JUDGMENT NO. (A) 1/66

of the 28th January, 1966.

## JOINT COURT OF THE NEW HEBRIDES.

## CRIMINAL JURISDICTION.

CONDOMINIUM

SAIREL SANNO of EMAU.

The accused, SAIREL SANNO, is charged that, on the First Count, on the 16th of January, 1966, at about 2 a.m. on the vessel "DARNLEY" he stole  $\pounds A$ , 10. 0. 0. the property of ALBERT BEN, and that, on the Second Count, on the same day and place, he stole  $\pounds A$ .5. 0. 0. the property of OTHO SIMON. To these two Counts he pleaded guilty.

The facts of the case are that at 2 a.m. on the 16th of January, 1966, the accused swam to the "DARNLEY", on which he and the two complainants were employed, and went to a box the property of ALBERT BEN in which ALBERT kept separately money belonging to himself, OTHO SIMCN and the accused. From the money belonging to ALBERT the accused extracted  $\pounds A.10.0.0.0$ and from that of OTHO SIMON he extracted  $\pounds A.5.0.0.0.$ , none of which money was ever recovered. When arrested, the accused admitted taking the money and, as stated earlier, pleaded guilty when charged. The accused, in mitigation, pleaded that he was drunk on that occasion.

The accused has two previous convictions for drunkenness, one in 1963 the other in 1964, and on the 29th January, 1965, he was convicted in the Joint Court of theft and sentenced to four months' imprisonment.

The Court convicts the accused and sentences him to four months' imprisonment to date from the 19th January, 1966, on which date he was taken into custody, subject to the decision of their Honours the Resident Commissioners. Should the decision of their Honours the Resident Commissioners on the sentence of the accused not be received prior to the expiration of the said four months, the accused shall thereupon be released.

VILA, the 28th day of January in the year 1966.

ench Judge. British Judge. Λ, Registrar.

