

ber last. The office of Commissioner of the High Court resident in Aleipata district (d) was inaugurated in September last, and the limited jurisdiction above referred to was given to the Chinese Commissioner in October last. In other respects the number of the staff and their duties are substantially the same as on the 1st May, when the Territory came under mandatory control by the operation of the Samoa Constitution Order. The present Chief Judge assumed office in September last.

"The above summary of the personnel and duties of the officials indicates the scope of the work of the Department.

"*Administration of Justice.*—Both the civil and criminal work of the Court has greatly increased during the period under review. The attached tables show the numbers of civil and criminal cases dealt with by the Court at Apia during this period. From the tables it will be seen that the number of persons charged is 493. The corresponding numbers for the years 1917, 1918, and 1919 are 178, 65, and 117 respectively.

"The increase in civil work is also great, the actions heard numbering 53, as against 13, 24, and 25 for the years 1917, 1918, and 1919 respectively.

"The increase in criminal work is particularly indicated by the fines inflicted, which for the present period amounted to £896 16s. 6d., as against £341 14s. 6d. for the preceding twelve months. In addition to these figures the Secretary for Native Affairs has dealt with 266 minor civil and criminal Native cases during the period under review.

"The reasons for the increase of crime are probably to be found in the relaxing of control over the younger generation of Samoans through the death of many of the older chiefs during the influenza epidemic of 1918, and the withdrawal of the Samoan Constabulary, which was completed in October last.

"It has been necessary to inflict exemplary punishments for offences of theft, burglary, and importation of opium, and it is believed that this policy is already achieving its object, and will be vindicated by the criminal statistics for the forthcoming year.

"The Court at Apia has sat for the trial of criminal cases on 113 days during the period under review, and on forty-one days for the trial of civil cases.

"The administration of justice is rendered difficult and tedious by the fact—well recognized by the Germans—that the Samoan in general has no just appreciation of the obligations of an oath, and by a strong tendency among them to sacrifice truth in the interest of relatives or at the dictate of chiefs.

"Serious assaults and offences against life have been comparatively rare. There has been no conviction for murder, and only one for manslaughter, during the last twelve months.

"The cases dealt with by the Samoa Land and Titles Commission number forty-one, and the Commission has sat on twenty-six days under the presidency of the Chief Judge."

The Land and Titles Commission is a tribunal dealing with the matters relating to Samoan land and titles of honour, the possession of such a title frequently carrying with it certain rights controlling land. This tribunal originated with the Germans, with a personnel of a white President and assessors, and a number of Native assessors. This arrangement has been carried on by the Samoa Land and Titles Commission Order, the tribunal being elevated as a part of the High Court, with the Chief Judge of the High Court as President. The assistance of the Native assessors is valuable, and the tribunal has done and is doing good work.

"*Legal Advising and Drafting for the Crown.*—The work of Crown legal adviser and solicitor has been heavy owing to the difficulties arising out of the change on the 1st May, 1920, from the German legal system to that introduced by the Samoa Constitution Order, and to the unfamiliarity of the new law. The Crown law-drafting work has also been heavy. The Constitution Order and the other Orders in Council introduced on the 1st May leave much to be dealt with by local Ordinances, and the ground has so far only been partially covered."

Since that date twenty-three Ordinances have been passed, many more have been drafted for submission to the Legislative Council, and others are in immediate contemplation.

"*Registration of Lands, &c.*—The Samoa Land Registration Order of the 1st May, 1920, requires the preparation of a new land register for all European land. This necessitates the translation of a great part of the present registers and of a very large number of files from the German, and the revision and rewriting of the records of all current dealings with land. This is a long task, presenting difficult legal problems and requiring constant reference to the German law. Up to the time of the appointment of the present Land Registrar in December last it was not possible to do more than record instruments as presented and determine the form of the new register. Since that date the preparation of the new register has been undertaken. The register is now nearly completed, and it is anticipated that the Registrar can be relieved during October or November.

"*General.*—The Registrar of the Court has opened registers of marriages, companies, and chattel securities, in accordance with the requirements of the Constitution Order and the Companies Ordinance.

"The Register of Foreigners existing prior to the 1st May, 1920, was approved by the former Chief Judge as the Register of Europeans required to be kept under the Order in Council entitled the Samoa Registration of Europeans Regulation, 1920.

"The officers of the Department are fully occupied in every branch by their respective duties, but with the additions made during the period under review the staff is competent to deal with the present volume of work.

"Several amendments to the Constitution Order recommended by me to facilitate the administration of justice have been effected, and other necessary amendments will be indicated by further experience."

At the date of the Chief Judge's report further office accommodation for the Department's staff had become an urgent necessity, which was met by the removal of the Native Department to new premises.