

Inspection of Works.

50. The Minister may at any time order an inspection to be made of the lines and wires of the Council. If any defect is found to exist it must be remedied forthwith, and if serious in the opinion of the Inspecting Engineer the Minister may, on receipt of the report, direct the Council to at once cease transmitting energy either over the whole of the lines and wires or over any part thereof as to him may seem fit until such defect is repaired or remedied. The cost of such inspection shall be borne by the Council.

Compliance with Conditions.

51. For the purpose of ascertaining whether the conditions of this license are being faithfully complied with by the Council, the Minister, or any person appointed by him in that behalf, may at all reasonable times enter on the land and works and inspect the same.

Assignment.

52. This license and the benefits and obligations hereunder shall not be assigned by the Council without the express consent in writing of the Minister first had and obtained but such consent shall not be withheld if it is proved to the satisfaction of the Minister that the transferee is financially and otherwise able to carry out the obligations specified in this license.

Default and Penalty.

53. If the Council fails to comply with any of the conditions of this license the Minister may, by notice in writing, require the Council within thirty days to remedy the default specified in that notice; but it shall not be held to have committed default for any failure to maintain power continuously if such failure is due to the breakdown of machinery or other accident, unless such breakdown or accident is proved to be due to negligence on the part of the Council; and if the Council fails to comply with the terms of the notice within the said period it shall be liable to a penalty of £20, to be recoverable by or on behalf of the Minister as a debt due to the Crown. The recovery of a penalty under this license shall not affect the liability (if any) of the Council to pay or make compensation in respect of any damage or injury which may be caused by reason of the default.

Revocation of License.

54. Notwithstanding anything in the last preceding clause of these conditions, if the Council fails to comply with the terms of any such notice for ninety days after the receipt thereof the Governor in Council may thereupon revoke this license without further notice.

Public Works Compensation.

55. Nothing herein contained shall be deemed in any way to interfere with, affect, or abridge any rights or powers vested in His Majesty the King, or in the Governor on his behalf, or the Minister, or any other person under any Act of the General Assembly authorizing the construction, management, or working of any public works, nor shall His Majesty, or the Governor, or the Minister, or any other person be liable to pay to the Council any compensation for injury done to the works herein authorized by the construction, management, or working of any such public work as aforesaid, or for the loss occasioned thereby, or for the exercise of any such right or power as aforesaid.

Commencement of License.

56. This license shall come into force on and after the publication thereof in the *New Zealand Gazette*.

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

Licensing John Conolly to occupy a Part of the Foreshore at Miritu Bay, Queen Charlotte Sound, as a Site for a Wharf.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this fourteenth day of September, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, John Conolly (hereinafter called "the licensee") 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 foreshore and land below low-water mark at Miritu Bay, Queen Charlotte Sound, in order to erect and maintain thereon a wharf; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited plans in the office of the Marine Department at Wellington (marked M.D. 4320), showing the place where it is intended to erect such wharf, the area of foreshore and land below low-water mark to be occupied for such purpose, and the manner in which it is proposed to erect the wharf: 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 plans have, prior to the making of this Order in Council, been approved by the Governor in Council, without modification or addition: And whereas it is expedient that a license under the said Act, for the purpose aforesaid, should be granted and issued to the licensee, on the terms and conditions set forth in the Schedule hereto:

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 licensee 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 licensee to use and occupy that part of the foreshore and land below low-water mark which are particularly shown and delineated on the plans marked M.D. 4320 so deposited as aforesaid, for the purpose of constructing or erecting thereon a wharf, 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 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, and land below low-water mark necessary for the erection of such wharf, which are shown on the plans marked M.D. 4320, 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 £1, and thereafter an annual sum of 5s., in advance, dating from the date hereof, the first of such annual payments 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, over, and out of the said wharf without payment.

5. 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.

6. The licensee shall maintain the above-mentioned wharf in good order and repair, and shall at all times exhibit therefrom, and maintain at his 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.

7. 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 the Minister leaving at or posting to the last known address of the licensee a notice in writing of any defect or want of repair in such wharf, requiring him, within a reasonable time, to be therein prescribed, to make good the same, he shall with all convenient speed cause such defect to be removed or such repairs to be made, as the case may be.

8. 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 with any regulation of the Minister of Customs, or with any provisions of the Harbours Act, 1908, or its amendments, or any regulation made thereunder, and that are now or may hereafter be in force.

9. 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 licensee shall not assign, charge, or part with any such right, power, or privilege without the written consent of the Minister first obtained.