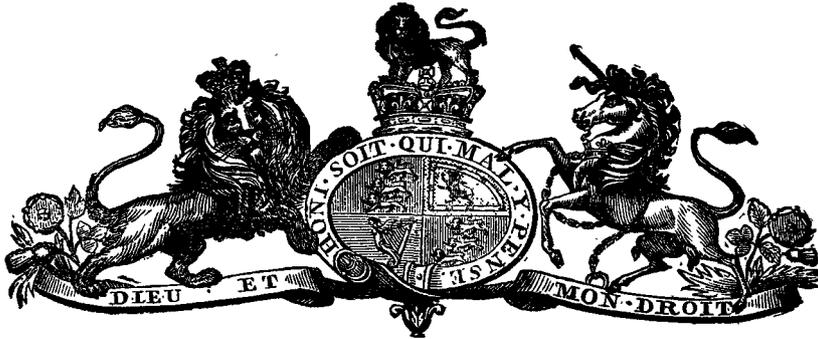


## NEW ZEALAND.



TRICESIMO QUINTO

## VICTORIÆ REGINÆ.

No. XVII.

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## ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Repeal of "Bay of Islands Settlement Act 1858."</p> <p>3. Unsold lands within the Settlement to be Waste Lands of the Crown.</p> | <p>4. Contract &amp;c. may be fulfilled.</p> <p>5. Rights of John Edmonds under awards saved.</p> <p>6. £2,000 paid to J. Edmonds charged against the Province of Auckland.</p> <p>7. Other equitable interests (if any) saved.</p> <p>8. Rights reserved Kawa Kawa Coal Mine.</p> |
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AN ACT to repeal "The Bay of Islands Settlement Act 1858" and to provide for Winding-up the Affairs of the Settlement. Title.  
 [14th November 1871.]

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 shall be "The Bay of Islands Settlement Act 1871." Short Title.

2. "The Bay of Islands Settlement Act 1858" hereinafter called "the said Act" is hereby repealed.

3. Subject to the provisions hereinafter contained all the lands comprised within the boundaries of the said Settlement at the time of the passing of "The Bay of Islands Settlement Act 1870" on the twelfth day of September one thousand eight hundred and seventy and then remaining subject to the provisions of "The Bay of Islands Settlement Act 1858" shall be deemed after the passing of "The Bay of Islands Settlement Act 1870" to have been and hereafter to be Waste Lands of the Crown within the Province of Auckland to be dealt with and disposed of in manner provided by the Waste Lands Acts for the time being in force within the said Province Provided that no such lands shall be proclaimed under the second section of "The Auckland Waste Lands Act 1870."

Repeal of "Bay of Islands Settlement Act 1858."  
 Unsold lands within the Settlement to be Waste Lands of the Crown.

*Bay of Islands Settlement.*

Contracts &c. may  
be fulfilled.

4. It shall be lawful for the Governor to exercise do and execute every power act and deed which may be necessary to fulfil complete carry out or compel the performance of any promise or subsisting contract or agreement which has been lawfully made or entered into under "The Bay of Islands Settlement Act 1858" or "The Bay of Islands Settlement Act 1870."

Rights of John  
Edmonds under  
awards saved.

5. Nothing herein contained shall be deemed to affect the rights of John Edmonds late of the Bay of Islands settler or of the person or persons for the time being claiming by through or under him to the lands mentioned in the several awards made by Francis Dillon Bell as Land Claims Commissioner pursuant to section three of the said Act and severally dated the twenty-seventh day of May one thousand eight hundred and sixty-one and the nineteenth day of May one thousand eight hundred and sixty-two and it shall be the duty of the Secretary for Crown Lands with all convenient speed after the passing of this Act to take and adopt all necessary means for satisfying the same awards in such manner as shall seem most fit and expedient.

£2,000 paid to J.  
Edmonds charged  
against the Province  
of Auckland.

6. The sum of two thousand pounds heretofore paid out of the revenue of the Colony to the said John Edmonds as compensation for certain lands taken under the said Act is hereby charged against the revenue of the Province of Auckland and may be deducted by the Colonial Treasurer from any moneys hereafter payable to the Provincial Account of the said Province.

Other equitable  
interests (if any)  
saved.

7. Nothing in this Act contained shall interfere with the equitable rights or interests if any of any other person or persons under the provisions of the said Act and all such equitable rights and interests if any shall remain and be a charge upon the said lands and upon all revenues from time to time to be derived therefrom and all claims arising out of or under the said Act which may hereafter be admitted by the General Government of New Zealand shall be satisfied and discharged out of such lands or in money and if in money all sums so paid shall be charged upon the Revenue of the said Province and may be deducted by the Colonial Treasurer from any moneys thereafter payable to the Provincial Account of the said Province.

Rights reserved  
Kawa Kawa Coal  
Mine.

8. And whereas under and by virtue of the powers conferred by "The Bay of Islands Settlement Act 1858" a contract was some time since made by the Superintendent acting under the authority of the General Government with the Bay of Islands Coal Company (Limited) hereinafter called "the said Company" to grant a lease of one thousand two hundred and eighty acres of land situate at Ruapekapeka in the Bay of Islands comprising the coal mine known as the Kawa Kawa Coal Mine And whereas the said Company in pursuance of the said contract entered into possession of the said mine and are now in possession thereof And whereas an Act of the General Assembly was passed in the last Session thereof intituled "The Bay of Islands Settlement Act 1870" whereby "The Bay of Island Settlements Act 1858" was repealed And whereas by virtue of the said repealing Act the land affected by "The Bay of Islands Settlement Act 1858" has become subject to the provisions of "The Auckland Waste Lands Act 1867" and there is no power now subsisting by virtue of which the lease so contracted as aforesaid to be given to the said Company can now be granted And whereas it is expedient that the Superintendent should be empowered to grant a lease of the said coal mine to the said Company upon the terms of the contract above referred to:

Be it therefore further enacted as follows:—

It shall be lawful for the Superintendent to make and execute a good and valid lease of all that piece or parcel of land part of the Ruapekapeka Block in the District of the Bay of Islands containing one

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*Bay of Islands Settlement.*

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thousand two hundred and eighty acres or thereabouts being that piece or parcel of land on which the Kawa Kawa Coal Mines are situate and which was so contracted to be leased to the said Company as aforesaid for the term of years at the rent and royalty and subject to the conditions stipulations and restrictions as by the said contract provided and to do all other necessary acts and things required to be done for the purpose of giving full and complete effect to the said contract.

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