

Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke a certain Order in Council, dated the twenty-second day of July, one thousand nine hundred and nine, appointing the Waipawa Domain Board, and doth hereby appoint

THE WAIPAWA BOROUGH COUNCIL

to be the Waipawa Domain Board, having the control of the domain described in the said Schedule hereto for the purposes of and subject to the provisions of the said Act; and doth hereby appoint Friday, the tenth day of August, one thousand nine hundred and seventeen, at seven o'clock p.m., as the time when, and the Borough Council Chambers, Waipawa, as the place where, the first meeting of the Board shall be held.

SCHEDULE.

WAIPAWA DOMAIN.

ALL that area in the Hawke's Bay Land District, containing by admeasurement 4 acres 2 roods, more or less, being Section No. 105, Waipawa Borough, part Block 57, Patangata Crown Grant District. Bounded towards the north by other part of Block 57, 900 links; towards the east by other part of Block 57, 500 links; towards the south by a public street, 900 links; and towards the west by a public street, 500 links; be all the aforesaid linkages more or less: as the same is delineated on the plan marked L. 1118A, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered pink.

Also all that area in the Hawke's Bay Land District, containing by admeasurement 11 acres 1 rood 22 perches, more or less, being Section No. 16, Block XI, Waipukurau Survey District (Lindsay Settlement). Bounded towards the north-east by the Waipawa River; towards the south-east by part of Block XIV, Waipukurau Crown Grant District; towards the south-west by the abutment of a road and Section No. 25, Block XI, Waipukurau Survey District; and towards the north-west by a railway reserve: as the same is delineated on the plan marked L. 1118/1, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

Also all that area in the Hawke's Bay Land District, containing by admeasurement 1 acre 2 roods, more or less, being Section No. 28, Block XI, Waipukurau Survey District (Lindsay Settlement). Bounded towards the east by a road; towards the south by Section No. 13, Block XI, Waipukurau Survey District; and towards the west by a road: as the same is delineated on the plan marked L. 1118/2b, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

Also all that area in the Hawke's Bay Land District, containing by admeasurement 3 acres, more or less, being Section No. 29, Block XI, Waipukurau Survey District (Lindsay Settlement). Bounded towards the north by the Waipawa River; towards the east by a railway reserve; towards the south by Section No. 24, Block XI, Waipukurau Survey District; and towards the west by a road: as the same is delineated on the plan marked L. 1118/2a, deposited in the Head Office, Department of Lands, at Wellington, and thereon bordered red.

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

Licensing Christopher McKay to use and occupy a Part of the Foreshore and Land below Low-water Mark of the Waihoihoi Stream as a Site for Timber-booms.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this ninth day of July, 1917.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Christopher McKay, of Waipu (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore and land below low-water mark of the Waihoihoi Stream as a site for timber-booms; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 4799), showing the place where it is intended to construct such timber-booms, the area of foreshore and

land below low-water mark intended to be occupied for such purpose, and the manner in which it is proposed to carry out the work: And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation, and the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council: And whereas it is expedient that a license under the said Act, for the purpose aforesaid, should be granted and issued to the licensee on the terms and conditions hereinafter expressed:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the purpose or object for which the said license is required by the licensee as aforesaid; and, in further pursuance and exercise of the said power and authority, and by and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore and land below low-water mark which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of maintaining thereon timber-booms constructed in accordance with the said plan, such license to be held and enjoyed by the licensee 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 that part of the foreshore and land below low-water mark necessary for the construction of the timber-booms, as shown on plan M.D. 4799.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1 in advance, dating from the date hereof, the first of such annual payments to be made on the licensee being supplied with a copy of this Order in Council.

4. The rights, powers, and privileges conferred by this Order in Council shall continue 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 licensee shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

5. His Majesty or the Governor-General, 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, over, and out of the said timber-booms without payment.

6. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the timber-booms at his own cost, without payment of any compensation whatever, on giving to the licensee 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 licensee in New Zealand.

7. The licensee shall maintain the above-mentioned timber-booms in good order and repair; and shall at all times exhibit therefrom, and maintain at his own cost, any lights that may be required by the Minister; provided that no light shall be exhibited until after it has been approved of by the Minister.

8. The licensee shall at all times give not less than twenty-four hours' notice to owners of boats using the stream above the site of the timber-booms of his intention to close the booms, and shall open the booms within six days of the date of closing same.

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

10. The licensee shall be liable for any injury which may be sustained by any vessel or boat in passing the timber-booms, or by contact therewith, and which may be occasioned by any default or neglect on the licensee's part.