

to the contrary notwithstanding, without prejudice nevertheless to the recovery of any rent then due or payable, or to any right of distress that may have arisen under these presents prior to such re-entry, or to the liability of the company to perform and observe, or to the right of the Minister to enforce, the performance and observance of every or any covenant, condition, or stipulation herein contained or implied and which ought to be performed or observed by the company.

12. It is hereby agreed and declared that at the expiration or other sooner determination of the term hereby granted, the company having paid all the rent hereby reserved, and having observed and performed all the covenants, provisoes, and conditions herein contained or implied, and on the company's part to be paid, observed, or performed, shall be entitled to remove from the said foreshore all plant and machinery belonging to the said company, and all buildings erected by it and then standing and being thereon, provided the same be removed within ninety days after the expiration or sooner determination of the said term.

13. And it is hereby further declared that whenever in these presents any power is to be exercised, or any notice given, or act or thing done or performed by the Minister, it shall be sufficient if such power is exercised, notice given, or act or thing done by some one acting by or under the direction of the Minister.

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

Licensing the Union Box and Packing Company (Limited) to use and occupy Part of the Foreshore of Hokianga Harbour as a Site for a Wharf.

LIVERPOOL, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-first day of June, 1920.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the eleventh day of June, one thousand nine hundred and six, and published in the *New Zealand Gazette* No. 45, of the fourteenth day of the same month, William Evans Dive, Benjamin Francis Dive, and Henry Ramsay, trading under the style or title of "Dive and Ramsay," were granted a license to occupy a part of the foreshore and land below low-water mark in Hokianga Harbour as a site for a wharf, for a period of fourteen years computed from the date of the said Order in Council :

And whereas the said license was, with the consent of the Minister of Marine, transferred to the Union Box and Packing Case Company (Limited), of Rawene (hereinafter called "the company"), on the fourth day of August, one thousand nine hundred and nine :

And whereas, the said license having expired, the company has applied to the Governor-General in Council for a fresh license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy that portion of the foreshore and land below low-water mark hereinbefore mentioned in order to maintain the said wharf constructed thereon, and it is advisable to grant the said license for the period and subject to the terms and conditions set forth in the Schedule hereto :

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 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 which is particularly shown and delineated on plan marked M.D. 2964, and deposited in the office of the Marine Department at Wellington, for the purpose of maintaining the said wharf constructed thereon : 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 the part of the foreshore and land below low-water mark in Hokianga Harbour on which the said wharf is erected, as shown on the said plan marked M.D. 2964.

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 £3, and thereafter an annual sum of £2 10s. in advance, such annual payments to date from the 11th day of June, 1920, and the first of such annual payments to be made to the Minister on a copy of this Order in Council being supplied to the company.

4. The rights, powers, and privileges conferred by this Order in Council shall continue in force for fourteen years, computed from the 11th day of June, 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.

5. 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 wharf at its own cost, without payment of any compensation whatever, on giving to the company three 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.

6. The ballast of all vessels loading at the said wharf shall be taken away by the company and deposited above high-water mark, or at such places as may be approved by the Harbourmaster at Hokianga.

7. The company shall maintain the above-mentioned wharf 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.

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 with 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. Any person authorized by the Minister may, at all reasonable times, enter upon the said wharf 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, 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 wharf, or by contact therewith, and which may be occasioned by any default or neglect on its part.

11. 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 wharf without payment.

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 for a period of thirty days ;

(3.) Fail to pay the sums specified in clause 3 of these conditions ; or

(4.) Be in any manner 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 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 rights, and privileges thereby conferred have been revoked and determined ; and upon such revocation the Minister may cause the said wharf to be removed, and may recover the cost incurred by such removal from the company.

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

License authorizing Alfred Jones, of Waipipi, to use Water from a Stream in Section 153, Waipipi Point, Block XI, Awitu Survey District, for the Purpose of generating Electricity.

LIVERPOOL, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this twenty-first day of June, 1920.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by section five of the Public Works Amendment Act, 1908, it is enacted that the Governor-General may from time to time by Order in Council grant