

ment of New Zealand to pay compensation to any person, corporate body, or local authority by reason of the exercise by the licensee of the authority hereby granted; but the licensee shall be liable for any loss or damage which any person, corporate body, or local authority may sustain as the result of the exercise by the licensee of any of the powers granted by this license.

#### 12. BED OF RIVER NOT LEASED.

Nothing herein shall be held to constitute a lease from the Crown of the bed of the river shown on the aforesaid plan marked P.W.D. 59813, nor shall the provisions of Part IX of the Property Law Act, 1908, apply to this license.

#### 13. DEFAULT.

If the licensee fails or neglects to observe any of the conditions or obligations imposed by this license, then and in any such case the provisions of clauses 15 and 16 of the regulations shall apply to the breach of any such condition or obligation.

#### 14. LOCATION OF OVERHEAD LINES.

Notwithstanding anything hereinbefore contained, one side of every road or street shall be left free by the licensee for telegraph-lines. Lines shall not be erected on both sides of a road or street unless the permission of the Minister of Telegraphs or the Post and Telegraph Department is first obtained in accordance with clause 5 of the regulations. The minimum distance between a telephone-line and poles carrying high- or extra-high-tension circuits shall be equal to the height of the taller pole except at crossing-places.

#### 15. CONVERSION OF LINES FROM EARTH-WORKING TO METALLIC.

Notwithstanding anything herein contained, the licensee shall bear the cost of converting the Railway or Post and Telegraph Department's lines which are now erected from earth-working to metallic, if required by the Minister of Railways or Minister of Telegraphs.

#### 16. TELEGRAPH-LINES.

The licensee shall rectify to the satisfaction of the Minister of Railways or Minister of Telegraphs any interference or disturbance caused by the erection or operation of the licensee's system that affects the satisfactory working of telegraph-lines which are the property of the Railway Department or Telegraph Department, and which were erected prior to the licensee's lines.

#### 17. RIGHT TO ENTER LANDS, ETC.

The licensee shall have the right at any time or times during the continuance of this license, with the consent of the Minister, subject to such conditions as he may think fit to impose, to enter upon any road or other land, whether vested in or occupied by the Crown or any other person or body corporate, and there to construct, erect, lay down, maintain, renew, or repair all such cables, wires, and other things as are required for the transmission of electricity between the power-house hereinbefore referred to and any place to which the licensee is authorized to transmit electricity in pursuance of this license.

F. D. THOMSON,  
Clerk of the Executive Council

*Licensing the Use and Occupation of certain Parts of the  
Foreshore of Hokianga River, at Rawene.*

JELlicOE, Governor-General.

ORDER IN COUNCIL.

At the Government House, at Wellington, this 6th day of October, 1924.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned, William Maki Cochrane, of Rawene (who with his executors, administrators, and assigns, is hereinafter referred to as "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 below low-water mark at Rawene, in Hokianga Harbour, as a site for a shed, platform, and timber-yard, and, in accordance with the one-hundred-and-seventy-first section of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 5905), showing the place where it is intended to construct such shed, platform, and timber-yard, the area of foreshore and land

below low-water mark intended to be occupied for such purpose, and the manner in which it is proposed to carry out the work:

And whereas it has been made to appear to the Governor-General in Council that the proposed 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 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 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 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 as number 35 on the plan so deposited as aforesaid, for the purpose of maintaining thereon a shed, platform, and timber-yard constructed in accordance with the said plan, 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—

"Foreshore" means such parts of the bed, shore, or banks of a tidal water as are covered and uncovered by the flow and ebb of the tide at ordinary spring tides:

"Low-water mark" means low-water mark at ordinary spring tides:

"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 necessary for the construction of the shed, platform, and timber-yard, as shown on plan M.D. 5905.

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 £5 in advance, payable on the 1st day of April in each year, the proportionate part of such annual rental in respect of the period from the date hereof until the 31st day of March following, to be paid on the licensee being supplied with a copy of this Order in Council.

4. 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 shed, platform, and timber-yard without payment.

5. The licensee shall maintain the above-mentioned shed, platform, and timber-yard in good order and repair, and shall at all times exhibit therefrom, and maintain at the licensee's own cost, any lights that may be required by the Minister; provided that no light shall be exhibited until after it has been approved of by the Minister.

6. Any person authorized by the Minister may at all reasonable times enter upon the said shed, platform, and timber-yard 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 shed, platform, and timber-yard, requiring the licensee, within a reasonable time, to be therein prescribed, to repair the same, the licensee shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. 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, 1923, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.

8. The rights, powers, and privileges conferred by 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 previous written consent of the Minister first obtained.