

as the case may be; and if the licensees fail so to do, the Minister may cause the said wharf to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the licensees.

SECOND SCHEDULE.

EVERY person who shall use the said wharf with any vessel shall pay to Messrs. A. S. Andrewes and Sons, or to their officer or other person appointed or authorized by them to receive the dues and rates hereby prescribed, for the use thereof, as follows, that is to say:—

For every vessel lying alongside the wharf,—

- (a) One half-penny per ton per day or part of a day for every ton register up to 100 tons.
 (b) Exceeding 100 tons, $\frac{1}{4}$ d. per ton per day or part of a day for the first 100 tons, and $\frac{1}{4}$ d. per ton per day or part of a day for every ton over 100 tons.

Every person who shall use the wharf for landing goods, or whose goods are stored in any shed on the wharf, shall pay to Messrs. A. S. Andrewes and Sons wharf dues in respect of the landing, storage, receiving, and delivering such goods, as follows, that is to say,—

- (a) For all goods (except such as are hereinafter provided for) landed, stored, received, or delivered at weight or measurement, according to shipping usage—

At per Week or Part of a Week.

	At per Week or Part of a Week.			
	Storage.	Landing.	Receiving.	Delivering.
	s. d.	s. d.	s. d.	s. d.
For parcels, each	0 2	0 1	0 2	0 2
For quantities—				
Up to $\frac{1}{4}$ ton, per lot	0 6	0 3	0 6	0 6
$\frac{1}{4}$ ton to $\frac{1}{2}$ ton, per lot	0 8	0 4	0 8	0 8
$\frac{1}{2}$ ton to 1 ton, per lot	1 0	0 6	1 0	1 0
Exceeding 1 ton, per ton	1 0	0 6	1 0	1 0
For every head of cattle or horses	1 0	1 0	1 0	1 0
For every pig or sheep	0 2	0 2	0 2	0 2

- (b) For passengers' luggage under $\frac{1}{2}$ ton, provided such luggage is removed from the said wharf within one hour of being landed, free from landing dues.

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

Licensing Frederick Tidd Costall and others, as Trustees, to use and occupy a Part of the Foreshore at Taipa Village, Mangonui, as a Site for a Stock-shipping Yard.

BLDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 20th day of April, 1931.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the thirteenth day of March, one thousand nine hundred and sixteen, and published in the *New Zealand Gazette*, No. 32, of the sixteenth day of the same month, Frederick Tidd Costall, of Parau, Francis Jacintho, Gustavus Timoti Yates, and John Garton, of Oruru Valley, and Stovin Foster, of Peria, as trustees for the settlers of the district (hereinafter called "the licensees," in which term is to be construed, unless the context requires a different construction, their executors, administrators, or assigns), were licensed to occupy a part of the foreshore and land below low-water mark at Taipa Village, Mangonui, as shown on plan M.D. 4583, deposited in the office of the Marine Department at Wellington, in order to erect and maintain thereon a stock-shipping yard (hereinafter called the "said structure"), for a period of fourteen years from the thirteenth day of March, one thousand nine hundred and sixteen:

And whereas the said license has expired, and the licensees have 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 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 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 licensees 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 licensees to use and occupy that part of the foreshore and land below low-water mark on which the said structure is erected, as shown on plan M.D. 4583, so deposited as aforesaid, for the purpose of maintaining the said structure in accordance with the said plan; such license to be held and enjoyed by the licensees upon and subject to the terms and conditions set forth in the Schedule hereto.

SCHEDULE.

- 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.
- The concessions and privileges conferred by this Order in Council shall extend and apply only to the part of the foreshore and the land below low-water mark adjacent thereto necessary for the maintenance of the said structure, as shown on plan marked M.D. 4583 and deposited in the office of the Marine Department as aforesaid.
- In consideration of the concessions and privileges granted by this Order in Council the licensees shall pay to the Minister an annual rent of 1s., payable on demand, such rent to date from the date of this Order in Council.
- All persons shall at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said structure, and all rights of ingress and egress thereon and therefrom.
- His Majesty or the Governor-General, and all officers in the Government service in the execution of their duty, shall at all times have free ingress, passage, and egress into, through, and out of the said structure without payment.
- The licensees shall maintain the said structure in good order and repair; and shall at all times exhibit therefrom, and maintain at the licensees' 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.
- Any person authorized by the Minister may, at all reasonable times, enter upon the said structure, and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the licensees in New Zealand a notice in writing of any defect or want of repair in such structure requiring the licensees within a reasonable time, to be therein prescribed, to repair the same, the licensees shall with all convenient speed cause such defect to be removed or such repairs to be made.
- Nothing herein contained shall authorize the licensees 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.
- 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 thirteenth day of March, 1930, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority; and the licensees shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.
- 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 licensees 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 licensees in New Zealand.
- The licensees shall be liable for any injury which the structure may cause any vessel or boat to sustain through any default or neglect on the part of the licensees.
- In case the licensees shall—
 - Commit or suffer a breach of the conditions hereinbefore set forth, or any of them;
 - Cease to use or occupy the said structure for a period of thirty days;