



THE
NEW ZEALAND GAZETTE
EXTRAORDINARY.

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WELLINGTON, THURSDAY, MAY 26, 1921.

SAMOA CONSTITUTION AMENDMENT ORDER (No. 3), 1921.

JELlicoe, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 25th day of May, 1921.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

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 laws for the peace, order, and good government of the Territory of Western Samoa conferred upon him by the Western Samoa Order in Council, 1920, made by His Majesty on the eleventh day of March, one thousand nine hundred and twenty, under the Foreign Jurisdiction Act, 1890, and further in pursuance of the Treaties of Peace Act, 1919, and of all other powers and authorities enabling him in that behalf, doth hereby order as follows :—

1. This Order may be cited as the Samoa Constitution Amendment Order (No. 3), 1921, and shall be read with and form part of the Samoa Constitution Order, 1920 (hereinafter referred to as "the said Order").

2. This Order shall come into force on the thirteenth day of June, one thousand nine hundred and twenty-one.

3. Subclause one of clause two hundred and ten of the said Order is hereby amended by adding, after the words "escape from lawful custody," the following words: "breaking prison, rescue from lawful custody, attempted suicide, provoking a breach of the peace, disorderly conduct in any public place."

4. The following clauses are added to Part V of the said Order :—

“ 166D. Every one is liable to three years’ imprisonment who is found—

“ (a.) Armed with any dangerous or offensive weapon or instrument whatever by day, with intent to break or enter into any dwellinghouse and to commit any crime therein ; or

“ (b.) Armed as aforesaid by night, with intent to break into any building whatsoever and to commit any crime therein.

“ 166E. Every one is liable to three years’ imprisonment who is found—

“ (a.) Having in his possession by night, without lawful excuse (the proof whereof shall lie on him), any instrument of housebreaking ; or

“ (b.) Having in his possession by day any such instrument with intent to commit any crime ; or

“ (c.) Having his face masked or blackened or being otherwise disguised by night, without lawful excuse (the proof whereof shall lie on him) ; or

“ (d.) Having his face masked or blackened or being otherwise disguised by day, with intent to commit any crime.”

5. Clause six of the Samoa Constitution Amendment Order, 1921, is hereby revoked, and the following clause substituted therefor :—

“ 6. Clause two hundred and nine of the said Order is hereby amended by omitting the words ‘ fine only,’ and substituting the words ‘ fine or imprisonment for a term not exceeding three months.’ ”

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