

The Establishment of Kindergarten Schools declared to be a Public Work

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 21st day of April, 1948

Present:

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to subsection three of section twenty-nine of the Finance Act (No. 2), 1945, 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 declare the establishment of kindergarten schools to be a public work for the purposes of the Public Works Act, 1928.

T. J. SHERRARD, Clerk of the Executive Council.

(P.W. 28/31/6.)

Foreshore Licence: Piako River—Ngatea—Wharf—The New Zealand Co-operative Dairy Company, Limited

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 21st day of April, 1948

Present:

THE RIGHT HON. P. FRASER PRESIDING 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 licence and permit the New Zealand Co-operative Dairy Company, Limited, of Hamilton (hereinafter called the company, which term shall include its assigns, unless the context requires a different construction), to use and occupy a part of the foreshore and land below low-water mark at Ngatea in the Piako River, as shown on approved plan marked M.D. 8713 and deposited in the office of the Marine Department at Wellington, for the purpose of maintaining a wharf thereon as shown on the said plan, such licence to be held and enjoyed by the company upon and subject to the terms and conditions set forth in the Schedule thereto.

SCHEDULE

CONDITIONS

1. THIS licence is subject to the Foreshore Licence Regulations 1940, and the provisions of those regulations shall, so far as applicable, apply hereto.

2. The term of the licence shall be fourteen years from the 1st day of April, 1948.

3. The premium payable by the company shall be two pounds ten shillings (£2 10s.), and the annual sum so payable by the company shall be two pounds (£2).

4. The master of every vessel discharging ballast at the said landing wharf shall have all such ballast taken away 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.

T. J. SHERRARD, Clerk of the Executive Council.

Validating a Writ of Summons and Statement of Claim served against the Auckland Harbour Board after Due Date

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government Buildings at Wellington, this 21st day of April, 1948

Present:

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL

WHEREAS David Davis, of Papatotetoe, Salesman (hereinafter referred to as the plaintiff), by writ of summons and statement of claim issued out of the Supreme Court of New Zealand, Auckland Registry, under number A. 243/47, on the second day of December, one thousand nine hundred and forty-seven, commenced an action against the Auckland Harbour Board (hereinafter referred to as the defendant) claiming damages as a result of alleged negligence of the defendant, its servants, or agents on the tenth day of September, one thousand nine hundred and forty-seven, at Auckland:

And whereas by its statement of defence to the said writ of summons and statement of claim filed in such action the defendant has pleaded that the said action is debarred by the provisions of section two hundred and forty-eight of the Harbours Act, 1923, in that notice had not been given to the defendant one month before the said action was commenced of the intention of the plaintiff to commence such action signed by the plaintiff or his solicitor specifying the cause of such intended action:

And whereas notice of such intended action signed by the solicitor for the plaintiff was in fact given to the defendant and bore date the thirty-first day of October, one thousand nine hundred and forty-seven, with the intention that it should be received by the defendant on the first day of November, one thousand nine hundred and forty-seven, by but misadventure or accident it was not received by the defendant until the third day of November, one thousand nine hundred and forty-seven, a day not being one month before the commencement of the said action:

And whereas the said action was commenced in the belief that the said notice had been duly given on the first day of November, one thousand nine hundred and forty-seven:

Now, therefore, in pursuance and exercise of the powers and authorities vested in him by section two hundred and fifty-six of the Harbours Act, 1923, and of all other powers and authorities enabling him in that behalf, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order and declare that the said notice of intended action given as aforesaid shall be deemed for the purposes of section two hundred and forty-eight of the Harbours Act, 1923, to have been given one month before the commencement of the said action.

T. J. SHERRARD, Clerk of the Executive Council.

Land resumed for Works of Public Utility at Mussel Bay, Port Chalmers, Otago Harbour

[L.S.] B. C. FREYBERG, Governor-General

IN pursuance and exercise of section one hundred and forty-one of the Harbours Act, 1923, and every other power in any-wise enabling me in this behalf, I, Lieutenant-General Sir Bernard Cyril Freyberg, the Governor-General of the Dominion of New Zealand, acting on behalf of His Majesty the King, in respect of the Government of New Zealand, do hereby give to the Otago Harbour Board notice that, at the expiration of a period of one month after the day on which this notice is served on the Board, I intend to enter upon and take possession of the lands vested in the Harbour Board which are described in the Schedule hereto for the construction of a public work—namely, housing—as defined in the Housing Act, 1919.

SCHEDULE

ALL that parcel of land edged red on the plan marked M.D. 8729, deposited in the office of the Marine Department at Wellington, containing 19 acres 3 roods 29-5 poles, be the same a little more or less, situated in the Borough of Port Chalmers, being Lot 1, Deposited Plan 5476, and being part of the original bed of Otago Harbour, and being also other part of original bed of Otago Harbour, and being the whole of the land comprised in Certificate of Title, Register-book, Volume 302, folio 16.

Given under the hand of His Excellency the Governor-General of the Dominion of New Zealand, and issued under the Seal of that Dominion, this 23rd day of April, 1948.

F. HACKETT, Minister of Marine.

To the Chairman, Otago Harbour Board, Dunedin.

(H.C. 4/216/7 and M. 4/3757.)

Appointing a Member of the Nelson Harbour Board

B. C. FREYBERG, Governor-General

IN pursuance and exercise of the powers and authorities conferred upon me by the Harbours Act, 1923, I, Lieutenant-General Sir Bernard Cyril Freyberg, the Governor-General of the Dominion of New Zealand, do hereby appoint

Ernest Patrick Lock

to be a member of the Nelson Harbour Board in place of John Basil Carr, resigned.

As witness the hand of His Excellency the Governor-General, this 21st day of April, 1948.

F. HACKETT, Minister of Marine.

Officers authorized to take and receive Statutory Declarations

B. C. FREYBERG, Governor-General

PURSUANT to the authority conferred upon me by the three-hundred-and-first section of the Justices of the Peace Act, 1927, I, Lieutenant-General Sir Bernard Cyril Freyberg, the Governor-General of the Dominion of New Zealand, do hereby notify and declare that the persons whose names are set out in the Schedule hereto, being officers in the service of the Crown holding the offices stated opposite their names respectively in the said Schedule, are authorized to take and receive statutory declarations under the three-hundred-and-first section of the Justices of the Peace Act, 1927.

SCHEDULE

John Manson Sutherland, Deputy Chief Postmaster, Christchurch.

Douglas Aubry Francis Smith, Senior Supervisor, Clerical Branch, Christchurch.

Milton Rowley Aldridge, Chief Postmaster, Dunedin.

George Walter Kite, Postmaster, Hastings.

William John Cummins, Chief Postmaster, New Plymouth.

James Guy Sissons, Deputy Chief Postmaster, New Plymouth.

William Ranson Stuckey, Chief Postmaster, Palmerston North.

Basil Herbert Humphrey, Postmaster, Rotorua.

Walter Abel Trask, Postmaster, Te Awamutu.

Walter Selwyn Anderson, Postmaster and Telephonist, Te Kaha.

Annie Joy Healey, Temporary Postmistress, Te Uku.

Vincent Peter Scaletti, Postmaster, Waipukurau.

Ronald Leslie Horn, Chief Postmaster, Wanganui.

Douglas Goodall Cody, Deputy Chief Postmaster, Wellington.

As witness the hand of His Excellency the Governor-General, this 23rd day of April, 1948.

H. G. R. MASON, Minister of Justice.