

SCHEDULE.  
WHANGAMOMONA DOMAIN.

ALL that area in the Taranaki Land District, containing by admeasurement 4 acres 1 rood 21·6 perches, more or less, being Section 25, Block I, Mahoe Survey District. Bounded towards the north-east by the Whangamomona Road, 1070·3 links; towards the south by Section 24, Block I, Mahoe Survey District, 905·1 links; and towards the west by Domain Street, 813 links: be all the aforesaid linkages more or less. As the same is delineated on the plan marked L. and S. 1/304A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area in the Taranaki Land District, containing by admeasurement 2 acres 2 roods 9 perches, more or less, being Section 16, Town of Whangamomona. Bounded on all sides by the Whangamomona Stream, save and except 3 roods 9 perches, being that portion of the Stratford-Okahukura Railway Reserve which bisects the aforesaid Section 16. As the same is delineated on the plan marked L. and S., 1/304B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

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

*Licensing Henry Oliver Bickers to use and occupy a Part of the Foreshore at Te Kopuru on the Wairoa River. Kaipara Harbour, as a Site for a Wharf.*

CHARLES FERGUSSON, Governor-General.  
ORDER IN COUNCIL.

At the Government House at Wellington, this 19th day of July, 1925.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the eighteenth day of October, one thousand nine hundred and fifteen, and published in the *New Zealand Gazette* No. 121, of the twenty-first day of the same month, Messrs. William Brown and Sons, of Te Kopuru, were licensed to use and occupy a part of the foreshore and land below low-water mark at Te Kopuru, on the Wairoa River, Kaipara Harbour, as shown on plan marked M.D. 2416, deposited in the office of the Marine Department at Wellington, in order to erect and maintain a wharf thereon, to be erected in accordance with plan M.D. 2416, deposited as aforesaid, for the term of ten years, computed from the first day of April, one thousand nine hundred and fifteen, on the terms and conditions therein expressed :

And whereas the said license has been, with the consent of the Minister of Marine, transferred to Henry Oliver Bickers, of Te Kopuru, who with his executors, administrators, and assigns is hereinafter referred to as "the licensee" :

And whereas the licensee has applied for a fresh license under the Harbours Act, 1923 (hereinafter called "the said Act"), for a further term of fourteen 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 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 on which the said wharf is erected, as shown on the plan M.D. 2416 so deposited as aforesaid, for the purpose of erecting and maintaining the said wharf; 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 the part of the foreshore and land below low-water mark necessary for the erection of the said wharf as shown on the plan marked M.D. 2416 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 licensee shall pay to the Minister the sum of £2 10s., and thereafter an annual sum of £2 in advance, payable on the first day of April in each year, dating from the 1st day of April, 1925, the first of such annual payments to be paid on the licensee being supplied with a copy of this Order in Council.

4. All persons shall at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said wharf and all rights of ingress and egress thereon and therefrom.

5. His Majesty or the Governor-General, and all persons in the Government service acting and in the execution of their duties, shall at all times have free ingress, passage, and egress into, through, over, and out of the said wharf without payment.

6. The licensee shall maintain the above-mentioned wharf in good order and repair; and shall at all times exhibit therefrom, and maintain at the licensee'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.

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 licensee in New Zealand a notice in writing of any defect or want of repair in such wharf, requiring the licensee, within a reasonable time, to be therein prescribed, to repair the wharf, the licensee shall with all reasonable speed cause such defect to be removed or such repairs to be made.

8. 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.

9. The ballast of all vessels loading at the said wharf shall be taken by the licensee and deposited above high-water mark, or at such place as may be approved of by the Minister 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 in force for fourteen years from the 1st day of April, 1925, 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 written consent of the Minister first obtained.

11. The said rights, powers, and privileges may be at any time resumed by the Governor-General, and the licensee may be required to remove the wharf at the licensee's own cost, without payment of any compensation whatever, on giving to the licensee 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 licensee in New Zealand.

12. The licensee 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 licensee's part.

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

then and in any of the said cases 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 licensee or other proceedings whatever; and publication in the *New Zealand Gazette* of an Order in Council containing such revocation shall be sufficient notice to the licensee, 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.

14. 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 licensee shall, if required by the Minister so to do, remove the said wharf entirely from