

WESTERN PACIFIC HIGH COMMISSION.

Pitcairn Island,

5th December, 1940.

Sir,

I have the honour to forward a copy of the Rules made by the Island Council under Regulation 6 of the Pitcairn Island Government Regulations, 1940. It will be noted that under Regulation 6 (2) any rules made by the Council shall come into force on the day of their public notification, in this instance the 1st December, but that copies have in every case to be sent to the High Commissioner, who has power to amend or revoke them at his discretion.

2. For convenience of reference the rules have been divided into five parts, dealing respectively with the control of the public boats, visiting passing ships, the use of public property, the control of livestock, and sanitation. Simple and straightforward though these rules appear when set out in their final form, the actual wording of several of them caused more discussion and controversy in the island than the entire code of regulations. In the case of Rules 9 to 12, it required meetings spread over a period of over two months for the text to be reduced to a form acceptable to the majority, and several other rules gave almost as much trouble. The reason for this peculiar situation appeared to be that, while the main code of laws were of interest principally to members of

The Secretary,

Western Pacific High Commission,

Suva, Fiji.

to members of the local government and prospective wrongdoers, the rules affected every member of the community in their ordinary everyday life.

3. The rules contained in Part I are almost identical with the regulations of the former External Committee, as framed by Mr R.T. Simons, the British Consul at Tahiti, <sup>in</sup> 1904. The main alterations are that more powers are given to the Council and less to the Internal Committee, and the sanction of the former body is made obligatory whenever a public boat is to be used for visiting Henderson or Oeno Islands. The former regulations dealing with public trading have been deleted, as all trading is now done on an individual basis; and the law prohibiting more than one boat from visiting a ship on the Sabbath Day has been similarly left out, since it has long ceased to be enforced. My own view is that the system of public boats, like public trading and other communal institutions, is due to disappear in the course of the next few years, probably to the ultimate benefit of the island, as the continual quarrels caused by the working of these boats has an adverse effect on the whole life of the community.

4. The elaborate system of rules regulating the visiting of ships by women and children in Part II is rendered necessary by the unfortunate fact that there is no longer enough seating accommodation in the public boats for all in the island. As the greater part of the income of the islanders is obtained from selling curios to the passengers and crews of passing vessels and the women are by far the keenest traders, one can well imagine what a hornet's nest is stirred up by any attempt to regulate their use of the boats. And yet if  
no regulation should

no regulation should be attempted, the boats would either sink through over-loading or else the weaker women would never succeed in getting a place on one. As regards the final form of these nine rules, I cannot say that they satisfy every woman in the island, for there will always be a minority who feel that someone else is obtaining an unfair advantage over them, but I am convinced that as a result of several months of trial and amendment they represent the fairest system that it is humanly possible to devise. The only real solution of the problem, however, is the building of sufficient boats to permit every man, woman, and child in the island to visit every ship that calls.

5. Rule 13, one of the numerous signs that the morals of the islanders are no longer what they are reputed to have once been, is designed to prevent certain of the local women from prostituting themselves to the crews of visiting vessels. Of the remaining rules, all except the last two are based on existing regulations. Rule 23 merely codifies and enforces the present practice, while Rule 24 represents an obviously desirable innovation.

6. In conclusion I would state that while the rules now being forwarded will no doubt require adding to and amending in the future I am satisfied that in their existing form they are well adapted to the present needs of the community and I do not recommend that His Excellency's powers of amendment and disallowance should be exercised as regards any of them. It would probably be an advantage, however, if these and all future rules made by the Island Council were printed in the Gazette, in a similar manner to the Island Regulations of Ocean

Island and the Gilbert and Ellice Groups; this practice would enable a proper record to be kept of local legislation, besides adding to the effectiveness of the rules themselves. At present, when the only local record of a given rule is a typewritten copy in the possession of the Island Secretary, they are apt to fall into periodical desuetude.

7. Copies of the School and the Prison Rules, also made by the Island Council under Regulation 6, are being forwarded under separate cover.

I have the honour to be,

Sir,

Your obedient servant,

(Signed). H.E. Maude.

High Commission Representative,  
Pitcairn Island.

Rules

made by the Island Council under Regulation 6  
of the Pitcairn Island Government Regulations, 1940.

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Part I - The Public Boats, Boat Houses and  
Public Trading.

Powers of the  
Committee.

1. The building, manning, and general management of the public boats, the construction and maintenance of the public boat houses, and the conduct of public trading shall be under the control of the Internal Committee of the Island.

Committee to  
approve use of  
boats.

2. Any person using a public boat without obtaining the consent of the Committee shall be liable to a fine not exceeding three pounds.

Inter-island visits.

3. The Committee shall not grant their consent to a public boat being used for visiting any other island until they have obtained the approval of the Council.

Appointment of  
Boat Captains.

4. The Committee shall appoint a Captain for each boat, such appointments to be subject in each case to the approval of the Council.

Powers of Boat  
Captains.

5. The Captain of each boat shall have charge of its navigation and working when on the water. He shall be responsible for the safety of the boat and in the event of rough weather he shall have power to refuse to take more than the number of passengers and the amount of cargo that he considers safe. Any passenger or member of the crew disobeying an order of the Captain made in pursuance of the powers conferred upon him by this rule shall be liable to a fine not exceeding two pounds.

Care of boats  
while lying  
alongside ships.

6. The Captain of each boat shall detail one or more members of the crew in rotation who shall be responsible for the care of the boat while lying alongside a ship. Any member of the crew who fails to perform this work when ordered so to do or who performs it negligently or carelessly or who leaves his boat without the prior sanction of the Captain shall be liable to a fine not exceeding two pounds.

Loading and dis-  
charging of cargo.

7. The crew of each boat shall be responsible, under the direction of the Captain, for the loading and discharging of cargo to and from the boat. Any member of the crew who fails to perform this work or who performs it negligently or carelessly shall be liable to a fine not exceeding one pound.

Repairs to boats.

8. The Captain shall report to the Committee whenever his boat requires any large repairs and shall have the right to work with the repairers on his own boat. All small repairs shall be done by the Captain himself with the assistance of his crew.

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Part II - Use of Public Boats for Visiting Ships.

Women to have  
turns for visiting  
ships.

9. The Committee shall prepare a list containing the names of all women over the age of sixteen years who desire to visit passing ships in the public boats. This list shall be divided up in such a manner as to give every woman included in it a turn in rotation; provided that any woman who has no man in her family or household to do her trading shall be entitled to visit every alternate ship for which turns are permitted to the other women.

Privilege of boat-tenders.

10. The men whose turn it is to look after the boats while they are alongside the ship shall be entitled to take a woman each to do their trading for them.

Gift or exchange of turns.

11. Any woman may give her turn to another, or exchange her turn with another by mutual agreement: provided that such gift or exchange is notified to a member of the Committee.

Women visiting ships on the Sabbath Day.

12. The system of turns shall not operate on the Sabbath Day. Any woman who wishes to visit a ship in a public boat on the Sabbath Day shall apply to one of the Boat Captains who may in his discretion allow her to visit the ship in his boat.

Restrictions on women visiting cargo and passenger ships.

13. Women are not permitted to visit cargo ships at any time or passenger ships between the hours of 8 p.m. and 4 a.m. in the public boats.

Penalty for unlawful use of a public boat.

14. Any woman who visits a ship in a public boat other than in accordance with the foregoing rules shall be liable to a fine not exceeding one pound and to forfeiture of her next succeeding turn.

Penalty for Boat Captains who permit unlawful use of a public boat.

15. Any Boat Captain who permits a woman to enter a public boat for the purpose of visiting a ship other than in accordance with the foregoing rules shall be liable to a fine not exceeding ten shillings.

Children and young persons visiting ships.

16. It shall be unlawful for a child or person under the age of sixteen years to visit any ship; provided that males between the ages of fourteen and sixteen may, with the consent of the Committee, visit ships after school hours and before 6 a.m. for the purpose of learning to man the boats. Any person offending against this rule shall be liable to a fine not exceeding ten shillings; provided that should the

person convicted be under the age of fourteen years the payment of the fine shall be enforced against the parent or guardian.

Exception when medical advice or attention is required.

17. Nothing in the foregoing rules shall apply to cases where it is necessary for a woman or person under the age of sixteen years, owing to illness, to visit a ship in order to obtain medical advice or attention; provided that in every such case the consent of the Council or, in a case of urgent necessity, of the Chief Magistrate shall have been first obtained, and further provided that such woman or person under the age of sixteen years does not engage in any trading activities while on board.

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#### Part III - Use of Public Property.

Use of public buildings.

18. Any person who, with the consent of the Committee, makes use of any public building and fails to sweep out and tidy up such building before his departure therefrom, shall be liable to a fine not exceeding ten shillings and the Court may order him to pay compensation for any damage done by him to the building.

Use of the sugar mill house.

19. Any person who, with the consent of the Committee, makes use of the sugar mill house and neglects to carry the refuse resulting from his work beyond the first row of coconut trees shall be liable to a fine not exceeding ten shillings.

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#### Part IV - Control of Livestock.

Branding of goats.

20. The Committee shall appoint one or more



Goat Masters who shall be responsible for the branding of all goats on the Island.

Chasing or catching goats.

21. Any person chasing or catching goats without the prior sanction of one of the Goat Masters shall be liable to a fine not exceeding ten shillings.

Neglecting to show ears of goats killed.

22. Any person neglecting to show the ears of a goat killed by him to the Head Goat Master shall be liable to a fine not exceeding one pound.

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Part V - Sanitation.

Cleaning the public roads.

23. Any person refusing or neglecting to keep clean that portion of the public road lying within the limits allotted to him by the Committee shall be liable to a fine not exceeding ten shillings.

Latrines.

24. Every inhabited dwelling house shall be provided with a proper latrine to the satisfaction of the Committee. The owner or occupier of any house who refuses or neglects to comply with this rule shall be liable to a fine not exceeding two pounds.

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(Signed). David A. Young.

Pitcairn Island,  
1st December, 1940.

Chief Magistrate,  
Pitcairn Islands.

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PUBLIC NOTICE

The first turn for visiting ships will take place tomorrow, September 21st, when the R.M.S. "Tamaroa" is expected to arrive off the island. Any woman who, from conscientious reasons, does not wish to visit the ship should either make arrangements to exchange her turn with someone else, or else notify a member of the Council who will arrange for her to take an extra turn on another day.

20th September, 1940.

Chief Magistrate,  
Pitcairn Island.

Draft Copy.

Rules made by the Council under Regulation 6 of the  
Pitcairn Island Regulations, 1940.

Women visiting passing ships.

- (1) The Committee shall prepare a list containing the names of all women over the age of sixteen years who desire to visit passing ships. This list shall be divided up in such a manner as to give every woman included on it a turn in rotation; provided that any woman who has no man in her family resident on the island and capable of visiting ships shall have an extra turn.
- (2) Not more than five women shall be allowed in any one boat.
- (3) No woman shall visit a passing ship unless her name is on the list of turns for that particular occasion; provided that any woman may give her turn to another, or exchange her turn with another by mutual agreement, such gift or exchange to be notified to a member of the Committee.
- (4) The Captain of a boat shall not permit any woman to enter his boat for the purpose of visiting a ship unless it is her turn to visit such ship in his boat, as notified on the list prepared by the Committee, or unless she shall have obtained such turn by gift or exchange in accordance with Rule 3.
- (5) Until further notice women are not permitted to visit cargo ships at any time or passenger ships between sunset and sunrise.
- (6) Any woman visiting a ship whose name is not on the list of turns for that particular occasion or who has not obtained such turn by gift or exchange in accordance with Rule 3 shall be liable to a fine not exceeding one pound and to forfeiture of her next

of her next succeeding turn.

- (7) Any Captain of a boat who permits a woman, whose name is not on the list of turns for that particular occasion or who has not obtained such turn by gift or exchange in accordance with Regulation 3, to enter his boat for the purpose of visiting a ship shall be liable to a fine not exceeding ten shillings.
- (8) Nothing in the foregoing rules shall apply to cases where it is necessary for a woman, owing to serious illness, to visit a ship in order to obtain medical advice or attention; provided that in every such case the prior consent of the Council shall have been first obtained.

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- (5) Until further notice women are not permitted to visit cargo ships at any time or passenger ships between sunset and sunrise.
- (6) Any woman visiting a ship whose name is not on the list of turns for that particular occasion or who has not obtained such turn by gift or exchange in accordance with Rule 3 shall be liable to a fine not exceeding five pounds and to forfeiture of her next succeeding turn.
- (7) Any Captain of a boat who permits a woman, whose name is not on the

lot of times for that particular occasion or who has not obtained such turn by gift in exchange in accordance with Regulation 3, to enter his boat for the purpose of visiting a ship shall be liable to a fine not exceeding ten shillings.

- (8) Nothing in the foregoing rules shall apply to cases where it is necessary for a woman, owing to serious illness, to visit a ship in order to obtain medical advice or attention; provided that in every such case the prior consent of the Council shall have been first obtained.