

JOINT COURT OF THE NEW HEBRIDES

CONDOMINIUM

v.

MANRE of ERATAP

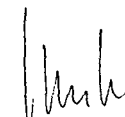
The accused was charged before the Joint Court on a first count that on a day unknown between 26th July 1963 and 17th August 1963 at Ewentau on the island of Efate in Central District No. 1, he broke and entered the dwelling house of DICK LOUITE and stole therein the sum of forty seven pounds and seventeen shillings the property of the said DICK LOUITE ; and on a second count that on the 18th August 1963 at Ewentau on the island of Efate in Central District No. 1 he attempted to break and enter the dwelling house of DICK LOUITE with intent to steal therein. To both these charges the accused pleaded not guilty.

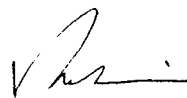
The complainant, DICK LOUITE, informed the Court that on the 26th July he left his home at Ewentau and went to the village of Eratap. He said he closed one door of his house on the inside and fastened the second door with wire, which was attached to a bent nail. There are only two doors to the house. He said he returned on the 10th August and found that the door which he had fastened on the outside was open, and that the wire was broken. He said that a window on the house had been pushed in and fallen on the bed and that a box which he kept locked and which contained money was opened and the money was gone. He reported the facts to the Chief of the village and as a result of a conversation with him returned to the house later and having got his wife to close the door from the outside he remained inside and kept watch. Some time later the accused arrived and after looking around in a furtive manner approached the door and pushed it forcefully. The witness said that not having achieved success with this door, the person whom he identified as the accused tried to push in the other door. Again being unsuccessful he went to the window and tried to push this in, at which time the witness went outside and spoke to the accused. He said that he told the accused to wait until he, the witness, fetched his wife, but that the accused said he must leave as there was trouble in the village. The witness left to fetch his wife but on his return the accused had departed. The witness later told the Court that he challenged the accused with stealing the money but that this was denied. The witness gave evidence as to the amount of money that was originally in the box and the amount that he found on his return on the occasion when he found the box opened.

The accused elected to give evidence on oath. He admitted that on the occasion when the complainant was in the house he went to it as he had some money which he wished to pay to the complainant. He said it was not his intention to break into the house when he pushed the doors and windows but did so merely to attract the attention of the complainant who he thought was asleep inside. He said that when he was pushing the windows the complainant came out and accused him of stealing money on the previous occasion. The accused emphatically denied this to the complainant and persisted in his denial in Court.

The Court adjourned to consider its verdict and after consultation found the accused not guilty.

DATED at Vila this 2nd day of September 1963 ./.


French Judge


Registrar


British Judge