

Thirdly, all that area containing by admeasurement 254 acres, more or less, being part Section 8, Block II, Ngongotaha Survey District: Bounded towards the north-east generally by the Waikite Valley Road, Crown land, formerly road closed by *Gazette*, 1931, page 2910, again the Waikite Valley Road, again Crown land as aforesaid, again the Waikite Valley Road, again Crown land as aforesaid, and again the Waikite Valley Road; towards the south-east generally by a reserve along the right bank of the Whirinaki River; towards the south-west by Section 2 of Block IV, Ngongotaha Survey District, and towards the north-west generally by Section 24, Block I, Ngongotaha Survey District, formerly road closed by *Gazette*, 1935, page 777, the Whirinaki Road, Crown land, formerly road closed as aforesaid, again the Whirinaki Road, again Crown land as aforesaid, and again the Whirinaki Road.

Fourthly, all that area containing by admeasurement 1,032 acres 1 rood 30-3 perches, more or less, being parts of Sections 6, 12, and 13, Block II, Ngongotaha Survey District: Bounded towards the north-west by Lot 2 on plan No. 21165, deposited in the office of the District Land Registrar at Auckland; towards the east and north-east by Section 14, Block II aforesaid; towards the south-east generally by a reserve along the right bank of the Whirinaki River; towards the south-west by other part Section 6 and Section 29, Block II aforesaid, 6332-8, 1092-8, 239-2, 127-9, 355-3, 1874-9, and 673-8 links, towards the west generally by the Whirinaki Road; and towards the north-east, north-west, and south-west generally by Section 25, Block II, Ngongotaha Survey District.

As the same is more particularly delineated on the plan marked L. and S. 2774, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon edged red.

Given under the hand of His Excellency the Governor-General of the Dominion of New Zealand, and issued under the Seal of that Dominion, this 1st day of July, 1936.

W. LEE MARTIN,
For Minister of Lands.

GOD SAVE THE KING!

(L. and S. 22/1183.)

Licensing Arthur Curtis Moore, of Kohu Kohu, to use and occupy a Part of the Foreshore at Rangiora, Hokiana Harbour, as a Site for a Sawmill and Timber-yard.

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 1st day of July, 1936.

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 permit Arthur Curtis Moore, of Kohu Kohu (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 those parts of the foreshore shown on plan marked M.D. 3999, approved on the nineteenth day of March, one thousand nine hundred and thirteen, and deposited in the office of the Marine Department at Wellington, for the purpose of the use of the sawmill and timber-yard as shown on the said plans for a term of fourteen years computed from the first day of June, one thousand nine hundred and thirty-six, 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 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 erection of the said

sawmill and use as a timber-yard as shown on the plan marked M.D. 3999 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 £1 10s. in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the 1st June, 1936, until the 31st May 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 sawmill and timber-yard without payment.

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

6. Any person authorized by the Minister may at all reasonable times enter upon the said sawmill 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 sawmill, requiring the licensee within a reasonable time, to be therein prescribed, to repair the sawmill, 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.

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 June, 1936, 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 written consent of the Minister first obtained.

9. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the sawmill at the licensee's own cost, 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 sawmill may cause any vessel or boat to sustain through any default or neglect on the licensee's part.

11. In case the licensee shall—

(1) Commit or suffer a breach of the conditions hereinafore set forth, or any of them;

(2) Cease to use or occupy the said sawmill or timber-yard for a period of thirty days;

(3) Fail to pay the sums specified in clause 3 of these conditions; or

(4) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy—

then and in any of the said cases 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 whatever; and publication in the *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.

12. In the event of this Order in Council being revoked for any reason whatsoever, or upon the expiry of the period for which the license is granted, the licensee shall, if required by the Minister so to do, remove the said sawmill and timber entirely from the site and restore the site to its original condition within three months from the date of revocation or expiry, as the case may be; and, if the licensee fails so to do, the Minister may cause the said sawmill and timber to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee.

13. The occupation of the sawmill and timber-yard site shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

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