

And whereas, by Order in Council dated the sixteenth day of June, one thousand nine hundred and thirteen, and published in the *New Zealand Gazette* No. 47, of the nineteenth day of the same month, Messrs. T. M. Lane and Sons (Limited), the successors to the said firm of Lane and Brown (who with its successors and assigns is hereinafter called "the company"), was licensed to use and occupy the said site for a further term of ten years:

And whereas the said license has expired, and the company has made application for a fresh license under the Harbours Act, 1923 (hereinafter called "the said Act"), for a further term of fourteen years, computed from the expiry of the term of the said last-mentioned license, and it is expedient to grant the same for the term and subject to the 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 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 by 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 of the land below low-water mark immediately contiguous thereto, which is particularly shown and delineated on the plans so deposited as aforesaid, for the purpose of using the aforesaid sawmill and shed in connection therewith, such license to be held and enjoyed by the company upon and subject to the terms and conditions set out 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 the parts of the foreshore and the land below low-water mark necessary for such sawmill and shed as shown on the plans marked M.D. 2229A, and deposited in the office of the Marine Department as aforesaid.

3. In consideration of the concessions and privileges granted by this Order in Council the company shall pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 10s., in advance, payable on the 1st day of April in each year, the first of such annual payments to be made on the company 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, and out of the said sawmill and shed without payment.

5. The company shall maintain the said sawmill and shed in good order and repair; and shall at all times exhibit therefrom, and maintain at the company's 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.

6. Any person authorized by the Minister may, at all reasonable times, enter upon the said sawmill and shed and view the state of repair thereof; and upon such Minister leaving at or posting to the last known registered office of the company in New Zealand a notice in writing of any defect or want of repair in such sawmill or shed, requiring the company, within a reasonable time, to be therein prescribed, to repair the same, the company shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. 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 any regulations 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 or under this Order in Council shall continue in force for the term of fourteen years, computed from the 31st day of March, 1923, 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

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such right, power, or privilege without the previous written consent of the Minister first obtained.

9. 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 company 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 registered office of the company in New Zealand.

10. The company shall be liable for any injury which any structure on the said premises may cause any vessel or boat to sustain through any default or neglect on the part of the company.

11. 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 sawmill or shed for a period of thirty days;

(3.) Be in any manner wound up or dissolved; or

(4.) Fail to pay the sums specified in clause 3 of these conditions,—

then and in any such case this Order in Council, and every license, right, power, or privilege thereby conferred, 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 license, right, and privileges thereby granted and conferred, have been revoked and determined.

12. In the event of this Order in Council being revoked for any reason whatsoever, or upon the expiry of the period for which the license is granted, the company shall, if required by the Minister so to do, remove the said sawmill and shed entirely from the site and restore the site to its original condition within three months from the date of revocation or expiry, as the case may be; and if the company fails so to do, the Minister may cause the said sawmill and shed to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the company.

F. D. THOMSON,
Clerk of the Executive Council

License authorizing the New Zealand Co-operative Dairy Company (Limited) to erect Electric Lines across a Public Road in the Hauraki Plains County.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 7th day of January, 1925.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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 Governor-General 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 ninth day of October, one thousand nine hundred and twenty-two, and published in the *New Zealand Gazette* of the twelfth day of the same month, or any regulations hereafter made in amendment thereof or in substitution therefor (and hereinafter collectively referred to as "the regulations"), and which regulations shall be deemed to be incorporated herein—hereby authorize the New Zealand Co-operative Dairy Company (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.

THE route commencing at the licensee's Ngatea factory situated on part Lot 3, D.P. 14089, being part Section 25, Block I, Waihou Survey District, and proceeding thence across part of the said lot and a public road to the Ngatea Wharf on the left bank of the Piako River. As the same is more particularly delineated on the plan marked P.W.D. 55967, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

2. SYSTEM OF SUPPLY.

The system of supply shall be as described in paragraph (c) of clause 2 of the regulations