

And whereas the said question is one of great importance on which in the interests of comity between the Commonwealth of Australia and the Dominion of New Zealand it has long been deemed desirable to obtain a decision by the Court of Appeal of New Zealand:

And whereas in addition to the great importance of the said issue it is essential in the interests both of the liberty of the subject and of the administration of criminal justice that the person who is alleged to be a fugitive offender and whose extradition is sought by the plaintiff should not be unduly detained in New Zealand pending determination of the question aforesaid:

And whereas three Judges of the Supreme Court (of whom the Chief Justice is one) have certified that it is not desirable or expedient that the hearing of the aforesaid action should be deferred until the next ordinary sitting of the Court of Appeal appointed to be held on the twelfth day of September, one thousand nine hundred and thirty-eight:

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in exercise of the powers conferred by the said Act, and all other powers him thereunto enabling, and acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby appoint and declare that a special sitting of the Court of Appeal of New Zealand shall be held within the Supreme Court House in the City of Auckland, commencing upon Wednesday, the third day of August, one thousand nine hundred and thirty-eight, at half past ten o'clock in the forenoon, for the purpose of hearing such action and determining all questions of law thereon arising.

C. A. JEFFERY,
Clerk of the Executive Council.

Consenting to the Acquisition of an Aerodrome-site by the Balclutha Borough Council.

GALWAY, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 27th day of July, 1938.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers and authority vested in him by the Local Authorities Empowering (Aviation Encouragement) Act, 1929, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the consent of the Executive Council of the said Dominion, doth hereby consent to the acquisition by the Balclutha Borough Council of the land described in the Schedule hereto, and to the maintenance of the aerodrome thereon.

SCHEDULE.

FIRST, Lot C, Plan 1063, of Section 2, Block XXXV, Clutha District, and Accretion adjoining (1 rood 33 poles) containing an area of 12 acres 1 rood 5 poles; and

Secondly, part Railway land at Balclutha (Crown Reserve), comprising Reserves Nos. 4 and 10 and part 9, Balclutha Town; part Block XIV, and part Block XV, Balclutha Town, containing an area of 54 acres 3 roods.

C. A. JEFFERY,
Clerk of the Executive Council.

Consenting to the Raising of a Loan of £1,000 by the Helensville Town Board and prescribing the Conditions thereof.

GALWAY, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 20th day of July, 1938.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Helensville Town Board (hereinafter called "the said local authority") proposes, pursuant to the provisions of section three of the Main Highways Amendment Act, 1928, to borrow the sum of one thousand pounds (£1,000) by a loan to be known as "Main Highways Loan, 1938" (hereinafter called "the said loan"), for the purpose of meeting the Board's share of the cost of reconstructing that portion of the Auckland-Helensville State Highway in the Town District of Helensville:

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, and in pursuance and exercise of the powers and authorities conferred on him by section eleven of the Local Government Loans Board Act, 1926, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby consent to the raising by the said local authority of the said loan for the said purpose up to the amount of one thousand pounds (£1,000), and in giving such consent doth hereby determine as follows:—

(1) The term for which the said loan or any part thereof may be raised shall be four (4) years.

(2) The rate of interest that may be paid in respect of the said loan or any part thereof shall be such as shall not produce to the lender or lenders a rate exceeding three pounds ten shillings (£3 10s.) per centum per annum.

(3) The said loan, together with interest thereon, shall be repaid by equal aggregate annual instalments extending over the term as determined in (1) above.

(4) No moneys shall be borrowed under this consent after the expiration of two years from the date hereof.

C. A. JEFFERY,
Clerk of the Executive Council.

(T. 49/419.)

Consenting to the Raising of a Loan of £500,000 by the Auckland Transport Board and prescribing the Conditions thereof.

GALWAY, Governor-General.
ORDER IN COUNCIL.

At the Government House at Wellington, this 20th day of July, 1938.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS the Auckland Transport Board (hereinafter called "the said local authority"), being desirous of raising the sum of five hundred thousand pounds (£500,000) by a loan to be known as "Transport Consolidated Redemption Loan, 1938" (hereinafter called "the said loan"), for the purpose of—

(a) Utilizing £460,000 for the purpose of (i) Purchasing or completing the purchase of debentures issued in respect of the Auckland City Tramway Loan of £1,250,000; (ii) Redeeming the balance of this loan at maturity; and (iii) Reimbursing the Transport Fund Account for all moneys heretofore or hereafter paid or advanced by it in or towards the purchase or redemption of any of the said debentures; and

(b) Utilizing the sum of £40,000 for the purpose of purchasing debentures in any other loans, the liability of the Auckland Transport Board and/or reimbursing the Transport Fund Account for all moneys heretofore or hereafter paid or advanced by it in or towards the purchase or redemption of any such debentures:

And whereas the said local authority has complied with the provisions of the Local Government Loans Board Act, 1926 (hereinafter called "the said Act"), and it is expedient that the precedent consent of the Governor-General in Council as required by the said Act should be given to the raising of the said loan:

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, and in pursuance and exercise of the powers and authorities conferred on him by section eleven of the said Act, as set out in section twenty-nine of the Finance Act, 1932 (No. 2), and of all other powers and authorities enabling him in this behalf, doth hereby consent to the raising in New Zealand by the said local authority of the said loan for the said purpose up to the amount of five hundred thousand pounds (£500,000), and in giving such consent doth hereby determine as follows:—

(1) As to the sum of four hundred thousand pounds (£400,000):—

(a) The term for which such sum or any part thereof may be raised shall not exceed fifteen (15) years.

(b) Such sum or any part thereof so raised, together with interest thereon, shall be repaid by equal aggregate annual or half-yearly instalments extending over the term as determined in (a) above.

(c) The payment of such instalments shall be made in New Zealand and no instalments shall be paid out of loan-moneys.