

Correctional Hearing of 9th August, 1912.

No. 62.

Public Prosecutor against Gabriel Simon, avta.

The year 1912, 9th August at 9 am, the Court composed of Messrs. The President, Count de Suisa, Diferencia, the French Judge, Jean Colonna; the British Judge, J. Alex. Aider; In the presence of the Public Prosecutor, Count de Suisa, Mr. Buegel, Registrar, recording;

Sitting in public hearing and last report, delivered the following judgment:

The Court

Having heard the report drawn up against the accused by Mr. Buegel, Commandant Penitentiary, read:

Considering that from the debates a sufficient proof against Gabriel Simon of having on the 14th July, 1911, sold alcoholic liquor to natives of the Pacific, provided for and punished by articles 57, 58, 59, 60, 61 and 62 of the Convention of 20th October, 1905, as follows:

Article 57: "1. The term native employed in the course of the present decree includes virtually all individuals of native races of the Southern or Western Islands of the Pacific, all native persons... can be prosecuted before the Courts with and be sentenced to penalties provided by articles 61-5 of the Convention."

Article 59: "1. From the date when the present Convention comes into operation no person shall in the territory... sell or supply to the natives in any form and on any pretext whatsoever intoxicating liquors."

Article 61: "1. Any breach by non-natives of articles 57, 59 shall be punishable by a fine of four \$ to \$ 20."

But considering that the accused has never been condemned for breach of the

This at issue before court, that it is also stated in the report of this case
that the breach was committed on the day of the French National Holiday
and that very probably Gabriel Simon through his negligence and impurity
on account of the solemnity of the day, fell a few glasses of drink to
the victim who caused to kill it.

For these reasons

Condemns Gabriel Simon to a fine of ten francs and costs



So done, judged and pronounced the day
month and year as ahead in public hearing
and last report and request by Council de Bureau
in presence of Jean Bouvier, Alexandre and
Bouvier

The Judges

J. G. Allard

The President

C. Bouvier

The Registrar

Bouvier