

JOINT COURT OF THE NEW HEBRIDES.

The twenty-seventh day of May One thousand nine hundred and fifty five.

Before their Honours :

Philippe Comte, French Judge, President,
J.D.Field, British Judge, ad hoc,
and messrs; R. Harbulot, Assessor,
E. Buteri, acting Registrar.

JUDGMENT

This is an appeal against Judgment No. 28 given on the eleventh of March 1955 by the Court of First Instance, Northern District, which, by application of Articles 59 and 60 of the Protocol of 6th August 1914; sentenced the appellant, a Vietnamese named LE DUC HOA, born in 1903 at Mai Phuong (Ninh Binh), day labourer living at Santo, to one month's imprisonment and to pay a fine of £Stg20 for having sold alcoholic liquor to a New Hebrides native.

Mr de Préville, appearing for the appellant, was heard in his defence.

The appeal is admissible, it having been made in due form and within the time allowed.

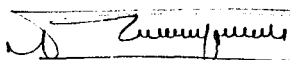
The Court is of the opinion that the Court of First Instance has shown a clear appreciation of the facts of this case, but has given a sentence which appears rather severe having regard to the circumstances surrounding the infraction.

ON THESE GROUNDS :

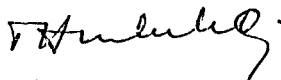
The Judgment under appeal is confirmed on the question of guilt but is amended with regard to the sentence to be imposed.

LE DUC HOA is therefore sentenced to pay a fine of Ten pounds sterling, with costs fixed at 5/3d Sterling.

Given at a public hearing at Vila the day and year first above written.



French Judge.



Assessor


British Judge ad hoc


Acting Registrar.