

Also all that area bounded commencing at a point being the southern corner of Lot 2 on deposited plan No. 11655; thence in a north-easterly direction by the south-eastern boundary of Lot 2 aforesaid and Lot 3 on deposited plan No. 11655 to a point in line with the south-western boundary of Section 25, Block XI, Waihou Survey District; thence across a drain reserve to and by the south-western boundary of Section 25 aforesaid to a point midway along that boundary; thence in a south-westerly direction by a line intersecting Sections 26 and 27, Block XI, Waihou Survey District, to a point midway along the south-western boundary of Section 27 aforesaid; thence in a south-easterly direction generally by that boundary to and across a public road; thence by the south-eastern side of that road to the south-western boundary of Section 24, Block XI, Waihou Survey District, and by that boundary to the northern corner of Section 33, Block XI, Waihou Survey District; thence by a right line through Section 33 to a point on another right line distant 2150 links from its southern extremity (the latter right line running parallel to the south-western boundary of Section 33 aforesaid from a point on the southern boundary of that section, distant 1350 links from its easternmost corner; thence along the last-mentioned right line and the southern boundary of Section 33 aforesaid, across a public road to a point distant 2000 links from the north-western corner of Section 1, Block XV, Waihou Survey District, and by a right line from that point to the south-western corner of Section 1 aforesaid; thence in a north-westerly direction by the north-eastern side of a public road to the southern corner of Lot 2 on deposited plan No. 11655 aforesaid, the point of commencement.

Also all that area bounded commencing at the western corner of Awaiti No. 1H 2A 3 Block, in a north-westerly direction by the south-western boundaries of Awaiti 1H 1, 1F, 1B 1, 1B 2A, 1B 2B 3, 1J 2B 4, 1J 2B 1A, 1J 2B 1B 1, 1J 2B 1B 2, 1J 2B 1B 2A, and 1J 2B 2B to a point in line with the production in a westerly direction of the Intercepting Canal; thence in an easterly direction by the line produced, the Intercepting Canal, and another line being the production of the Intercepting Canal to its intersection with the Hauraki Plains Rating District boundary, described in the Second Schedule to the Hauraki Plains Act, 1926; thence in a southerly direction by that boundary to the southern corner of Awaiti No. 1B 2B 1B 1 Block; thence by a right line to the westernmost corner of Awaiti No. 1H 2B 1 Block; thence in a south-westerly direction by the north-western boundary of Awaiti No. 1H 2A 3 Block to its western corner, the point of commencement.

Also all that area bounded commencing at a point on the left bank of the Waitoa Stream at its intersection with the southern side of the Paeroa-Tahuna Road; thence generally in an easterly direction by the southern side of that road to its intersection with the Hauraki Plains Rating District boundary as described in the Second Schedule to the Hauraki Plains Act, 1926; thence in a south-easterly direction by that boundary to the left bank of the Waitoa Stream aforesaid; thence generally in a north-westerly direction by the left bank of the stream to the southern side of the Paeroa-Tahuna Road, the point of commencement.

Also all that area bounded commencing at a point on the left bank of the Waihou River, being the northernmost corner of Awaiti No. 4 Block; thence generally in a southerly direction by the left bank of the Waihou River aforesaid to the northernmost corner of the Thames Borough Endowment; thence generally in a south-westerly direction by the north-western boundary of the Thames Borough Endowment aforesaid and the north-eastern and north-western boundary of Koromatua No. 5A Block to the south-eastern side of the Paeroa-Tahuna Road; thence in a north-easterly direction by the south-eastern side of that road to the north-western boundary of Awaiti No. 4 Block aforesaid; thence in a north-easterly direction by that boundary to the northernmost corner of Awaiti No. 4 Block, the point of commencement.

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

(L. and S. 15/90.)

Licensing James Walter Goodhew to use and occupy a Part of the Foreshore at Motukaraka, Hokianga Harbour, as a Site for Two Buildings.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 11th day of March, 1935.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

PURSUANT to the Harbours Act, 1923, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby license and

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permit James Walter Goodhew, of Motukaraka (hereinafter called "the licensee," which term shall include his executors, administrators, and assigns unless the context requires a different construction), to use and occupy all that part of the foreshore at Motukaraka, Hokianga Harbour, shown on plan marked M.D. 7336, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of the two buildings as shown on the said plan, for a term of fourteen years computed from the first day of January, one thousand nine hundred and thirty-five, 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 terms—

"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 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 adjacent thereto necessary for the maintenance of the said buildings at the site shown on plan marked M.D. 7336.

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 £2 10s. in advance, payable on the first day of April in each year, the proportionate part of such rental in respect of the period from the first day of January, 1935, 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 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 buildings without payment.

5. The licensee shall maintain the above-mentioned buildings in good order and repair.

6. Any person authorized by the Minister may, at all reasonable times, enter upon the said buildings 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 buildings, 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 in force for fourteen years from the 1st day of January, 1935, 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 conferred under or by virtue of this Order in Council 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. 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 buildings for a period of thirty consecutive 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 right, power, or privilege 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 *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the licensee and to all persons