

122. Any period during which an appellant has been so at large on bail shall not be computed as part of the term of imprisonment to which he has been sentenced.

123. Every such appeal shall be by way of rehearing, and shall be instituted by a motion for rehearing accordingly.

124. If the appellant does not prosecute his appeal with due diligence, a Judge of the High Court may dismiss the appeal for non-prosecution, and the costs of the appeal and the security entered into by the appellant shall be dealt with in such manner as the Judge directs.

*Criminal Proceedings.*

125. An information for 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 twenty shillings per diem 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 diem 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 proceedings 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