

## REGULATIONS.

1. THESE regulations may be cited as the Rules of the High Court of Western Samoa, 1920.

2. Subject to the provisions of these or any other rules of Court, all statements of claim, informations, summonses, warrants, convictions, orders, recognizances, and other documents required or authorized in the course of the civil or criminal jurisdiction of the High Court may be in such form as the Court, or the Judge, Registrar, or other officer by whom the same are issued, made, or received, deems sufficient.

3. Every civil proceeding shall be instituted either by way of action, or by way of petition, or by way of motion, in accordance with the following rules.

4. The following proceedings shall be instituted by way of action:—

(a.) Every proceeding for the recovery of debt or damages:

(b.) Every proceeding for the recovery of land or chattels:

(c.) Every proceeding for injunction, prohibition, or mandamus:

(d.) Every proceeding for a decree of divorce or nullity of marriage:

(e.) Every proceeding which by the law for the time being in force in New Zealand must, if instituted in the Supreme Court, be commenced by writ of summons or originating summons.

5. Every proceeding against the Crown shall be commenced by way of petition in accordance with Part VIII of the Samoa Constitution Order, 1920.

6. Except where otherwise provided by any Order, all other civil proceedings may be commenced by way of motion.

*Actions.*

7. Every action shall be commenced by filing with a Registrar of the Court a statement of claim intitled "In the High Court of Western Samoa," setting forth the names and descriptions of the plaintiff and defendant, the nature of the cause of action, and the relief claimed. Forms similar to those in the First Schedule hereto may be used.

8. On the filing of the statement of claim the Registrar or Deputy Registrar shall thereupon issue, under the seal of the Court, a summons to the defendant in Form 1 of the Second Schedule, requiring the defendant to appear at the trial of the action at the time and place mentioned in the summons. A copy of the statement of claim shall be annexed to the summons.

9. The place of trial to be so appointed in the summons shall be in such place as the Registrar thinks fit, having regard to the residence of the parties to the action, the place where the cause of action has arisen, and any other relevant circumstances.

10. The time and place of the trial of the action shall be determined by the Registrar as he thinks fit, and shall be stated in the summons accordingly.

11. As against any defendant who consents to trial without summons, an action duly commenced by the filing of a statement of claim may be tried and determined without the issue or service of any summons.

12. No pleadings other than the statement of claim shall be required in any action.

13. The Court may require a plaintiff at or before the trial of the action to file a fuller and more explicit statement of his claim, and may stay further proceedings in the action until this has been done.

14. A plaintiff may at any time before or during the trial amend his statement of claim with the leave of the Court.