

place where the Department requires it to be redelivered by the hirer. If the Department supplies a crane-driver the Department shall not incur any liability whatsoever for any damage caused by any patent or latent defect in such crane.

GENERAL.

57. A copy of these by-laws shall be delivered by the boarding pilot or Harbourmaster to the master of any vessel entering the harbour, and such master shall give a receipt for the same if called upon to do so: Provided, however, that it shall not be necessary in any case to issue a second copy of the by-laws to the master of the same vessel, except on the demand of such master, and in such case only on the payment of a fee of one shilling, to be accounted for by the Harbourmaster or boarding officer.

58. Every complaint made by any person not in the service of the Department against any officer or servant of the Department shall be made in writing and addressed to the Secretary-Manager, who shall forthwith forward a copy of the complaint to the officer or servant complained of. In the case of every such complaint the Secretary-Manager will make a preliminary inquiry into the circumstances and report to the Minister for Marine.

59. In case of accident of whatever kind the Harbourmaster or other officer of the Department present or available may order such steps to be taken as he may deem necessary and charge the cost of the same to the party or parties interested.

60. No person shall disobey the orders of the Harbourmaster when acting in the performance of his duty.

61. No ballast, rock, stone, slate, shingle, gravel, sand, earth, cinders, rubbish, driftwood, or other substance or thing shall be taken away from any tidal land or tidal water or from the seashore below high-water mark in any part of the harbour without the written permission of the Harbourmaster or from any other land vested in the Department for any estate whatsoever or under the Department's control, without the permission of the Secretary-Manager.

62. No person shall remove or displace the rocks, stones, or material of any breakwater, training-wall, or structure within the harbour.

63. No person shall put down or injure any board put up for the purpose of publishing any by-laws, regulations, notice, or penalty, or obliterate any of the letters, marks, or figures thereon.

64. No person shall interfere with any life-saving gear, boat-hook, drag, grapnel, life-buoys, or other apparatus placed within the port and intended to be used for the purpose of saving life from drowning unless such interference is for the purpose of saving life, or by the police in dragging for drowned persons. No person shall trespass on or be on or in any dredge or tug-boat belonging to the Department without the authority from the Department. Should any servant of the Department divulge to any person not in the service of the Department, any information of a confidential nature, he shall be dismissed from the service of the Department.

65. Nothing contained in these by-laws shall be deemed to apply to any ship, vessel, or other property of His Majesty or to any ship of war belonging to any foreign nation.

66. All by-laws and regulations heretofore enforced for and within the limits of the Harbour of Westport are hereby repealed, provided always that the General Harbour Regulations Schedule "A" shall apply and be enforced.

PENALTIES.

67. If any person fails or refuses or neglects to do anything required by the foregoing by-laws to be done, observed, or performed, or in any matter obstructs, impedes, or interferes with the doing of anything enjoined, required, or authorized to be done, or wilfully does anything prohibited by the foregoing by-laws, every such person in each and every case so offending shall be liable to a penalty of twenty pounds (£20).

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

Licensing Eric George Alexander Gray to use and occupy a Part of the Foreshore and Land below Low-water Mark at Horeke, in Hokianga Harbour, as a Site for a Motor-garage.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 13th day of April, 1927.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned under the

Harbours Act, 1923 (hereinafter called "the said Act"), Eric George Alexander Gray, of Horeke (who, with his executors, administrators, and assigns, is 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 at Horeke, in the Hokianga Harbour, in order to erect and maintain a motor-garage thereon; and, in accordance with the one-hundred-and-seventy-first section of the said Act, has deposited plans in the office of the Marine Department at Wellington (marked M.D. 6326), 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 motor-garage:

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend to the injury of navigation, and the said plan has, 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 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 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, numbered five, on the plan M.D. 6326, 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—

"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 that part of the foreshore and land below low-water mark necessary for the erection of the said motor-garage, as shown on the plan marked M.D. 6326, 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 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 each year, the proportionate part of such rental in respect of the period from the date hereof until the 31st 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 persons in the Government service acting in the execution of their duties, shall at all times have free ingress, passage, and egress into, through, over, 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 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 reasonable 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.