

THE HIGH COURT OF THE WESTERN PACIFIC

(CRIMINAL JURISDICTION)

BEFORE: The Honourable Mr. Justice J. Bodilly
exercising jurisdiction under the
provisions of the Western Pacific
(Courts) Order in Council, 1961.

HOLDEN: At Auki in the British Solomon Islands
Protectorate on ~~Tuesday~~ the 13th
day of December, 1966 at
0900 o'clock in the fore noon.

REGINA

versus

TIMOTHY LI'I

For the Crown: ASP Morgan

For the Accused: In person

Interpreter: Timothy Faifu (Sworn-Sa'a language)

Charge explained to the accused: By Court

Accused when called upon to plead says: Not Guilty

Court enters a plea of: Not Guilty

Case to stand over for hearing.

Hearing: Accused and prosecutor as before.

Accused asks if he may change his plea. States-I have been listening to the explanation in the previous case as to the law (C.R. 57/1966) and I am guilty of offence charged.

Court accepts plea Guilty.

Prosecutor states facts:

The Acc^{used} married^{to} Serah by a Melanesian Mission priest on I.I.64 at Rede. The marriage was registered in Auki and certificates issued, Later in 1964 the accused went to the Russell Islands to earn money. While there he heard that Serah had committed adultery and when he came back from the Russells he found that she was pregnant. The adulterer was a man called Nelson. The accused took Nelson and Serah to the Native Court and the court ordered Nelson to pay to Acc: 40 porpoise teeth and £2 in cash as compensation and Serah was to pay £5. When the accused had come back from the Russells he found that his wife had gone to live with her father and she never came back. In April 1966^{he} married Sara Dorakeni by native custom. He paid Sara's father 3 strings of shell money (Fa'a) about £4 worth. Since paying the price he and Sara have lived as man and wife and Sara thinks sh^e is in fact his wife. The wife Serah is still alive and the marriage has not been dissolved.

(Acc: agrees facts as stated)

Acc: is aged about 36. He has a child by Sara. He is uneducated In June 64 ~~xxxxxx~~ to 65 he worked for Lever Bros and earned 36 dollars a month. He is at present unemployed. He has been on bail. He has no p.c.s. He is of good character and repute.

Mitigation:

Accused states: ^{must} Asks: ~~Would~~ a wife come and stay in my house with me if she has a child by another man ?

Court explains divorce law in simple terms.

Accused has nothing further to say and calls no Ws to character.

Order: Bind over for 12 months, section 36 P.C.

Isidore Botilly
Chief Justice.
13. 12. 66.