

and consent of the Executive Council of the said Dominion, doth hereby order and declare that on and after the date of the gazetting of this Order in Council the public highway mentioned in the Schedule hereto shall be a main highway within the meaning and for the purposes of the Main Highways Act, 1922.

SCHEDULE.

WELLINGTON-NAPIER VIA WAIRARAPA: All that road or portion of road in the Masterton County commencing at the north-eastern corner of Section 65, Block I, Otahoua Survey District, and proceeding generally in a southerly direction via Opaki Road, and terminating at the Masterton Borough boundary near the south-eastern corner of Section 64, Block I, Otahoua Survey District, being a distance of 11 chains, more or less. As the same is more particularly delineated on the plan marked P.W.D. 81548, deposited in the office of the Main Highways Board at Wellington, and thereon coloured yellow.

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

Extending Time for closing Poll, Auckland Transport District.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of April, 1931.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority vested in him by the Local Elections and Polls Act, 1925, 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 extend the hour at which the poll for the general election of members of the Auckland Transport Board, to be held on Wednesday, the sixth day of May, one thousand nine hundred and thirty-one, shall close, to seven o'clock in the afternoon of the day appointed.

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

(I.A. 19/28/41.)

Licensing the Ohinemuri County Council to use and occupy a Part of the Foreshore at Kaimanawa, Waihou River, as a Site for a Wharf and Shed.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of April, 1931.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the first day of February, one thousand nine hundred and seventeen, and published in the *Gazette* of the eighth day of the same month at page 466, the Ohinemuri County Council (hereinafter called "the Council," in which term is to be construed, unless the context requires a different construction, its successors or assigns) was licensed to use and occupy part of the foreshore and land below low-water mark at Kaimanawa, Waihou River, in order to erect and maintain a wharf and shed thereon in accordance with the plans marked M.D. 4666 and 4733, and deposited in the office of the Marine Department at Wellington for the term of fourteen years, computed from the first day of February, one thousand nine hundred and seventeen:

And whereas the Council has applied for a fresh license under the Harbours Act, 1923 (hereinafter called "the said Act"), for a further term of fourteen years, and it is advisable to grant the same:

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 Council as aforesaid; and, in further pursuance and exercise of 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 as shown on plans M.D. 4666 and 4733, so deposited as aforesaid, for the purpose of maintaining the said wharf and

shed, 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—

"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 erection of the said wharf and shed, as shown on the plans marked M.D. 4666 and 4733, and deposited as aforesaid.

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

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, 1923, or its amendments, or any regulations 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 of by the Minister, or by any person appointed by the Minister for that purpose.

9. The rights, powers, and privileges hereby conferred shall continue in force for fourteen years, computed from the first day of February, 1931, 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 consent of the Minister first obtained.

10. The rights, powers, and privileges conferred under or by virtue of this Order in Council may be at any time resumed by the Governor-General, without payment of any compensation whatever, 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 and shed 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;

(2) Cease to use or occupy the said wharf and shed for a period of thirty days;

then, and in either of the said cases, this Order in Council, and every license, right, power, or privilege may be revoked and determined by the Governor-General in Council without any notice to the Council or any 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.