

(5.) It shall not be necessary to make such warrant returnable at any particular time, but it may remain in full force until executed.

373. (1.) Subject to this Order, and subject to any regulation or Ordinance which may make different provisions in that behalf, the Acts specified in the Third Schedule hereto shall, so far as applicable, be in force in Samoa, with such modifications as are expressed in that Schedule.

Application of specific Acts.

(2.) In the application of those Acts to Samoa every reference therein to New Zealand shall be read as a reference to Samoa, and every reference to the Supreme Court shall be read as a reference to the High Court, and every reference to a Magistrate or a Justice of the Peace shall be read as a reference to the High Court or to a Judge thereof.

374. The Acts Interpretation Act, 1908, so far as the same is applicable, shall extend to and be in force in Samoa, and shall apply to Orders in Council and to Ordinances in the same manner as to Acts of Parliament.

Acts Interpretation Act, 1908, in force in Samoa.

## PART XVII.

### TRANSITORY PROVISIONS.

375. So far as the Governor-General in Council has authority in that behalf, and save so far as otherwise expressly provided in this Order, all enactments and laws whatsoever in force in Samoa at the commencement of this Order are, so far as there in force, hereby repealed, and all Courts of Justice and public offices existing in Samoa at the commencement of this Order are hereby abolished.

Repeal of existing laws and abolition of Courts and public offices of Samoa.

376. (1.) Notwithstanding the repeal of the former laws of Samoa by this Order, all rights, obligations, and liabilities already existing under those laws at the commencement of this Order shall continue to exist and shall be recognized, exercised, and enforced accordingly, but subject to the provisions of this clause.

Saving of existing rights and liabilities.

(2.) In respect of the recognition, exercise, and enforcement of such rights, obligations, and liabilities as aforesaid, and in respect of all matters wherein any doubt, difficulty, or injustice arises, or may arise by reason of the transition from the legal system hitherto in force in Samoa to the system established by this Order, the High Court and all other Courts in Samoa or in New Zealand are hereby empowered and directed to exercise their jurisdiction in accordance with equity and good conscience and not otherwise.

(3.) All persons who at the commencement of this Order are registered as foreigners under the laws theretofore in force in Samoa shall be deemed to have been registered as Europeans in pursuance of this Order.

(4.) All marriages which at the commencement of this Order are valid under the laws theretofore in force in Samoa shall be deemed to be valid marriages for all purposes hereunder, including that of the legitimation of any child of the parties to any such marriage born before such marriage.

(5.) All proceedings, whether civil or criminal, which are pending in any Court of Justice in Samoa at the commencement of this Order may be continued and completed (save so far as other provision is made in that behalf by this Order or by any Ordinance or regulation) in the High Court in accordance with the ordinary procedure of that Court, so far as may be, and with all necessary modifications; and all judgments, orders, convictions, sentences, and other judicial acts theretofore given, made, or done by the Court so abolished shall remain in full force and effect, and shall (save so far as other provision is made hereby or by any Ordinance or regulation in that behalf) have the same operation as if given, made, or done by the High Court with full authority, and may be executed and enforced accordingly.

(6.) Criminal proceedings in respect of offences committed against the laws of Samoa before the commencement of this Order may be instituted in the High Court in the ordinary course of its criminal jurisdiction and procedure under this Order, and the offenders shall be liable to the punishments appointed by those laws.