

of the 29th. January, 1965.

JOINT COURT OF THE NEW HEBRIDES.

CRIMINAL JURISDICTION.

CONDOMINIUM

v.

WILLIE NAUKA of TANNA.

In this case the defendant was charged that he on the 1st. of January, 1965 indecently and forcibly assaulted BENAINA of TANNA.)

BENAINA herself gave no evidence in support of the charge. The only evidence that she did give was to the effect that the defendant held her dress and as she turned away from him it became torn.

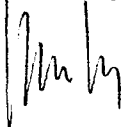
A statement signed with BENAINA's mark was produced by the Public Prosecutor and he was permitted to treat her as a hostile witness and to cross-examine her upon it. However, BENAINA continued to maintain that nothing more had happened than she had previously given in her evidence. Furthermore it transpired that the statement, which was in English, had been made to the Police in Pidgin by BENAINA's husband after she had allegedly made a complaint to him in Tannese.

The Court can place no reliance in such a statement and finds that there is no prima facie case against the defendant.

Consequently the Court acquits the defendant.

DATED at VILA this twenty-ninth day of January 1965.

French Judge.



British Judge.



Acting Registrar.



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v.

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F E E S due to Mr. O.HONEGGER, Bailiff, residing at VILA

SUMMONS TO ACCUSED :

Original	£stg. 0. 4. 6	
copy	9	
Transport	<u>2. 4. 0</u> £stg. 2. 9. 3

SUMMONS TO WITNESSES:

Original	£stg. 0. 3. 0	
copies	<u>1. 6</u> <u>0. 4. 6</u>
		£stg. 2.13. 9
		=====

TWO POUNDS THIRTEEN SHILLINGS AND NINE PENCE STERLING.

VILA, the 29th. January, 1965.

S. Dubois
Acting Registrar.

S E E N :

G. Guesdon
G. GUESDON
French Judge.

C.H.G. Leaf
C.H.G. LEAF.
British Judge.