

any person, upon such terms and conditions as the Governor-General in Council thinks fit:

And whereas it is thought advisable to vest in John Blair Mason, of Auckland, and William Peel, of Masterton (hereinafter referred to as "the trustees"), as trustees for the inhabitants of the district, the management of the wharf which is erected on the foreshore at Komiti Bay, Kaipara Harbour, and which is shown on plan marked M.D. 4734, and deposited in the office of the Marine Department at Wellington, on the terms and conditions hereinafter set forth:

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 power and authority vested in him by the said Act, and of all other powers and authorities enabling him in that behalf, doth hereby vest the management of the wharf in the said persons as trustees aforesaid, subject to the 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 of Komiti Bay, Kaipara Harbour, shown on the said plan marked M.D. 4734.

3. In consideration of the concessions and privileges granted by this Order in Council, the trustees shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1, in advance, the first of such annual payments to be made on the 1st day of April, 1924.

4. All persons shall at all reasonable times, upon payment of the proper dues, have full and free liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

5. 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, over, and out of the said wharf without payment.

6. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years, computed from the date of this Order in Council, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the trustees shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

7. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the trustees may be required to remove the wharf at their own cost, without payment of any compensation whatever, on giving to the trustees three 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 trustees in New Zealand.

8. The trustees shall maintain the above-mentioned wharf in good order and repair, and shall at all times exhibit therefrom, and maintain at their own cost, suitable and necessary lights for the guidance of vessels; provided that no light shall be exhibited until after it has been approved by the Minister.

9. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the trustees in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring the trustees, within a reasonable time, to be therein prescribed, to repair the same, they shall with all convenient speed cause such defect to be removed or such repairs to be made.

10. Nothing herein contained shall authorize the trustees 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.

11. The ballast of all vessels loading at the said wharf shall be taken away by the trustees and deposited above high-water mark, or at such place as may be approved by the Minister or by any person appointed by the Minister for that purpose.

12. The trustees shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on their part.

13. In case the trustees 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 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 any 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 trustees 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 trustees, and to all persons concerned or interested, that this Order in Council, and the license, rights, and privileges thereby granted to the trustees, have been revoked and determined; and upon such revocation the Minister may cause the said wharf to be removed, and may recover the cost incurred by any such removal from the trustees.

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Prohibiting all Alienation of certain Native Land other than Alienation in favour of the Crown.

JELICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 3rd day of December, 1923.

Present:

THE HONOURABLE SIR F. H. D. BELL, G.C.M.G., K.C.,
PRESIDING 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 of the said Dominion, doth hereby prohibit, for the period of one year from the date of this Order in Council, all alienation of the Native land specified in the Schedule hereto other than alienation in favour of the Crown.

SCHEDULE.

KUMEU SURVEY DISTRICT.

Block.	Approximate Area		
	A.	R.	P.
KOPIRONUI B 2E 1	53	0	10
„ B 2D 2	25	2	9
Whenuanui No. 4	458	0	0
Puketapu South	1,200	0	0

C. A. JEFFERY,
Acting Clerk of the Executive Council.

Vesting the Control of a Reserve in the Pongaroa Scenic Board under the Scenery Preservation Act, 1908.

JELICOE, Governor-General.

IN pursuance and exercise of the powers and authorities conferred upon him by section thirteen of the Scenery Preservation Act, 1908, His Excellency the Governor-General of the Dominion of New Zealand doth hereby vest the control of the reserve described in the Schedule hereto (being land reserved under the said Act), in trust, for the purposes of scenery preservation, as from the date of this notice until the ninth day of March, one thousand nine hundred and twenty-five (unless previously altered or revoked under the said Act), in the Pongaroa Scenic Board, as constituted by notification dated the tenth day of March, one thousand nine hundred and twenty-two, and published in *Gazette* of the sixteenth day of that month.

SCHEDULE.

ALL that area in the Wellington Land District, containing by admeasurement 3 roods 30 perches, more or less, being Section 24, Pongaroa Suburbs, situated in Block IX, Mount Cerberus Survey District. As the same is delineated on plan