

graphs. In every crossing-span the maximum tension in any conductor shall not exceed one-half the elastic limit of the conductor under the conditions of a minimum temperature of 20° F. and wind-pressure as specified in clause 3 occurring simultaneously. Efficiently earthed guard-wires, to the satisfaction of the Minister of Telegraphs, shall be erected where such protection may be considered necessary by the Minister of Telegraphs, and earth-wires where led down poles shall be protected by a casing for a distance of 8 ft. from the ground. Guard-wires shall be carried on substantial supports at a height of 2 ft. above the said electric lines if the telegraph lines pass over the said electric lines, or 2 ft. above the telegraph lines if they pass under the said electric lines. In addition to the above precautions, telegraph lines shall be suitably insulated if deemed necessary by the Minister of Telegraphs. The cost of all necessary guard-wires and special provisions required to comply with this clause, or deemed to be necessary as a protection to telegraph lines generally shall be borne by the licensee when the telegraph lines are erected before the said electric lines. In cases where the said electric lines are erected before the telegraph lines the licensee, on receipt of notice from the District Telegraph Engineer of the Post and Telegraph Department, or his deputy, that it is proposed to run a telegraph line along the route, shall forthwith make the necessary changes required to comply with this clause at any points at which the said electric lines already cross such routes, the cost of such changes being borne by the Post and Telegraph Department.

8. No work of any nature shall be erected or constructed upon, over, or under any part of the New Zealand Government Railways until the licensee has obtained the consent of the Minister of Railways thereto, as required by section 4 of the Government Railways Amendment Act, 1910 (No. 2).

9. The construction of the works hereby authorized shall be substantially commenced on or before the 1st day of April, 1923, and shall be completed on or before the 1st day of July, 1923.

10. The licensee shall, prior to the completion of the said works, give to the Minister at least seven days' notice in writing of the estimated date of such completion.

11. The licensee shall not use the said electric lines, or permit the same to be used, until the Minister has given notice in writing to the licensee that he has received from the Inspecting Engineer a certificate that the work hereby authorized has been satisfactorily carried out.

12. The said electric lines shall be duly and efficiently supervised and maintained by the licensee as regards both electrical and mechanical conditions, and shall not be permitted by the licensee to remain erected after they have ceased to be used for the supply of electricity.

13. This license, and the benefits and obligations hereunder, shall not be assigned by the licensee without the expressed consent in writing of the Minister first had and obtained; but such consent shall not be withheld if it is proved to the satisfaction of the Minister that the transferee is financially and otherwise able to carry out the obligations specified in this license.

14. The Minister may at any time order an inspection to be made of the said electric lines. If any defect is found to exist it must be remedied forthwith; and if, in the opinion of the officer or person inspecting, such defect is serious the Minister may, on receipt of the report, direct the licensee to at once cease transmitting energy either over the whole of the said electric lines or over any specified part thereof until such defect is repaired or remedied. In default of the licensee remedying the defect or ceasing to transmit energy the licensee shall be liable to a penalty of £20 for each day during which the defect remains if energy is transmitted, such penalty to be recoverable by or on behalf of the Minister as a debt due to the Crown. The cost of such inspection shall be borne by the licensee.

15. If the licensee fails to comply with any of the conditions of this license the Minister may, by notice in writing, require the licensee within thirty days to remedy the default specified in that notice; and if the licensee fails to comply with the terms of the notice within the said period, the licensee shall be liable to a penalty not exceeding £20, to be recoverable by or on behalf of the Minister as a debt due to the Crown.

16. Notwithstanding anything in the last preceding clause of these conditions, if the licensee fails to comply with the terms of any such notice for ninety days after the receipt thereof, the Governor-General in Council may thereupon revoke this license without further notice.

17. For the purpose of ascertaining whether the conditions of this license are being faithfully complied with by the licensee, the Minister, or any person appointed by him in that behalf, may at all reasonable times enter on the lands and works and inspect the said works.

18. Nothing in this license shall be deemed in any way to interfere with, affect, or abridge any rights or powers vested in His Majesty the King, or in the Governor-General

on his behalf, authorizing the construction, management, or working of any public works; nor shall any compensation be payable to or on behalf of the licensee for injury done to the works herein authorized by the construction, management, or working of any such public works as aforesaid, or for the loss occasioned thereby, or for the exercise of any such right or power as aforesaid.

19. The regulations made under section two of the Public Works Amendment Act, 1911, and published in the *New Zealand Gazette* dated 12th day of October, 1922, shall not apply to this license.

20. This license shall, unless sooner determined in accordance with the provisions hereinafter expressed, continue in force for a period of forty-two years from the date hereof. Upon expiry of the said term, or upon sooner determination of this license by revocation or otherwise, all rights hereby granted to the licensee shall thereupon cease and determine; but such expiration or determination shall not relieve the licensee of any liability theretofore incurred under this license.

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

*Licensing George William Wallace Webber, Andrew Hegarty, and Allan John Woodman (as Trustees) to occupy a Part of the Foreshore and Land below Low-water Mark of Elmslie Bay as a Site for a Wharf, and prescribing Dues for the Use of the Same.*

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 9th day of March, 1923.

Present:

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING IN COUNCIL.

WHEREAS by Order in Council dated the twenty-fourth day of February, one thousand nine hundred and nine, and published in the *New Zealand Gazette* No. 18, of the fourth day of March following, Wallace Thomas Webber, Andrew Hegarty, and Allan John Woodman, as trustees for the contributors to the cost of erecting the wharf hereinafter mentioned, were licensed to use and occupy a part of the foreshore and land below low-water mark at Elmslie Bay, in the Sounds County, in order to erect and maintain thereon a wharf as shown on the plan marked M.D. 3308 and deposited in the office of the Marine Department at Wellington, for a period of fourteen years from the date of the said Order in Council:

And whereas, the said license having expired, and the said Wallace Thomas Webber being deceased, George William Wallace Webber, Andrew Hegarty, and Allan John Woodman, as trustees for the contributors aforesaid (and hereinafter called "the licensees"), have applied to the Governor-General in Council for a license for a further period of fourteen years to use and occupy the said foreshore and land below low-water mark hereinbefore mentioned, for the purpose of maintaining the said wharf thereon, and it is advisable to grant the same and also to prescribe the dues and rates to be charged and taken for the use of the wharf:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the powers and authorities conferred upon him by the Harbours Act, 1908 (hereinafter called "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 license and permit the licensees to use and occupy that portion of the foreshore and land below low-water mark of Elmslie Bay, in the Sounds County, as shown on the said plan, in order to maintain the said wharf, such license to be held and enjoyed by the licensees upon and subject to the terms and conditions set forth in the First Schedule hereto; and, in further pursuance and exercise of the said power and authority, and with the like advice and consent as aforesaid, doth hereby prescribe that the dues and rates set forth in the Second Schedule hereto shall be charged and taken by the licensees for the use of the said wharf.

FIRST 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, as shown on plan marked M.D. 3308.