

Validating Proceedings in connection with a Loan of £16,500 for the Purpose of augmenting and extending the Existing Water-supply of the Borough of Masterton, and also a Loan of £10,000 for erecting Municipal Buildings.

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government House at Wellington, this fourteenth day of September, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS the Masterton Borough Council did, on the fifth day of March, one thousand nine hundred and fourteen, take a poll of the ratepayers on each of the following proposals, namely : (a) To raise a loan of sixteen thousand five hundred pounds for the purpose of augmenting and extending the existing water-supply of the Borough of Masterton, and in pursuance thereof and in connection therewith to lay down and construct an eighteen-inch main from the lower intake to the existing reservoir, to lay down and construct a twelve-inch carrying main from the said reservoir to the junction of Pownall Street and Renall Street within the said borough, to lay down and construct or extend water-mains in or to such roads or streets within the said borough as are not now served by the existing water-supply, and generally to carry out and construct all such works as may be deemed necessary to complete the reticulation of the said borough for the purposes of water-supply; and (b) to raise a loan of ten thousand pounds for the purpose of erecting municipal buildings: And whereas such proposals were duly declared to be carried :

And whereas the respective proposals to raise such loans and the proceedings in connection therewith purported to be made and taken under the provisions of the Local Bodies' Loans Act, 1908, and the Acts amending the same :

And whereas the said Act and certain enactments relating to local bodies' loans had been repealed by the Local Bodies' Loans Act, 1913, prior to the said proceedings being taken on the said proposals respectively :

And whereas all proceedings purported to be taken under the provisions of the Local Bodies' Loans Act, 1908, and the Acts amending the same, should have been taken under the corresponding provisions of the Local Bodies' Loans Act, 1913 :

And whereas it appears that the ratepayers entitled to vote at such poll were not misled by such irregularities, and it is expedient to validate the same :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the powers conferred by section one hundred and eleven of the Local Bodies' Loans Act, 1913, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby declare that the said poll and the proceedings in connection therewith are validated and shall be valid to all intents and purposes as though made and taken under the Local Bodies' Loans Act, 1913, and that the proceedings in connection with the said loans respectively shall not be called in question by reason only of the irregularities aforesaid.

J. F. ANDREWS,
Clerk of the Executive Council.

Vesting Management of Wharf at Onawe, Duvauchelles, in Akaroa County Council.

LIVERPOOL, Governor.
ORDER IN COUNCIL.

At the Government House at Wellington, this fourteenth day of September, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section eleven of the Harbours Act, 1908 (hereinafter termed "the said Act"), it is enacted that the Governor in Council may vest the management of any wharf the property of His Majesty in any local governing body or person, upon such terms and conditions as the Governor in Council thinks fit :

And whereas it is thought desirable to vest in the Akaroa County Council (hereinafter called "the Council") the management of the wharf at Onawe, Duvauchelles, in the County of Akaroa, on the terms and conditions hereinafter set forth :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, and in pursuance and exercise of the power and authority vested in him by the said eleventh section of the said Act, and of

all other powers and authorities in anywise enabling him in that behalf, doth hereby vest the management of the wharf at Onawe, Duvauchelles aforesaid, in the Council, subject to the conditions set forth in the Schedule hereto.

SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. In these conditions the term "Minister" means the Minister of Marine as defined by the Shipping and Seamen Act, 1908, and includes any officer, person, or authority acting by or under the direction of such Minister.

2. All His Majesty's subjects shall at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the above-mentioned wharf, and all rights of ingress and egress thereto and therefrom.

3. His Majesty or the Governor, and all officers in the Government service acting in the execution of their duty, shall at all times have free ingress, passage, and egress into, over, and out of the said wharf without payment.

4. The Council shall maintain and keep the above-mentioned wharf, and all erections on or in connection with the wharf, in good order and repair, and shall at all times exhibit therefrom and maintain at its own cost suitable and necessary lights for the guidance of vessels; provided that no new light shall be exhibited until after it has been approved by the Minister.

5. All dues and rates received on account of the said wharf by the Council shall be applied to keeping the said wharf and all erections on or in connection with such wharf in good order and repair.

6. Any person authorized by the Minister may at all reasonable times enter upon the said wharf, and any buildings erected on the wharf or in connection therewith, and view the state of repair thereof; and upon his leaving at or posting to the last known address of the Board a notice in writing of any defect or want of repair in such wharf or buildings, requiring the Council, within a reasonable time, to be therein prescribed, to make good or repair the same, the Council shall, with all convenient speed, cause such defect to be remedied or such repairs to be made.

7. The Council shall not erect, or suffer to be erected, on the said wharf any buildings or structure whatever except with the consent of the Minister.

8. The Council shall keep a separate account of the receipts and expenditure on account of such wharf and premises, and shall cause such account to be balanced to the 31st day of March in every year, and shall send a copy of such account, when balanced, to the Minister, and shall supply any particulars in reference thereto as may be required by the Minister.

9. The Council shall appoint all officers necessary for the working and management of the wharf.

10. Nothing herein contained shall authorize the Council to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1908, or its amendments, or any regulations thereunder, and that are now or may hereafter be in force.

11. The rights, powers, and privileges hereby conferred shall continue in force for fourteen years, computed from the date of this Order in Council, unless in the meantime altered, modified, or revoked by competent authority; and the Council shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

12. The rights, powers, and privileges conferred under or by virtue of this Order in Council may be at any time resumed by the Governor on giving to the Council three calendar months' notice in writing. Any such notice shall be sufficient if given by the Minister and delivered at or posted to the last known address of the Council. No compensation or allowance shall be payable in such case.

13. The Council shall be liable for any injury which may be caused at the said wharf to any vessel or boat through any default on the part of the Council.

14. In case the Council shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or
- (2.) Cease to use or occupy the said wharf for a period of thirty consecutive days,—

then and in either of the said cases every right, power, or privilege hereby conferred may be revoked and determined by the Governor in Council without notice to the Council or other proceeding whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the Council, and to all persons concerned or interested, that this Order in Council, and the rights and privileges thereby conferred, have been revoked and determined.

J. F. ANDREWS,
Clerk of the Executive Council.