

All vessels lying alongside the wharf without landing or receiving cargo, first day Free.
Ditto, after the first day (excepting Sundays and holidays), per ton net register, per day 0 0½
Such passengers' luggage or ships' stores as are carried in hand, not exceeding a quarter of a ton, shall be exempt from wharfage charges.

Storage.

Per ton (any quantity over half a ton and under a ton will be charged as 1 ton), per week or part of a week 1 0
Half a ton or under, per week or part of a week 0 6
If services of Wharfinger required before 8 a.m. or after 5 p.m., per hour or part of hour 1 0

F. D. THOMSON,
Clerk of the Executive Council

Licensing Frederick Charles Hargrave to use and occupy a Part of the Foreshore and Land below Low-water Mark at Rawene, Hokianga Harbour, as a Site for Dwelling-house and Stores.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 9th day of May, 1927.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the fourth day of August, one thousand nine hundred and thirteen, and published in the *New Zealand Gazette* No. 61, of the seventh day of the same month, Peter Hansen was licensed to use and occupy a part of the foreshore and land below low-water mark at Rawene, in Hokianga Harbour, as a site for a blacksmith's shop and foundry, erected in accordance with the plan marked M.D. 4084, and shown thereon as Section No. 1A, and deposited in the office of the Marine Department at Wellington, for the term of fourteen years, computed from the fourth day of August, one thousand nine hundred and thirteen :

And whereas the said license was, with the consent of the Minister of Marine transferred to Mrs. Elizabeth Cooper and then to Frederick Charles Hargrave, of Rawene (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 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 immediately contiguous thereto, which is particularly shown and delineated on the plans so deposited as aforesaid for the purpose of using the dwellinghouse and the stores 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—

"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 adjacent thereto necessary for the maintenance of the dwellinghouse and stores, at the site shown as Section No. 1A on the plan marked M.D. 4084.

3. In consideration of the concessions and privileges granted by this Order in Council the licensee shall, on being supplied with a copy of this Order in Council, 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.

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, over, and out of the said dwellinghouse and stores without payment.

5. The licensee shall maintain and keep the above-mentioned dwellinghouse and stores and all erections on or in connection with the dwellinghouse and stores 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 new light shall be exhibited until after it has been approved by the Minister.

6. Any person authorized by the Minister may at all reasonable times enter upon the said dwellinghouse and stores and any buildings erected on the dwellinghouse or stores or in connection therewith, and view the state of repair thereof; and upon the 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 dwellinghouse and stores, requiring the licensee within a reasonable time, to be therein prescribed, to make good or 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 regulation thereunder, and that are now or may hereafter be in force.

8. The rights, powers, and privileges hereby conferred shall continue in force for fourteen years, computed from the 3rd day of August, 1927, 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.

9. The rights, powers, and privileges conferred under or by virtue of this Order in Council may be at any time resumed by the Governor-General, 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.

10. The licensee shall be liable for any injury which may be caused at the said dwellinghouse and stores to any vessel or boat through any default or neglect on the part of the licensee.

11. 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 dwellinghouse and stores 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 brought under the operation of any law for the time being in force relating to bankruptcy,

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 licensee or any other proceeding whatsoever; 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.

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 licensee shall, if required by the Minister so to do, remove the said dwellinghouse and stores entirely from the site, and restore the site to its original condition within three months from the date of the revocation or expiry, as the case may be; and if the licensee fail so to do, the Minister may cause the said dwellinghouse and stores to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensee.

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