

cember, one thousand nine hundred and fourteen, be charged and taken for the use of the said wharves, or any of them.

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 parts of the foreshore occupied by the said wharves, as shown on plans marked M.D. 2038, 2179, and 2420.

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 £6 in advance, dating from the date hereof, the first of such annual payments to be made on the company 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 wharves, 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 wharves without payment.

6. The company shall maintain the above-mentioned wharves 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. The company shall clear all trucks and trolleys off the tramways on the wharves at the close of each day's work.

8. Any person authorized by the Minister may at all reasonable times enter upon the said wharves and view the state of repair thereof; and upon such Minister leaving at or posting to the last known registered office of the company in New Zealand a notice in writing of any defect or want of repair in such wharves, 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.

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 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.

10. The ballast of all vessels loading at the said wharves shall be taken away by the company 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.

11. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for five years from the twenty-first day of December, one thousand nine hundred and fourteen, 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 registered office of the company in New Zealand.

13. The company shall be liable for any injury which the said wharves, or either of them, may cause any vessel or boat to sustain through any default or neglect on its part.

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 wharves 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 3 of these conditions,—

then and in either of the said cases this Order in Council, and every license, 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.

SECOND SCHEDULE.

On every vessel under 20 tons register lying alongside the wharf, for each day or part of a day ..	s. d.
On every vessel under 20 tons register, for every day or part of a day that such vessel lies alongside a vessel lying at the wharf ..	1 0
On every vessel under 20 tons register undergoing repairs or fitting out alongside the wharf, or lying off the wharf with a line attached thereto, per day or part of a day ..	0 6
On every vessel of 20 tons register and upwards lying alongside the wharf, per ton per day or part of a day ..	0 6
Minimum charge on every sailing-vessel of 20 tons register and upwards lying alongside the wharf, per day or part of a day ..	0 0½
Minimum charge on every steamer of 20 tons register and upwards lying alongside the wharf, per day or part of a day ..	1 0
On every vessel of 20 tons register and upwards lying alongside a vessel at the wharf, or lying off the wharf with a line attached thereto, or undergoing repairs, per ton per day or part of a day ..	1 6
Minimum charge for vessel last mentioned ..	0 0½
On all stone or shingle ballast landed on the wharf, per ton ..	0 6
On all other kinds of ballast as per agreement.	.. 0 6

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

Licensing Elizabeth Josephine Cooper to use and occupy a Part of the Foreshore at Horeke, Hokianga Harbour, as a Site for a Store.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this twenty-first day of December, 1914.

Present :

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING
IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned under the Harbours Act, 1908 (hereinafter called "the said Act"), Elizabeth Josephine Cooper (hereinafter called "the licensee") has applied to the Governor in Council for a license under the said Act to occupy a part of the foreshore at Horeke, in Hokianga Harbour, in order to erect and maintain a store thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 4347), showing the area of foreshore intended to be occupied, and the manner in which it is proposed to erect the said store:

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 should be granted and issued to the licensee under the said Act for the purpose aforesaid, on the terms and 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 acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the 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 on which the said store is to be erected, as shown on the plan so deposited as aforesaid, for the purpose of erecting and maintaining the said store thereon, 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.