

6. The company shall maintain the above-mentioned mill, wharves, and structures connected therewith 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 the said mill, wharves, and structures connected therewith, and view the state of repairs 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 mill, wharves, or erections, 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 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.

10. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years from the 23rd day of January, 1920, 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.

11. The said rights, powers, and privileges may be at any time resumed by the Governor-General, 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.

12. The company shall be liable for any injury which the said mill, wharves, or other structures may cause any vessel or boat to sustain through any default or neglect on the part of the company.

13. In case the company—

- (1.) Commits or suffers a breach of the conditions hereinbefore set forth, or any of them;
- (2.) Ceases to use or occupy the said mill, wharves, or other structures; or
- (3.) Is wound up or dissolved,—

then and in any such case this Order in Council, and every license, right, or privilege thereby conferred, 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 of the fact to the company, and to all persons concerned or interested, that the rights and privileges thereby conferred have been revoked and determined.

F. D. THOMSON,  
Clerk of the Executive Council.

*Licensing John Henry Richards to use and occupy a Part of the Foreshore and Land below Low-water Mark at Westhaven as a Site for a Wharf and Shed.*

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, the fourteenth day of May, 1920.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the twelfth day of December, one thousand nine hundred and four, and published in the *New Zealand Gazette* No. 101, of the twenty-second day of the same month, John Henry Richards, of Ferntown, Farmer (hereinafter called the "licensee"), was licensed under the Harbours Amendment Act, 1883, to occupy for a period of fourteen years a part of the foreshore and land below low-water mark at Westhaven, in order to construct thereon a wharf and shed, as shown on the plan marked M.D. 2777 (two sheets), and deposited in the office of the Marine Department at Wellington :

And whereas the licensee has made application under the Harbours Act, 1908 (hereinafter called "the said Act"), for a fresh license to include an additional part of the foreshore and land below low-water mark, as shown on plan marked

M.D. 5166, and deposited in the office of the Marine Department at Wellington, for a further term of fourteen years, computed from the first day of December, one thousand nine hundred and eighteen, and it is expedient to grant the same 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 by 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 low-water mark which is particularly shown and delineated on the plans so deposited as aforesaid, for the purpose of maintaining the aforesaid wharf and shed 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 having charge of the Marine Department, 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 and land below low-water mark necessary for the erection of the wharf and shed, as shown on plans marked M.D. 2777 (sheet A) and M.D. 5166.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall, on being supplied with a copy thereof, pay to the Minister the sum of £2 10s., and thereafter an annual sum of £1 10s. in advance.

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 shed, 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 shed without payment.

6. The licensee shall maintain the above-mentioned wharf and shed in good order and repair, and shall at all times exhibit from the wharf, 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.

7. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf and shed and view the state of repair thereof, and upon such Minister leaving at or posting to the last known address of the licensee a notice in writing of any defect or want of repair in such wharf or shed, requiring him, within a reasonable time, to be therein prescribed, to repair the same, he shall with all convenient speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensee 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 ballast of all vessels loading at the said wharf shall be taken away by the licensee 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.

10. The rights, powers, and privileges conferred by or under this Order in Council shall continue in force for fourteen years from the 1st day of December, 1918, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensee shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

11. The said rights, powers, and privileges may be at any time resumed by the Governor-General, without payment of any compensation whatever, on giving to the licensee three calendar months' previous notice in writing. Such notice shall be sufficient if given by the Minister and delivered at