

8. The ballast of all vessels loading at the said wharf shall be taken away by the Council and deposited above high-water mark, or at such place as may be approved of by the Minister, or by any person appointed by the Minister for that purpose.

9. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the date thereof, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the Council shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

10. The said rights, powers, and privileges may be at any time resumed by the Governor, without payment of any compensation whatever, on giving to the Council 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 Council in New Zealand.

11. The Council shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on its part.

12. In case the Council shall—

- (1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or
- (2.) Cease to use or occupy the said wharf for a period of thirty days,—

then and in either of the said cases this Order in Council, and every right, power, or privilege, may be revoked and determined by the Governor in Council without any notice to the Council 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 Council, 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or interested, that this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

13. The erection of the said wharf shall be sufficient evidence of the acceptance by the Council of the terms and conditions of this Order in Council.

J. F. ANDREWS,
Clerk of the Executive Council.

Licensing the New Zealand Paper Mills (Limited) to use and occupy a Part of the Foreshore at Riverhead as a Site for a Wharf.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this sixteenth day of June, 1913.

Present:

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Orders in Council dated the twentieth day of May, one thousand eight hundred and ninety-nine, and the twelfth day of March, one thousand nine hundred and four, respectively, the New Zealand Paper Mills (Limited), (hereinafter called "the company"), was licensed to occupy a part of the foreshore and land below low-water mark at Riverhead, Auckland, for the purpose of using and maintaining a wharf thereon, erected in accordance with plans marked M.D. 2266 and 2787, and deposited in the office of the Marine Department, at Wellington, for a period of fourteen years from the twentieth day of May, one thousand eight hundred and ninety-nine:

And whereas the company has made application for a fresh license under the Harbours Act, 1908 (hereinafter called "the said Act"), for a term of fourteen years, computed from the expiry of the term of the said first-mentioned license, and it is expedient to grant the same for the term and subject to the conditions hereinafter expressed:

Now, therefore, His Excellency the Governor 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 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 company as aforesaid; and, in further pursuance and exercise of the said power and authority, and by and with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy that part of the foreshore and of the land below low-water mark

immediately contiguous thereto which is particularly shown and delineated on the plans so deposited as aforesaid, for the purpose of using the aforesaid wharf in connection therewith, such license to be held and enjoyed by the company upon and subject to the terms and conditions set out in the Schedule hereto.

SCHEDULE.

1. THE concessions and privileges conferred by this Order in Council shall extend and apply only to the parts of the foreshore and the land below low-water mark necessary for such wharf as shown on the plans marked M.D. 2266 and 2787, and deposited in the office of the Marine Department as aforesaid.

2. In consideration of the concessions and privileges granted by this Order in Council the company shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 in advance, payable on the 1st day of May, dating from the 1st day of May, 1913, the first of such annual payments to be made on the company being supplied with a copy of this Order in Council.

3. His Majesty or the Governor, 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 wharf without payment.

4. The company shall maintain the said wharf in good order and repair; and shall at all times exhibit therefrom, and maintain at its own cost, suitable and necessary lights for the guidance of vessels: Provided that no light shall be exhibited until after it has been approved of by the Minister.

5. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf, and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the company a notice in writing of any defect or want of repair in such wharf, requiring it, within a reasonable time, to be therein prescribed, to repair the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made.

6. Nothing herein contained shall authorize the company to do or cause to be done anything repugnant to or inconsistent with any law relating to the Customs, or any regulations of the Minister of Customs, or with any provisions of the Harbours Act, 1908, 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 20th day of May, 1913, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the company shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

8. The said rights, powers, and privileges may be at any time resumed by the Governor, without payment of any compensation whatever, on giving to the company 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 company.

9. The company shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through any default or neglect on its part.

10. In case the company 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 wharf for a period of thirty days;
- (3.) Be in any manner wound up or dissolved; or
- (4.) Fail to pay the sums specified in clause two of these conditions,

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 in Council without any notice to the company or other proceeding whatsoever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the company, and to all persons concerned or interested, that this Order in Council, and the license, right, and privileges thereby granted and conferred, have been revoked and determined.

11. In these conditions the term "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.

J. F. ANDREWS,
Clerk of the Executive Council.