

the Pegasus Fresh Fish Company (Limited), of Dunedin (hereinafter called "the licensees"), have applied to the Governor in Council for a license under the said Act to occupy a part of the foreshore and land below low-water mark of Pegasus Harbour, Stewart Island, in order to maintain a boat-shed and fish-freezing buildings thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan, in duplicate, in the office of the Marine Department at Wellington (marked M.D. 4605), showing the area of foreshore and land below low-water mark intended to be occupied, and the manner in which the said boat-shed and fish-freezing buildings are erected: 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 licensees under the said Act for the purpose last 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 licensees 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 licensees to use and occupy that part of the foreshore and land below low-water mark on which the said buildings are erected, as shown on plan M.D. 4605, deposited as aforesaid, such license to be held and enjoyed by the licensees 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 adjacent thereto, necessary for the erection of the said boat-shed and fish-freezing buildings, as shown on the plan marked M.D. 4605.

3. In consideration of the concessions and privileges granted by this Order in Council, the licensees shall pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1, in advance, dating from the date hereof, the first of such annual payments to be made on the licensees 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 buildings without payment.

5. The licensees shall maintain the above-mentioned buildings in good order and repair, and shall at all times exhibit therefrom and maintain at their 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.

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

7. Nothing herein contained shall authorize the licensees 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.

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

9. 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 licensees 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 licensees in New Zealand.

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

11. In case the licensees 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 buildings for a period of thirty days;
- (3.) Fail to pay the sum specified in clause 3 of these conditions; or
- (4.) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy,—

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 licensees 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 licensees, 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.

12. The erection of the said buildings shall be sufficient evidence of the acceptance by the licensees of the terms and conditions of this Order in Council.

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

Electric Lines Regulations.—Private Lines.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this second day of May, 1916.

Present:

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

WHEREAS by Order in Council dated the thirtieth day of April, one thousand nine hundred and twelve, and published in the *New Zealand Gazette* of the ninth day of May, one thousand nine hundred and twelve, a regulation was made under the authority of the Post and Telegraph Act, 1908 (hereinafter termed "the said Act"), fixing the charges for the maintenance of private lines by the Post and Telegraph Department: And whereas it is expedient to revoke the said regulation and to make other provision in lieu thereof:

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 said Act, and of all other powers and authorities in that behalf enabling him, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke the regulation made by the above-mentioned Order in Council, and in lieu thereof doth hereby make the regulation set forth in the Schedule hereto; and doth declare that the regulation hereby made shall be read with and form part of the regulations under the said Act made by Order in Council of the first day of November, one thousand nine hundred and eleven, published in the *New Zealand Gazette* of the second day of the same month; and doth hereby further declare that the regulation hereby made shall have effect on and after the date of publication of this Order in Council in the *New Zealand Gazette*.

SCHEDULE.

IN towns where there are telephone poles or cables which, in the opinion of the Secretary of the Post and Telegraph Department, may be conveniently used for carrying private wires without detriment to the Department's business, private-line circuits between places of business or other premises may be erected at the cost of the applicant; including, in the case of open aerial wires, a pole charge of 5s. for each pole to which the wires are attached. Such private wires shall be maintained by the Department at the following rates, payable yearly in advance:—

For the first mile of single-wire circuit, or where the total distance is less than one mile: £2 per annum, and 10s. per annum for every additional quarter of a mile or fraction thereof.

For the first mile of metallic circuit, or where the total distance is less than one mile: £3 per annum, and 15s. per annum for every additional quarter of a mile or fraction thereof.

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