

11. The Council shall keep a separate bank account for all receipts and expenditure in respect of the said wharf and shed, and shall cause an account of such receipts and expenditure to be balanced to the 31st day of March in every year, and shall send a copy of such account when balanced to the Minister, and shall supply any particulars in reference thereto as may be required by the Minister.

12. The Council shall appoint all officers necessary for the working and management of the said wharf and shed.

13. Nothing herein contained shall authorize the Council 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 thereunder, and that are now or may hereafter be in force.

14. The rights, powers, and privileges hereby conferred shall continue to be in force for fourteen years from the 17th November, 1938, unless in the meantime such rights, powers, and privileges shall be altered, modified, or revoked by competent authority, and the Council shall not assign, charge, or part with any such right, power, or privilege without the previous written consent of the Minister first obtained.

15. 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 Council 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 Council in New Zealand.

16. The Council shall be liable for any injury which the said wharf and shed may cause any vessel or boat to sustain through any default or neglect on the part of the Council.

17. In case the Council shall—

(1) Commit or suffer a breach of the conditions hereinbefore set forth, or any of them; or

(2) Cease to use or occupy the said wharf and shed for a period of thirty consecutive days—

then, and in either 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 Council or any other proceedings whatsoever; and publication in the *Gazette* of an Order in Council containing such revocation shall be sufficient notice to the Council 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.

18. 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 Council shall, if required by the Minister so to do, remove the said wharf and shed 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 Council fails so to do, the Minister may cause the said wharf and shed to be removed and the site so restored, and may recover the costs incurred by the said removal and restoration from the Council.

## SECOND SCHEDULE.

### INTERPRETATION.

1. The following terms used in this Order in Council shall have the meanings in this clause given to them except where they are inconsistent with the context, viz. :—

"Goods" shall mean all wares, merchandise, and commodities of every description, and all chattels, live-stock, and other articles:

"Master" shall mean any person for the time being in charge of any vessel:

"Vessel" shall mean every description of vessel and shall include launches and boats.

### Wharfage.

	s.	d.
2. All goods not otherwise enumerated, per ton ..	0	6
Butter and cheese, per ton .. .. .	0	6
Cattle, each .. .. .	0	3
Chaff, per sack .. .. .	0	0½
Coal, per ton .. .. .	0	6
Grain, barley, beans, clover, oats, wheat, &c. (10 sacks to ton), per ton .. .. .	0	6
Hay, per ton .. .. .	0	6
Figs, each .. .. .	0	0½
Returned empties .. .. .	Free.	
Sheep, stud rams, and ewes, each .. .. .	0	0½
Timber, per 1,000 superficial feet .. .. .	1	0
Minimum charge .. .. .	0	3
Such passengers' luggage as is carried in hand	Free.	

### Berthage.

s. d.

3. Every person who shall berth his vessel at or alongside the said wharf shall pay the sum of 2s. 6d. per trip, or a fixed charge of £1 1s. per annum, computed from the 1st day of April in each year.

### Storage.

4. For first 48 hours .. .. . Free.  
For each day or part of a day thereafter—  
Per half a ton and under .. .. . 0 6  
Over half a ton and up to one ton .. .. . 1 0

5. The master of each vessel shall furnish the Council with a certified statement of all goods landed on or shipped from the wharf, and the master shall be responsible to the Council for payment of all dues, wharfage, and storage charges.

C. A. JEFFERY,  
Clerk of the Executive Council.

### Transfer of Mercury Bay Hospital to Thames Hospital Board.

GALWAY, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 10th day of January, 1939.

Present:

THE RIGHT HON. M. J. SAVAGE PRESIDING IN COUNCIL.

WHEREAS under section one hundred and twenty of the Hospitals and Charitable Institutions Act, 1926, it is enacted that the trustees of a separate institution may by resolution, approved by a general meeting of the contributors, decide to transfer the institution to the Hospital Board of the Hospital District within which the institution is situated, and the Governor-General may thereupon, if he thinks fit, declare by Order in Council that the institution is transferred to that Board accordingly:

And whereas the contributors to the Mercury Bay Hospital, which is a separate institution under the aforementioned Act, have passed a resolution deciding to transfer the Mercury Bay Hospital to the Thames Hospital Board:

Now, therefore, 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, and in pursuance and exercise of the powers and authorities conferred upon him by the said Act, doth hereby declare that the Mercury Bay Hospital is transferred to the Thames Hospital Board as from the 31st January, 1939.

C. A. JEFFERY,  
Clerk of the Executive Council.

### School Road East, in the City of Wellington, exempted from the Provisions of Section 123 of the Public Works Act, 1928.

GALWAY, Governor-General.

#### ORDER IN COUNCIL.

At the Government House at Wellington, this 18th day of January, 1939.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1928, and of all other powers in any-wise enabling him in this 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 hereby approve of the following resolution passed by the Wellington City Council on the twelfth day of October, one thousand nine hundred and thirty-eight, viz. :—

"The Wellington City Council, being the local authority having control of the streets in the City of Wellington, by resolution declares that the provisions of section one hundred and twenty-eight of the Public Works Act, 1928, shall not apply to that street known as School Road East; such portion of street being described in the Schedule hereto.

#### SCHEDULE.

ALL that portion of street, situated in the Wellington Land District, City of Wellington, known as School Road East, fronting part Section 3, Harbour District. As the same is more particularly delineated on the plan marked P.W.D. 101456, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured red.

C. A. JEFFERY,  
Clerk of the Executive Council.

(P.W. 51/542.)