

Nos 90, 91, 92.

Correctional Sitting, 17th September, 1912

The year 1912, 17 September at 9 am, the Court composed of Messrs: The President, Comte de Buena Esperanza; the French Judge, Jean Bolonna; the British Judge, G. Alexander; in the presence of the Public Prosecutor, Comte d'Audino; Mr. Benzel, Registrar, recording;

Sitting in police jurisdiction in fact and law, delivered the following judgments:-

- 1. No. 90. Between the Public Prosecutor, plaintiff; and Mr. Louis Xavier Pineau, formerly of Malekula, accused of infringement of Article 57 of the Convention, defendant

Considering that Pineau though duly summoned did not answer on his case being called, nor anyone on his behalf, that the Public Prosecutor asked that the defendant be judged by default;

Considering that it is considered right to accede to these requisitions, ~~permits default against Pineau, for failure to appear~~

The case:

Considering that the debates and notably the depositions under oath of the witnesses Boyd, Tomi Saeto, sufficient proof has been adduced that in February, 1912, at a place called Labangas (Island of Malekula) the person named Pineau did sell ball cartridges and Winchester rifle to new Behidean natives;

Offence provided for and punished by articles 57 and 61 of the Convention of 30 October 1906, as follows:-

- 57: "3: The present prohibition to extend to rifles, revolvers and other repeating weapons and ball cartridges. ... 61: Any breach by non-natives of articles 57, 59 & 60 shall be punishable by a fine of from 1/6 to £20 and imprisonment ranging from one day to one month, or by either of these penalties.
- 2. "The Court shall inflict the penalties and may further order the forfeiture of the arms, ammunition, ... and shall decide as to their disposal or destruction."

For these reasons:

"Orders Louis Xavier Pineau to pay a fine of five pounds and all costs; order the forfeiture of the rifle seized and the public sale of this weapon to the benefit of the Court and of the new Behides.

So made, judged and delivered the day, month and year as above, by the Court, the President, the British and French Judges who have signed with the Registrar.

Mebouteur
Official translator
17th 9/12

no. 81 Between the Public Prosecutor, plaintiff,
and M^{rs} Pineau (born Femande, Martine Joset, defendant, accused of ^{the word is}
an infraction of Article 59 of the Convention of 20th October, 1906. ^{7/12}

As follows:

~~Considering that M^{rs} Pineau, although duly summoned, does not appear, that the Public Prosecutor has asked that she be judged by default and that there is reason to accede to this request.~~

~~Provinces default against the accused.~~

The case:

Considering that from the debates and the hearing under oath of several witnesses it transpires that in February, 1912, at a place called Sobanga (island of Maletula) the woman Pineau, born Femande Martine Joset, sold wine in bottle to three New Hebridean natives;

2 words deleted

Offence provided for and punished by articles 59 and 61 of the Convention of 20 October 1906, as follows: - 59. "1. No person shall in the New Hebrides archipelago sell or supply intoxicating liquors to the natives in any form and on any pretext whatsoever. 3. The present prohibitions shall cover spirits, beer, wine. 61. " Any breach by non-natives of articles... 59 shall be punishable by a fine of from 4/- to £20

For these reasons:

Condemns the woman Femande, Martine, Pineau, born Joset, to pay a fine of Fifty pounds (£20) and all costs.

Meboutier
Official Translator
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and upon as ahead by the first court
the President, the British and French judges,
the Registrar, who have signed.

III no. 82 Between the Public Prosecutor, plaintiff,
and M. Lucien Javelier, trader port Sandwich, Maletula, defendant
accused of infringing Article 57 of the Convention of 20th October, 1906.

As follows:

Considering that Javelier, though duly summoned, does not appear, that there is reason to pronounce default against the above named, for non-appearance;
pronounces default against Javelier for failure to appear;

The case:

Considering that Javelier is pursued for having sold cartridges and arms to New Hebridean natives in February, 1912, at Sobanga, island of Maletula; that the accusation is founded on the fact that the sale was effected by Pineau

already condemned for this offence by this Court at to-day's sitting; but that
of me word wanted Javelier being a partner of the said Pineau, must be condemned ^{to pay} the same
penalty;

Considering, first, that the Public Prosecutor of the Tribunal furnishes no proof
of this partnership said to exist or existing between Javelier and Pineau;
Considering, further, that no report exists against Javelier establishing that
he has infringed articles 57 and 61 of the Convention of 20th October, 1906;
For these reasons:

Decides that there are no reasons to proceed against Javelier and dismisses
the charge in the summons;

Charges the costs of the present judgment to the Indominum Treasury
to be made, judged and delivered the day, month
and year as aforesaid. By the Tribunal, the
President, the British and French judges who
have signed with the Registrar

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Official translator
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