

Licensing the Kauri Timber Company (Limited) to Use and Occupy a Part of the Foreshore and Land below Low-water Mark at Koutu, Hokianga Harbour, as a Site for Timber-booms.

JELlicoe, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of December, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the sixth day of December, one thousand nine hundred and fifteen, and published in the *New Zealand Gazette* No. 141, of the ninth day of the same month, the Kauri Timber Company (Limited), of Auckland (hereinafter called "the company"), was licensed to use and occupy a part of the foreshore and land below low-water mark at Koutu, in Hokianga Harbour, as shown on plan marked M.D. 2486, and deposited in the office of the Marine Department at Wellington, in order to maintain thereon two timber-booms, as shown on the plan so deposited as aforesaid, for a term of seven years, computed from the twenty-eighth day of November, one thousand nine hundred and fifteen :

And whereas, the said license having expired, the company has made application for a fresh license under the Harbours Act, 1908 (hereinafter called "the said Act"), for a term of five years, computed from the expiry of the term of the above-mentioned license, and it is expedient to grant the same for the term and subject to the 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 purpose or object for which the said license is required by the company 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 company to use and occupy that part of the foreshore and land below low-water mark immediately contiguous thereto, which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of using the aforesaid timber-booms in connection therewith, such license to be held and enjoyed by the company 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 that part of the foreshore and land below low-water mark occupied by the said booms, as shown on plan marked M.D. 2486.

3. In consideration of the concessions and privileges granted by this Order in Council the company shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 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 company 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 booms without notice.

5. The company shall maintain the above-mentioned booms in good order and repair, and shall at all times exhibit therefrom, and maintain at its 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 booms and view the state of repair thereof; and upon such Minister leaving at or posting to the last known registered office of the company in New Zealand a notice in writing of any defect or want of repair in such booms, requiring it, within a reasonable time to be therein prescribed, to repair the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. Nothing herein contained shall authorize the company 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 five years from the 28th day of November, 1922, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the company shall not assign, charge, or part with any such right, power, or privilege without the 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 company 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 registered office of the company in New Zealand.

10. The company shall be liable for any injury which the said booms may cause any vessel or boat to sustain through any default or neglect on its part.

11. In case the company 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 booms for a period of thirty days;
- (3.) Be in any manner wound up or dissolved; 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 license, right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the company 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 company, 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.

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

Extending Prohibition of Alienation of certain Native Land other than Alienation in favour of the Crown.

JELlicoe, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 4th day of December, 1922.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

ON the recommendation of the Native Land Purchase Board, referred to in section three hundred and sixty-three of the Native Land Act, 1909, and in exercise of the power in this behalf conferred upon him by that section, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council thereof, doth hereby extend for a further period of six months the Order in Council dated the twenty-second day of December, one thousand nine hundred and twenty-one, and gazetted the twelfth day of January, one thousand nine hundred and twenty-two, prohibiting all alienation of the Native land specified in the Schedule hereto other than alienation in favour of the Crown.

SCHEDULE.

WAIUNU Block, Waimanu Survey District: Approximate area, 631 acres.

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