

THE CORONERS ORDINANCE, 1921.

Western Samoa.

(S E A L)

No. 15, 1921.

AN ORDINANCE

Made by the Administrator of the Territory of Western Samoa with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Constitution Order, 1920.

1. This Ordinance may be cited as The Coroners Ordinance, 1921.
2. Every Judge or Commissioner of the High Court of Western Samoa shall have jurisdiction to enquire into:
 - (a) The manner of death of any person who is killed or drowned or who dies suddenly or in prison or while detained as a mental defective in any institution and whose body is lying dead.
 - (b) The cause and origin of any fire whereby any building, ship or merchandise or any stack of copra or cacao or any growing crop is destroyed or damaged.
3. Every Judge or Commissioner shall in respect to every inquest have all the powers, authorities and jurisdictions that now belong by law to the office of Coroner in England, except so far as the same may be varied by or are inconsistent with any Act or Ordinance in force in Samoa; and shall have the same power to punish for any wilful misbehaviour or wilful interruption of the proceedings of any inquest as such Judge or Commissioner has by law in the case of the like offences committed in or in respect of the High Court: Provided that no one shall be tried upon an inquisition under this Ordinance.
4. Where upon the holding of any inquest touching the death of any person if appears to the Judge or Commissioner that the deceased person was not at or immediately before his death attended by any legally qualified medical practitioner, the Judge or Commissioner may issue a summons for the attendance as a witness at such inquest of some legally qualified medical practitioner, and where the deceased person was attended by any such practitioner the Judge or Commissioner may issue a summons for his attendance.
5. The Judge or Commissioner may by an order in writing at any time before the termination of the inquest direct any legally qualified medical practitioner to perform a post mortem examination of the body of the deceased.
6. When upon an inquest it appears to the Judge or Commissioner that the cause of death has not been satisfactorily accounted for, the Judge or Commissioner may forthwith cause an analysis to be made by some competent person.

7. The Judge or Commissioner may direct the payment of such reasonable fee as he may think fit for such post mortem examination or analysis to the person making the same, and such fee shall be paid out of the Samoan Treasury.

8. Every medical practitioner or other person on whom any summons or order of a Judge or Commissioner as aforesaid is served, either personally or by leaving the same at his usual residence in sufficient time for him to obey the same, who fails without good and sufficient cause to obey such summons or order is liable to a fine not exceeding £20.

9. There shall be no forfeiture of any chattel in respect of the same having moved to or caused the death of man.

10. No proceedings under this ordinance shall take away or affect or be deemed to take away or affect the right of any person to sue for or recover compensation for or in respect of any damage or injury occasioned by the reckless or negligent use of fire

11. It shall be lawful to hold any inquest on a Sunday.

12. In respect of every inquest there shall be paid, to the Coroner holding the same, fees at such rate as shall from time to time be prescribed in that behalf by the Administrator together with a refund of the actual expenses of locomotion reasonably incurred by him. Such fees and expenses shall be paid out of the Samoan Treasury

Port Cap
Ordinance
1921.

hereby amended

plus 1/- for each
where they appear
first schedule and

where they occur
the third schedule,
em No. 22 in the

vey for each row-

resented to this 12th day of
October, 1921.

.S.) R. W. TATE

Administrator.