

in accordance with the scale of charges prescribed by the Whangarei Harbour Board's by-laws for the time being in force.

7. All persons shall at all reasonable times, and upon payment of the proper dues, have free and full liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

8. The company shall maintain the above-mentioned 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.

9. 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 the company, within a reasonable time, to be therein prescribed, to make good the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made, as the case may be.

10. 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 regulation 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 thereafter be in force.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for fourteen years from the date hereof, 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 written consent of the Minister first obtained.

12. 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.

13. 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 the part of the company.

14. 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.) Fail to pay the sum specified in clause 3 of these conditions; or

(4.) Be in any manner wound up or dissolved,—

then and in either 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 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, rights, and privileges thereby granted and conferred, have been revoked and determined.

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

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

Licensing the Northern Steamship Company (Limited) to use and occupy a Part of the Foreshore of Rangaunu Bay as a Site for a Wharf, and prescribing Dues for the Use of the Wharf.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House, at Wellington, this eighth day of December, 1913.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, the Northern Steamship Company (Limited), of Auckland (hereinafter called "the company"), has applied to the Governor in Council for a license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the fore-

shore of Rangaunu Bay in order to maintain thereon a wharf, erected in accordance with plan marked M.D. 2476, and deposited in the office of the Marine Department at Wellington: And whereas it has been made to appear to the Governor 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 in Council: And whereas it is expedient that a license under the said Act, for the purpose aforesaid, should be granted and issued to the company on the terms and conditions hereinafter expressed, and that dues and rates should be prescribed for the use of the said wharf:

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 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 with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy that part of the foreshore which is particularly shown and delineated on the plan so deposited as aforesaid, for the purpose of maintaining thereon a wharf erected in accordance with the said plan, such license to be held and enjoyed by the licensee upon and subject to the terms and conditions set forth in the First Schedule hereto; and doth hereby prescribe that the dues and rates set forth in the Second Schedule hereto shall, on and after the date of publication of this Order in Council in the *New Zealand Gazette*, be taken and charged by the company for the use of the said wharf.

FIRST SCHEDULE.

1. 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.

2. The concessions and privileges conferred by this Order in Council shall extend and apply only to the part of the foreshore required for the wharf as shown on the said plan marked M.D. 2476.

3. 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 £1 in advance, such annual payments to date from the date hereof, and the first such payment to be made on the licensee being supplied with a copy of this Order in Council.

4. 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.

5. All persons shall at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

6. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years, computed from the date of this Order in Council, 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.

7. The said rights, powers, and privileges may be at any time resumed by the Governor, and the company may be required to remove the wharf at its own cost, 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 in New Zealand.

8. The company shall maintain the above-mentioned 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.

9. 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.

10. The ballast of all vessels loading at the said wharf shall be taken away by the company and deposited above high-water mark, or at such place as may be approved by