

*Licensing Henry Charles Langguth to use and occupy a Part of the Foreshore and Land below Low-water Mark on the Kaipara River as a Site for a Wharf.*

ROBERT STOUT.

Administrator of the Government.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of September, 1920.

Present :

HIS EXCELLENCY THE ADMINISTRATOR PRESIDING IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Henry Charles Langguth (hereinafter called "the licensee") has applied to the Administrator in Council for a license under the Harbours Act, 1908 (hereinafter called "the said Act"), to occupy a part of the foreshore and land below low-water mark on the Kaipara River, Kaipara Harbour, in order to erect and maintain thereon a wharf; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited plans in the office of the Marine Department at Wellington (marked M.D. 5230), showing the place in the said river where it is intended to erect such wharf, and area of foreshore and land below low-water mark intended to be occupied for such purpose:

And whereas it has been made to appear to the Administrator in Council that the proposed work will not be or tend to the injury of navigation, and the said plans have, prior to the making of this Order in Council, been approved by the Administrator in Council:

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

Now, therefore, His Excellency the Administrator of the Government 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 low-water mark which are particularly shown on the plans so deposited as aforesaid, for the purpose of constructing or erecting thereon a wharf; 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 the part of the foreshore, and land below low-water mark, shown on the plans marked M.D. 5230.

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

4. All persons shall at all reasonable times, upon payment of the proper dues, have full and free liberty to use the said wharf, and all rights of ingress and egress thereon and therefrom.

5. His Majesty or the Administrator, 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 without payment.

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

7. 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 licensee in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring him within a reasonable time, to be therein prescribed, to make good the same, he shall with all convenient speed cause such defect to be removed or such repairs to be made, as the case may be.

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 regulations 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 Harbour-master at Kaipara, 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 date hereof, 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 written consent of the Minister first obtained.

11. The said rights, powers, and privileges may be at any time resumed by the Administrator, without payment of any compensation whatever, on giving to the licensee 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 licensee in New Zealand.

12. The licensee shall be liable for any injury which the said wharf may cause any vessel or boat to sustain through default or neglect on the part of the licensee.

13. In case the licensee shall—

(1.) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;

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

(3.) Cease to use or occupy the said wharf for a period of thirty days;

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

then and in any of the said cases this Order in Council, and every license, right, power, or privilege thereby conferred, may be revoked and determined by the Administrator 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.

14. The erection of the said wharf shall be sufficient evidence of the acceptance by the licensee of the terms and conditions of this Order in Council.

F. D. THOMSON,

Clerk of the Executive Council.

*License authorizing Restar Limited to erect Electric Lines across King's Road in the Borough of Miramar.*

ROBERT STOUT.

Administrator of the Government.

ORDER IN COUNCIL.

At the Government House at Wellington, this 24th day of September, 1920.

Present :

HIS EXCELLENCY THE ADMINISTRATOR PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Amendment Act, 1911, and of all other powers in anywise enabling him in that behalf, His Excellency the Administrator of the Government of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth—subject to the conditions set forth in the Schedule hereto, and to the regulations made under section two of the aforesaid Act, and dated the twenty-second day of September, one thousand nine hundred and nineteen, and published in the *New Zealand Gazette* of the twenty-fifth day of the same month, or any regulations hereafter made in amendment thereof or in substitution thereof (and hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein—hereby authorize Restar Limited (hereinafter referred to as "the licensee") to erect and maintain electric lines for lighting, power, and heating purposes along the route described in the Schedule hereto.

SCHEDULE.

1. ROUTE OF ELECTRIC LINES.

THAT route commencing at the Wellington Gasworks, situated on part Section 9, Watts Peninsula District, and fronting King's Road, Miramar, and proceeding thence across the said King's Road to the Restar Works situated on Lots 20 and 21, Block II, D.P. 1335, part of Section 9, Watts Peninsula District. As the same is more particularly delineated on the plan marked P.W.D. 49139, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.