

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 motor-garage is to be erected, as shown on the plan M.D. 5822 so deposited as aforesaid, for the purpose of erecting and maintaining the said motor-garage; 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 as shown on plan M.D. 5822.

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 £5 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 without payment.

5. The licensee shall maintain the above-mentioned motor-garage 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 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, 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, 1923, 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 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 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 to be removed, and may recover the cost incurred by any such removal from the licensee.

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

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

*Revoking Order in Council licensing Murray's Bay Estate (Limited) to use and occupy a Part of the Foreshore and Land below Low-water Mark at Murray's Bay, Hauraki Gulf, as a Site for a Wharf.*

JELlicoe, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this 17th day of April, 1924.

Present:

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

WHEREAS by Order in Council dated the twenty-fourth day of January, one thousand nine hundred and sixteen, and published in the *New Zealand Gazette* No. 6 of the twenty-seventh day of the same month, the Murray's Bay Estate (Limited), (hereinafter called "the company") was licensed to use and occupy a part of the foreshore and land below low-water mark at Murray's Bay, Hauraki Gulf, as a site for a wharf:

And whereas the said company has applied to have the hereinbefore-recited license revoked, and it is desirable to revoke the same:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authority vested in him by the Harbours Act, 1923, 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 revoke the hereinbefore-recited Order in Council of the twenty-fourth day of January, one thousand nine hundred and sixteen, as from the thirty-first day of March, one thousand nine hundred and twenty-four.

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

*Vesting the Management of the Wharf, Murray's Bay, Hauraki Gulf, in the Waitemata County Council.*

JELlicoe, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 17th day of April, 1924.

Present:

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

WHEREAS by section one hundred and eighty-six of the Harbours Act, 1923 (hereinafter called "the said Act"), it is enacted that the Governor-General in Council may vest the management of any wharf, the property of His Majesty the King, in any local authority upon such terms and conditions as the Governor-General in Council thinks fit:

And whereas it is thought desirable to vest in the Waitemata County Council (hereinafter called "the Council," in which term is to be construed, unless the context requires a different construction, its successors or assigns) the management of the wharf in Murray's Bay, Hauraki Gulf, on the terms and conditions hereinafter set forth, to make regulations and to prescribe the dues and rates which shall be taken by the said Council for the use of such wharf:

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 Murray's Bay, Hauraki Gulf, as shown on plan marked M.D. 4539, and deposited in the office of the Marine Department at Wellington, in the Council, subject to the conditions set forth in the Schedule hereto.