



OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 1001.

14th April, 1938.

Sir,

I am directed by the High Commissioner for the Western Pacific to forward, for your guidance and use, fifty copies of the Closed Districts (Pitcairn Group) Regulation No. 3 of 1938; together with ten copies of Proclamation No. 5 of 1938 which has been issued by the High Commissioner under Section 3 of the Regulation and which declares the Pitcairn Group to be a closed district.

2. It is His Excellency's wish that you should carefully study the Regulation and he is confident that he can rely upon you to ensure strict compliance with its provisions. Copies of the Regulation and Proclamation should be posted up for public information in suitable conspicuous places in the Court House and at the landing place, and the provisions of the Regulation should be communicated whenever necessary on board vessels calling at the island especially in cases where persons from such ships propose to

The Chief Magistrate,  
Pitcairn Island.

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to land.

3. Copies of the Regulation may be sold to any person desiring to purchase at a price of 1s.0d. a copy, and all money received from such sales should be notified to this office. Copies of the Regulation may not ordinarily be given free of charge.

4. I am to invite your attention to Section 8 of the Regulation which gives the Chief Magistrate power in certain cases to issue permits to land and remain ashore for periods up to twelve hours.

I am,

Sir,

Your obedient servant,

Secretary to the High Commission.

Pitcairn Island  
February 1.<sup>st</sup> 1938

This is to certified that we the said parties, Burley  
Edison and Elenor Warren, David A. and Edna B.  
Young do hereby this day declare and form a "Treaty"  
between us that David A. and Edna B. Young will  
have Muriel Joyce Warren as their own child to keep and  
support in life.

Signed, and delivered by the above-named in the  
presence of Richard Edgar Christian, Chief Magistrate  
Signed!

Witness, Richard Edgar Christian





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 231.

24th March, 1937.

Sir,

I am directed by the High Commissioner for the Western Pacific to acknowledge the receipt of your letters of the 25th December and 25th January, relative to the case of Eldon and Julia Coffin.

2. His Excellency has noted with concern the position indicated in your letters, and sympathises with you in your unfortunate experience. In another letter I am informing you of the arrangements being made for the visit of Administrative and Medical Officers to Pitcairn Island. Mr. Neill will be able to advise and assist you in these matters, and he will have the necessary legal powers to deal with the cases of Eldon and Julia Coffin.

I am,

Sir,

Your obedient servant,

Secretary to the High Commission.

The Chief Magistrate,  
Pitcairn Island.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 1206.

24th September, 1936.

Sir,

I am directed by the <sup>Ag.</sup> High Commissioner  
for the Western Pacific to acknowledge the  
receipt of your letter of the 7th June, relative  
to the case of Mell Warren, and to inform you  
that His Excellency is advised by the Chief  
Judicial Commissioner for the Western Pacific  
that a woman cannot be compelled to disclose the  
name of the man by whom she has had or is about  
to have an illegitimate child.

2. In view of the words occurring in your  
letter -

"to punish the girl alone for being on the  
"family way"

I am to state that the Chief Judicial Commissioner  
advises that your attention should be called to  
the fact that this is not a punishable offence.

3. I am to express His Excellency's regret  
that he is unable to give any more useful assis-  
tance to you in this matter, and to state that he  
sympathises with you and the people of Pitcairn  
Island in your endeavour to suppress such offences  
against

The Chief Magistrate,  
Pitcairn Island.





- 2.-

against propriety, but in the absence of a law dealing with the offence - and such a law appears to be impracticable - no useful Court action appears to be possible.

I am,

Sir,

Your obedient servant,

Secretary to the High Commission.

Pitcairn Island.

June 7<sup>th</sup> 1936.

To the High Commissioner.

for the Western Pacific.

Suva Fiji.

Sir.

With regret I must state to you that this same Nell Warren is on family way again, she <sup>was</sup> tried in the Local Court of Pitcairn Island, and in the trial Nell Warren wont talk or answer any questions so how must I act in this matter, to punish the girl alone for being on family way will give a chance for others to do the same thing and the man will always getting out of <sup>the</sup> case.

I <sup>we</sup> wait to get information from you in this matter concerning the case.

I am your most humble servant.

Richard Edgar Christian  
Chief Magistrate.



Pitcairn Island.  
Feb'y 20. 1935;

To His Excellency,  
High Commissioner,  
For the Western Pacific,  
Suva Fiji.

Sir, I am inclosing  
a copy of Local law no 2, for your disson for  
inflecting punishment to persons convicted by this  
law.

Should a girl under 14 years of age be found -  
out in local law no 2 be punished by the law as  
well as the man or not?

Further should a girl under 14 years of age  
be found on family way will she be punished  
by Local law no 2, or not?

Please give your disson concerning this  
law, as soon as possible,

I remain your humble servant,

Richard Edgar Christain  
Chief Magistrate.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 1206.

16th April, 1935.

Sir,

I am directed by the Assistant High Commissioner for the Western Pacific to acknowledge the receipt of your letter of the 20th February, relative to the application of Pitcairn Island Local Law No. 2.

2. I am to state that in a case such as you mention, under the Law there is no power to inflict any punishment whatever on the girl.

I am,

Sir,

Your obedient servant,

Secretary to the High Commissioner.

The Chief Magistrate,  
Pitcairn Island.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 912.

26th March, 1928.

Sir,

I am directed by the Acting High Commissioner for the Western Pacific to inform you that a petition has been received from Mr. Lincoln Clark petitioning for a legal separation from his wife Lena on certain grounds. On his ex parte statement his wife would appear to be subject to periodical attacks of mental derangement.

2. I am to request that you will enquire into the matter and furnish a report for His Excellency's information and consideration.

3. In the circumstances the best course would seem to be for the husband and wife to separate and live apart by mutual consent, the husband making suitable provision for her care and maintenance, preferably by a relative. If on investigation you are satisfied as to the necessity for such action you should take the matter in hand and arrange accordingly. In that case you should take care to assure that no one interferes with Mrs. Clark and, if you find anyone doing so, you should warn them that the consequences may be very serious, provided the case is as bad as Mr. Clark states it to be.

I am,

Sir,  
Your obedient servant,

Secretary to the High Commission.

The Chief Magistrate,  
Pitcairn Island.



OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 3584.

15th January, 1927.

Sir,


I am directed by the High Commissioner for the Western Pacific to acknowledge the receipt of your letter of the 9th November last, relative to the case of Mrs. Stella Young and to inform you that His Excellency is advised that on the facts furnished there appears to be no evidence before the Court to enable the Magistrate to decide that Burnett Christian is the father of the child.

2. I am to request that in seeking the High Commissioner's advice on matters of this nature a full statement of the offence to be charged and the law relating to such offence may be furnished for the information of His Excellency's advisers.

I am,

Sir,

Your obedient servant,



Secretary to the High Commission.

The Chief Magistrate,  
Pitcairn Island.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 1190.

August 14th, 1924.

Sir,

With reference to your letter of the 8th ultimo with regard to the value of certain evidence in bastardy cases, I am directed to refer you to the Acting Secretary's letter of the 16th February, 1922, which contains the information you require. I enclose a copy for easy reference.

I am,

Sir,

Your obedient servant,

Acting Secretary to the High Commission.

The Government Secretary,  
Pitcairn Island.



C O P Y.

OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

No. 158/22.

February 16th, 1922.

Sir,

I am directed by the Acting High Commissioner for the Western Pacific to acknowledge the receipt of your letter of the 27th December last on the subject of the support of illegitimate children and to inform you, in reply to your enquiry in paragraph 1, that the evidence of the woman will not condemn the man unless it is corroborated by other evidence.

2. In answer to the enquiry in paragraph 2 of your letter I am to inform you that a woman cannot charge more than one man at a time with being the father of her child. If she fails against one man she can bring another case against another man and so on until sufficient evidence is produced to warrant the issue by the court of a maintenance order against some one.

I am etc.,

(Signed) H. Vaskess.

Acting Secretary.

The Chief Magistrate,  
Pitcairn Island.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI,

February 16th, 1922.

No. 158/22.

Sir,

I am directed by the Acting High Commissioner for the Western Pacific to acknowledge the receipt of your letter of the 27th December last on the subject of the support of illegitimate children and to inform you, in reply to your enquiry in paragraph 1, that the evidence of the woman will not condemn the man unless it is corroborated by other evidence.

2. In answer to the enquiry in paragraph 2 of your letter I am to inform you that a woman cannot charge more than one man at a time with being the father of her child. If she fails against one man she can bring another case against another man and so on until sufficient evidence is produced to warrant the issue by the court of a maintenance order against some one.

I am,

Sir,

Your obedient servant,

*H. A. Ross*

Acting Secretary.

The Chief Magistrate,  
Pitcairn Island.





OFFICE OF THE HIGH COMMISSIONER  
FOR THE WESTERN PACIFIC,  
SUVA, FIJI.

3rd August, 1918.

No. 1568.

Sir,

I have the honour to acknowledge the receipt of your letter of the 25th May last, and to transmit to you, for your information, a copy of a minute by Sir Charles Davson, the Chief Judicial Commissioner, on the questions raised in your letter regarding

- a. the marriage which the woman Isabella and the man Benjamin Young, both of Pitcairn Island, desire to contract, and
- b. the suggestion of the local Council at Pitcairn that "joint paternity" should be recognised on the Island.

2. I shall be glad if you will inform the Chief Magistrate in the sense of His Honor's minute, and authorise him at the same time to warn David Young and Minna Christian, as well as any others who wilfully disregard the rulings of the local Court, that their misbehaviour will be enquired into when next a Deputy Commissioner visits the Island and that they will, if necessary, be dealt with severely unless their conduct has improved.

3. I regret to state that your letter and its enclosures have been mislaid inadvertently since the date of the Chief Judicial Commissioner's minute and that it has not been possible, therefore, to register the birth that was reported. I shall be much obliged if you will obtain a

The Deputy Commissioner for Pitcairn Island,

copy.

H. B. M's Acting Consul,

T a h i t i.





copy of the original notice of birth and forward it to me  
in case the original copy cannot be found.

I have the honour to be,

Sir,

Your most obedient Servant,

A handwritten signature in cursive script, which appears to read "A. B. B. B.", is written above the typed name.

Acting High Commissioner.



COPY OF A MINUTE BY SIR CHARLES DAVSON, CHIEF JUDICIAL  
COMMISSIONER.

-----oO-----

His Excellency,

Where, on a trial for bigamy, absence for 7 years is proved it is for the prosecution to shew that prisoner knew his wife ( or her husband) to be alive some time during the 7 years: this defence would not validate the marriage if in fact the spouse was alive, but under the circumstances as stated I see no reason why to discourage the union of Benjamin and Isabella.

2. As to the second point the idea of "joint paternity" is somewhat startling and, although local conditions appear to be abnormal, the proposal seems to be inconsistent with the provisions of section 2 of the local laws . An alleged father of a woman's Child must first be proceeded against and if he is not convicted then the mother can take proceedings against another and to work through the list of possible fathers until they are exhausted or the Court is satisfied as to the responsibility of one of them: they cannot be dealt with 'en bloc'

Initialled C. S. D.

3.VII.18.





BRITISH CONSULATE,  
TAHITI, SOCIETY ISLANDS.

June 20th, 1917

Sir :-

In pursuance of instructions received from His Excellency the High Commissioner for the Western Pacific, I am enclosing a letter, dated September 11th, 1916, written by D. A. Young, and you are requested, at your earliest convenience, to return this letter with your remarks thereon and an explanation of the situation.

*Read* X I am further instructed to inform you that in all cases for which punishment is provided by the local laws, you must with your assessors, where necessary, give your decision on the case and award such punishment as you may think fit.

Paragraph No.18, of the local laws of Pitcairn, provides that persons unable to pay cash fines or penalties may be permitted to work them out, in public service, at the rate of 5/- a day.

I have the honour to be,

Yours sincerely,

*W. J. Williams*

Acting Consul.

The Chief Magistrate,

PITCAIRN.



June 20th, 1917

Read

sir :-

Your letter, dated September 11th 1916, has been forwarded to His Excellency the High Commissioner for the Western Pacific, and,

I have been instructed to inform you that all communications to His Excellency must be transmitted to the Chief Magistrate.

I remain,

Yours,

sincerely,

Acting Consul.

Mr. D. A. Young,

PITCAIRN.

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Office of the High Commissioner  
for the Western Pacific,  
Suva, Fiji.

15th May, 1917.

No. 922.

Sir :-

I have the honour to acknowledge the receipt of your letter of the 12th March last, forwarding a letter from the Chief Magistrate of Pitcairn on the subject of the local laws and administration of the Island.

2. I shall be glad if you will explain to the Chief Magistrate that any amendmends which he may desire to introduce into the local laws must be drawn up by the Island Council, consisting of himself, the two Assessors, and the Chairman of Committees, and submitted to you for the consideration of the High Commissioner.

3. You should inform the Chief Magistrate that I consider that six months' residence in the Island would be a reasonable period to require from a newcomer before allowing him to have a vote, and that the appointment of a Court Policeman, who should be a person who can be relied on to carry out efficiently the duties entrusted to him, should be made by the Chief Magistrate.

4. Only crimes of the gravest nature, as, for example, those referred to in paragraphs 15, 21 and 22 of the local laws, should be held over to be dealt with by the Deputy Commissioner, and in such cases, the accused persons should be detained in custody pending the receipt of the Deputy Commissioner's instructions.



5. It is the duty of the Chief Magistrate to see that obedience to law and order is maintained on the Island, and that penalties awarded by the Court are duly carried out. The office of Chief Magistrate should not be held by a person who is unable to exert his authority and cannot command obedience.

6. It is desirable that the Chief Magistrate should explain why a suitable prison cannot be erected so that persons undergoing sentence of imprisonment can be kept in confinement.

7. The Chief Magistrate should be asked, also, to explain the circumstances which preclude the marriage of Isabel and Benjamin.

I have the honour to be,

Sir,

Your most obedient servant,

(signed) Bickham Escott,

High Commissioner.





BRITISH CONSULATE,

TAHITI SOCIETY ISLANDS.

3rd August 1913

No8.

Sir

Local Laws and Regulations.

I have the honour to request that you will please make and send to me by the first opportunity a complete copy of the Local Laws and Regulations under which you Govern the Island

Your Laws and Regulations have been altered and added to at different times on visits by Deputy Commissioners and Captains of Men of War that I wish to compare them with the copies I have here.

I have the honour to be

Sir

Your Obedient servant

H.B.M. Consul &

Deputy Commissioner

The Chief Magistrate

Pitcairn Island



*Drinks*

His Majesty's Ship "CHALLENGER". Pitcairn Island.  
9th March 1911.

At the request of the Chief Magistrate and members of his Board of Affairs, having considered the question of the importation of alcoholic liquors as laid down in paragraph 20 of the "Pitcairn Island Civil Recorder", I am strongly of opinion that their decision in deleting the second part of this clause from "From Other Residents & foreigners" to "subsequent offence" is a right and proper one and should be acted on until the sanction of His Majesty's Deputy Commissioner can be obtained.

  
\_\_\_\_\_  
Captain.



British Consulate

Tahiti.

28th February, 1911.

Sir:-

By a despatch dated 2nd November 1910, received from His Majesty's High Commissioner for the Western Pacific, I am to inform you that His Excellency agrees to the abolishment of the External Committee, and that the Internal Committee need only exist.

You will kindly inform the Islanders of this change.

I am,

Sir,

Your obedient servant,

  
H.M. Consul.

The Chief Magistrate

Pitcairn Island.



British Consulate,  
Tahiti.

No.35.

22 October, 1907.


Sir:

As it appears that material evidence in the affiliation case "Annie Warren versus Norris Young" was withheld from me during my recent visit to your Island in H.M.S. "Torch", I beg to request that this matter may be re-opened and that you, with your Assessors, will make the fullest enquiries and send to me by the earliest opportunity the written evidence of both parties, and of their witnesses, in order that I may be in a position to re-consider the question. It is essential that the dates of the birth of the two parties in this case should be given.

I am,

Sir:

Your obedient servant,



H.M'S Deputy Commissioner.

THE CHIEF MAGISTRATE.

&c.,

&c.,

&c.

PITCAIRN ISLAND.



## LAWS AND REGULATIONS ON PITCAIRN ISLAND.

### POWER OF THE MAGISTRATE.

The Magistrate is to preside on all public occasions, and if any case should be brought to his notice he is to hear both sides of the question, and to decide and pass judgment accordingly, and should his judgment be objected against, he is to call his Councillors to his assistance, and should their decision be objected to, he is to call a jury of heads of families to whose decision the parties are to abide until the arrival of the first British Ship-of-War, to whose Commander the case must be submitted, and from whose decision there is no appeal. Also the authority of enacting laws are invested into his hands, and to see all laws properly supported, and all fines duly executed, and to summon others to assist him in enforcing his authority. Also he can punish in trivial matters of all description, when done or tend to evil, at his will.