

1908, shall not apply to the said portion of the road"; subject to the condition that no building or part of a building shall at any time be erected on either side of the portion of Smith Road described in the Schedule hereto within a distance of thirty-three feet from the centre-line of the said portion of road.

SCHEDULE.

ALL that portion of Smith Road, in the Taranaki Land District, Taranaki County, situated between the boundary of the Borough of New Plymouth and the old Avenue Road. As the said portion of road is more particularly delineated on the plan marked P.W.D. 49986, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured red.

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

Portions of Kawai and Hampden Streets, in the City of Nelson, exempted from the Provisions of Section 117 of the Public Works Act, 1908, subject to a Condition as to the Building-line.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 9th day of March, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred by the Public Works Act, 1908, 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 Nelson City Council on the twenty-first day of January, one thousand nine hundred and twenty-one—viz., "That the Nelson City Council, being the local authority having control of Kawai Street and Hampden Street in the City of Nelson respectively, by resolution declares that the provisions of section one hundred and seventeen of the Public Works Act, 1908, shall not apply to the portion of Kawai Street from Alfred Street to North Esk Street and the portion of Hampden Street from Kawai Street to Waimea Road"; subject to the condition that no building or part of a building shall at any time be erected on either side of the portions of Kawai and Hampden Streets described in the Schedule hereto within a distance of thirty-three feet from the centre-line of the said portions of streets.

SCHEDULE.

ALL that portion of Kawai Street, in the Nelson Land District, City of Nelson, situated between Alfred Street and North Esk Street.

Also all that portion of Hampden Street, in the said land district and city, situated between Kawai Street and Waimea Road.

As the said portions of streets are more particularly delineated on the plan marked P.W.D. 50807, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured burnt sienna.

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

Prescribing the Rate of Interest to be paid by the Waimairi County Council in respect of a Loan of £10,850 for the Purpose of renewing an Existing Loan.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 14th day of March, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS section thirty-three of the Finance Act, 1920, provides that, notwithstanding anything to the contrary in any Act or in any rule of law, where a local authority or public body has been authorized before the passing of the said Act, or is thereafter authorized, to borrow money, whether pursuant to a poll of ratepayers or otherwise howsoever, at a specified rate of interest, and such money or any part thereof has not been borrowed, the local authority may, with the precedent consent of the Minister of Finance, borrow such money, or such part thereof as has not been borrowed, at such rate of interest as may be prescribed by the Governor-General in Council;

And, whereas the Waimairi County Council has been authorized to borrow the sum of ten thousand eight hundred and fifty pounds at five and a half per centum, but has been unable to obtain the money at this rate:

And whereas the Minister of Finance has given his precedent consent as required by the above-recited section thirty-three, and it is desired that the rate of interest at which the money may be borrowed be increased to five and three-quarters per centum:

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, doth hereby prescribe that the rate of interest that may be paid by the Waimairi County Council in respect of the loan of ten thousand eight hundred and fifty pounds shall be five and three-quarters per centum, and the said Waimairi County Council is hereby authorized to borrow the sum of ten thousand eight hundred and fifty pounds at the rate of interest prescribed.

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

Regulations as to the Grading of Fruit-trees for Sale from Nurseries.—Notice No. 2058.

JELLICOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 9th day of March, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred on him by the Orchard and Garden Diseases Act, 1908, as amended by the Orchard and Garden Diseases Amendment Act, 1914, 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 revoke the regulations relating to the grading of fruit-trees made by Order in Council dated the eighteenth day of November, one thousand nine hundred and eighteen, and gazetted on the twenty-first day of the same month and year, and in lieu thereof doth make the following regulations; and doth hereby declare that this Order in Council shall come into force on the date of the publication hereof in the *Gazette*.

REGULATIONS.

1. IN these regulations, if not inconsistent with the context,—
"Diameter" means the diameter of a fruit-tree measured two inches above the union;

"Fruit-tree" means any variety of apple, pear, apricot, peach, or nectarine tree;

"Nursery" means any land which is used for the raising or growing of any fruit-trees, if such fruit-trees or any of them are intended for sale for replanting;

"Sale" or "sell" includes barter, and also includes offering or attempting to sell or exposing for sale, or sending or delivering for sale, or causing or allowing to be sold, offered, or exposed for sale.

2. (1.) On every sale of fruit-trees from a nursery, whether direct or through an agent, there shall be issued, by or on behalf of the occupier of such nursery to the purchaser or intending purchaser, a statement of the grade of such fruit-trees determined as hereinafter set out.

(2.) Such statement as to grade may be set out in the invoice, or on a tag or label attached to the fruit-trees, or in some other suitable manner.

3. The grading of fruit-trees from a nursery shall be done by or on behalf of the occupier of such nursery prior to the sale of such fruit-trees.

4. The following are the standards by which the grade of apple or pear trees shall be determined:—

(1.) "A (or Commercial) Grade" shall consist of trees the diameter of which is not less than 7/16ths of an inch nor more than 10/16ths of an inch:

Provided that trees which are more than 10/16ths of an inch in diameter may be included in this grade if such trees are not more than one year from the bud or graft:

Provided further that in the case of the following varieties of pear-trees—viz., Winter Nelis, P. Barry, Marie Louise, and Josephine de Malines—trees may be included in this grade the diameter of which is not less than 6/16ths of an inch.

"B (or Nursery) Grade" shall, subject to the last preceding proviso, consist of trees the diameter of which is less than 7/16ths of an inch.

"C (or Special) Grade" shall, subject to the first proviso in the case of A Grade, consist of trees the diameter of which is more than 10/16ths of an inch.