

*The Western Side of Portion of Bell Street, and the Northern Side of Portion of Cubbabballa Street, Marton, exempted from the Provisions of Section 128 of the Public Works Act, 1928, subject to a Condition as to the Building-line.*

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of August, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, and of every other power 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 hereby approve of the following resolution passed by the Marton Borough Council on the eleventh day of December, one thousand nine hundred and forty-one, in so far as it affects the sides and portions of streets described in the Schedule hereto, viz. :—

“That the Marton Borough Council, having control of the streets in the Borough of Marton, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to that portion of the streets known as Cubbabballa and Bell Streets, adjoining part Section 16, R.A.R., Block III, Rangitoto Survey District, Town of Marton”; subject to the condition that no building or part of a building shall at any time be erected on the land fronting the western side of the portion of Bell Street and the northern side of the portion of Cubbabballa Street (described in the Schedule hereto), within a distance of thirty-three feet from the centre-lines of the said portions of streets.

SCHEDULE.

THE western side of all that portion of street known as Bell Street and the northern side of all that portion of street known as Cubbabballa Street, situated in the Wellington Land District, Borough of Marton, fronting part Section 16 on the plan of the Agricultural Reserve in the Rangitikei District. As the same are more particularly delineated on the plan marked P.W.D. 110421, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured red.

T. R. AICKIN,

Acting Clerk of the Executive Council.

(P.W. 51/1457.)

*Certain Land in respect of which there are no Electors included in the Borough of Masterton.*

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of August, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authorities vested in him by section one hundred and thirty-nine of the Municipal Corporations Act, 1933, and of all other powers and authorities in anywise enabling him in this behalf, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby declare that the boundaries of the Borough of Masterton are hereby altered so as to include therein and exclude from the County of Masterton the land described in the Schedule hereto, being land in the said county in respect of which there are no electors.

SCHEDULE.

AREA INCLUDED IN THE BOROUGH OF MASTERTON AND EXCLUDED FROM THE COUNTY OF MASTERTON.

ALL that area in the Wellington Land District, Masterton County, bounded, commencing at a point on the left bank of Waipoua River, in line with the south-western boundary of Lot 1 on plan 1626, deposited in the office of the District Land Registrar at Wellington; in a south-westerly direction along the left bank of Waipoua River to the north-western corner of Lot 2 on plan 12232, deposited as aforesaid; thence in a south-easterly direction generally along the south-western boundary of the said Lot 2 to Columba Road; thence across Columba Road to and along the left bank of Waipoua River to its junction with the right bank of Ruamahanga River; thence along a right line to the intersection of the right bank of Waipoua River with the right bank of Ruamahanga River; thence in a north-easterly direction generally along the right bank of Waipoua River, to and along the right

bank of the old course of Waipoua River forming the boundary of Borough of Masterton, as described in *New Zealand Gazette*, 1931, page 1461, to and along the right bank of Waipoua River to a point in line with the south-western boundary of Lot 1 on deposited plan 1626 aforesaid; and thence along a right line to the point of commencement.

T. R. AICKIN,

Acting Clerk of the Executive Council.

(I.A. 103/5/47.)

*New Plymouth Borough Council authorized to apply Portions of Closed Streets for Purposes of a Public Recreation Reserve.*

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of August, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power conferred on him by section one hundred and ninety-four of the Municipal Corporations Act, 1933, and of all other powers enabling him in this behalf, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby approve of the New Plymouth Borough Council applying those portions of closed streets described in the Schedule hereto and situated in the Borough of New Plymouth to the purposes of a public recreation reserve.

SCHEDULE.

ALL that portion of Fillis Street, situated within the Borough of New Plymouth, containing by admeasurement 2 roods 1.98 perches, more or less, being more particularly described as Section 2380, Town of New Plymouth, and also that portion of Wakefield Street, situated within the said Borough, containing 36.29 perches, more or less, being more particularly described as Section 2381, Town of New Plymouth.

T. R. AICKIN,

Acting Clerk of the Executive Council.

(I.A. 103/199/2.)

*Providing for the Apprehension in New Zealand of Members of the Australian Military and Air Forces who may be Deserters or Absentees without Leave.*

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of August, 1941.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section five of the Visiting Forces Act, 1939, provision is made that the laws in force in New Zealand relating to the apprehension of deserters and absentees without leave from a Home Force (meaning the Naval, Military, and Air Forces of His Majesty raised in New Zealand) shall within New Zealand apply in relation to a deserter or an absentee without leave from a visiting Force to which that section applies, as they apply in relation to a deserter or absentee without leave from a Home Force :

And whereas it is enacted by subsection one of the aforesaid section that the Forces to which the section applies are (among others) such of the Military and Air Forces of His Majesty raised in the Commonwealth of Australia as the Governor-General may by Order in Council direct :

And whereas it is provided by subsection three of the aforesaid section that no person who is alleged to be a deserter from any such Force as aforesaid shall be apprehended or dealt with except in compliance with a specific request from the Government of that part of the British Commonwealth of Nations to which the Force belongs, and a person so dealt with shall be handed over to the authorities of that part of the British Commonwealth of Nations at such place in New Zealand as may be agreed; and, provided further, that a person who is alleged to be a deserter or absentee without leave from a visiting Force may also be apprehended and dealt with in compliance with a request, whether specific or general, from the Officer Commanding that Force, and shall, if that Force is still present in New Zealand, be handed over to the Officer Commanding that Force at the place where the Force is stationed :

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, doth hereby direct that such of His Majesty's Military and Air Forces raised in the Commonwealth of Australia as may from time to time visit New Zealand shall be Forces to which section five of the Visiting Forces Act, 1939, applies.

T. R. AICKIN,

Acting Clerk of the Executive Council.