

Dominion, doth hereby declare that as on and from the first day of April, one thousand nine hundred and twenty-eight, the area described in the Schedule hereto shall be excluded from the Borough of South Invercargill and included in the Borough of Invercargill.

SCHEDULE.

AREA EXCLUDED FROM THE BOROUGH OF SOUTH INVERCARGILL AND INCLUDED IN THE BOROUGH OF INVERCARGILL.

ALL that area in the Southland Land District bounded on the south by the borough boundary from the eastern side of Bluff Road to a point in line with the eastern side of Saturn Road; thence to and along the eastern side of Saturn Road to and across Tramway Road; thence westerly along the southern side of Tramway Road to the eastern side of Brown Street; thence southerly along the eastern side of Brown Street to the south-western side of Moulson Street; thence north-westerly along the south-western side of Moulson Street to Tramway Road; thence westerly along the southern side of Tramway Road to the eastern side of Elles Road; thence southerly along the eastern side of Elles Road to a point in line with the southern boundary of Section 4, Block III, Invercargill Hundred; thence to and along that boundary to the eastern side of Bluff Road; thence northerly along the eastern side of Bluff Road to the point of commencement.

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

(I.A. 19/1/197.)

Revoking an Order in Council declaring a Portion of Main Highway in Highway District No. 17, Bruce County, to be a Government Road.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 6th day of December, 1927.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authorities vested in him by the Public Works Act, 1908, and of all other powers in anywise enabling him in this 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, from the date of gazetting of this Order in Council, hereby revoke Order in Council dated the fifteenth October, one thousand nine hundred and twenty-five, and published in *New Zealand Gazette* No. 75 of the twenty-second October, one thousand nine hundred and twenty-five, declaring the portion of main highway described in the Schedule hereto to be a Government Road.

SCHEDULE.

CLARKSVILLE-CLYDE: All that portion of the main highway known as the Clarksville-Clyde Main Highway, commencing at a point 1 chain on the Clarksville side of the first bridge crossing Manuka Creek, and proceeding thence generally in a north-westerly direction, and terminating at a point 1 chain beyond the last bridge over Manuka Creek before reaching Manuka Railway-station, being a distance of 63½ chains, more or less.

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

Vesting the Management of certain Wharves in the Hobson County Council.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of December, 1927.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section one hundred and eighty-six of the Harbours Act, 1923 (hereinafter called "the said Act"), it is enacted that the Governor-General in Council may vest the management of any wharf, the property of His Majesty the King, in any local authority upon such terms and conditions as the Governor-General in Council thinks fit :

And whereas it is thought desirable to vest in the Hobson County Council (hereinafter called "the Council," in which

term is to be construed, unless the context requires a different construction, its successors or assigns) the management of the structures—viz., ferry slip at Mititai; wharves and goods-shed at Dargaville; wharves at Tangiteroria, Kirikopuni, Tangaihi, Mititai, Mapuna; wharf and ferry slip at Chadwicks; and hopper site at Greenhill, erected in accordance with the plans marked M.D. 2425, 3111, 3697, 4237, 3163, 3710, 3727, 3860, 4052, 2452, 2456, 3904, 3914—and deposited in the office of the Marine Department, at Wellington, on the terms and conditions hereinafter set forth :

Now, therefore, 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, and 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, doth hereby vest the management of the said structures in the Council, subject to the conditions set forth in the Schedule hereto.

FIRST SCHEDULE.

CONDITIONS OF MANAGEMENT.

1. IN these conditions the terms—

"Foreshore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides :

"Low-water mark" means low-water mark at ordinary spring tides :

"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 the part of the foreshore, and land below low-water mark adjacent thereto, necessary for the maintenance of the said structures at the sites shown on the plans marked M.D. 2425, 3111, 3697, 4237, 3163, 3710, 3727, 3860, 4052, 2452, 2456, 3904, 3914.

3. 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 structures, and rights of ingress and egress thereto and therefrom.

4. 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, over, and out of the said structures without payment.

5. The Council shall maintain and keep the above-mentioned structures and all erections on or in connection with the said structures in good order and repair; and shall at all times exhibit therefrom, and maintain at the Council's 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.

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

7. Any person authorized by the Minister may at all reasonable times enter upon the said structures and any buildings erected on the said structures or in connection therewith, and view the state of repair thereof; and upon the 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 structures 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 removed or such repairs to be made.

8. The ballast of all vessels loading at the said structures 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 Council shall not erect, or suffer to be erected, on the said structures any building or structure whatever, except with the consent of the Minister.

10. The Council shall keep a separate account of the receipts and expenditure on account of such structures 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.

11. The Council shall appoint all officers necessary for the working and management of the said structures.

12. 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 regulations of the Minister of Customs, or with any provisions of the Harbours Act, 1923, or its amendments, or any regulation thereunder, and that are now or may hereafter be in force.