

the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the Council to use and occupy that part of the foreshore and land below low-water mark on which the said wharf is to be erected, as shown on the plan M.D. 4253 so deposited as aforesaid, for the purpose of erecting and maintaining the said wharf, such license to be held and enjoyed by the Council upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

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. The concessions and privileges conferred by this Order in Council shall extend and apply only to those parts of the foreshore, and land below low-water mark adjacent thereto, necessary for the erection of the said wharf as shown on the plan marked M.D. 4253.

3. All persons shall, at all reasonable times, upon the payment of the proper dues, have free and full liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

4. 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, through, and out of the said wharf without payment.

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

6. Any person authorized by the Minister may at all reasonable times enter upon the said wharf and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the Council in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring it within a reasonable time, to be therein prescribed, to repair the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. 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 any regulations made thereunder, and that are now or may hereafter be in force.

8. The ballast of all vessels loading at the said wharf shall be taken away by the Council and deposited above high-water mark, or at such place as may be approved by the Minister, or by any person appointed by the Minister for that purpose.

9. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the date hereof, unless in the meantime such rights, powers, and privileges shall be 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 authority of the Minister first obtained.

10. The said rights, powers, and privileges may be at any time resumed by the Governor, without payment of any compensation whatsoever, on giving to the Council three calendar months' previous 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 in New Zealand.

11. The Council shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on the part of the Council.

12. 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 days,—

then and in either of the said cases this Order in Council, and every right, power, or privilege may be revoked and determined by the Governor in Council without any notice to the Council or other proceedings 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 license, rights, and privileges thereby granted and conferred, have been revoked and determined.

13. The erection of the said wharf shall be sufficient evidence of the acceptance by the Council of the terms and conditions of this Order in Council.

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

License authorizing the Ohakune Borough Council to use Water from the Mangawhero River for the Purpose of generating Electricity and to erect Electric Lines in the Borough of Ohakune.

LIVERPOOL, Governor.

By his Deputy,
ROBERT STOUT.

ORDER IN COUNCIL.

At the Government House at Wellington, this eighth day of June, 1914.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section five of the Public Works Amendment Act, 1908, it is enacted that the Governor may from time to time by Order in Council grant to any person or body corporate a license to use water from any fall, river, stream, or other source for the purpose of generating electricity for electric light, mechanical power, or other uses, and to exercise in respect of that purpose any of the powers and authorities specified in that behalf in the said section: And whereas it is further provided by the said section that any such license may confer upon the licensee a right at any time or times during the continuance of the license (but subject to such conditions and restrictions as are expressed in the license) to enter upon any road, railway, or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such cables, wires, and other things as are required for the transmission of electricity between the fall, river, stream, or other source aforesaid and any place to which the licensee is authorized to transmit electricity in pursuance of the license:

And whereas the Ohakune Borough Council (which with its successors and assigns is hereinafter referred to as "the Council") has applied for a license under the said section to take and use water from the Mangawhero River, in the Provincial District of Wellington (hereinafter referred to as "the said river"), for the purpose of generating electricity as aforesaid, and it is expedient to issue such license accordingly:

Now, therefore, in pursuance and exercise of the powers conferred upon him as aforesaid, and of the powers conferred by section two of the Public Works Amendment Act, 1911, and of all other powers enabling him in that behalf, 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, doth hereby grant to the Council, subject to the terms and conditions hereinafter set forth, a license to take and use from the Mangawhero River aforesaid, for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding ninety-three cubic feet per second at any one time, and also to erect and maintain electric lines for lighting, heating, and power purposes as hereinafter described.

TERMS AND CONDITIONS OF LICENSE.

1. IN this license—

- "Consumer's wires" means any electric lines on the consumer's premises which are connected with the Council's electric lines.
- "Council" means the Ohakune Borough Council.
- "Distribution line or lines" means the portion of any line from which service wires are connected for the purpose of supplying consumers.
- "Earthed" applied to any conductor means that such conductor shall be so connected to the general mass of earth as to ensure at all times an immediate and safe discharge to earth of electric energy.
- "Electric line" means any wire, wires, conductor, or other means used for conveying, transmitting, or distributing electricity for power, lighting, or heating purposes, and includes any instrument, insulator, casing, tubing, pipe, covering, or post enclosing or supporting an electric line or anything connected therewith.
- "Electric telegraph line" means any wire, wires, or cables belonging to the Post and Telegraph Department, or erected under authority granted by the Minister of Telegraphs.
- "High pressure" means pressures over 600 and up to 3,300 volts.
- "Inspecting Engineer" means and includes any inspecting engineer appointed by the Minister to inspect works to be constructed or maintained by virtue of any electric-line licenses, or any water-power licenses, or any combined water-power and electric-line licenses issued under the Public Works Act, 1908, and any or all of its amendments, or under any one or more of such amendments only or any Act or Acts passed in amendment thereof or substitution therefor.