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PETITION FROM THE PRINCIPAL, MALUAFOU SCHOOL, APIA
CONCERNING WESTERN SAMOA

(Circulated in accordance with rule 85 of the
rules of procedure of the Trusteeship Council)

Maluafofu Boys' School
P.O. Box 433
Apia, Western Samoa
(S.W. Pacific)

May 6th, 1958

The Secretary,
United Nations Trusteeship Council
United Nations Headquarters, New York,
U.S.A.

Dear Sir,

I wish to petition the Trusteeship Council to investigate the following complaint concerning the Territory of Western Samoa. As shown in the attached report in the Samoa Bulletin, published in Apia on April 24th, 1958, a Chinese ship's carpenter, from the British ship, Eastbank, lying in Apia harbour, was assaulted near Apia, received severe injuries and died at sea on Monday, April 21st. After the assault, the man, named So Choi Sai, was taken to Apia Hospital, at which time he was unconscious as a result of his injuries. He remained unconscious for twenty-four hours. He was returned to his ship, the Eastbank, in a semi-conscious condition, and died when the ship was at sea, two days later.

In my understanding, it is well accepted as a principle of human rights, that a man who is in a serious condition as a result of disease or injury, in a foreign port, should be given every medical assistance available. In this case, however, a man was removed from a hospital where he could have enjoyed the benefits of adequate medical equipment and qualified medical staff, to a

ship which was proceeding to sea immediately, and which would not have such facilities to assist the man's recovery. Usually, in the event of serious illness, a ship will even leave its course to take a man to a port where there is a hospital. It seems very strange that this man should be taken FROM a hospital in a semi-conscious condition, to die at sea on a ship less than 48 hours later. The man probably had nobody to represent him or to protect his interests. What makes the matter even more strange is that the person who has been accused of assaulting this man, and causing his injuries, is the son of one of the Samoan Ministers in the government of Western Samoa. I think that in these circumstances a careful enquiry into the reasons for the hasty removal of the sick man from hospital should be made.

I am British by birth, and a resident in Apia, Western Samoa, where I am engaged as Principal of the Maluafou Boys' School. I am making this petition because I feel that foreign nationals in the Territory should be able to feel that they have some protection against irregularities of this kind. If it can happen that one man may be moved from a hospital in a semi-conscious condition, injured to such an extent that he dies less than two days later, the same sort of thing might happen to any one of us. When a man is in a semi-conscious condition, he is hardly in a position to object or to assert his legal rights.

I remain,

Yours very truly,

(Signed) JAMES S. GREGORY

James S. Gregory, B.A., F.R.G.S.
Principal, Maluafou School.

P.S. Will you kindly acknowledge receipt
of this letter.

JG

MAN CHARGED AFTER DEATH OF CHINESE AT SEA

A Chinese ship's carpenter died at sea on Monday night, allegedly as a result of injuries received when he was assaulted at Tauese last Thursday evening, He was:-

SO CHOI SAI, elderly, ship's carpenter of the motor vessel Eastbank.

On Tuesday afternoon, Matafala Tualalelei Mauri, aged 29, labourer of Apia, appeared before the Registrar of the High Court (Mr. F.J. Thomsen) charged with the manslaughter of So Choi Sai, and alternatively with causing grievous bodily harm. Matafala, who was represented by Mr. R. Metcalfe, pleaded not guilty and was remanded in custody.

This morning Matafala appeared before the Chief Judge (Judge Marsack) and was remanded to May 15, at liberty, under certain conditions.

The Eastbank was in port loading copra and cocoabeans last week. On Thursday night, it is understood that the deceased, So Choi Sai, and an Indian seaman from the vessel, Mr. R.B. Devnath, were walking along Beach Road when the former was attacked near the Tauese market.

So Choi Sai suffered head injuries which rendered him unconscious. He was admitted to the Apia Hospital and remained unconscious for 24 hours. He was returned on board the Eastbank on Saturday morning on a stretcher, reportedly still in a semi-conscious condition. Soon afterward the vessel sailed for the United Kingdom via Panama.

It is understood that So Choi Sai was buried at sea on Tuesday morning.

The police are reportedly making arrangements for his Indian companion, Mr. Devnath, to return to Samoa to give evidence.

Samoa Bulletin
April 24th, 1958
Apia, W. Samoa.
