

TRIBUNAL MIXTE DES NOUVELLES-HEBRIDES

NOTES D'AUDIENCES

Audience du 28 novembre 1941

Les prévenus BUI VAN PHU, LAI VAN TIN, NGUYEN VAN HOP, NGUYEN VAN THU, comparaissent en personne, assistés de M. DONG SY HUA, interprète, serment prêté.

Défaut est prononcé contre DO THE TRO.

Parti à Santo hier par la "Concorde" (déclaration de M. DONG SY HUA, interprète qui ajoute que l'audience du lendemain dans laquelle TRO était appelé comme prévenu était à la connaissance de M. BERTHAULT qui a décidé d'emmener quand même le prévenu).

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Audience du 12 décembre 1941.

Les prévenus BUI VAN PHU, LAI VAN TIN, NGUYEN VAN THU comparaissent en personne, assistés de M. DONG SY HUA, comme interprète, serment prêté.

Q. à M. DONG SY HUA, interprète :

Voulez-vous rappeler dans quelles conditions le nommé DO THE TRO a quitté Port-Vila, la veille de l'audience du 28 novembre 1941?

R. - Je viens de recevoir des ordres du Chef du Service de l'Immigration de ne pas répondre à cette question.

Le Président fait connaître à l'interprète que suivant le plumeitif il nous a répondu sur la même question à l'audience précitée ce qui est consigné plus haut et dont le Greffier donne lecture aujourd'hui.

R. - C'est bien ce que j'ai déclaré. Je le confirme entièrement. M. BERTHAULT savait que TRO était prévenu et que l'audience était pour le lendemain.

S.I. - M. le Procureur "ad hoc" accepte que sa note de ce jour soit déposée au dossier.

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POUR EXTRAIT,

Le Greffier :

Mucini

V U :

Le Juge Britannique :

Argem.

Le Juge Français :

Argem

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FIRST SCHEDULE

Minutes of Proceedings; Session of 28th November 1941.

The accused BUI VAN PHU, LAI VAN TIN, NGUYEN VAN HOP and NGUYEN VAN THU appeared in person and were assisted by DONG SY HUA, sworn interpreter.

Judgment by default was pronounced against DO THE TRO.

Left yesterday for Santo by the "Concorde", (statement made by DONG SY HUA Interpreter who added that Mr Berthault knew that TRO was summoned to appear at the session to be held on the following day but nevertheless he decided to send away the accused).

Session of 12th December 1941

The accused BUI VAN PHU, LAI VAN TIN, NGUYEN VAN THU appear in person and are assisted by DONG SY HUA, sworn interpreter.

Q. to Dong Sy Hua, interpreter :
Will you recall the circumstances under which DO THE TRO left Vila the day preceding the session of 28th Nov. 1941 ?

A. I have just received orders from the Head of the Immigration Department not to reply to this question.

The President informed the interpreter that according to the minutes the latter had, at the above-named session, replied to the same question in the manner described above and as read today by the Registrar.

A. It is as I have said. It is quite true. Mr Berthault knew that TRO was summoned and that the Hearing was fixed for the following day.

Upon being questioned the Public Prosecutor consented to his minutes being placed in the file.

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EXTRACT - (Sgd) BUTERI - ActgRegistrar
(Sgd) A.H.EGAN SEEN (Sgd) J.L.TROGNON
British Judge French Judge.

SECOND SCHEDULE

Report

At 8.15 a.m. on the ninth day of December in the year one thousand nine hundred and forty one there appeared before the Public Prosecutor "ad hoc" Mr Faurebrac, Inspector of Indo-chinese labourers.

The question was put to him :

"Why did not the Tonkinese DO THE TRO appear at the Joint Court session held on the 28th November last seeing that he had lodged an appeal" ?

He replied :

"The Tonkinese DO THE TRO employed by Mr des Granges having by his conduct given a bad example to the other labourers, he was by request of his master taken away from the latter and it was decided that in order to get him away from the locality he should leave for Santo with Mr Berthault, Head of the Immigration Department, with a view to placing him with another master. The "Concorde" leaving on the 27th November, Mr

Berthault took the said DO THE TRO on board with him".

After being read the Report was signed.

(no signature)

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THIRD SCHEDULE

New Hebrides.

French Residency.

The Tonkinese DO THE TRO has been taken away to Santo for reasons known only to Mr Berthault, Head of the Immigration Department. Mr Berthault is expected to return shortly.

Vila, 12th December 1941.

p.p. Supt. Immigration Dept.

(signed) FAUREBRAC.

I gave the Report to Mr Faurebrac to sign. The latter did not return it to me as it was kept by the French Resident Commissioner.

(signed) PAGE

Public Prosecutor "ad hoc"

COPY.



Acting Registrar.