

leges thereby granted and conferred, have been revoked and determined; and upon such revocation the Minister may cause the said wharf to be removed, and may recover the cost incurred by any such removal from the licensees.

SECOND SCHEDULE.		s.	d.
Sheep, per head	.. ..	0	1
Rams, per head	.. ..	1	0
Pigs, per head	.. ..	1	0
Butter, per box	.. ..	0	6
Heavy cargo, per ton	.. ..	4	0
Minimum charge in all cases	.. ..	0	6

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

*Licensing the Use and Occupation of certain Parts of the Foreshore of Hokianga River at Rawene.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 22nd day of December, 1923.

Present :

THE HONOURABLE SIR FRANCIS BELL 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"), Paul Spender, of Rawene (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the said Act to occupy part of the foreshore at Rawene in Hokianga Harbour, as shown on the plan marked M.D. 5762, deposited in the office of the Marine Department at Wellington, in accordance with the one-hundred-and-fiftieth section of the said Act, for the purpose of erecting and maintaining a motor-garage and fire-wood yard.

And whereas it has been made to appear to the Governor-General in Council that the proposed works will not be or tend to the injury of navigation, and the plans mentioned herein have, 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 purposes aforesaid, on the terms and conditions set forth in the Schedule hereto :

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 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 necessary for the erection of the said motor-garage and fire-wood yard as shown on plan M.D. 5762 (sheet 2).

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall 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 motor-garage and fire-wood yard without payment.

5. The licensee shall maintain the above-mentioned motor-garage and fire-wood yard in good order and repair, and shall at all times exhibit therefrom, and maintain at the licensee's 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 motor-garage and fire-wood yard and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the licensee in New Zealand a notice in writing of any defect or want of repair in such motor-garage and fire-wood yard, requiring the licensee, within a reasonable time, to be therein prescribed, to repair the same, the licensee 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 motor-garage and fire-wood yard may cause any vessel or boat to sustain through any neglect or default on the licensee's 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 motor-garage and fire-wood yard 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 any of the said cases every right, power, or privilege granted to the licensee 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; and upon such revocation the Minister may cause the said motor-garage and fire-wood yard to be removed, and may recover the cost incurred by any such removal from the licensee.

12. The erection of the said motor-garage and fire-wood yard shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

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

*Licensing Frederick Walter Wilson to use and occupy a Part of the Foreshore and Land below Low-water Mark at Day's Bay, Waiheke Island, as a Site for a Wharf.*

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 22nd day of December, 1923.

Present :

THE HONOURABLE SIR FRANCIS BELL 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"), Frederick Walter Wilson, of Auckland (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the said Act to use and occupy a part of the foreshore and land below low-water mark of Day's Bay, Waiheke Island, in order to erect and maintain a wharf thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 5753, sheets 1 and 2), showing the area of foreshore and land below low-water mark intended to be occupied, and the manner in which it is proposed to erect the said wharf :