

dating from the first day of September, one thousand nine hundred and thirteen, the first of such annual payments to be made on the licensees being supplied with a copy of this Order in Council.

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

5. 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 additions to the wharf without payment.

6. The company shall maintain the above-mentioned additions 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.

7. Any person authorized by the Minister may at all reasonable times enter upon the said additions 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 additions, 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.

8. 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 hereafter be in force.

9. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force until the 23rd day of September, 1915, 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.

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 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.

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

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

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 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.

13. The construction of the said additions 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.

Modifying License for Tram-line across New River Estuary.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twentieth day of January, 1914.

Present:

THE RIGHT HONOURABLE W. F. MASSEY PRESIDING IN COUNCIL.

WHEREAS by Order in Council dated the third day of September, one thousand nine hundred and six, and published in the *New Zealand Gazette* No. 76, of the sixth day of the same month, the Invercargill Borough Council

was licensed to construct a tram-line across the New River Estuary from Otatara to Invercargill, subject to the terms and conditions contained in such Order in Council:

And whereas it is desirable to modify such terms and conditions:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the Harbours Act, 1908, and of every other power and authority enabling him in that behalf, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby modify the said terms and conditions as follows, namely:—

The terms and conditions hereinbefore referred to are hereby varied by authorizing the suspension or discontinuance of all passenger and goods traffic over the said tram-line for a period not exceeding two years, from the first day of August, one thousand nine hundred and thirteen, and by authorizing the said tram-line to be used during the said period for the carriage of spoil and other material for the purpose of carrying out the reclamation works described in an agreement made between the local authority and the Minister of Justice, for and on behalf of His Majesty the King, and dated the twenty-ninth day of January, one thousand nine hundred and ten.

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

Portion of the South-eastern Side of Gladstone Road, in the Borough of Mosgiel, exempted from the Provisions of Section 117 of the Public Works Act, 1908, subject to certain Conditions as to the Building-line.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this twentieth day of January, 1914.

Present:

THE RIGHT HONOURABLE W. F. MASSEY PRESIDING IN COUNCIL.

WHEREAS by subsection one of section one hundred and seventeen of the Public Works Act, 1908, it is, *inter alia*, provided that the said section shall not apply in any case where the local authority having control of a road or street by resolution declares that the provisions thereof shall not apply to any specified road or street, or any specified part thereof, and such resolution is approved by the Governor in Council:

And whereas by subsection two of section one hundred and seventeen of the Public Works Act, 1908, and clause (b) of subsection one of section thirteen of the Public Works Amendment Act, 1911, it is provided that such approval may be either absolute or subject to such conditions as the Governor in Council thinks fit to impose, and may refer to one or both sides of the road or street:

And whereas the Mosgiel Borough Council, the local authority having control of the street described in the Schedule hereto, did by resolution declare that the provisions of the said section one hundred and seventeen should not apply to the said street:

And whereas it is deemed expedient that such resolution should be approved in so far as it refers to the south-eastern side of the street described in the Schedule hereto, subject to the condition hereinafter mentioned:

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the powers conferred by the above-in-part-recited Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the said resolution to the extent hereinbefore mentioned, subject to the condition that no building or part of a building shall be erected at any time on the south-eastern side of the street described in the Schedule hereto within a distance of thirty-three feet of the centre-line of such street.

SCHEDULE.

ALL that portion of Gladstone Road, in the Borough of Mosgiel, Otago Land District, commencing at the eastern boundary of the Borough of Mosgiel and running in a south-westerly direction along portion of the frontage of Section 25, Irregular Block, East Taieri District, for a distance of 750 links, more or less; as the said portion of street is more particularly delineated on the plan marked P.W.D. 34087, deposited in the office of the Minister of Public Works, at Wellington, in the Provincial District of Wellington, and thereon coloured blue.

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