

(3.) If any witness who under this clause is competent but not compellable gives evidence on any such trial, he shall be liable to cross-examination in the same manner as if he was a compellable witness whether the matter on which he is so cross-examined arises out of his examination in chief or not.

242. In any proceeding the Court may limit in any manner and to any extent which it thinks fit the cross-examination of any witness as to credit, and shall refuse to permit any such cross-examination which is needlessly offensive or injurious to the witness, having regard to the nature or gravity of the imputations made against him, to the importance of his evidence, and to the effect of such imputation upon his credibility. Cross-examination as to credit.

243. Nothing in this Part of this Order shall take away or affect the privilege of any witness to refuse to answer any question which may tend to criminate him. Criminating questions.

244. (1.) On application made in that behalf by any person who states on oath that any prisoner can give material evidence in any proceeding in any Court, a Judge of the High Court may, by order under his hand, require such prisoner to be brought up for examination as a witness in that proceeding. Evidence of prisoners.

(2.) In every such case the Judge may, before making such order, require the applicant to deposit a sum sufficient to pay the expense of bringing up the prisoner, maintaining him while out of prison, and returning him thither, including the expense of his custody in the meantime.

245. In every proceeding the Court shall take judicial notice of all Acts, Ordinances, Orders in Council, regulations, Proclamations, and laws in force in Samoa. Judicial notice.

246. In every proceeding the Court shall take judicial notice of the Seal of Samoa and of the seal of any Court, officer, or other person authorized or required by law to use any such seal, and of the signature of any Judge or other officer, whether judicial or not, of the Samoan Public Service, and of the Public Seal of New Zealand, and of the signature of the Governor-General or of any member of the Executive Council of New Zealand, or of the Attorney-General or Solicitor-General for New Zealand, and of the signature of any Judge of the Supreme Court of New Zealand, and of the seal of that Court or of any Registrar thereof. Judicial notice.

247. All Courts are hereby empowered to administer an oath to all such witnesses as are lawfully called or voluntarily come before them, or to take the affirmation of any such witness in lieu of such oath. Power to administer oaths or to take affirmations.

248. Every oath, whether in a judicial proceeding or not, may be made in such form as the person making the same consents to, whether expressly or impliedly. Form of oath.

249. Except when the person making the oath so consents to any other form of oath, an oath shall, whether in a judicial or other proceeding, be made in one of the two forms following:— Form of oath.

(a.) The person making the oath may, while holding in his hand a copy of the Bible, New Testament, or Old Testament, repeat the words of the oath as prescribed or allowed by law; or

(b.) The officer administering the oath may repeat the appropriate form of adjuration commencing with the words "Do you swear by Almighty God," or words to the like effect, and concluding with the words of the oath as prescribed or allowed by law, and the person making the oath shall thereupon, while holding in his hand a copy of the Bible, Old Testament, or New Testament, indicate his assent to the oath so administered by uttering the words "I do," or other words to the like effect.

250. Where an oath has been duly made the fact that the person making the same had at the time of making the same no religious belief shall not for any purpose affect the validity of the oath. Absence of religious belief.