

## DEFAULT AND PENALTY.

38. If the Council fails to comply with any of the conditions of this license the Minister may, by notice in writing, require the Council within thirty days to remedy the default specified in that notice, but it shall not be held to have committed default for any failure to maintain power continuously if such failure is due to the breakdown of machinery or other accident, unless such breakdown or accident is proved to be due to negligence on the part of the Council; and if the Council fails to comply with the terms of the notice within the said period it shall be liable to a penalty of £20, to be recoverable by or on behalf of the Minister as a debt due to the Crown. The recovery of a penalty under this license shall not affect the liability (if any) of the Council to pay or make compensation in respect of any damage or injury which may be caused by reason of the default.

## REVOCACTION OF LICENSE.

39. Notwithstanding anything in the last preceding clause of these conditions, if the Council fails to comply with the terms of any such notice for ninety days after the receipt thereof, the Governor in Council may thereupon revoke this license without further notice.

## PUBLIC WORKS COMPENSATION, ETC.

40. Nothing herein contained shall be deemed in any way to interfere with, affect, or abridge any rights or powers vested in His Majesty the King, or in the Governor on his behalf, or the Minister, or any other person under any Act of the General Assembly authorizing the construction, management, or working of any public works. Nor shall His Majesty, or the Governor, or the Minister, or any other person be liable to pay to the Council any compensation for injury done to the works herein authorized by the construction, management, or working of any such public work as aforesaid, or for the loss occasioned thereby, or for the exercise of any such right or power as aforesaid.

## BY-LAWS.

41. By-laws for controlling consumers' installations may be made by the Council, but such by-laws shall not be enforceable until submitted to and approved by the Minister.

## GOVERNOR'S DECISION FINAL.

42. The Governor shall be the sole judge of the fact whether the requirements of this license have been complied with, and he may from time to time cause inquiry to be made into any matter connected therewith and arising hereunder in such manner as he thinks fit, and his decision shall be final; provided always that this clause shall not affect the rights of any person, corporate body, or local authority in cases of damage or injury for which an accident by such person, corporate body, or local authority may lie against the Council.

## COMMENCEMENT OF LICENSE.

43. This license shall come into force on and after the date of publication thereof in the *New Zealand Gazette*.

J. F. ANDREWS,  
Clerk of the Executive Council.

*Butts Valley Road, in the Heathcote County, exempted from the Provisions of Section 117 of the Public Works Act, 1908, subject to certain Conditions as to the Building-line.*

LIVERPOOL, Governor.

## ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of August, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by subsection one of section one hundred and seventeen of the Public Works Act, 1908, it is, *inter alia*, provided that the said section shall not apply in any case where the local authority having control of a road or street by resolution declares that the provisions thereof shall not apply to any specified road or street, or to any specified part thereof, and such resolution is approved by the Governor in Council :

And whereas by subsection two of section one hundred and seventeen of the Public Works Act, 1908, it is provided that such approval may be either absolute or subject to such conditions with respect to the building-line as the Governor in Council thinks fit to impose :

And whereas the Heathcote County Council, the local authority having control of the portion of road described in

the Schedule hereto, did by resolution declare that the provisions of the said section one hundred and seventeen should not apply to the said portion of road :

And whereas it is deemed expedient that such resolution should be approved, subject to the condition hereinafter mentioned :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the powers conferred by the above-in-part-recited Act, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby approve of the said resolution, subject to the condition that no building or part of a building shall at any time be erected on either side of the said portion of road within a distance of thirty-three feet from the centre-line of the said portion of road.

## SCHEDULE.

ALL that road in the Canterbury Land District, Heathcote County, known as Butts Valley Road, commencing at its junction with Hills Road and proceeding thence in a southerly direction adjoining Lots 1, 8, 9, 10, 11, 12, 13, 14, and 15, of Rural Section 104, Block XVI, Christchurch Survey District, and terminating at the south-eastern corner of the said Lot 15, being a distance of 25 chains 57.6 links, more or less; as the said road is more particularly delineated on the plan marked P.W.D. 34485, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Provincial District, and thereon coloured pink.

J. F. ANDREWS,  
Clerk of the Executive Council

*Declaring a Native to be a European.*

LIVERPOOL, Governor.

## ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of August, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section seventeen of the Native Land Amendment Act, 1912, it is enacted that the Governor may by Order in Council, on the recommendation of the Native Land Court, declare any Native to be a European :

And whereas Hone Makimereni, of Koputaroa, being a Native within the meaning of the Native Land Act, 1909, applied in the prescribed form for a recommendation of the Court that he might be declared a European : And whereas the said Court, having duly inquired into the said application, has recommended that an Order in Council be issued declaring the said Hone Makimereni to be a European : And whereas it is expedient that such declaration should be made :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, in pursuance and exercise of the powers and authority conferred on him by section seventeen of the Native Land Amendment Act, 1912, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby declare the said Hone Makimereni to be a European.

J. F. ANDREWS,  
Clerk of the Executive Council.

*Consenting to a Mortgage of Native Land.*

LIVERPOOL, Governor.

## ORDER IN COUNCIL.

At the Government House at Wellington, this tenth day of August, 1914.

Present :

HIS EXCELLENCY THE GOVERNOR IN COUNCIL.

WHEREAS by section two hundred and thirty of the Native Land Act, 1909, it is provided that no instrument of alienation of Native land by way of mortgage or charge, other than a mortgage or charge in favour of a State Loan Department, shall be confirmed by a Board or the Court without the precedent consent of the Governor in Council :

And whereas application has been made for the consent of the Governor in Council to a mortgage of the block or parcel of land mentioned in the Schedule hereto : And whereas it is expedient that the precedent consent of the Governor in Council should issue :

Now, therefore, His Excellency the Governor of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth