

SCHEDULE.

ALL that road in the North Auckland Land District (Hobson County), known as the Access Road to Section 2, Block XVI, Tutamoe Survey District, commencing at the terminus of the Awakino Valley Road at a point near the north-western corner of Section 5, Block IV, Kaihu Survey District, and proceeding thence generally in a north-easterly direction, adjoining or passing through Sections 11 and 10, Block IV, Kaihu Survey District, and terminating at a point in the Kairara K.G.R., Block XVI, Tutamoe Survey District; being a distance of 1 mile 20 chains, more or less. As the same is more particularly delineated on the plan marked P.W.D. 66266, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

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

(P.W. 33/1034.)

Declaring Portion of Tiraumea Valley Road, in the Murchison County, to be a County Road.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 16th day of August, 1926.

Present :

THE RIGHT HONOURABLE J. G. COATES, P.C., PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers vested in him by the Public Works Act, 1908, and of all other powers in anywise enabling him in this behalf, 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 order and declare that the portion of road described in the Schedule hereto shall, on and after the date of this Order in Council, become a county road.

SCHEDULE.

ALL that portion of road in the Nelson Land District, Murchison County, known as the Tiraumea Valley Road, commencing at its junction with the Tutaki Road at a point on the eastern boundary of Section 2, Block VIII, Tutaki Survey District, and proceeding thence generally in a south-easterly direction, adjoining or passing through part Section 4, Block VIII, Tutaki Survey District, and terminating at a point on the eastern boundary of the said Section 4; being a total distance of 62 chains, more or less. As the same is more particularly delineated on the plan marked P.W.D. 66683, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

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

(P.W. 42/31.)

Licensing Frederick Charles Gentry, of Wellington, to occupy a Part of the Foreshore in Branda Bay, Chaffers Passage, for the Purpose of taking Shingle and Sand.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 16th day of August, 1926.

Present :

THE RIGHT HONOURABLE J. G. COATES, P.C., PRESIDING IN COUNCIL.

WHEREAS there being no Harbour Board empowered to grant the license hereinafter mentioned, Frederick Charles Gentry, Wellington (who, with his successors and assigns, is hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the Harbours Act, 1923 (hereinafter called "the said Act"), to use and occupy a part of the foreshore in Branda Bay, Chaffers Passage, for the purpose of taking away the shingle and sand deposited thereon; and in accordance with the provisions of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 6207), showing the area, edged red, of foreshore intended to be occupied for such purpose:

And whereas it is desirable to grant the license applied for:

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 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 which is particularly shown and delineated edged red on the plan so deposited as aforesaid for the purpose of taking away the shingle and sand deposited 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--

"Foreshore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides:

"Low-water mark" means low-water mark at ordinary spring tides:

"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 necessary for the purposes hereinbefore mentioned, as shown edged red on the plan marked M.D. 6207, and deposited in the office of the Marine Department as aforesaid.

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 annually the sum of £500, payable in two sums each of £250 on the first days of January and July in each year; provided that in respect of the period from the 1st July, 1926, until the 31st day of December, 1926, the amount due shall be paid on the licensee being supplied with a copy of this Order in Council.

4. All such payments shall be made to the Secretary of the Marine Department at Wellington, or such other person as the Minister may direct.

5. His Majesty or the Governor-General, and all other officers in the Government service acting and in the execution of their duties, shall at all times have free ingress, passage, and egress into, through, and out of the said land without payment.

6. 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.

7. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for the term of fourteen years computed from the 1st day of July, 1926, unless in the meantime such rights, powers, and privileges are 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 written consent of the Minister first obtained.

8. The rights, powers, and privileges hereby granted and conferred may be at any time resumed by the Governor-General without payment of any compensation whatsoever, on giving to the licensee six calendar months' previous notice in writing. 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.

9. In case the licensee shall--

(1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them:

(2.) Become bankrupt or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy:

(3.) Fail to pay the sums specified in clause 3 of these conditions:

(4.) Give six months' previous notice in writing of his intention to terminate the license,--

then and in any such case this Order in Council, and every license, right, power, or privilege thereby conferred, may be revoked and determined by the Governor-General in Council without any notice to the licensee or other proceedings 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 this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

10. Payment by the licensee hereinbefore mentioned 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.