

1910.
NEW ZEALAND.

GRANT OF THE HORAHORA WATER-POWER CONCESSION TO THE WAIHI GOLD-MINING COMPANY

(TERMS AND CONDITIONS OF THE).

Return to an Order of the House of Representatives dated the 6th July, 1910.

Ordered, "That there be laid before this House the full terms and conditions under which the Horahora water-power concession was granted to the Waihi Gold-mining Company."—(Mr. POLAND.)

WATER-POWER LICENSE.

LICENSE GRANTED TO THE WAIHI GOLD-MINING COMPANY (LIMITED) TO USE WATER FROM THE WAIKATO RIVER, IN THE AUCKLAND PROVINCIAL DISTRICT, FOR THE PURPOSE OF GENERATING ELECTRICITY.

PLUNKET, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this 2nd day of December, 1909.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Part XII of the Public Works Act, 1908 (hereinafter referred to as "the principal Act"), it is provided that power may be granted to use the water of any lake, fall, river, or stream for the purpose of generating electricity, or for driving machinery, or for other purposes, and upon the conditions contained in such Act: And whereas by section five of the Public Works Amendment Act, 1908 (hereinafter referred to as "the amending Act"), it is, *inter alia*, provided that, notwithstanding anything contained in Part XII of the principal Act or in the Post and Telegraph Act, 1908, the Governor may from time to time, by Order in Council, grant to any person or body corporate a license to use water from any lake, fall, river, or stream, or other source, for the purpose of generating electricity for electric light, mechanical power, or other uses, and to exercise in respect of that purpose any of the powers and authorities specified in such section on that behalf: And whereas it is by subsection five of section five of the amending Act also provided that the license shall be deemed to constitute a contract between the Licensee and His Majesty the King, and shall be enforceable by and against either party accordingly: And whereas the Waihi Gold-mining Company (Limited), of Waihi, in the Provincial District of Auckland (who, with its successors and assigns, is and are hereinafter referred to as "the Licensee"), has made an application under the amending Act for the issue of a license empowering them to take from the Waikato River, in the Provincial District of Auckland (hereinafter referred to as "the said river"), as many sluice-heads of water as are theoretically capable of developing ten thousand horse-power at the generating-station, hereinafter described, for the purpose of generating electricity at such generating-station, and transmitting such electricity to the district described in the First Schedule hereto, and for authority to exercise the powers, rights, and privileges mentioned or set forth in section number five of the amending Act, or other purposes within the area of land described in the First Schedule hereto: And whereas it has been agreed between the Licensee and His Majesty the King that this license shall be issued subject to the terms, conditions, and obligations hereinafter specified and contained:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and in exercise of the power and authority in that behalf vested in him by the principal Act and the amending Act, and of every other power and authority enabling him in this behalf, and by and with the advice and consent of the Executive Council of the said Dominion, doth hereby grant