

Domain Board appointed to have Control of the Brightwater Domain.

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 26th day of November, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by section forty-four of the Public Reserves, Domains, and National Parks Act, 1928, 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 appoint

George Johnson Silcock,
William Max,
Jabez George Hill,
William Henry Martin,
Robert Freeman,
Neil Reigh Kearns, and
John Arthur Singleton

to be the Brightwater Domain Board, having control of the land described in the Schedule hereto; and doth hereby appoint Thursday, the sixth day of December, one thousand nine hundred and thirty-four, at eight o'clock p.m., as the time when, and the Public Hall, Brightwater, as the place where, the first meeting of the Board shall be held.

SCHEDULE.

BRIGHTWATER DOMAIN.

ALL that area in the Nelson Land District, containing by estimation 6 acres 3 roods 35 perches, more or less, being part of Section 18 of Waimea South Original District and situated in Block IX, Waimea Survey District: Bounded towards the north-west by a road, 165 links; towards the north-east by a part of the before-mentioned Section 18, 1276.6 links (or thereabouts); towards the south-east by a right-of-way and other parts of the said Section 18; towards the south by a line 100 links distant from and parallel to the railway reserve; towards the south-west by another part of the said Section 18; and again towards the north-west and south-west by parts of the said Section 18, 541 links and 377.2 links respectively: be all the aforesaid linkages more or less. As the same is delineated on the plan marked L. and S. 1/471, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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

(L. and S. 1/471.)

Licensing John Edgar to use and occupy a Part of the Foreshore and Land below Low-water Mark at Queenstown, Lake Wakatipu, as a Site for a Jetty.

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 26th day of November, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby license and permit John Edgar, of Queenstown (hereinafter called "the licensee," which term shall include his executors, administrators, and assigns unless the context requires a different construction), to use and occupy all that part of the foreshore and land below low-water mark at Queenstown, Lake Wakatipu, shown on plan marked M.D. 5233, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of the jetty shown on the said plan, for a term of fourteen years computed from the twenty-second day of November, one thousand nine hundred and thirty-four, 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—

"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 jetty at the site shown on plan marked M.D. 5233.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £1, and thereafter an annual sum of £1 in advance, payable on the first day of April in each year, the proportionate part of such rental in respect of the period from the 22nd day of November, 1934, until the 31st March following to be paid on the licensee being supplied with a copy of this Order in Council.

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

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, and out of the said jetty without payment.

6. The licensee shall maintain the above-mentioned jetty in good order and repair and shall at all times exhibit from the jetty and maintain at the licensee's 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.

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

8. Nothing herein contained shall authorize the licensee 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 regulations made thereunder and that are now or may hereafter be in force.

9. The master of each vessel discharging ballast at the said jetty shall have all such ballast taken away 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.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for fourteen years from the 22nd day of November, 1934, 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.

11. The said 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 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.

12. The licensee shall be liable for any injury which the said jetty may cause any vessel or boat to sustain through any default or neglect on the licensee's part.

13. In case the licensee 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 jetty for a period of thirty consecutive days;
- (3) Become bankrupt, or be in any manner brought under the operation of any law for the time being in force relating to bankruptcy; or
- (4) Fail to pay the sums specified in clause 3 of these conditions;

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