

*Licensing Henry Burnett Jones to use and occupy a Part of the Foreshore and Land below Low-water Mark at Hurikia Beach, Waitangi West Bay, Chatham Islands, as a Site for a Wharf and Freezing Plant.*

LIVERPOOL, Governor-General.  
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this eleventh day of March, 1918.

Present :  
THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, under the Harbours Act, 1908 (hereinafter called "the said Act"), Henry Burnett Jones, of Port Hutt, Chatham Islands (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the said Act to occupy a part of the foreshore and land below low-water mark at Hurikia Beach, Waitangi West Bay, Chatham Islands, in order to erect and maintain thereon a wharf and freezing plant erected in accordance with plan marked M.D. 4796, and deposited in the office of the Marine Department at Wellington :

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation, and the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council :

And whereas it is expedient that a license should be granted and issued to the licensee under the said Act for the purpose aforesaid, on the terms and conditions hereinafter expressed :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the object for which the said license is required by the licensee as aforesaid ; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby license and permit the licensee to use and occupy that part of the foreshore and land below low-water mark on which the said wharf and freezing plant are to be erected, as shown on the plan so deposited as aforesaid, for the purpose of erecting and maintaining the said wharf and freezing plant thereon, 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 "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 necessary for the erection of the wharf and freezing plant as shown on plan marked M.D. 4796.
3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1 payable in advance, dating from the date hereof, the first of such annual payments to be made on the licensee being supplied with a copy of this Order in Council.
4. 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 wharf and freezing plant without payment.
5. The licensee shall maintain the above-mentioned wharf and freezing plant in good order and repair, and shall at all times exhibit therefrom, and maintain at his own cost, suitable and necessary lights for the guidance of vessels ; provided that no such lights shall be exhibited until after they have been approved by the Minister.
6. Any person authorized by the Minister may at all reasonable times enter upon the said wharf and freezing plant and view the state of repair thereof ; and upon such Minister leaving at or posting to the last known address of the licensee a notice in writing of any defect or want of repair in such wharf or freezing plant, requiring him, within a reasonable time, to be therein prescribed, to repair the same, he shall with all convenient speed cause such defect to be removed or such repairs to be made.
7. 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 regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1908, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.

8. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the date hereof, 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 authority of the Minister first obtained.

9. The said rights, powers, and privileges granted by this Order in Council may be resumed at any time 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.

10. The licensee shall be liable for any injury which the said wharf or freezing plant may cause any vessel or boat to sustain through any default or neglect on his part.

11. 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 wharf and freezing plant for a period of thirty days ;
- (3.) Become bankrupt, or be 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 either 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 notice to the licensee or other proceedings whatsoever ; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the licensee, and to all persons concerned or interested, that this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

12. The erection of the said wharf and freezing plant shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

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

*Revoking the Vesting in the Road Board of the Temuka District of Gravel-pit Reserve 1057, Block VII, Geraldine Survey District, Canterbury Land District.*

LIVERPOOL, Governor-General.  
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this eighteenth day of March, 1918.

Present :  
THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

WHEREAS the land described in the Schedule hereto was vested in the Road Board of the Temuka District in trust, as a reserve for a gravel-pit, by an Order in Council dated the twenty-third day of September, one thousand eight hundred and ninety-one, and published in *Gazette* of the twenty-fourth day of that month, in pursuance of section four of the Public Reserves Act, 1881, but a certificate of title has not issued in respect of the said reserve :

And whereas it is expedient that the said Order in Council should be revoked in so far as it relates to the said land, and the Temuka Road Board has duly consented to such revocation :

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 pursuance and exercise of the powers and authorities conferred upon him by subsection two of section three of the Public Reserves and Domains Amendment Act, 1914, doth hereby revoke the Order in Council hereinbefore referred to so far as it relates to the land described in the Schedule hereto.

SCHEDULE.

ALL that area in the Canterbury Land District, containing by admeasurement 5 acres, more or less, being Reserve 1057, situated in Block VII, Geraldine Survey District, and bounded as follows : Towards the north-west by a public road, 500 links ; towards the north-east by Crown land and Section 36198, 1000 links ; towards the south-east by Section 36198 aforesaid, 500 links ; and towards the south-west