

Hon. Mr. McGowan.

THAMES HARBOUR BOARD.

[LOCAL BILL.]

ANALYSIS.

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A BILL INTITULED

AN ACT to authorise a Grant of Land to the Thames Harbour Board. Title.

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

1. This Act may be cited as the Thames Harbour Board Act, Short Title.  
1907.

2. The Governor in Council may, subject to the conditions of  
10 this Act, ~~by grant under the public seal of the colony,~~ grant to the Thames Harbour Board constituted by the Thames Harbour Board Act, 1876, any land situated below high-water mark within the Port of Thames. Land may be granted to Harbour Board.

3. Such grant shall be made upon such terms and conditions as  
15 the Governor in Council thinks fit, but shall contain a reservation to His Majesty, ~~his heirs and successors,~~ of gold and other minerals, and power to search for and work the same, and to grant licenses for that purpose, making reasonable compensation in respect of all damage done to the surface and to buildings and other improve-  
20 ments thereon. Reservation to His Majesty.

4. Prior to the issue of the grant the Governor in Council may  
appoint one of the Judges of the Supreme Court to ascertain the  
just claims and rights of aboriginal Natives under the Treaty of Waitangi,  
~~which have not been satisfied and discharged, of and in the land~~  
25 ~~authorised to be granted under this Act, claims and rights (if any)~~  
*of any person to or in respect of the land authorised to be granted, and which should be satisfied and discharged,* and the contracts, promises, and engagements heretofore made by the Superintendent

Claims of aboriginal Natives to be inquired into.

of the Province of Auckland and by any persons acting on behalf of or with the authority of the Government ~~of the colony~~ affecting such land, all of which contracts, promises, or engagements are hereby declared to be valid and effectual. The Judge shall direct himself by the best evidence that can be procured or that is laid before him, whether the same ~~shall be~~ *is* strictly legal evidence or not. The Judge shall sit at such convenient times and places as he may appoint, and may adjourn from time to time. 5

Board empowered to settle claims of aboriginal Natives.

5. The Board shall have full power to settle, adjust, compound, and compromise all such rights, claims, contracts, promises, and engagements, and to execute all necessary conveyances, leases, and other instruments for carrying the same into effect, and shall out of any moneys in ~~their~~ *its* hands settle and pay all compensation which the Court shall decide to be payable to ~~aboriginal Natives or other~~ *any* persons on account of rights or claims over the land to be granted to the Board. 10 15

Judge to determine certain issues.

6. (1.) The Judge shall determine all questions of fact as well as of law, and may give such judgments and make such orders upon such terms and conditions as he may think fit for all or any of the purposes following:— 20

(a.) For defining the extent, terms, and conditions of such rights, claims, contracts, promises, and engagements, and matters incidental thereto:

(b.) For the completion of any contract, promise, or engagement as aforesaid: 25

(c.) For directing how and by what instruments the rights, claims, contracts, promises, and engagements so to be ascertained shall be given effect to and protected.

(2.) Every such judgment or order shall have the full force and effect of a judgment or order of the Supreme Court, and shall in all respects be subject to and enforceable by the law in force in relation such judgments or orders. 30

Powers of Judge.

7. The Judge shall have the same power and functions generally which a Judge of the Supreme Court has in ordinary cases, and may make the like orders, and also shall have power to make orders for costs which he may either fix at the hearing or order to be taxed by the Registrar of the Supreme Court in the district in which the land is situate, all which orders shall have the same effect and be enforced as if made in ordinary cases by Judges of the Supreme Court. 35