

(2) If the person served with any such notice shall fail to comply with the same he shall be deemed guilty of an offence against such by-law, but without relieving any other person from any liability in respect of the breach by him of such by-law.

39. *Penalties:* (a) Every person guilty of a breach of any of these by-laws for which no other penalty is provided is liable to a penalty not exceeding £20; or, where the breach is a continuing one, then to a penalty not exceeding £5 for every day or part of a day during which such breach continues.

(b) The Department may, after conviction for the continuing breach of any by-law, apply to the Supreme Court for an injunction to restrain the further continuance of such breach by the person or persons so convicted.

(c) The continued existence in a state contrary to any of these by-laws of any work or thing shall be deemed a continuing offence within the meaning of this by-law.

(d) Where by any Act smaller maximum penalties than those mentioned in this clause are authorized to be imposed for the breach or continued breach of any of these by-laws, then a person guilty of any breach or continued breach of any such by-law shall (if such by-law is not authorized to be made under the Municipal Corporations Act, 1933) be liable only to such smaller penalty.

40. *Removal of works executed contrary to by-laws:* (a) Whenever any work, material, or other construction or appliance, or anything whatever shall have been executed, erected, placed, laid, constructed, or affixed in contravention of any of these by-laws, or shall exist in a form or manner otherwise than as directed or authorized by any of these by-laws, it shall be lawful for the District Manager, by notice in writing under his hand, to require the person by whom, or by whose authority, or on whose behalf, the work shall have been done, or if he shall not at the time of the giving of the notice be either the owner or the occupier of the premises affected, then the person who shall at such time be the owner of such premises, to pull down, take up, or remove such work, material, construction, appliance, or thing as aforesaid, or alter the same so as to comply with the by-law or by-laws affecting the same within (in each case) a stated time.

(b) If such work, material, construction, appliance, or thing shall not be pulled down, taken up, or removed, or altered as aforesaid within such stated time, it shall be lawful for the District Manager, or any person authorized by him in that behalf to pull down, take up, and remove, or (as the case may be) alter as aforesaid the same work, construction, appliance, material, or thing, and to enter into and upon any land or building for that purpose and to do anything thereon or thereunto necessary to effect such pulling-down, taking-up, removal, or alteration.

(c) The Department may recover in any Court of competent jurisdiction from the person who shall have committed the breach of any of these by-laws in respect of the execution, erection, placing, laying, constructing, or affixing, or existence of the said work, material, construction, appliance, or thing or (as the case may be) from the person who was at the time of the giving of the notice the owner of the premises, all expenses incurred by the Department in connection with such pulling-down, taking-up, removal, or alteration.

(d) The exercise of the powers given by this by-law shall not relieve any person from liability to any penalty incurred under these by-laws.

41. *Limitation of liability of succeeding owner:* A person who has become, by purchase or otherwise, the owner of any premises shall not be liable under By-law No. 38 or by By-law No. 40 in respect of any breach of any of these by-laws which shall have been made before he became such owner if he shall prove that at the time of his becoming such owner the matter of such breach was not patent, and that he had no notice of the fact of such breach.

Given under the common seal of the Department of Tourist and Health Resorts,

FRANK LANGSTONE.

The above-written by-laws were signed by the Hon. F. Langstone, the Minister in Charge of the Department of Tourist and Health Resorts, in the presence of—

A. W. MULLIGAN, Private Secretary.

The common seal of the Department of Tourist and Health Resorts (as incorporated under the Rotorua Town Act, 1907, and the Rotorua Borough Act, 1922) was affixed to the above-written by-laws in the presence of—

L. J. SCHMITT, General Manager.

*Native Land Court Fixtures.*

Native Department,  
Wellington, 10th February, 1937.

NOTICE is hereby given that ordinary sittings of the Native Land Courts will be held during the year commencing 1st April, 1937, at the times and places hereinafter mentioned.

O. N. CAMPBELL, Under-Secretary.

SCHEDULE.

1. TOKERAU NATIVE LAND COURT DISTRICT (NORTH AUCKLAND).

		Panui closes
Dargaville ..	Wed., 28th April, 1937.	15th Mar., 1937.
Opononi ..	Wed., 9th June, 1937.	30th April, 1937.
Whangaroa ..	Wed., 4th Aug., 1937.	25th June, 1937.
Auckland ..	Wed., 29th Sept., 1937.	20th Aug., 1937.
Kaikohe ..	Wed., 13th Oct., 1937.	3rd Sept., 1937.
Whangarei ..	Wed., 1st Dec., 1937.	22nd Oct., 1937.
Russell ..	Wed., 26th Jan., 1938.	13th Dec., 1937.
Ahipara ..	Wed., 23rd Feb., 1938.	14th Jan., 1938.

All adjourning to other centres as required.

2. WAIKATO-MANIAPOTO NATIVE LAND COURT DISTRICT (SOUTH AUCKLAND).

		Panui closes
Te Kuiti ..	Tues., 27th April, 1937.	19th Mar., 1937.
Ngaruawahia ..	Tues., 8th June, 1937.	30th April, 1937.
Auckland ..	Tues., 29th June, 1937.	21st May, 1937.
Thames ..	Tues., 10th Aug., 1937.	2nd July, 1937.
Te Kuiti ..	Tues., 5th Oct., 1937.	27th Aug., 1937.
Ngaruawahia ..	Tues., 16th Nov., 1937.	8th Oct., 1937.
Auckland ..	Tues., 7th Dec., 1937.	29th Oct., 1937.
Thames ..	Tues., 1st Feb., 1938.	17th Dec., 1937.
Kawhia ..	Tues., 22nd Feb., 1938.	14th Jan., 1938.
Auckland ..	Tues., 8th Mar., 1938.	28th Jan., 1938.

3. WAIRIKI NATIVE LAND COURT DISTRICT (ROTORUA).

		Panui closes
Opotiki ..	Thurs., 13th May, 1937.	9th April, 1937.
Whakatane ..	Tues., 18th May, 1937.	9th April, 1937.
Rotorua ..	Mon., 24th May, 1937.	30th April, 1937.
Rotorua ..	Wed., 14th July, 1937.	11th June, 1937.
Tauranga ..	Mon., 26th July, 1937.	25th June, 1937.
Taupo ..	Mon., 2nd Aug., 1937.	2nd July, 1937.
Opotiki ..	Wed., 1st Sept., 1937.	6th Aug., 1937.
Whakatane ..	Mon., 6th Sept., 1937.	6th Aug., 1937.
Rotorua ..	Mon., 13th Sept., 1937.	13th Aug., 1937.
Rotorua ..	Wed., 24th Nov., 1937.	22nd Oct., 1937.
Tauranga ..	Mon., 6th Dec., 1937.	5th Nov., 1937.
Taupo ..	Wed., 15th Dec., 1937.	12th Nov., 1937.
Rotorua ..	Tues., 1st Mar., 1938.	4th Feb., 1938.
Murupara ..	Tues., 15th Mar., 1938.	11th Feb., 1938.

4. TAIRĀWHITI NATIVE LAND COURT DISTRICT (GISBORNE).

		Panui closes
*Te Araroa and Tikitiki ..	Wed., 7th April, 1937.	5th Mar., 1937.
Ruatoria ..	Mon., 19th April, 1937.	19th Mar., 1937.
Gisborne ..	Tues., 27th April, 1937.	25th Mar., 1937.
†Wairoa and Nuhaka ..	Mon., 7th June, 1937.	7th May, 1937.
Gisborne ..	Tues., 29th June, 1937.	28th May, 1937.
Gisborne ..	Tues., 10th Aug., 1937.	9th July, 1937.
†Tokomaru Bay and Tolaga Bay ..	Mon., 23rd Aug., 1937.	23rd July, 1937.
Gisborne ..	Tues., 28th Sept., 1937.	27th Aug., 1937.
*Te Araroa and Tikitiki ..	Wed., 20th Oct., 1937.	17th Sept., 1937.
Ruatoria ..	Mon., 1st Nov., 1937.	1st Oct., 1937.
Gisborne ..	Tues., 9th Nov., 1937.	8th Oct., 1937.
Gisborne ..	Tues., 18th Jan., 1938.	17th Dec., 1937.
†Wairoa and Nuhaka ..	Mon., 7th Feb., 1938.	7th Jan., 1938.
Gisborne ..	Tues., 22nd Mar., 1938.	18th Feb., 1938.

\* Court will adjourn to Tikitiki.

† Court will adjourn to Nuhaka.

‡ Court will adjourn to Tolaga Bay.