

C. S.

LEGAL (Miscellaneous)
No. 13/44.

19 44.

C. S. O.

SUBJECT.

19 44.

26th January.

Previous Paper.

DEATH OF MR. R. A. T. SMITH
ON JASON ISLAND.

MINUTES.

1. Letter from Naval Officer-in-Charge, of 21. 1. 44. *(transferred to P/13)*
2. Account from Base Account Office of 21. 1. 44.
3. *Spindle to Sup. E. & I. of 26. 1. 44. (transferred to P/13)*
(4).

RECORD. I was rung up by the Information Officer about 10 p.m. on the 17th January. He stated that Pebble Island had reported two smoke fires, the signal for a Doctor, on the Jason Islands. Mr. Lowe stated that the Operator at Fox Bay was remaining in contact to receive any instructions in the matter. He added that Mr. J. Davis was out of town and that I could contact Mr. Hutchinson. This I did and informed Mr. Hutchinson that I would do what I could to send a ship to the Jasons. He agreed and was grateful for the proposal. I then contacted the N.O.I.C. and Manager, F.I.C., who informed me that the "Fitzroy" was at Fox Bay. I then telephoned His Excellency and explained the situation. I was instructed to inform Mr. Roberts that the decision as to whether the "Fitzroy" should be diverted in the circumstances or not rested with him. I telephoned Mr. Roberts accordingly and $\frac{1}{2}$ an hour later, about 11 o'clock, he telephoned that the "Fitzroy" would be diverted. Some three days later I was informed by Mr. Poyner that as it had been impossible to contact Fox Bay on the evening of the 17th the "William Scoresby" had been sent out with Doctor Whittaker on board the next morning.

On the receipt of N.O.I.C's account at (Red 2) I consulted the Legal Adviser in regard to the liability. The late Mr. R. A. T. Smith had been dead for some weeks when the Scoresby arrived at the Jasons. The two men with him had tried to signal for a doctor twice in December but without success. The man had died and they had buried him. The two fires seen on the 17th were merely accidental and were not deliberate signals. When the body was brought in both the other men were brought in as witnesses for the enquiry. An informal enquiry was held and the S.M.O. issued a death certificate. Mr. Davis was not a member of the contribution scheme for the transport of sick employees. The/

Subsequent Paper.

The Legal Adviser thought that he might insist on the two witnesses being returned to the Jasons at Government expense. In all the circumstances he advised that it would be better to pay the account against "Coroner's Expenses" and pointed out that if the death had been known we should have had to send out for the body in any case and that Mr. Davis would not have been in any way liable for the expense.

KB
26.1.44

(5)

A.e.s.

Pl. pay the a/c. at (2) - "Coroner's Expenses".

Head IX
Ch. 2

KB
26.1.44

(6)

Notes. The a/c. at red (2) for £115. 2. 4. has been forwarded to the Legal Dept. for payment.

A.S.
27/1/44

~~26.1.44~~

Minute to Legal Adviser of 3. 2. 44.

7.

Minute from Supr. E. & L. of 29. 3. 44.

P.H.

8. (Transferred to P/13)

P.H.

No. _____

MINUTE.

(7)

(It is requested that, in any reference to this minute, the above Number and the date may be quoted).

3rd February, 1944

From The Colonial Secretary.

To The Legal Adviser,

Stanley.

Stanley, Falkland Islands.

You are authorized to spend £105 2s. 4d. under Head IX, sub-head 2, Court and Coroners Expenses being the cost of transport of the body of the late Mr R.A.T. Smith from the Grand Jason Island to Stanley. The Special Warrant will be issued later if it is evident that there will be no further expenditure under this sub-head. This Minute should be quoted as the authority in the future covering this expenditure.

K. G. BRADLEY

Colonial Secretary.