

(3.) Become bankrupt, or be brought under the operation of any law for the time being in force relating to bankruptcy; or

(4.) Fail to pay the sum 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 licensee 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 licensee, 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or interested, that this Order in Council, and the license, rights, and privileges thereby granted and conferred, have been revoked and determined.

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

Licensing the Whangarei Freezing Company (Limited) to use and occupy a Part of the Foreshore and Land below Low-water Mark of Whangarei Harbour, as a Site for a Wharf.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of July, 1916.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by Orders in Council dated the twentieth day of January, one thousand nine hundred and fourteen, and published in the *New Zealand Gazette* No. 9, of the twenty-ninth day of the same month, and No. 25, of the first day of March, one thousand nine hundred and sixteen, Messrs. W. and R. Fletcher (Limited) were licensed under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore and land below low-water mark in Whangarei Harbour, in order to erect a wharf and extension thereon, as shown on plans marked M.D. 4185 and 4572, and deposited in the office of the Marine Department at Wellington :

And whereas the said Orders in Council have been revoked and it is desirable to issue a license for the occupation of the site, as shown on plans M.D. 4185 and 4572, to the Whangarei Freezing Company (Limited), (hereinafter called "the Company") :

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 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 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 and land below low-water mark of Whangarei Harbour on which the said wharf and additions are erected, as shown on the plans marked M.D. 4185 and 4572, so deposited as aforesaid, for the purpose of maintaining the said wharf and additions, such license to be held and enjoyed by the company 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 that part of the foreshore and land below low-water mark occupied by the said wharf and additions, as shown on the plans marked M.D. 4185 and 4572.

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, payable on the 20th day of January, dating from the 20th day of January, 1916, 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 wharf and additions, 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 wharf and additions without payment.

6. The company shall maintain the above-mentioned wharf and 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 wharf and 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 wharf and 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 for fourteen years from the 20th day of January, 1914, 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.

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 wharf and 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;
- (2.) Cease to use or occupy the said wharf and additions 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 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.

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

Licensing Thomas Francis Hartley to use and occupy a Part of the Foreshore and Land below Low-water Mark at Kohukohu, Hokianga, as a Site for a Benzine Store.

LIVERPOOL, Governor.

ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of July, 1916.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Thomas Francis Hartley, trading under the title of "Thomas Hartley and Son," of Kohukohu (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 at Kohukohu, Hokianga, as a site for a benzine store, to be built in the position and in accordance with the plan marked M.D. 4639 (in triplicate), 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 work will not be or tend to the injury of navigation, and it is desirable that a license should be granted