

*The Ex-enemy Absentee Property (Samoa) Order, 1923.*

JELlicoe, Governor-General.

ORDER IN COUNCIL

At the Government House at Wellington, this 24th day of October, 1923.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Article 297 of the Treaty of Peace with Germany, which was signed at Versailles on the twenty-eighth day of June, one thousand nine hundred and nineteen, it is provided that the Allied and Associated Powers shall be entitled to retain and liquidate all property, rights, and interests belonging to German nationals or companies controlled by them within the colonies, possessions, and protectorates of those Powers (including territories ceded to them by the said Treaty): And whereas by Article 121 of the said Treaty the foregoing provision is made applicable to the Territory of Western Samoa: And whereas by the Samoan Crown Estates Order, 1920, effect has already been given in part to the foregoing provision: And whereas it is expedient to make further provision in that behalf: And whereas it is expedient also to make provision for the liquidation of property in Western Samoa belonging to absentee nationals of Powers which have been in alliance with Germany against His Majesty:

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 that Dominion, and in pursuance of the authority to make regulations for the peace, order, and good government of the Territory of Western Samoa conferred upon him by the Samoa Act, 1921, and further in pursuance of the authority conferred upon him by the Treaties of Peace Act, 1919, and of every other power and authority enabling him in this behalf, doth hereby order as follows:—

1. This Order may be cited as the Ex-enemy Absentee Property (Samoa) Order, 1923, and shall come into operation on the thirty-first day of December, one thousand nine hundred and twenty-three.

2. In this Order—

“Ex-enemy absentee” means any subject of Germany, or of a State which during the late war with Germany has been in alliance with Germany against His Majesty, who shall at the date of the coming into operation of this Order be resident elsewhere than in Western Samoa, and also any company incorporated or having its head office in Germany or in any such State:

“Ex-enemy absentee property” means all property of any kind in Western Samoa belonging to or held on behalf of an ex-enemy absentee or in which an ex-enemy absentee has any interest, and includes property belonging to the undistributed estate of any person deceased if any ex-enemy absentee is in whole or in part entitled thereto, and includes also moneys which are the revenues of ex-enemy absentee property or the proceeds of the sale, realization, or disposition thereof, and moneys which are on any account whatever payable to or for the benefit of any ex-enemy absentee.