

may be approved by the Chief Judge of the High Court, a register, to be called the Land Register, of the legal title to all Crown land, European land, and European interests in Native land existing in Samoa at the commencement of this Order.

7. When after the commencement of this Order any land in Samoa becomes Crown land, or European land, or any European interest is created in Native land, it shall be the duty of the Registrar to include such Crown land or European land or such European interest in Native land in the Land Register.

8. No instrument of title shall in any manner affect the legal title to land in Samoa until and unless such instrument is registered in the Land Register in accordance with this Order.

9. The registration of an instrument shall be effected by the entry of a memorial thereof by the Registrar in the Land Register on application for registration being made in accordance with this Order.

10. Application for the registration of a Crown grant, order of the High Court, probate, letters of administration, or other public or official instrument of title shall be made by depositing with the Registrar a copy thereof under the seal of Samoa or of the High Court, and such copy shall be retained by the Registrar as an official record.

11. Application for the registration of any other instrument of title shall be made by depositing with the Registrar a copy thereof, and by producing for his inspection the original instrument, and such copy shall be retained by the Registrar as an official record.

12. Every power of attorney, with the verifications, if any, of the due execution of the same, may be deposited in the Lands Register Office for safe custody and reference.

13. Instruments of title in respect of the same land shall be entitled to registration in accordance with the priority of the respective applications for registration, and when such applications are made at the same time, then in accordance with the priority of execution.

14. Any instrument operating merely by way of contract or trust or any other instrument not affecting the legal title to land shall not be registered in the Land Register.

15. The Registrar may refuse to accept for registration any instrument of title which does not in his opinion sufficiently describe or indicate the land to which it refers.

16. On the registration of instruments under this Order and on the deposit of powers of attorney there shall be payable by the applicant for registration or deposit such fees as may be prescribed by ordinance.

17. The Land Register and all deposited copies of instruments of title shall be open to search and inspection on payment of such fees as may be prescribed by Ordinance.

18. Whenever by reason of death, forfeiture, re-entry, or in any other manner the legal title to land is affected otherwise than by an instrument of title it shall be the duty of the Registrar, on being satisfied as to the facts, to enter a memorial thereof in the Land Register.

19. Otherwise than by way of testamentary disposition it shall not be competent for any person to create, transfer, or surrender any legal estate or interest in any land in Samoa, except by an instrument in writing executed by him or by his agent and attested or verified in manner hereinafter provided.

20. If any such instrument is executed in Samoa, the execution thereof shall be attested by a Judge or Commissioner of the High Court, or by a Registrar or Deputy Registrar of the High Court, or by the Registrar of Land.

21. If any such instrument is executed elsewhere than in Samoa, the execution thereof shall either be attested by a solicitor of the Supreme Court of New Zealand, a Commissioner of the Supreme Court of New Zealand, or a British consular officer, or shall be verified by the certificate of a notary public.

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