

No. 75.

Constitutional hearing, 6th September, 1912.

Public Prosecutor agt. Emile Guitel, Overseer, Epi, accused of a breach of Article (54)
 The year 1912, 6th September at 10 am, the Court composed of the President,
 Court de Buena Esperanza; the French judge, Jean Bolonna; the British judge,
 G. Alexander; In the presence of the Public Prosecutor, Court d'Audino; Mr. Beugel,
 Registrar, recording;
 sitting in public hearing in first and last resort delivered the following judgment:-

The Joint Court

Having heard read the documents in the case, the Public Prosecutor in his conclusions
 no one in behalf of the offender;
 Considering that Emile Guitel, Overseer to the Natural, being at Epi was summoned
 before the Court to answer for assault on the person of the native Tra engaged
 new Hebridean to the above-named Natural; that on the case being called the
 person Guitel did not appear; that the Public Prosecutor requested to be judged
 by default; that it is therefore necessary to pronounce default against Guitel
 for non appearance;

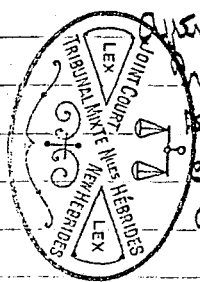
The case:

Considering that from the debates it results that Guitel is not the employer as
 provided by Articles (44) al. 1 and 56 al. 1 of the Constitution of 20th October 1906;
 that in consequence, the offense with which he is charged does not come within
 the jurisdiction before whom it is brought but of that provided and specified
 by Article 20 al. 3 of the said Constitution;

That there is need, in consequence, to declare itself incompetent;

For these reasons:

After having deliberated on the matter, sitting in public hearing in first and last resort;
 pronounced default against Guitel for non appearance;
 declares itself incompetent to deal with the case in question; sends the
 case before the jurisdiction concerned;
 charges all costs to the Condominium Treasury.



done and signed, delivered, the day, month and year
 as above and signed by Court de Buena Esperanza,
 President; Jean Bolonna, French judge; G. Alexander,
 British judge; Beugel, Registrar.

The President:

The British judge:
 G. G. Alexander

The French judge:
 J. Bolonna

[Signature]
 The Registrar: