

(i) Criminal proceedings punishable by imprisonment for not longer than one year or by both such imprisonment and a fine: Provided that if a Commissioner of his own motion shall direct that the Court shall sit with assessors or an application shall be made by the prosecutor or the accused that the Court shall so sit the jurisdiction of the Commissioner to hear and determine the case shall cease.

(j) Proceedings under Part XIII of the Samoa Act, 1921.

(k) Proceedings under the Samoa Maintenance and Affiliation Order, 1920.

*Certiorari, &c., taken away.*

5. A Judge of the High Court shall not exercise control over any Commissioner by way of certiorari, mandamus, or prohibition save by way of rehearing in accordance with the rules hereinafter appearing.

*Judge may grant rehearing.*

6. A Judge of the High Court may grant a rehearing upon such terms as he thinks fit of any proceedings heard and determined by a Commissioner, and such rehearing shall take place before a Judge.

*Time for making Application.*

7. Every application for a rehearing shall be made by filing a notice of motion in the High Court Office at Apia within twenty-one days after the judgment order or conviction has been delivered, made, or entered, as the case may be:

Provided that a Judge of the High Court may extend the said period for so long as he thinks reasonable upon special cause being shown.

*Stay of Execution.*

8. An application for a rehearing shall operate as a stay of execution unless at any time a Judge of the High Court or the Commissioner who adjudicated in the first instance otherwise orders.

*Release from Custody.*

9. When any person sentenced to imprisonment by a Commissioner applies for a rehearing the convicting Commissioner or a Judge of the High Court may in his discretion release such person from custody on bail pending the determination of his application: Provided that a Judge or any Commissioner may at any time and for any reason have such person arrested by warrant and committed to prison there to undergo his sentence.

F. D. THOMSON,

Clerk of the Executive Council.

*Amending the Whangarei Borough Loans Conversion Order, 1934 (No. 2).*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 5th day of November, 1934.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the power and authority conferred on him by subsection two of section thirteen of the Local Authorities Interest Reduction and Loans Conversion Act, 1932-33, and of all other powers and authorities 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, and by way of amendment of the Whangarei Borough Loans Conversion Order, 1934 (No. 2), made on the eighteenth day of June, one thousand nine hundred and thirty-four, and published in the *Gazette* of the twenty-second day of June, one thousand nine hundred and thirty-four, doth hereby prescribe and order as follows:—

(1) This Order may be cited as the Whangarei Borough Loans Conversion Amendment Order, 1934, and shall be read together with and form part of the Whangarei Borough Loans Conversion Order, 1934 (No. 2), (hereinafter referred to as the principal Order).

(2) This Order shall come into force on the 18th day of June, 1934, the date of the making of the principal Order.

(3) The principal Order is hereby amended as follows:—

(a) By deleting from the last column of the First Schedule thereto the date of maturity—"1st April, 1948"—of the second loan specified therein—namely, the Town Hall Loan of £8,000—and substituting therefor the date "1st October, 1947."

(b) By deleting from the last column of the First Schedule thereto the date of maturity—"1st September, 1939"—of the tenth loan specified therein—namely, the Kensington Drainage District Loan of £2,300, 1919—and substituting therefor the date "1st March, 1956."

(c) By deleting from the last column of the First Schedule thereto the date of maturity—"1st January, 1945"—of the thirty-third loan specified therein—namely, the Kensington Park Improvement No. 2 Loan of £3,000, 1923, £300—and substituting therefor the date "1st January, 1944."

(d) By deleting from the last column of the First Schedule thereto the date of maturity—"1st January, 1945"—of the thirty-eighth loan specified therein—namely, the Waterworks Extension No. 2 Loan, of £8,200, 1923, £1,200—and substituting therefor the date "1st January, 1944."

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

(T. 49/141/9.)