

the company as aforesaid; and, in further pursuance and exercise of the said power and authority, and by and with the like advice and consent as aforesaid, doth hereby license and permit the company to use and occupy those parts of the foreshore and land below low-water mark which are particularly shown and delineated on the plan M.D. 4934, so deposited as aforesaid, for the purpose of maintaining thereon timber-booms constructed in accordance with the said plan, 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 those parts of the foreshore and land below low-water mark necessary for the construction of the timber-booms as shown on plan M.D. 4934.

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 £2 in advance, being an annual sum of £1 in respect of the booms in each river, 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. The rights, powers, and privileges conferred by 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 company shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

5. His Majesty or the Governor-General, 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 timber-booms without payment.

6. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the company may be required to remove the timber-booms at its own cost, 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 in New Zealand.

7. The company shall maintain the above-mentioned timber-booms in good order and repair; and shall at all times exhibit therefrom, and maintain at its own cost, any lights that may be required by the Minister; provided that no light shall be exhibited until after it has been approved of by the Minister.

8. In respect of the Waikare River the company shall at all times use all reasonable despatch in collecting the logs and rafting them into the lower booms, and shall at all times keep a passage clear through the booms for boat traffic up and down the river.

9. Any person authorized by the Minister may at all reasonable times enter upon the said timber-booms 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 timber-booms, 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.

10. The company shall be liable for any injury which may be sustained by any vessel or boat in passing the timber-booms, or by contact therewith, and which may be occasioned by any default or neglect on the company's part.

11. 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 timber-booms for a period of thirty days;
- (3.) Fail to pay the sums specified in clause 3 of these conditions; or
- (4.) Be at any time wound up or dissolved,—

then and in any of the said cases this Order in Council, and every right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the company or other proceedings 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 rights and privileges thereby conferred, have been revoked and determined; and

upon such revocation the Minister may cause the said timber-booms to be removed, and may recover the costs incurred by any such removal from the company.

12. The construction of the timber-booms shall be deemed to be an acceptance by the company of the conditions of this Order in Council.

J. F. ANDREWS,
Clerk of the Executive Council

Licensing Richard Robert Hunt to use and occupy a Part of the Foreshore and Land below Low-water Mark at Paritu Point, Mochau, Coromandel, as a Site for a Wharf and Hopper.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-fourth day of June, 1918.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL 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"), Richard Robert Hunt, of Auckland (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the said Act to use and occupy a part of the foreshore and land below low-water mark at Paritu Point, Mochau, Coromandel, as shown on plans marked M.D. 4937 (sheets 1 and 2), and deposited in the office of the Marine Department at Wellington, in order to erect and maintain a wharf and hopper thereon :

And whereas it has been made to appear to the Governor-General in Council that the said wharf and hopper will not be or tend to the injury of navigation, and the said plans marked M.D. 4937 have, prior to the making of this Order in Council, been approved by the Governor-General in Council :

And whereas it is desirable that a license under the said Act, for the purpose aforesaid, should be granted and issued to the licensee for the term and subject to the conditions hereinafter expressed :

Now, therefore, His Excellency the Governor-General 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 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 the low-water mark adjacent thereto, necessary for the erection and maintenance of the said wharf and hopper, 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 that part of the foreshore and land below low-water mark occupied by the said wharf and hopper as shown on plans marked M.D. 4937.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 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. 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 hopper, and all rights of ingress and egress thereon and therefrom.

5. His Majesty or the Governor-General, 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 hopper without payment.

6. The licensee shall maintain the above-mentioned wharf and hopper 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.