

## New Zealand.



### ANALYSIS.

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### 1904, No. 1.—*Local.*

AN ACT giving Power to the Hokitika Harbour Board to dispose of certain Endowments vested in the said Board, and to further improve the Hokitika Harbour. Title.  
[26th September, 1904.]

WHEREAS by "The Hokitika Harbour Board Endowment Act, 1878," as amended by "The Hokitika Harbour Board Endowment Act 1878 Amendment Act, 1879," the blocks of land being endowment reserves numbered one hundred and forty-five and one hundred and forty-six, mentioned and described therein and in the Second Schedule to "The Hokitika Harbour Board Act, 1876," and being all the land included in certificates of title, Register-book, Volume viii., folios 222 and 223, in the Westland Land Registrar's district, were vested in the Hokitika Harbour Board, with full power to mortgage, pledge, or sell the same at a price not less than one pound per acre: And whereas by memorandum of mortgage dated the fifth day of June, one thousand eight hundred and eighty-eight, the said Board mortgaged the said endowments to Her Majesty the Queen: And whereas the Board has not been able to pay any part of the principal and only part of the interest secured by the memorandum of mortgage: And whereas by section twenty-seven of "The Mining Act, 1898," and by various Acts, the said Board has been restricted in its dealings with the said endowments, and has found it impossible to sell the same: And whereas the said Board has lately had a plan designed for conserving the waters of the Hokitika River and improving the Hokitika Harbour, prepared by Leslie Reynolds, Esquire, C.E., which design the said Board wish to carry into effect: And whereas, for the purpose of paying off the principal and interest money secured by the said memorandum of mortgage, and of carrying out the said design for conserving the waters of the Hokitika River and improving the Hokitika Harbour, it is expedient to give to the said Board full power to dispose of or otherwise deal with the said endowments: Preamble.

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

Short Title.

1. The Short Title of this Act is “The Hokitika Harbour Board Empowering Act, 1904.”

Interpretation.

2. In this Act “the Board” means the Hokitika Harbour Board as defined by “The Harbours Act, 1878.”

Power to mortgage or sell.

3. Notwithstanding anything in “The Mining Act, 1898,” or any other Act, the Board may sell and absolutely dispose of the said blocks of land or either of them by public auction or by tender :

Provided that such sale shall be conducted by the Land Board of the district, and that no land shall be disposed of at a price less than one pound per acre :

Provided further that every sale shall be subject to the consent of the Postmaster-General on behalf of His Majesty as mortgagee under the hereinbefore-recited memorandum of mortgage.

Power to mortgage or sell to be subject to existing rights.

4. Any sale under the power given by this Act shall be made subject to all legal rights and mining privileges existing at the date of such sale.

Application of purchase-money.

5. The proceeds of every such sale shall be applied by the Land Board—

(a.) In paying the same to the Postmaster-General, on behalf of His Majesty as mortgagee, in or towards satisfaction of the principal and interest moneys due and owing under the aforesaid memorandum of mortgage, interest taking priority of principal; and

(b.) After full payment and satisfaction of all principal and interest moneys as aforesaid, in paying the surplus to the Hokitika Harbour Board.

Power to collect dues on timber exported.

6. It shall be lawful for the Board to levy and collect any sum not exceeding one shilling per one thousand superficial feet on all timber exported from the Hokitika Harbour.