

*Criminal Proceedings.*

125. An information of a criminal offence may be in Form 1 in the Fourth Schedule hereto.

126. The summons to the defendant in a criminal proceeding may be in Form 2 in the Fourth Schedule hereto.

127. The summons to a witness in a criminal proceeding may be in Form 3 in the Fourth Schedule hereto.

128. A warrant for the arrest of an accused person may be in Form 4 in the Fourth Schedule hereto.

129. The recognizance to be entered into by a prisoner admitted to bail may be in Form 5 in the Fourth Schedule hereto.

130. Assessors in a criminal trial may be appointed by warrant in Form 6 in the Fourth Schedule hereto.

131. A conviction may be formally drawn up and sealed in Form 7 in the Fourth Schedule hereto.

132. A warrant of commitment to prison for default in the payment of a fine may be in Form 8 in the Fourth Schedule hereto.

133. A search-warrant may be in Form 9 in the Fourth Schedule hereto.

134. The remuneration and allowances payable to an assessor in a criminal trial shall be such as the Court in each case thinks fit and directs, but shall not exceed ten shillings per day in addition to travelling-expenses actually incurred and paid.

135. The expenses of a witness at a criminal trial, to be certified by the Judge for payment out of the Samoan Treasury, shall be such as the Judge thinks fit, not exceeding ten shillings per day in addition to travelling-expenses actually incurred and paid.

*Miscellaneous.*

136. Such variations in the forms prescribed in the Schedules hereto may be made as the circumstances of any particular case may require.

137. All documents filed in or issued from the Court may be either in the English language or in the Native language of Samoa.

138. Non-compliance with any of these rules shall not render the proceedings void, but the proceedings may be set aside, either wholly or in part, as irregular, or amended, or otherwise dealt with in such manner and on such terms as the Court may deem just.

139. The jurisdiction of the Court in any proceeding may be exercised from time to time by any of the Judges of the Court and at any time or place, notwithstanding that the proceeding may not have been duly continued by adjournment from time to time or from place to place.

140. If at any time and place of trial stated in any summons or notice to a defendant or other party in any civil or criminal proceeding, or in any summons to a witness, or at the time and place to which the trial or hearing of any action, prosecution, or other proceeding has been adjourned, a Judge of the High Court is not present, a Registrar, if present, may adjourn the Court to another time and to the same or any other place. If within one hour after the time so stated in any such summons or notice, or appointed by any adjournment, a Judge is not present and no adjournment by the Registrar has taken place, the Court shall be deemed to be adjourned to the same place on the next succeeding day at the hour stated in the summons or notice, or at any other hour so appointed by adjournment, and so on from time to time. On every such adjournment the summons or notice shall have the same effect as if the time and place to which the Court is adjourned had been set forth in the summons or notice.

141. Every constable shall obey and execute all the lawful summonses, warrants, executions, orders, and commands of a Judge or Commissioner of the High Court issued through the Registrar of the Court.