

110. Every person arrested in Samoa for an offence against the Customs Act, 1913, in pursuance of section 243 of that Act shall be brought before a Judge or Commissioner of the High Court, who shall exercise the powers conferred by that section upon a Magistrate.

111. (1.) Proceedings in the High Court under the Customs Act, 1913, for the condemnation of goods seized as forfeited shall be instituted by way of motion by a Collector of Customs, anything in the Customs Act, 1913, to the contrary notwithstanding.

(2.) Notice of the proceedings shall be given to such persons and in such manner as the Court directs, and it shall be sufficient if public notice is given by advertisement or otherwise at or near the place of seizure.

(3.) Any person claiming to be interested in the goods may appear to oppose the application, and shall thereby become a party to the proceedings.

(4.) If any person appears to oppose the application the Court shall hear and determine the matter and acquit or condemn the goods, but if no person so appears judgment of condemnation shall be given.

(5.) In this regulation the term "goods" includes any boat, vehicle, or other thing forfeited under the Customs Acts.

*Jurisdiction of Commissioners.*

112. A Commissioner of the High Court shall have jurisdiction—

(a.) In actions for the recovery of any debt or damages not exceeding twenty pounds in amount :

(b.) In actions for the recovery of chattels not exceeding twenty pounds in value :

(c.) In criminal proceedings for any offence punishable by fine only :

(d.) In criminal proceedings for any offence punishable by imprisonment for not more than one year.

113. A Commissioner of the High Court shall not have power to impose any fine exceeding ten pounds or to impose any term of imprisonment exceeding three months, whatever may be the maximum fine or term of imprisonment provided by law for the offence.

114. Save as aforesaid, and save as otherwise provided in any law or regulation, a Commissioner shall not exercise any of the powers or functions, whether judicial or administrative, of a Judge of the High Court.

115. In these rules the term "Judge" includes a Commissioner of the High Court in respect of all matters within the jurisdiction of a Commissioner.

116. With the leave of a Judge of the High Court any party to any proceedings, whether civil or criminal, before a Commissioner of the High Court may appeal from the judgment of the Commissioner to a Judge of the High Court.

117. Such leave may be granted subject to such conditions, if any, as to security for the costs of the appeal or for performance of the judgment as the Judge by whom such leave is granted thinks fit.

118. Application for such leave shall be made within twenty-one days after the delivery of the judgment appealed from.

119. On granting such leave the Judge may make such order as he thinks fit as to a stay of execution of the judgment appealed from.

120. When leave to appeal from a conviction is so granted the Judge may, if he thinks fit, release the appellant from custody on bail pending the determination of the appeal.

121. Any person so released on bail may at any time, and for any reason that a Judge of the High Court thinks sufficient, be arrested by warrant and committed to prison there to undergo his sentence.