

Amendment of Rules of the High Court of Western Samoa.

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 29th day of October, 1934.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

HIS Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of that Dominion, and in pursuance of the authority conferred on him by the Samoa Act, 1921, and of all other powers and authorities enabling him in that behalf, doth hereby amend the Rules of the High Court of Western Samoa Consolidation, 1924, as follows :—

Short Title.

1. These rules may be cited as the Samoa High Court Amendment Rules, 1934, and shall be read with and form part of the Rules of the High Court of Western Samoa Consolidation, 1924 (hereinafter referred to as "the principal rules").

Revocation.

2. Rules 112 to 124 (both inclusive) of the principal rules are hereby revoked.

Interpretation.

3. In these rules, except where a contrary intention appears, "Commissioner" means a Commissioner of the High Court of Western Samoa duly appointed in accordance with the provisions of the Samoa Act, 1921.

Jurisdiction of Commissioners.

4. The jurisdiction of a Commissioner shall include and shall be restricted to the following cases :—

(a) Breach of contract or tort where the amount claimed does not exceed £100.

(b) Debt where the sum claimed does not exceed £100 whether such sum is the original amount of the debt or a balance after allowing payment on account or credit for goods supplied or the amount of any other admitted set-off.

(c) The enforcement of claims upon and recovery of possession of some specific movable property the value whereof does not exceed £100.

(d) Where the parties agree by writing signed by them or their solicitors that whatever the amount or value of the subject-matter (provided the case is otherwise within his jurisdiction) the Commissioner shall have jurisdiction.

(e) Proceedings under the Samoa Imprisonment for Debt Limitation Order, 1930, where the sum of money due under any judgment or order of the Court does not exceed £100.

(f) Grant in common form of probate of a will or letters of administration with will annexed or letters of administration of the estate of an intestate person, or any step to be taken by the High Court under clause 8 of the Samoa Reciprocal Administration Order, 1930.

(g) Applications for charging orders under Rules 78 to 82 (both inclusive) of the principal rules where the amount of the judgment exclusive of costs does not exceed £100.

(h) Criminal proceedings punishable only by a fine.