

doth hereby approve of the following resolution passed by the Marlborough County Council on the seventeenth day of September, one thousand nine hundred and forty-eight, in so far as it affects the sides and portions of roads described in the Schedule hereto, viz. :—

“The Marlborough County Council, being the local authority having control of the roads in the Marlborough County, by resolution declares that the provision of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to the southern portion of Thomas' Road fronting the northern boundary of Section V, Waitohi Valley, and the western portion of public road fronting the eastern boundary of Section V, Waitohi Valley, Block VIII, Cloudy Bay Survey District, and contained in the Certificate of Title 32/268”;

subject to the condition that no building or part of a building shall at any time be erected on the land fronting the southern side of the portion of Thomas' Road first described in the Schedule hereto and the western side of the portion of public road secondly described in the Schedule hereto within a distance of thirty-three feet from the centre-lines of the said portions of roads.

SCHEDULE

THE southern side of all that portion of road situated in the Marlborough Land District, County of Marlborough, known as Thomas' Road, fronting Section V, District of Waitohi Valley, Block VIII, Cloudy Bay Survey District.

Also the western side of all that portion of public road situated in the said land district and county, fronting Section V, District of Waitohi Valley, Block VIII, Cloudy Bay Survey District.

As the same are more particularly delineated on the plan marked P.W.D. 128459, deposited in the office of the Minister of Works at Wellington, and thereon coloured red.

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

(P.W. 43/361.)

Appointing a Member of the Second Division of the Court of Appeal

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 2nd day of March, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by Order in Council made on the third day of November, one thousand nine hundred and forty-eight, the Honourable John Bartholomew Callan, Judge, was appointed a member of the Second Division of the Court of Appeal for the year one thousand nine hundred and forty-nine :

And whereas the said the Honourable John Bartholomew Callan, Judge, is at present absent from the Dominion of New Zealand and will not have returned for the sitting of the Second Division of the Court of Appeal fixed for Monday, the seventh day of March, one thousand nine hundred and forty-nine, and it is thus expedient for the purposes of the business of the said Division to revoke the appointment of the said the Honourable John Bartholomew Callan, Judge, and to appoint another Judge as a member of such Division :

Now, therefore, His Excellency the Governor General of the Dominion of New Zealand, acting by and with the advice of the Executive Council of that Dominion, and in exercise of the authority conferred upon him by the Judicature Amendment Act, 1913, and in pursuance of the recommendation of the Right Honourable the Chief Justice, the Honourable Mr. Justice Fair, and the Honourable Mr. Justice Cornish, doth revoke the appointment of the said the Honourable John Bartholomew Callan, Judge, and doth appoint the Honourable Sir Robert Kennedy, Kt., Judge, to be a member of the said Second Division of the Court of Appeal as and from the seventh day of March, one thousand nine hundred and forty-nine.

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

Revoking the Reservation Over a Public Reserve in the City of Christchurch, Canterbury Land District

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 2nd day of March, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS by subsection one (b) of section seven of the Public Reserves, Domains, and National Parks Act, 1928 (hereinafter referred to as the said Act), it is provided that the Governor-General may, from time to time, by Order in Council, revoke the reservation over any public reserve or part thereof, and thereupon the land comprised therein shall, if vested in the Crown or in any local authority or trustees deriving title from the Crown, become Crown land available for disposal under the Land Act, 1924, and in any other case may, subject to the provisions of subsection five of the said section seven of the said Act, be disposed of in such manner and for such purposes as may be stated in such Order in Council :

And whereas the land described in the Schedule hereto is a public reserve which on the subdivision of private property for residential purposes was conveyed, in trust, for the purpose of a public reserve to the body corporate called the Mayor, Councillors, and Citizens of the City of Christchurch :

And whereas it is expedient that the reservation over the said land be revoked :

And whereas the said body corporate has passed a resolution consenting to such revocation and has in all other respects complied with the provisions of subsections three and four of the said section seven of the said Act :

Now, therefore, in pursuance and exercise of the powers and authorities conferred upon him by subsection one (b) of section seven of the said Act, 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 revoke the reservation for a public reserve over the land described in the Schedule hereto, and doth hereby declare that the said land may be disposed of by the said body corporate by way of sale by public auction or private contract at such price and on such terms and conditions as the said body corporate shall determine, but so that the proceeds of any such sale shall be used and applied in or towards the purchase of land for recreation purposes.

SCHEDULE

CANTERBURY LAND DISTRICT

ALL that area containing by admeasurement 1 rood 18 perches, more or less, being Lot 20 as shown on the plan numbered 10305, deposited in the office of the District Land Registrar at Christchurch, and being part of Rural Section 39, situated in the City of Christchurch. As the same is more particularly delineated in the plan marked L. and S. 1/975v, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon bordered red.

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

(L. and S. H.O. 1/975 ; D.O. 8/83.)

Vesting a Reserve in the Cook County Council

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 2nd day of March, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS the land described in the Schedule hereto has been duly set apart for plantation purposes : And whereas, in the opinion of the Governor-General, it is expedient to vest the said reserve in the Chairman, Councillors, and Inhabitants of the County of Cook :

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 exercise of the powers and authorities conferred upon him by section nine of the Public Reserves, Domains, and National Parks Act, 1928, doth hereby declare that from and after the day of the date hereof the reserve described in the Schedule hereto shall become vested in the Chairman, Councillors, and Inhabitants of the County of Cook, in trust, for plantation purposes.

SCHEDULE

GISBORNE LAND DISTRICT

SECTION 69, Township of Ormond, situated in Block VIII, Waimata Survey District : Area, 1 acre 2 roods 17 perches, more or less.

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

(L. and S. H.O. 6/5/346 ; D.O. 8/93.)

Egmont County Council Declared a Leasing Authority Under the Public Bodies' Leases Act, 1908

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 2nd day of March, 1949

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

WHEREAS the Egmont County Council is a body of persons having power to lease lands held in trust, reserved, or set apart for public purposes, and has requested the Governor-General in Council to declare it to be a leasing authority within the meaning of the Public Bodies' Leases Act, 1908 :

Now, therefore, in compliance with such request, and in exercise of the powers in this behalf conferred by the above-mentioned Act, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order and declare that the Egmont County Council is a leasing authority within the meaning of the Public Bodies' Leases Act, 1908.

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

(L.A. 127/29.)