

To enable any Samoan, regardless of rank, to place his requests or grievances before the High Commissioner personally, a regular period is set aside each Wednesday morning when the High Commissioner is present at the Head Office of the Department to receive Samoan visitors. The Department also keeps in touch with the people through the Fono of Faipule, whose elections it supervises and whose meetings it organizes. It also acts as the Registry of the Land and Titles Court, which has jurisdiction in relation to the possession or use of or entry on any Native land, the holding or using of any Samoan name or title, or the exercise of any right or the doing of any act, matter, or thing concerning or affecting any Native land or any Samoan name or title. The Department publishes and distributes through the system of Samoan district messengers under its control a gazette in the vernacular, which is also employed from time to time for the dissemination of items of general or particular interest.

Samoan district and village officials, whose work is supervised by the Department, are all elected or nominated by Samoan representatives, but receive their salaries from the Government. They normally comprise District Judges (fa'amasino), Plantation Inspectors (pulefa'atoaga), and policemen-messengers (leoleo), and Mayors of the villages (pulenu'u). The three former classes of officials are nominated by their districts, which formally communicate their names through the Fono of Faipule to the High Commissioner, who then appoints them. The pulenu'u is nominated by the chiefs and orators of his village and is similarly appointed by the High Commissioner. All appointments are for a period of three years. The pulenu'u, however, may have his appointment terminated if the village requests it and gives adequate reasons.

The number of pulenu'u is 200. In a few very large villages social subdivisions have been recognized by the appointment of two pulenu'u. The pulenu'u acts as the representative of the Government, and more directly of the Department of Samoan Affairs, in the village. Certain of his duties are based on specific legislative provisions, but most are matters merely of administrative practice. He promulgates and administers the law of the Territory in regard to such matters as the registration of births and deaths, the cleanliness and order of the village, the control of live-stock, and the burial of the dead. He may report breaches of the peace to the District Judge. Further, he co-operates with the chiefs and orators of his village in all village matters such as the reception of official visitors, co-operation with officers of Government Departments (such as Medical, Education, and Public Works Departments), and with the village women's committee.

LAW AND JUDICIAL ORGANIZATION

Law

The Samoa Act, 1921, laid down the basis of the private, as well as the public, law of the Territory. It provided that the law of England as existing on 14th January, 1840—the year in which British jurisdiction was established in New Zealand—should be in force in Western Samoa, subject to various modifications. These included the provision that no action should be brought for an offence at common law, and that Acts of the British Parliament should apply only so far as they were in force in New Zealand at the coming into operation of the Samoa Act. New Zealand statute law was declared not to apply in Western Samoa except where it was specifically made applicable to the Territory. The Samoa Act declared a large number of New Zealand Acts so to apply. A complete criminal code was laid down in the Act, which also provided the law of marriage, divorce, certification and treatment of those of unsound mind, and control of intoxicating liquor. The Act also made many provisions in regard to the ownership and control of land.

Subsequent additions and amendments have been made to the law of the Territory by Acts of the New Zealand Parliament, by New Zealand Orders in Council, and by Ordinances of the Legislative Council and Legislative Assembly. The New Zealand Acts which apply to the Territory in whole or in part are principally those which amend earlier