



KAKANUI HARBOR BOARD ORDINANCE 1873.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXII. No. 414.

ANALYSIS:

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| <p>Title.
Preamble.
1. Short Title.
2. Board to consist of eight members.
3. Kakanui Harbor Board incorporated.
4. Board to hold property in trust for improvement of Kakanui Harbor.
5. Provisions for appointment of new members.</p> | <p>6. Land and money vested in Superintendent to be vested in Board.
7. Provincial Government authorised to pay over £5000 to Board.
8. Board may make by-laws &c.
9. Board may appoint officers.
10. Board to keep accounts and furnish balance sheets to be audited.</p> |
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AN ORDINANCE *to provide for the Improvement of the Harbor of Kakanui* Title
in the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON—30TH JULY 1873.]

WHEREAS under the authority of "The North Otago District Public Preamble
Works Loan Act 1872" the sum of £5000 has been raised by the
Colonial Treasurer of New Zealand and paid over to the Provincial Treasurer
of the Province of Otago to be applied by the Government of the said Pro-
vince in the improvement of the Harbor of Kakanui in the said Province
And whereas by "The Harbor Boards Act 1870" it is enacted that the
Superintendent and Provincial Council of any Province may from time to
time make laws for providing for the constitution of a Harbor Board for any
port or ports within such Province and otherwise as therein mentioned And
whereas it is desirable to constitute such a Board for the Harbor of Kakanui
and to provide for the application of the said sum of £5000 in or towards the
improvement and maintenance of the said harbor :

BE IT THEREFORE ENACTED by the Superintendent of the Province of
Otago with the advice and consent of the Provincial Council thereof as
follows :—

1. This Ordinance may be cited and referred to as the "Kakanui Har- Short Title
bor Board Ordinance 1873."

2. The Board shall consist of eight members and shall be a body cor- Board to consist of
porate under the name of "The Kakanui Harbor Board" and shall have all eight members
the rights and powers conferred on such a Board when constituted by "The
Harbor Boards Act 1870."

Kakanui Harbor
Board incorporated

3. The first members of the said Board shall be George Murray Webster of Balruddery Station in the Oamaru District Esquire Charles de Vere Teschemaker of Taipo Hill in the same district Esquire Robert Macaulay of Totara Station in the said Province station manager James Wheatley of Kakanui in the said Province fellmonger Lewis George Fenwick of Kureheka in the said Province station manager John MacLennan of Kakanui aforesaid settler William Craig of Otepopo in the said district farmer Nugent Wade of Mareweka in the said Province station manager.

Board to hold property in trust for improvement of Kakanui harbor

4. The Kakanui Harbor Board (hereinafter called the said Board) shall acquire and hold all goods chattels and personal property whatsoever which may be required for the improvement maintenance working and management of the said harbor and to acquire and hold to them and their successors all such lands and hereditaments as they may deem necessary as a site or sites for wharves or warehouses connected with the said harbor or for a road or roads thereto or for any other purposes which they may deem necessary or advisable for the improvement and maintenance and working of the said harbor and the construction and maintenance of works connected therewith.

Provision for appointment of new members

5. So often as any member of the said Board shall die resign or become incapable to act or be absent from the said Province for the space of six consecutive calendar months the said Superintendent shall appoint by Proclamation in the Otago Provincial Government *Gazette* either permanently or temporarily as occasion may require another or other fit and proper person or persons to be a member or members of the said Board in the room or stead of the member or members so dying resigning becoming incapable to act or continuing absent as aforesaid.

Land and money vested in Superintendent to be vested in Board

6. Any land now or hereafter to be vested in the said Superintendent in trust for the purpose of improving and maintaining the Harbor at Kakanui and any money now or hereafter to be held by the said Superintendent or that may be voted by the Provincial Council of the said Province in trust or for the same purpose shall be taken received and held by the said Board upon the same trusts and conditions as are now or may hereafter be attached to the same.

Provincial Government authorised to pay over £5000 to Board

7. The Provincial Treasurer of the said Province shall forthwith pay to the said Board the said sum of £5000 raised under "The North Otago District Public Works Loan Act 1872."

Board may make by-laws &c.

8. It shall be lawful for the said Board and they are hereby authorised and empowered from time to time to make by-laws regulating the manner in which and times when their meetings shall be called and held their place of meeting and the manner and person by whom their meetings shall be presided over for fixing the number of their members required to be present at the meetings for the exercise and performance of their powers and duties the appointment remuneration and duties of their officers and generally for regulating the conduct of their business and proceedings and all such other by-laws as may appear to be necessary for fully carrying out the purposes of this Ordinance: Provided always that such by-laws shall not be repugnant to the provisions of this Ordinance and provided also that no such by-laws shall come into operation until the same shall have been submitted to the said Superintendent and approved of by him and published in the Government *Gazette* of the said Province.

And appoint officers

9. It shall be lawful for the Board to appoint a Harbour Master and such surveyors overseers clerks collectors and other officers as they may deem necessary with reasonable salaries or allowances for their trouble.

10. The Board shall keep accurate accounts of all sums of money received on account of the said harbour and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and within one week after the thirty-first day of March in every year the said Board shall prepare accounts and a balance sheet showing the receipts and disbursements of the said Board during the year ending on that day and the actual financial state of the Board on the same day and such accounts and balance sheet shall be forwarded in duplicate to the said Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditor in manner prescribed by the "Provincial Audit Act 1866" and the Provincial Auditor is hereby empowered and required to examine and audit such accounts and balance sheet and such balance sheet shall be published in the Government *Gazette* of the Province immediately after the same shall have been so audited.

DUNEDIN, NEW ZEALAND.

Printed under the Authority of the Provincial Government of Otago, by MILLS, DICK & Co., Stafford street. Dunedin, Printers to the said Provincial Government for the time being.