

Evidence of Bennett Christian.

Bennett Christian, sworn, states - I set up to Arnold's place in the road. I find M. there & told him not to go up the hill. I called him a tree. I said wait till C comes down. When he comes down I told him (C) to call M. to come with us.

So he came right away. We are doing ^{for} his place. I told him to go on & get his things ready & I'll go & get the key at the C's place. When I come back he & L. get M. off these holding him down. So I took him from L. & took him by the hand from the house. L. did not want to let us have him. He tried to pull him from me.

When we get down the road I take him under his arm and out C has legs & we carry him. L. then gets a to me, so I take him by the arm and say "come on with us to the prison". So we go to Sam's place where L. got from me & run away & get Freddie & Elroy. Then we go along to the maze at Walker's fence. Then he gets his teeth in my arm and I give him a back right under his chin to get them away. At the same time I let him go right down

in the road. Then he gets his death knife out & I struck it from him and throw it away. I give him a back of his ear. C said to me, 'not too hard'.

I said, 'I will his teeth in my arm & I did not let his knife in me'. So we go along & the whole crowd went up.

Long cone up & tried to get in any way. That was
after he pulled the mango tree & we just pulled him off.
He did not go on the ground then. He only set on
the ground once when I knocked him on the ground.
We go of the mango tree. E. stopped us there.
That was the end till Elma came along.

x.d. I first hit M. after he hit me. Before that I did
not drop him at all. He was true if you say
we began him down before he hit me.

When he set down he didn't go down easy. He must have got
hurt there.

I was told he'd blow him off the rocks at Anilda. I told
him why not to go up the hill & he needed me
there. I was sorry for C. as he'd finished the
lead & C. was fetching his bananas.

I told next that the C. had asked him to be fixed that
afternoon. I told him that she was very clear out the
house in the morning. He stated to come & see that
that he wouldn't go to prison.

I did not really his mother & the people he's living with. I thought
we'd just visit her to get his things but she I get up
there C. said there'd be trouble.

I don't know what, asked him up that day as he usually
was to prison all night. He was asked up in the morning.

- 7d I think his shoulder got bad by the falling.
- x d He was only duffed once - when he hit me. He was struggling & screaming all the time.
- x d when he let go of the rope tree he nearly touched the ground - but not quite.
- x d m. was looking strong enough for a healthy man right up to the end. He was bowling out right from the beginning.

Read over and agreed to by the witness.

J. H. Maude.

- x d I talked to m. in an ordinary way. I did not talk hard to m. I know every one has his eye on me so I talked carefully. m. was there every day but I didn't listen to him. He had been like that all day.

Evidence of Cady Women

Cady Women own, states. - I was a my my line for seeing
 the loads & I met B. at Liddy's place. He was trying to
 get m. to come back again. He said and so he asked
 me to help. - I asked in the first time to come. He said he's
 going up the hill to get his truck. I said to him to come
 back as it was getting late enough to go to the prison.
 Well, he came but he began to grumble & quarrel. He was
 walking quietly down when we got to his home. I asked
 him to stay there a few minutes. I being my friend
 of bananas to Ceffus' place. Well, he said and
 me - he's going straight along. He said he's going
 for Freddie & Elvyn. I asked him to stop.

He got as far as Tom's kitchen & I
 brought him back to his mother in the work-shop. We
 hadn't told Anne about him going to jail before - that's
 the reason we went to his place. We went to take him
 to jail & then came back & get his things.

I asked him to keep quiet at the workshop while
 B. went to get the key. I sat on a low seat & m. came
 and gave me a kick in the chest. So I got up and got
 a grip round him & held him in the back until B. came
 back so he cannot do any more things to me. Anne & Lay
 see this. Well, Anne says up & told Anne not to let
 me see in and do the way, I like in that house. I told
 well, to stop back.

with
 guesses
 evidence

B. the case of & Lay was helping me to hold
M. Lay had asked me what I was going to do with M.
& I said, 'Put him in jail'. So we ask M. to

come & he refused. So we 2 take him up & carry him
Lay then started to ^{fight,} down M. we were twenty M.
too cruel. As we came down the road Lay began

to tear B. away from M. right underneath the scotch.
B. then took Lay's head & told him he'd put him to jail
& look him up for interfering. Lay then set away for a tree.

We go along & get me to the mango tree.

M. get a grip on B. with his teeth on his arm. B. then
put his fist under M.'s chin to push the grip away from
his arm. M. fell right from B. to the ground. I
was still holding him when he fell.

In some way M. got his knife from his
sheath while I was holding him by his leg. At the
same time B. got his knife from him & flung it away.
B. then doubled his fist and hit M. behind the ear.

I saw a scratch on M.'s forehead after he fell.

We pick him up again & went along. He then
dropped to a small mango tree. I did not jerk him but
I just pulled him & he let go. Lay, Tang & Sang
and all flanked down & started to fight. I saw what's

coming ~~at me~~ that was coming & I knew that we'd
need help. That's when my shirt went off

to the damn house" Mr. didn't end so at first. He
was angry B. & gubley Arnold, Edna & Henry were
all I saw there.

xd. I don't know what ruffled M. that day. He usually comes
to know quietly.

xd. I thought that as B. was the head he might be told
around & all about M. going to jail. I didn't ask
B. anything.

xd. I have seen at M. he admitted that we had got to go.
When B. hit M. after he took the knife away, I asked M.
not to hit M. too hard. That is the way the 1 spoke to
B.

Read and agreed to by witness.

J. L. Mandel

when I pulled in for the night too had had shot out
tired the good - we were holding him. If his head
was out it must have been when he hit B. The
same applies to his shoulder not at the place he was hit
in.

Lucy began to fall in's best. I don't think he
filled hand ^{enough} for hit his shoulder. I don't know whether
Tony was also falling.

we went on up top of Petek where we
Elmer. He took us by our arms & told us to
stop. I tried to protest but my energy "he not
going to stop". He seemed to let us go there &
the Venner camp. He told us to get Mr. down &
leave him. He was going to walk around. So we leave
in the road.

Mr. began to swear by the substitute before
there was anything the matter with him. Says "Oh, dear!"

Elmer cries it many & said, "He did that,
he did that". So we say, "Barnett". So he
doubled his fist & hit B. as hard as he could on his
cheek by his ear. He knocked him to the ground. B.
sprang up & got Elmer by the throat. They
fell down & Stella & Walter they on the & scattered
the parties.

Yd. B & N must have been there a long time before I came
because he was crying & screaming saying "he was not coming down,

Evidence of Jacob Warner

Jacob Warner now states -

When we finished the last marker we came to Jack's house - the valley road
was crossed we saw Chitty we started - myself, Bennett,

Tony, Almy, Arby, Amos. ~~Almy~~ went & arrived out to

Robert's house the other three & myself came right along the road

we saw Peter going up the hill Bennett told me he thought

had shot Peter here. Arby why he told me that

Peter stole Kelly's sugar & they find it at Greenwood.

Almy then started for Bennett also went. He and Tony

were straight along when I get down of place I heard a

noise of shooting at the ridge so I began to run off!

went & got up underneath Lang's ~~house~~ where I stopped.

I heard Arby, Peter & Lang talking at once Bennett He &

Arby took Peter on the two arms. Walked him up the

nearest knoll. Peter began to start fighting. Bennett took

him up & put him on the ground. ^{He didn't budge} Arby had his arm,

Bennett more. Lang came out & took them both they

got Peter going. B said 'going to jail'. Lang jested

down between. B took Lang on the arm & told Lang he

was going to jail. B off Lang Lang started to get

Freddie & F Lynn Don came Wendell. Arby got

on road the rock Wendell told & he sent Arby for

Arby told him he so.

Lang, the part of Arby's leg house Peter catch

in the back of his shirt & he tear Co shirt. He the

catch B on the back of tear his shirt

They got up by William's face. I see B double
 his fist & he give 'em a blow. I say out "well this
 cruel" 'em began to cry out his name. They
 got one on top of Myers' horse by the manger tail. Nerts
 catch on the hind then I get him by the leg, & give
 'em a fall. First let of Nerts but they ground in the
 back of his head. B. lift him up to his chest get one
 on top of Peter's horse. I looked on B's shirt - its all filled
 with blood. My wife Elwyn & Walter.
 Elwyn asked them bout they got 'em going. They
 say they going to goal. Elwyn told them that they
 cut go to goal just the way his head is.
 The whole world then came up & they leave 'em in
 the road.

Q How many people attacked the 2 police?

A Quite a lot.

Q You of named Larry?

A And Wendell.

Q Did you see a fight between Elms & the police?

A Oh yes. That was plain the whole crowd came up.

How did the fall & saw 'em & the police. He rode up

to the police. He asked 'em, "what do they do?"

but got no reply. He turned round - asked Bennett, "what

do they do?" He got no reply. The he got B.

a. blow. B tried to catch on Elva & Kelly & Stella
take him & pull him away from Elva.

The fight between Elva & B was the last 1 sec. I saw him
I did not see 2 try to get his knife out.

Read over to waitress who agreed to its accuracy.

S. K. Mandle

q. when Elva & Stella came up did they then fight to the police.

a. No.

q. Tony, Sam, & Rhoda, who they are?

a. Wk of the mayor. They would then together a lot but they
did not hang anyone.

5.2.41.

q. 2 not have hit B. about the time he gave 2 the blow. I did not see
2 give B. the bite.

x d. I have never told anybody on this island about 2. biting B.

x d. When B. killed 2. Lavin came right up. Lavin & me.

Evidence of Tommy Wamen.

Tommy Wamen, owner, states - we heard a noise coming on way, saying
 out 'Oh, dear'... So me & Sam & P. Hada go towards it.
 When I was outside under the orange tree I saw Larry walking fast
 along the road. I said "What's the trouble Larry". He
 said 'C & B was doing cruel stuff to me'. I didn't quite
 get what he said. I ran to the road & saw 2 boys
 on to a mango's limb. I saw B steady & 2 as he was
 being on. There were 3 spots of blood on B's shirt.
 He seemed to shut on again & let me. C pulled him (2)
 off from the mango's limb, his head hitting the ground first.
 B came up & pushed him up & lay him along. I set towards
 them. When we meet with them I said, 'My word, you
 bloody man. You ought to be shot like a damn dog'. I
 said, 'You cruel devil'. Elroy, Walter, & Larry came along
 up & asked B & C to leave 2 until Halset came up.
 When C said he didn't do anything to 2. I said 'how' as I saw
 him fall 2 from the mango tree.

x d. I do not recall catching hold of the pistol. I was walking
 beside the car as I was going along but I do
 not recall doing anything. I do not recall touching 2 until
 he was finally removed for medical treatment.

Recd me and agreed to be witness

J. H. Wamen

Evidence of Larry Christian

Larry Christian, owner, states - Larry came up to our place from Annette bringing Nemo with him. I started to go down to Elwyn at Freddie's place. I started to go as far as Eddie's place, stating to go down, but C brought his back. That made me mad - got his temper up. C then just sat down & told me to cool down. He told me that he wanted to come there & speak in a good way. So Nemo came up & pushed him on the leg (thigh). C jumped up & caught hold of his neck & shoulder & pressed his hand against the back. I just held my hands so that he could not do anything to C - his arms very free before. So then B came up in his eyes. He yanked me away from C. He yanked me outside of the house & took me down to the road. When he got down to the road he lifted him up in the air and banged him on the ground - then he caught hold of his throat & C got his legs. Then it looked so cruel & when I asked them to leave him to cool his temper down but they wouldn't. I don't intend to fight the telephone - not at all - I only try to take him away. (1)

After that they tried to take him along the road in an unbecoming way. When they got to the house to Nemo's place B gave me 3 hits on his head as hard as he can & my out. So, as it seemed so unkind and cruel I got down and got Elwyn. That's the last I see of the business.

x d. Jacob was with me but I do not remember the rest.

I followed close behind until the turning to Denis' house.

x d. ^① I caught hold of ^{somebody} the chest and pulled. I asked them if they couldn't leave him.

x d. I saw B. lay ⁱⁿ down myself. ⁱⁿ was struggling.

x d. ⁱⁿ didn't want to go to goal as he had no idea that they had come to take him to goal. He was wild because they stopped him for going up the hill & to Frederick's place. ⁱⁿ we had informed ⁱⁿ ⁱⁿ ⁱⁿ his mother about the imprisonment.

x d. ⁱⁿ received one hundred pounds of that.

x d. B. gave 2 blows without a cause. The last was, I believe, because ⁱⁿ bit B. in the arm.

x d. I don't know where the gart officials are and I don't know where Elwyn is. I thought so. Elwyn was one of us.

I did not say out for Archer or any gart official.

When I was back Verner told me to get the C 2 and I set along to get him.

x d. It was the custom for other officials to see and tell us when ⁱⁿ was to go to goal & say the hour so we could get the things together. ⁱⁿ didn't know himself or if he knew he didn't tell us anything about it.

Recd was not agreed to by witness.

J. H. Maude

Evidence of Lavis Chohan.

Lavis Chohan, owner, states. - I first saw the business at King's
 Place. B & C were carrying him. They were going along the
 road towards the prison house. I followed behind. In doing
 so I hit B. on his arm. B. hit me on his hand and pushed me
 down. I hit the ground with his back. I then took
 out his knife & B. took it & threw it away.
 D & C were carrying him & I caught hold of
 the sarge. The 2 police looked on. He did not hit
 the ground.

Read as and agreed to by witness.

J. L. Maude

When I hit B., B. did not hit me so much as pushed
 him down.

Evidence of Laura Christian.

L.C., own, states - I was down in the valley & I heard a noise so
 I ran up I saw B. & C. carrying 2. B. had his side his
 arm & C. has his legs. They go along nearly till
 2. hits B's arm. The B. let him go & dropped him
 down & C. was still holding him. B. took him up again
 2. the slug hit me behind his back & took his knife
 in his hand. B. took it from him and slung it.

They then get near a canyon & 2. catch hold
 of a limb of the tree. He had his arm free. B. let
 go & C. took hold round his waist & jerked him down.
 They then set along & down comes Tony & said "It's gone too
 far. He's smelly".

2. had no scratch on his face ~~XXXXXXXXXXXXXXXXXXXX~~
~~XXXX~~ before he hit B.

x.d. Laura, Laura, we had one small child see that
~~they~~ I see see my blow. Lucy tried to take 2. away later.

Brett had his red the middle, Lucy has leg, Tony & Lucy
 see fully his arm. This was after he let go the range.
 They take him along the road all fully. He was
 says out, "Oh! Dear". Later they put him down.

Recd on ad agreed to by the witness.

J. R. Hande

5.2.41.

Evidence of Lavinia Young.

L. Y., own, states - Celia told me that C & B were lying in
as to the murder. I ran behind her to see the rope she
saw that the 2 had it. I then saw A put his hand behind
his back & took out his knife & B grabbed it
away from him and threw it away. I then went back to
James's place because I was too frightened.

x d. Cady had his leg & B had his back's side. We are
cary him. His arm was free.

I did not see A but B.

I saw Lavinia, Jacob, Oswald, Celia & plenty of other children
running behind them.

I did not see B strike M. but I saw him push her when
he took the knife away.

J. L. Mander.

R. Y., son, states - The first thing I see was Eby try to
stop the police from taking me. The 2 police the first 2
down in the yard. Eby had a gun.

Eby came along & say "in the do, this case do that"
He struck B. up by the ear with his fist.

Read me & agreed to by counsel

J. H. Dunde

Evidence of Elmyr Christian.

a. c., son, states - The first I heard was when the boys were
 talking about the policeman's work. Vernon told them to
 go to Holst and say that what they were doing to the
 boy was cruel. Elmyr had C. in his arm. C. &
 B. were holding on. This was up by Vande's place.

Elmyr came along & stood up like the 2 police
 & said "Who do this". He then begged B. to
 come on the floor with ^{the hands of} his arm and rest a chest with
 his foot. B. then turned over. B. got up again & got
 hold of Elmyr round the neck & brought him to the ground. Then
 they (Log, Walter, Fannie) ^{& Stella} got a top of B. & tried to
 pull him away from E.

I heard B. tell Holst that he begged 2 because
 he hit him.

x d. Gret & Annie & no one else were any how & we sat
 next going up. I asked him where he was going. He said
 he was going up the hill to drive a chicken off the roost.
 He had a bundle of blanket in his arm. I asked him what
 reason he got the blanket. He said he was going up to my
 dad's place & sleep. I told him 'No, you look like
 again. He didn't let him to go up there & sleep' so he
 says right on saying 'oh! No. I have right on the back

when I was in the valley of Bethan's place I heard B.
talking so I called him to tell 2. not to go up the
hill to my dad's place to sleep - but to go home. Then
I sat right in time.

x.d. Lay, but I clipped her stepping on the tubercle's ink. They
said if it was of this they'd give the tubercle a
good knock.

x.d. I cannot say whether Lay was trying to add to the fight or to
protect the fighters.

Read on and agreed to by the witness.

J. H. Hande

Evidence of Sammy Young.

Sammy Young, sworn, states. - I was up at Tom's place when I first heard of the witness. I heard a noise & ran to the road & saw B & C with the tree. They were by the mango tree. I grabbed hold of one of the limbs of the tree. C pulled him & his head hit the ground. I said to them - 'That's awfully nasty, the way you just like a dog'. I said nothing more and I didn't touch anyone. I just brought Elva away when he struck B. I pulled him away to try and stop the fight.

Elva came up afterwards. I did not hear him say anything. I just saw him hit B. I did not see B hit E, but E certainly sat down to the ground suddenly. Fannie pulled him up & I took him away. I saw no-one else hit B or C.

Read over and agreed to G witness.

Schmande.

7d. • I heard E. invite B. and all to tea after the fight.

Evidence of Arnold Christian

saw, states - I saw B go up to my place by himself. He was carrying
 over here. He called A. A didn't answer. B went a
 little further on & he found Langford. L. told him he
 was over at my place. B. told A not to go up
 the hill. He said he was going up. B. says
 "No you're not going up." He called out, 'Go down this
 way.' I saw Cody coming down the hill alone.
 B. told C he's trying to stop A. for going up the hill.
 C says "No. Are you going up the hill?" A says, 'Yes'.
 C says 'its too late, case looks here'. A said he noticed his
 truck. C said scaffold would buy his truck.
 A came down & fell on behind C. B. went up
 to A. & talked bad to him. B. told him Hebet
 set him up for him. C. asked B. whether he was to
 go to jail last night but B. says he don't know.
 The 3 came away from my place. I went over to my
 place & saw my rat traps. When I came back I was
 lying in a chair by Kiedel's place.

X'd
 at the very first A. came up the hill by himself & stopped at
 my place. He was carrying a blanket. B. came up next by
 himself. C. was ^{then} going down from the Cochrans.
 B. did not say my last words to A. but talked strong.

Read me and affirmed by witness

J. H. Mander

Evidence of Edna Christie.

Swan, states - N. came up to our place. He said, he was going up the hill to buy his truck. He stopped. B. came up & told him not to go any further. B. talked to him in a manner he ought not to talk - rather hard. Bennett told N. if he no get off the meada hell blow him off. B. called C. to come down to him as he needed his help. Cody spoke to N. nicely & N. did what he said. B. C. & N. then went off.

When I came down to the village everything is quiet when was coming up.

xd I say B. was talking hard because of his name & the

Read via ad offered by witness.

J. H. Deande

Episode of Goose Young

Goose Young, owner, states - I was up at Laska place & a young boy had been calling to Dennis, "see here I didn't try by attaching He called a 2^d time, "stop there, Dennis". The Dennis was right up close to of me & I said "Go back Dennis & find out what they told you". Well he said he's going to Brown Hill to Elroy & tell E they would not let him go & do what E told him to do. He said E told him about driving some chickens off some tree. He went on & Cady started to him not to go any further. I saw the boy was determined to go so I said "Dennis stop there & don't give 'em trouble". So he sat right down like a child. When I get to him - Cady was then telling him to go back to his mother - so I said "Find out what C is telling you". Cady came up & took his arm. C was not acting kindly or kindly to him. He got up to go & jerked his arm away from Cady. After a bit he called C a "bleddy son of a bitch". I then set back as I got to the Church I heard the noise going round & round so I was afraid so I walked down & told the C. The C. said it isn't his business.

"I left down with Arthur & when I got back with her
the bottle was over.

when I lost her he was walking up the
hill to his home, with Cady following.

x'd I also saw Bennett on the road of the larger tree
running up. I never saw him by her.

Read over and agreed to by witness.

J. H. Mante

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order in
Council, 1893.

In the matter of a charge against Elmer Smith.

Arthur Herbert Young of Pitcairn Island, Chief Magistrate,
charges that on the third day of February, 1941, at Adamstown,
Pitcairn Island, the above-named Elmer Smith did unlawfully
assault and beat one Burnett Christian.

J. R. Maude

A Deputy Commissioner for the Western
Pacific with jurisdiction in the Pitcairn
Islands District.

9th February, 1941.

CROWN
STANDARD
AGENTS

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order
in Council, 1893.

In the matter of a charge against Elmer Smith.

To Elmer Smith of Adamstown, Pitcairn Island.

You have this day been charged before this Court for that you
on the third day of February, 1941, at Adamstown, Pitcairn
Island, did unlawfully assault and beat one Burnett Christian.

Therefore you are hereby commanded to appear before this Court
today, the ninth day of February, 1941, at noon to answer to
the said charge, and to be further dealt with according to
law.

J. H. Maude.

A deputy Commissioner for the
Western Pacific with jurisdiction
in the Pitcairn Islands District.

His Britannic Majesty's High Commissioner's Court for the Western Pacific.

Held at Pitcairn Island, under the Pacific Order in Council, 1893,
before Henry Evans Maude, a J.C. for the W.P. and Arthur Ernest Fuller, Assessor.

Criminal Jurisdiction

In the matter of a charge against Elmer Smith.

The charge (as on the charge form) was duly read to the accused, who
thereupon pleaded GUILTY.

^{self.} The accused made the following ^{known} statement in extenuation of his ^{self.}
~~own~~ offense -

" I really do not know what came upon me that night. I
awoke suddenly upon the scene and found ^{me} ~~the~~ ^{self.} bleeding
like a pig. I got up with the left hand and knocked
on the accused. I could easily have laid him out now
but that was enough for me. I have seen pigs for the
slaughter house and that's what ^{me} ~~the~~ ^{self.} looked like".

J. E. Maude

a J.C. for the W.P. with
Jurisdiction in the P.I. District.

Verdict - The accused is found guilty of the charge against him.

Sentence - Fined £5, with one week to pay, and ^{self.} ~~And~~ to enter
bail with into a recognizance in the sum of £10 for his future
good behaviour.

J. E. Maude

a J.C. for the W.P. with
jurisdiction in the P.I. Dist.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order in
Council, 1893.

Criminal Jurisdiction.

In the matter of a charge against Elmer Smith.

The above-named Elmer Smith stands convicted before the
Court for that on the third day of February, 1941, at
Adamstown, Pitcairn Island, he did unlawfully assault
and beat one Burnett Christian.

Thereupon the Court sentences the said Elmer Smith for
the said offence:

- (a) To pay the sum of £5 as a fine for his said offence
within seven days from the date of this sentence;
- (b) To give security for his future good behaviour by
entering forthwith into a recognizance in the sum
of £10.

The said sum of £5 is to be paid into Court on or before
the sixteenth day of February, 1941.

J. L. Maude

A Deputy Commissioner for the Western
Pacific with jurisdiction in the
Pitcairn Islands District.

9th February, 1941.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order in
Council, 1893.

I, the undersigned, acknowledge myself to owe our Sovereign
Lord King George VI the sum of ten pounds, the payment whereof
shall be enforced in the same manner as a fine if I fall in
the conditions hereon endorsed.

.....*E. W. Smith*.....

Taken before me this ninth day of February, 1941,

J. R. Maude.

A Deputy Commissioner for the
Western Pacific with jurisdiction
In the Pitcairn Islands District.

The condition of this recognizance is such that if Elmer Smith
above named shall be of good behaviour to His Majesty and all
his subjects and especially towards Burnett Christian for the
space of twelve months now ensuing then this recognizance shall
be void, but otherwise shall remain in full force.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order
in Council, 1893.

Criminal Jurisdiction.

In the matter of a charge against Morris Christian.

Arthur Herbert Young of Pitcairn Island, Chief Magistrate, charges that on the third day of February, 1941, at Adamstown, Pitcairn Island, the above-mentioned Morris Christian did wilfully by an act or acts obstruct a police constable carrying out an order of the Court in the performance of his duty.

S. R. Maude.

A Deputy Commissioner for the
Western Pacific with jurisdiction
in the Pitcairn Islands District.

9th February, 1941.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order in
Council, 1893.

In the matter of a charge against Morris Christian.

To Morris Christian of Adamstown, Pitcairn Island.

You have this day been charged before this Court for that
you on the third day of February, 1941, at Adamstown, Pitcairn
Island, did wilfully by an act or acts obstruct a police
constable carrying out an order of the Court in the performance
of his duty.

Therefore you are hereby commanded to appear before this Court
today, the ninth day of February, 1941, at two in the afternoon
to answer to the said charge, and to be further dealt with
according to law.

J.R. Maude.

A Deputy Commissioner for the
Western Pacific with jurisdiction
in the Pitcairn Island District.

His Britannic Majesty's High Commissioner's Court for the Western Pacific.

Held at Pitcairn Island, under the Pacific Order in Council, 1893,
before Henry Evans Munde, a J.C. for the W.P., and Arthur Ernest Fuller, Assessor.

Criminal Jurisdiction

In the matter of a charge against Nemo Christian.

The charge (as on the charge form) was duly read to the accused
who thereupon pleaded NOT GUILTY.

Case for the Prosecution.

Arthur Herbert Young, - sworn, - states. "On the 2nd February, 1941, I instructed the constable Bennett Christian to place Nemo Christian in gaol at 6 p.m. on Monday. He was under a Court sentence for taking some of Allen's things. His sentence was 1 month and 5 days in default. The date of the Court's sentence was some 6 or 7 days before the 2nd February. However, as the gaol was filled with Mr Munde's effects and as we thought that a ship would be calling in one or two days so I as Chief Magistrate postponed the sentence till further orders."

sd by accused. I did not think it of business to visit the relatives. I told ~~sd~~^{sd} Bennett Christian to go up to the house and ~~sd~~^{sd} tell him to get ready his things.

J. E. Munde.

a J.C. for the W.P. with
jurisdiction in the P.I. District.

Bennett Christian, sworn, states - "I was with the warden of the chief magistrate to arrest the accused. I told him in the morning when the bell rang that he was going to prison that afternoon - To get his things ready & we'd take him the same time. He began to curse and swear but I did not pay any attention. I told Calvert that I'd need his help. I waited for him when we went to take him the trouble started.

He tried to prevent me from taking him. He tried to fight us. He was violent so we had to take him by force. He tore my shirt and bit me and tried to knife me."

x'd of accused. I do not recollect laying you on the ground. That must have been the time we carried him. *J. L. M. M. M.*

a D.C. for the N.P. with jurisdiction in the P.I. District.

Calvert Warden, sworn, states - "I was coming for the hall & met Bennett at Ludo's & he told me he needed help. I asked Dennis to come back. He was trying to get away up a the hall. He told me he was not coming back. He was going up the hall. So I asked him to come back. He came & set to his work with me. I asked him to stay for a minute. He wouldn't obey. He went as far as Dennis' kitchen of the road & stopped. So I brought him back to the workshop & asked him to keep quiet.

He then came and kicked me, so I grabbed him & with Ludo's help tried to keep him quiet. So we had to take him by force, as when I asked him to come over to the prison he refused to walk. So we carried him. He was trying to struggle and kick but couldn't do very much.

x d of Court. He was struggling and reclined of the mango trees.

The accused waived his right of cross-examination.

J.L. Maude.

a D.C. for the N.P.
with jurisdiction in the P.I. District.

case for the Prosecution closed.

case for the Defence.

His brother elected to make a sworn statement.

"I did not know of head was not still was told me."

accused did not wish to make any other statement.

case for defence closed.

Verdict of the Court. The accused is found guilty of the charge against him.

Sentence - Two weeks imprisonment with hard labour, to commence at the end of the period of imprisonment to which he already stands sentenced.

In giving this sentence the Court has taken into account the fact that the accused appears to be of an excitable and unbalanced temperament and recommends that he should be examined by a qualified medical specialist on opportunity occurring.

J.L. Maude.

a D.C. for the N.P.
with jurisdiction in the P.I. Dist.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - under the Pacific Order
in Council, 1893.

Criminal Jurisdiction.

In the matter of a charge against Morris Christian.

The above-named Morris Christian stands convicted before the Court for that on the third day of February, 1941, at Adamstown, Pitcairn Island, he did wilfully by an act or acts obstruct a police constable carrying out an order of the Court in the performance of his duty.

Thereupon the Court sentences the said Morris Christian for the said offence to be imprisoned and kept to hard labour for two weeks to commence at the end of the period of imprisonment to which he already stands sentenced.

J. W. Maude

A Deputy Commissioner for the
Western Pacific with jurisdiction
in the Pitcairn Islands District.

9th February, 1941.

His Britannic Majesty's High Commissioner's Court for the
Western Pacific.

Held at Pitcairn Island - Under the Pacific Order in
Council, 1893.

Criminal Jurisdiction.

In the matter of a charge against Morris Christian.

To the Constable of the Court and to the keeper of the Island
Prison.

The above-named Morris Christian is sentenced by this Court to
be imprisoned and to be kept to hard labour for two weeks to
commence at the end of the period of imprisonment to which he
already stands sentenced.

Therefore you are commanded, you, the Constable of the Court,
to convey the said Morris Christian to the above-mentioned
prison, and there deliver him to the keeper thereof, with this
warrant.

And you, the keeper of that prison, to receive the said Morris
Christian into your custody, there and then to imprison him and
keep him to hard labour for the time aforesaid.

Dated this ninth day of February, 1941.

J. L. Maude.

A Deputy Commissioner for the
Western Pacific with jurisdiction
in the Pitcairn Islands District.