

loan of four hundred pounds for the formation, metalling, and completion, including fencing, of the road from Waiotahi to Crooked Road:

And whereas section seventeen of the said Act requires the special roll to be deposited not less than seven days before any steps are taken under the aforesaid section sixteen (e):

And whereas the special roll of the ratepayers was not deposited not less than seven days before the written consent of the ratepayers was obtained:

And whereas it appears that the ratepayers have not been misled by the said irregularity or defect, and it is expedient to validate the same:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred on him 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 order and declare that the proceedings taken to raise the said loan shall be valid to all intents and purposes as though the provisions of section seventeen had been properly complied with, and that the validity of the proceedings in connection with the said loan shall not be called into question by reason only of the irregularity or defect aforesaid.

F. D. THOMSON,
Clerk of the Executive Council.

License authorizing Herman John William Nitz, Edgar Leonard Eugene Nitz, Paul Henry William Kummer, and John Bannister, junior, to use Water from the Kaiwhata River in Section 10, Block IV, Kaiwhata Survey District, for the Purpose of generating Electricity, and to erect Electric Lines.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 6th day of April, 1925.

Present:

THE HONOURABLE SIR FRANCIS BELL PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred upon him by the Public Works Amendment Act, 1908, and the Public Works Amendment Act, 1911, and of all other powers in anywise enabling him in that behalf, His Excellency the 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 grant to Herman John William Nitz, Edgar Leonard Eugene Nitz, Paul Henry William Kummer, and John Bannister, junior, of Kaiwhata, Settlers (hereinafter, with their executors, administrators, and assigns, referred to as "the licensees")—subject to the terms and conditions set forth in the Schedule hereto and to the regulations dated the ninth day of October, one thousand nine hundred and twenty-two, and published in the *New Zealand Gazette* of the twelfth day of October, one thousand nine hundred and twenty-two, or any regulations hereafter made in amendment thereof or in substitution therefor (hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein—a license to take and use from the Kaiwhata River in Section 10, Block IV, Kaiwhata Survey District, in the Land District of Wellington (hereinafter referred to as the "said river"), for the purposes hereinafter set forth, a stream of water (hereinafter referred to as "the said water") not exceeding eleven cubic feet per second at any one time; and also to erect and maintain electric lines for power, lighting, heating, or other uses as described in the Schedule hereto: but nothing herein shall be held to guarantee that the said river contains sufficient water to supply the eleven cubic feet per second hereinbefore mentioned.

SCHEDULE.

1. PLANS.

The licensees shall, before the works hereby authorized are commenced, forward for the approval of the Minister of Public Works (hereinafter referred to as "the Minister")—

- (a.) Full detailed drawings and specifications of the diverting weir and dam.
- (b.) Drawings showing how and in what manner the water diverted is to be returned to the said river.
- (c.) Contour-plan showing difference in level of water due to the construction of the headworks.

2. UTILIZATION OF THE WATER.

The said water shall be used solely for the purpose of generating electricity, and shall be returned to the said river at or near the power-house.

3. LOCATION OF HEADWORKS.

The said water shall be taken from the said river at the headworks, situated in Section 10, Block IV, Kaiwhata Survey District, Wairarapa South County, at a point indicated on the plan marked P.W.D. 59814, deposited in the office of the Minister at Wellington, in the Land District of Wellington.

4. GENERAL DESCRIPTION OF WORKS.

The licensees are hereby authorized to construct, maintain, and use the following works for the purposes of this license; the position of the said works being indicated on the plan marked P.W.D. 59814 hereinbefore referred to:—

- (a.) Headworks consisting of an intake.
- (b.) Tunnel leading from such intake to the power-house hereinafter referred to.
- (c.) A power-house with all necessary equipment, including water-turbines, generators, transformers, lightning-arrestors, switchboards, switches, exciters, and other appliances for generating electricity.
- (d.) Transmission or other lines over the route, shown by means of green lines on the said plan.

5. INSPECTION OF WORKS.

The Inspecting Engineer, both during and after the construction of the works, shall have free access to and liberty at any time to inspect the same so as to ensure that the provisions of this license are given due effect to.

6. MAINTENANCE OF WORKS.

After the said works have been completed, the licensees shall maintain the same in proper working-order during the continuance of this license.

7. DURATION OF LICENSE.

This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of forty-two years from the date hereof. Upon the expiry of the said term, or upon the sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensees shall thereupon cease and determine; but such expiration or determination shall not relieve the licensees of any liability theretofore incurred under this license.

8. RIGHT TO ENTER LANDS, ETC.

The licensees shall have the right at any time or times during the continuance of this license, with the consent of the Minister, to enter upon any road 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 transmission-lines, poles, or other things as are required for the transmission of electricity between the generating-stations and any of the substations to which this license applies.

9. POWER TO TAKE LAND.

The licensees are hereby empowered to take, under the Public Works Act, 1908, as for a public work such land as may, in the opinion of the Governor-General, be necessary to enable the licensees to construct and maintain the various works authorized by this license.

10. RENTAL.

The licensees shall, in respect of this license, pay to the Public Works Engineer for the district, or otherwise as the Minister may from time to time require, a rental at the rate of £2 2s. per annum; payment to be made yearly on the 31st day of March of each year, commencing from the date the electrical power is first supplied.

11. GRANTING OF OTHER WATER-RIGHTS.

Nothing herein shall prevent the Governor-General in Council from granting to any person or body corporate other than the licensees a license to take water from any portion of the said stream, except at the place where the licensees are by this license empowered to take it; provided that no such license shall so operate as to reduce the natural fall between the headworks and tail-water, or the volume of the water which the licensees are by this license authorized to take from the said stream.

12. SURRENDER OF LICENSE.

The licensees may at any time, with the consent of the Minister, surrender this license, and shall thereupon, if so required by the Minister, remove from the ground all removable equipment, machinery, buildings, poles, transmission-lines, and other plant herein authorized to be installed or provided. If the licensees fail or neglect so to remove the said plant within twelve months after being required so to do, such equipment, machinery, buildings, poles, lines, and other plant shall, without payment or compensation, vest in and become the property of the Crown.