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JOINT COURT OF THE NEW HEBRIDES

This Thirtieth day of May in the year One thousand Nine hundred and Fifty six.

Before Their Honours -

M.MORRISON	British Judge	} Presidents
P.COMTE	French Judge	
and, L.BAIRSTOW,	Assessor	
and, Messrs. J.STEGLER,	Business Employee,	British subject
R.HARBULOT,	Manager,	French citizen
K.NATHESON,	Planter,	British subject
H.RUSSET,	Planter,	French citizen

Mr.CHALLONS officiated as Public Prosecutor "ad hoc"
and, M.PUJOL, Native Advocate, appeared on behalf of the

Accused - TASSIRI of Emua Village, Efate.

The accused was charged that he on the 10th April, 1956 maliciously caused the death of one KALPAT of Emua at the village of Emua by administering poison. The Assessors were appointed under the provisions of the Convention of 6th August, 1914 after right of challenge was given personally to the accused.

After the evidence of witnesses had been taken and the Native Advocate had addressed the Court with the assistance of the Assessors the Court then considered its verdict the Assessors being consulted on the question of punishment. The Court then delivered the following Judgment :-

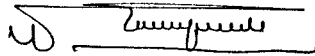
The Accused is charged that he on the 10th of April, 1956 maliciously caused the death of one KALPAT of Emua at the village of Emua by administering poison.


The Accused pleaded GUILTY but in view of the seriousness of the offence and the possibility of the native mind misunderstanding the effect of such plea the Court rejected the plea and put the prosecution to proof of the offence.

The evidence disclosed that the accused had some time previously obtained weedkiller from the garage of M.Perronet without the consent of M.Perronet. This was after serious disputes had arisen between the accused and his wife which had caused the British District Agent, Central District No.2 to be advised and had resulted in proceedings being taken against the accused. The wife of the accused is the only child of Kalpat. She and her four children have had to depend mainly for their support on Kalpat. The accused, who belongs to the village of Pele has been provided with land by Kalpat and has lived in the village of his wife and her father. The accused appears to be of a roving disposition often leaving his wife and children. It is natural in such circumstances that the Father should in extreme cases take the part of his daughter. From the evidence the

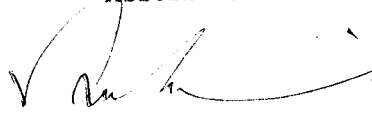
daughter and her father appear to have been shamefully treated by the accused. The evidence as to the administering of poison is clear. The accused obtained from his young son a cup of tea intended for Kalpat, poured some weed killer containing arsenic into the tea and gave the cup of tea to Kalpat. Kalpat after drinking the tea containing poison became violently ill and later died. The remainder of the poison was thrown away by the accused and all evidence has disappeared. Medical evidence discloses that contents of the stomach and of the colon contain arsenic and fluid exuding from the mouth sent for analysis also contains arsenic. The deceased appears to have suffered terribly before death which took place about 22 hours after the drink was taken. The accused at first denied that he had administered poison but later in a statement made to the British Commandant of Police admitted administering the poison. In his evidence and in the statement made to the police he tried to support his action by alleging serious quarrels between himself on the one part and Kalpat and his daughter on the other. The Court is satisfied that there were serious quarrels but that these quarrels all arose from the wicked and oppressive conduct of the accused. The accused appears to have made use of his wife and her father when it suited him and oppressed them continuously.

The Accused is convicted and sentenced to Fifteen(15) years imprisonment.


French Judge.


British Judge.


Assessor.


Acting Registrar.