

custom and by at least two of the Samoan Associate Judges. This Court is important not only as a means of settling increasingly frequent disputes over the control of Native land and the right to hold traditional Samoan titles, but also as providing an outlet for the claims of Samoans to their customary rights. It is here that Samoan usage has its fullest expression and sanction by law. Large numbers of disputes, however, are settled out of Court through the mediation of the Department of Samoan Affairs.

The fourteen Samoan District Judges, like the Associate Judges, are nominated by the Fono of Faipule and appointed every three years. Their jurisdiction extends to civil actions up to the value of £5 where both parties are Samoans, and to criminal offences by Samoans only in the case of theft of under £2 value, adultery, breach of the peace, and some twenty-five other offences prescribed by the legal code. The number of cases dealt with judicially is very small in comparison with the number dealt with by the Samoan-style village councils on the basis of local custom.

Samoan Customs and the Statute Law.—The village title-holders (matai) continue to exercise the real authority and prefer to deal with offenders themselves rather than to send them for trial before the District Judges, and this divergence of custom from the written law is, in general, allowed to continue without official interference. Samoan custom provides for penalties in the form of rebuke, fines, ostracism, or even banishment from the village for offenders. There are some actions which are offences against the Samoan custom without being offences against the written law, as, for example, supplying the wrong type of food on ceremonial occasions or failing to provide services to the matai.

Increasing numbers of Samoans are, however, tending to resist the matai authority, and the application of custom to offenders is likely to be increasingly resisted. Dissatisfied parties already frequently appeal to the Department of Samoan Affairs and to the Courts, including the Land and Titles Court.

Summary of High Court Actions

	Year ended 31st March,	
	1947.	1948.
Civil judgments	54	82
Civil actions struck out	17	36
Divorces granted	19	19
Criminal convictions	1,617	1,683
Total fines	£1,524	£1,577

Proceedings of Native Land and Titles Court

	Year ended 31st March,	
	1947.	1948.
Number of sittings	1	3
Number of sitting-days	11	75
Petitions dealt with	12	52
Number of persons attending	929	1,812