

shall at all times have free ingress, passage, and egress into, through, and out of the said wharf without payment.

6. The licensees shall maintain the above-mentioned wharf in good order and repair; and shall at all times exhibit therefrom and maintain at their 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 licensees in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring the licensees, within a reasonable time, to be therein prescribed, to repair the same, the licensees shall with all convenient speed cause such defect to be removed or such repairs to be made.

8. Nothing herein contained shall authorize the licensees 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, 1923, 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 licensees and deposited above high-water mark, or at such place as may be approved of by the Minister, by the Harbourmaster at Hokianga, 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 to be in force for seven years from the 24th day of March, 1924, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensees 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 Governor-General, without payment of any compensation whatever, on giving to the licensees 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 licensees in New Zealand.

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

13. In case the licensees 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.) Become bankrupt, or be in any manner brought under the operation of any law in force for the time being relating to bankruptcy; or
- (4.) Fail to pay the sums specified in clause 3 of these conditions,—

then and in any of the said cases this Order in Council, and every license, right, power, or privilege, may be revoked and determined by the Governor-General in Council without any notice to the licensees 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 licensees, 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, and upon such revocation the Minister may cause the said wharf to be removed, and may recover the cost incurred by any such removal from the licensees.

#### SECOND SCHEDULE.

EVERY person who shall use the said wharf with any vessel shall pay to Messrs. A. S. Andrewes and Sons, or to their officer or other person appointed or authorized by them to receive the dues and rates hereby prescribed, for the use thereof, as follows, that is to say:—

For every vessel lying alongside the wharf,—

- (a.) One half-penny per ton per day or part of a day for every ton register up to 100 tons.
- (b.) Exceeding 100 tons,  $\frac{1}{4}$ d. per ton per day or part of a day for the first 100 tons, and  $\frac{1}{4}$ d. per ton per day or part of a day for every ton over 100 tons.

Every person who shall use the wharf for landing goods, or whose goods are stored in any shed on the wharf, shall pay to Messrs. A. S. Andrewes and Sons wharf dues in respect of the landing, storage, receiving, and delivering such goods, as follows, that is to say,—

(a.) For all goods (except such as are hereinafter provided for) landed, stored, received, or delivered at wharf or measurement, according to shipping usage—

	At per Week or Part of a Week.			
	Storage.	Landing.	Receiving.	Delivering.
For parcels, each .. .. .	s. d.	s. d.	s. d.	s. d.
For quantities—	0 2	0 1	0 2	0 2
Up to $\frac{1}{4}$ ton, per lot .. .. .	0 6	0 3	0 6	0 6
$\frac{1}{4}$ ton to $\frac{1}{2}$ ton, per lot .. .. .	0 8	0 4	0 8	0 8
$\frac{1}{2}$ ton to 1 ton, per lot .. .. .	1 0	0 6	1 0	1 0
Exceeding 1 ton, per ton .. .. .	1 0	0 6	1 0	1 0
For every head of cattle or horses	1 0	1 0	1 0	1 0
For every pig or sheep .. .. .	0 2	0 2	0 2	0 2

(b.) For passengers' luggage under  $\frac{1}{2}$  ton, provided such luggage is removed from the said wharf within one hour of being landed, free from landing dues.

C. A. JEFFERY,  
Acting Clerk of the Executive Council.

*Licensing Robert Alexander Horn to use and occupy a Part of the Foreshore of Purakanui as a Site for a Boat-shed.*

JELLCOE, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 13th day of May, 1924.

Present:

THE HONOURABLE SIR FRANCIS BELL PRESIDING IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, Robert Alexander Horn, of Dunedin (hereinafter called "the licensee"), has applied to the Governor-General in Council for a license under the Harbours Act, 1923 (hereinafter called "the said Act"), to occupy a part of the foreshore at Purakanui as a site for a boat-shed, to be built in the position and in accordance with plan marked M.D. 5825 (sheets 1 and 2), and deposited in the office of the Marine Department at Wellington:

And whereas it has been made to appear to the Governor-General in Council that the work will not be or tend to the injury of navigation, and the said plan has, 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 should be granted and issued to the licensee under the said Act for the purpose aforesaid, on the terms and 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 conferred upon 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 on which the said boat-shed is to be erected, as shown on plan marked M.D. 5825, deposited as aforesaid, for the purpose of maintaining the said structure 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 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 occupied by the said boat-shed as shown on the plan marked M.D. 5825 (sheet 1).

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 £1 in advance, payable on the 1st day of April each year, the proportionate part of such rental in respect of the period from the date hereof until the 31st of March following to be