

a part of the foreshore and land below low-water mark at Kaipipi Bay, Stewart Island, as shown on plans marked M.D. 3368, and deposited in the office of the Marine Department at Wellington, in order to erect and maintain a wharf and tramway thereon, to be erected in accordance with the said plan, and deposited as aforesaid, for the term of fourteen years, computed from the eighteenth day of August, one thousand nine hundred and nine, on the terms and conditions therein expressed:

And whereas McCallum and Company (Limited), who with its successors and assigns is hereinafter referred to as "the company" has applied for a fresh license under the Harbours Act, 1923 (hereunder called "the said Act"), for a further term of four years, and it is advisable to grant the same:

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 company 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 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 maintaining the said wharf and tramway thereon, such license to be held and enjoyed by the company 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 the part of the foreshore and land below low-water mark necessary for the maintenance of the said wharf and tramway as shown on the plan M.D. 3368, 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 £1 in advance, payable on the 1st day of April in each year, the proportionate part of such rental in respect of the period from the 18th day of August, 1923, until the 31st March following to be paid 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 wharf and tramway without payment.

5. The company shall maintain the above-mentioned wharf and tramway 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 wharf and tramway 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 wharf and tramway 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 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 or under this Order in Council shall continue to be in force for four years from the 18th day of August, 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 such right, power, or privilege without the 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 the said wharf and tramway may cause any vessel or boat to sustain through any default or neglect on the company's part.

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 wharf and tramway for a period of thirty days:

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

(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 company or other proceedings 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, rights, 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 wharf and tramway 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 wharf and tramway to be moved 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.

Warrant vesting the Control of North Park Road, Riccarton Avenue, Dean's Avenue, and Moorhouse Avenue in the Christchurch City Council, and apportioning the Cost of Maintenance.

CHARLES FERGUSSON, Governor-General.

By his Deputy,

CHARLES PERRIN SKERRETT.

IN pursuance and exercise of the power and authority vested in me by the Public Works Act, 1908, the Public Works Amendment Act, 1909, and of all other powers and authorities in anywise enabling me in this behalf, I, General Sir Charles Fergusson, Baronet, Governor-General of the Dominion of New Zealand, do hereby direct that the streets situated in the vicinity of Hagley Park, in the City of Christchurch, and mentioned in the Second Schedule hereto shall, on and after the date of the gazetting hereof, be under the control of the Christchurch City Council, and I do hereby further direct that the cost of maintaining such streets shall be borne by the Christchurch City Council, the Riccarton Borough Council, and the Waimairi County Council in the proportions set forth in the First Schedule hereto:

And I do also further direct that any contributions hereby required to be made as aforesaid by the Riccarton Borough Council and the Waimairi County Council shall be paid from time to time, in the proportions prescribed in the First Schedule hereto, out of the funds of the said Councils, within a period of one month after the demand in writing made by or on behalf of the Christchurch City Council, and that such payments shall be made from time to time to the Town Clerk, Christchurch, for and on behalf of the Riccarton Borough Council and the Waimairi County Council:

And I do hereby revoke, as from the taking effect of the apportionment hereunder, the following Warrants:—

1. Warrant dated the twenty-fourth day of June, one thousand nine hundred and fifteen, and published in *Gazette* No. 79, of the first day of July, one thousand nine hundred and fifteen, apportioning the cost of maintaining North Park Road in the Waimairi County.

2. Warrant dated the twenty-fourth day of June, one thousand nine hundred and fifteen, and published in *Gazette* No. 79, of the first day of July, one thousand nine hundred and fifteen, vesting control of