

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power 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 purpose 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 as shown numbered eight on the plan deposited as aforesaid, for the purpose of erecting and maintaining the said structures 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 Scamen 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 that part of the foreshore necessary for the erection of the said market-house as shown on plan M.D. 4357.
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 £4 in advance, payable on the 1st day of April in each year, the proportionate part of such annual rental in respect of the period from the date hereof until the 31st day of March following to be paid 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 market-house without payment.
5. The licensee shall maintain the above-mentioned market-house 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 light shall be exhibited until after it has been approved of by the Minister.
6. Any person authorized by the Minister may at all reasonable times enter upon the said market-house 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 market-house, 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 consent of the Minister first obtained.
9. The said rights, powers, and privileges may be at any time resumed 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 in New Zealand.
10. The licensee shall be liable for any injury which the said market-house may cause any vessel or boat to sustain through any neglect or default on his part.
11. Payment of the sum of £2 10s. referred to in clause 3 of these conditions shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.
12. 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 market-house for a period of thirty days;
  - (3.) Become bankrupt, or be in any manner brought under the operation of any Act 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 every right, power, or privilege granted to him by this Order in Council may be revoked and determined by the Governor-General in Council without any notice to the licensee or other proceeding 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 the license, rights, and privileges thereby granted and conferred have been revoked and determined.

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

*Validating Proceedings in connection with a Loan of £8,800 proposed to be raised by the Matamata County Council.*

JELlicoe, Governor-General.  
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 26th day of September, 1922.

Present :

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

WHEREAS the Matamata County Council, acting under and in pursuance of the Local Bodies' Loans Act, 1913, proposes to raise a loan of eight thousand eight hundred pounds for the metalling of roads in the Waioimo-Tirau Roads Special Rating Area :

And whereas the notice of the poll was given only three times instead of four times, as required by section ten (two) of the said Act :

And whereas it appears that the ratepayers have not been misled by the said irregularity or defect, and it is expedient to validate the same :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred on him by section one hundred and eleven of the Local Bodies' Loans Act, 1913, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order and declare that the proceedings taken shall be valid to all intents and purposes as if the provisions of section ten (two) of the Local Bodies' Loans Act, 1913, had been correctly complied with, and that the validity of the proceedings in connection with the said loan shall not be called into question by reason only of the irregularity or defect aforesaid.

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

*Validating Proceedings in connection with Waipa County Council's Bridge Construction Loan of £1,600.*

JELlicoe, Governor-General.  
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 2nd day of October, 1922.

Present :

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

WHEREAS the Waipa County Council lately proceeded to raise a loan of one thousand six hundred pounds, under the Public Works Act, 1908, and the Local Bodies' Loans Act, 1913, for the purpose of paying that Council's proportion of the cost of construction of a bridge over the Waipa River at Whatawhata :

And whereas the proceedings in connection with the said loan were irregular, in that public notice of the special order authorizing the raising of the loan, although given four times, was not given once in each of the four weeks immediately preceding the day on which the meeting was held for the purpose of confirming the resolution to make that special order, as required by section ninety-nine of the Counties Act, 1920 :

And whereas it appears that the ratepayers of the district have not been misled by such irregularity as aforesaid, and it is expedient to validate the same :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred on him by section one hundred and eleven of the Local Bodies' Loans Act, 1913, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby order and declare that the proceedings in connection with the said loan shall be valid to all intents and purposes as though the said public notice had been correctly given, and that the validity of the proceedings in connection with the said loan shall not be called in question by reason only of the irregularity aforesaid.

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