

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
the 13th day of December
1966 at 9⁰⁰ o'clock in the
fore noon.

REGINA

versus

SIMON TA'ARU

For the Crown: ASP Morgan

For the Accused: In person

Interpreter: Emanuel Harihiu (Sworn- Are Are 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 stood over for hearing.

Hearing: Accused and prosecutor as before.

Accused wishes to ask a question .

Asks: why in the old days if a man married and left his wife
and married again was he not brought to court?

Court explains law to Accused.

Accused says he wishes to change his plea.

Court accepts plea of Guilty.

Prosecutor states facts:

The Accused married Monika by custom in 1959 and he paid bride price of 10 Ta'ana. On 30.II.63 Accused and Monika were married in Catholic Church. In the meantime they had become converted. After this they were not happy and Monika ran away to her father three times. During 1965 Monika ran away finally and did not return. Before this final departure a man named Haaaeou who was the father of Modesita asked the accused if he could treat Modesita for some mental illness using bush medicine. The Accused agreed. Modesita moved into the Accused's house. When Monika subsequently ran away for the last time, the Accused gave two Ta'ana to Modesita's father as part of an agreed bride price for her. After this he completed payment by a further three Ta'ana. This completed the marriage by custom to Modesita. The accused wife Monika was still alive and the Catholic marriage was not dissolved.

(Acc: agrees facts as stated\$

Accused is about 30 years old. He is married twice over. By Monika he has a boy aged 4. Accused is taking care of the child. By Modesita he also had a child but it has died. Accused's parents are dead. He has spent three years as a catechist. In 1957 and 58 he worked on Barandi Plantation. At present he is unemployed. He had been on bail since arrest. He has no p cs. This is probably the first time a case of this kind has been brought to court as a crime under the

Mitigation:

Accused states: I have nothing to say. No Ws:

By Court: Do you understand now what you have done wrong?

Acc: Yes.

Order: Bind over for twelve months section 36 P.C.

Faulya Botilly
 Chief Justice.
 13.12.1966.