

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 order and declare that the portion of road described in the Schedule hereto shall, on and after the date of this Order in Council, become a Government road.

#### SCHEDULE.

APPROXIMATE area of the piece of road declared to be a Government road: 1 acre 2 roods 36 perches.

Adjoining public-school sites, Blocks IX, XXI, and X, and recreation reserve (Matamata Domain), Matamata Township, situated in Block II, Tapapa Survey District. (S.O. 22086.)

In the Auckland Land District; as the same is more particularly delineated on the plan marked P.W.D. 53881, deposited in the office of the Minister of Public Works at Wellington, in the Wellington Land District, and thereon coloured green.

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

*Declaring a Native to be a European.*

JELLICOE, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 8th day of June, 1922.

Present:

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

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

And whereas Hare Ratete, *alias* Charles Rogers, of Maketu, 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 Hare Ratete, *alias* Charles Rogers, to be a European: And whereas it is expedient that such declaration should be made:

Now, therefore, His Excellency the Governor-General 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 Hare Ratete, *alias* Charles Rogers, to be a European.

F. D. THOMSON,  
Clerk of the Executive Council

*Licensing the Franklin County Council to use and occupy a Part of the Foreshore and Land below Low-water Mark of the Akaaka Stream, Waikato River, as a Site for a Landing and Goods-shed.*

JELLICOE, Governor-General.

#### ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 8th day of June, 1922.

Present:

THE RIGHT HONOURABLE W. F. MASSEY, P.C., PRESIDING  
IN COUNCIL.

WHEREAS, there being no Harbour Board empowered to grant the license hereinafter mentioned under the Harbours Act, 1908 (hereinafter called "the said Act"), the Franklin County Council (hereinafter called "the Council") has applied to the Governor-General in Council for a license under the said Act to occupy a part of the foreshore and land below low-water mark of the Akaaka Stream, Waikato River, in order to erect and maintain a landing and goods-shed thereon; and, in accordance with the one-hundred-and-fiftieth section of the said Act, has deposited a plan in the office of the Marine Department at Wellington (marked M.D. 5445), showing the area of foreshore and land below low-water mark intended to be occupied, and the manner in which it is proposed to erect the said landing and goods-shed:

And whereas it has been made to appear to the Governor-General in Council that the proposed work will not be or tend

to the injury of navigation, and the said plan has, prior to the making of this Order in Council, been approved by the Governor-General in Council:

And whereas it is expedient that a license should be granted and issued to the Council under the said Act, for the purpose aforesaid, on the terms and 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 object for which the said license is required by the Council 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 Council to use and occupy that part of the foreshore and land below low-water mark on which the said landing and goods-shed are to be erected, as shown on plan M.D. 5445 so deposited as aforesaid, for the purpose of erecting and maintaining the said landing and goods-shed in accordance with the said plan; such license to be held and enjoyed by the Council upon and subject to the terms and conditions set forth in the Schedule hereto.

#### SCHEDULE.

1. IN these conditions the term "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 that part of the foreshore and land below low-water mark adjacent thereto, necessary for the erection of the said landing and goods-shed, as shown on the plan marked M.D. 5445.

3. All persons shall, at all reasonable times, upon payment of the proper dues, have free and full liberty to use the said landing and goods-shed, and all rights of ingress and egress thereon and therefrom.

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, through, and out of the said landing and goods-shed without payment.

5. The Council shall maintain the above-mentioned landing and goods-shed in good order and repair; and shall at all times exhibit therefrom and maintain at its own cost suitable and necessary lights for the guidance of vessels; provided that no 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 landing and goods-shed and view the state of repair thereof; and upon such Minister leaving at or posting to the last known address of the Council in New Zealand a notice in writing of any defect or want of repair in such landing and goods-shed, requiring it within a reasonable time, to be therein prescribed, to repair the same, it shall with all convenient speed cause such defect to be removed or such repairs to be made.

7. 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, 1908, or its amendments, or any regulations made thereunder, and that are now or may hereafter be in force.

8. The ballast of all vessels loading at the said landing and goods-shed shall be taken away by the Council and deposited above high-water mark, or at such place as may be approved of by the Minister, or by any person appointed by the Minister for that purpose.

9. The rights, powers, and privileges conferred by or under this Order in Council shall continue to be in force for fourteen years from the date hereof, 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.

10. 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 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.

11. The Council shall be liable for any injury which the said landing and goods-shed may cause any vessel or boat to sustain through any default or neglect on its part.