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Hon. Mr. Mills.

OMAKA LAND INVESTIGATION.

[LOCAL BILL.]

ANALYSIS.

Title.
Preamble.

- 1. Commissioner to inquire as to who is right fully entitled to Section 71, Omaka.
- 2. Crown grants to be issued to persons entitled.

A BILL INTITULED

AN ACT to provide for the Investigation and Determination of the
 Person entitled to a Piece of Land in the Provincial District of
 Marlborough, being Section Number Seventy-one, Omaka.

Title.

5 WHEREAS the above-mentioned piece of land was the subject of a
 land order or contract issued by the New Zealand Land Company :
 And whereas the lands of the said company were taken over by the
 Crown, subject to all contracts entered into by the company : And
 whereas one Vesey Germain Hine claimed to be entitled to the said
 10 land under and in pursuance of the said land order or contract, but
 such claim could not be inquired into by the Commissioner having
 jurisdiction in the matter under the several statutes dealing with
 such claims, as it had not been lodged before the time limited by
 sections three and four of "The New Zealand Company's Land
 15 Claimants Ordinance, 1851," or referred by the Governor to such
 Commissioner under the provisions of section four of the said Ordinance :
 And whereas great difficulties have arisen on account of the doubts
 which exist as to the ownership of the said land, and it is therefore
 expedient that such doubts should be removed and the true
 20 owner ascertained : And whereas in consequence of such doubts the
 Crown has entered into possession of the said land : And whereas
 the said Vesey Germain Hine is now dead, and one Vesey John Hine,
 of Merriwa, New South Wales, is entitled to all the claim and interest
 of the said Vesey Germain Hine, deceased, to and in the said land :
 25 And whereas one Sidney Weetman is the Commissioner to inquire
 into such claim if it had been lodged in time, or referred as afore-
 said :

Preamble.

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

1. The said Sidney Weetman, or such other Commissioner as
 shall be appointed by the Governor in Council, shall investigate and
 determine whether the said Vesey John Hine or any other person
 is rightfully entitled to the said land, and for such purpose shall
 35 examine and consider all evidence, official or otherwise, which may
 be in the possession of any Government officer or which has been
 furnished by or on behalf of the said Vesey Germain Hine, deceased,
 and also all other evidence and facts of which he shall have know-
 ledge or which shall be brought before him by any person or persons

Commissioner to inquire as to who is rightfully entitled to Section 71, Omaka.

whomsoever; and for that purpose the provisions of the enactments dealing with such claims shall as far as applicable apply, and he shall, within the period of one year from the passing of this enactment, report to the Governor whether in his opinion the said Vesey John Hine or any other person is justly and reasonably entitled to a Crown grant of the said land, and in so hearing and reporting he shall be guided by the real justice and good conscience of the case. 5

Crown grant to be issued to persons entitled.

2. Upon the report of the said Sidney Weetman, or such other Commissioner as aforesaid, that the said Vesey John Hine or any other person is entitled to a Crown grant of the said land as aforesaid, a Crown grant of the said land shall forthwith be issued in favour of the person or persons so entitled, and such person or persons shall be entitled to receive all rents received by the Crown for or in respect of the said land: Provided, however, that before the actual issue of such Crown grant, such person or persons shall pay and reimburse or effectually secure to the Crown all the actual costs and expenses of whatever nature incurred or paid by the Crown in respect of the said land and the collection of the said rents. 10 15