

JOINT COURT OF THE NEW HEBRIDES.

JUDGMENT.

This thirtieth day of September, one thousand nine hundred and thirty.

In the matter of a charge against FUNG KWAN CHEE who was sentenced by the Court of First Instance on the 14th June, 1930 to four days imprisonment for breach of Article 59 of the Convention.

And an appeal having been lodged by the accused in conformity with the Rules of Procedure, the Court admits such appeal.

At the hearing of today having heard the President's report - The Public Prosecutor make his demand- Mr Frouin, "défenseur" for the accused and the accused himself being assisted by the Interpreter DINH VAN QUAN, who were duly sworn.

Whereas the accused asserts that he did not deliver the wine to the native - he explains that the native took the bottle of wine from the table and went away leaving two shillings on the table.

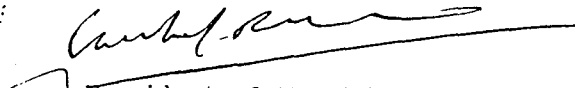
But even admitting the statements of the accused, the Court does not find reasonable ground to declare the accused not guilty.

However it is necessary to take into account the past of the accused who never yet has been convicted and to grant him the advantage of the attenuating circumstances.


IT IS THIS DAY ADJUDGED

The appeal is upheld and adopting the motives of the first judge, in so far as the declaration of the accused is concerned, but amending the sentence, the Joint Court sentences the said

FUNG KWAN CHEE to pay a fine of 50 francs and the costs of the prosecution.


President of the Joint Court.

French Judge.


Acting Registrar.

British Judge.

