

Civil hearing of the 15th November 1912
No. 112

Between Paul Mattei, captain of the Clotilde, defendant principal
and Aleck Maketou, ambuim, plaintiff in principal case, defendant in attachment,
appearing by M. Bergerus, advocate in the

The year 1912, 15th November, at 9 am the Joint Court composed of the President, Count de Bonna Superant, the French judge, Jean Bolinas, the British judge, T. A. Rooker,
in presence of the Public Prosecutor of the Cook Cook, Count Andino, M. Berzel
Requitor, recording;
judging in civil jurisdiction, in first and last resort, after having deliberated
delivered the following judgment.

The Joint Court

Considering that by writ dated 5th November, 1912, M. Paul Mattei opposed a
judgment of default delivered by this Court the 8th October, 1912, condemning him
to pay to the native Aleck Maketou, as damages, the sum of two hundred
francs (£5) and costs;

Formally

Considering that the opposition is in order and that there is reason to receive it

The case

Having heard the plaintiff in his allegations, facts and conclusions; M. Bergerus,
on behalf of Aleck Maketou, in his defence;

Heard the Public Prosecutor in his requisitions;

Considering that the plaintiff limits himself to alleging his good faith and to
stating, without proofs in support, nor request to produce proof, that if he
arrested Maketou, it was to obey the verbal order of the Commandant of the
cruiser "Kerbauk" and because he had heard it said that a warrant of arrest
had been issued against this native;

That the only document produced at the debates and which to him, appears of a
nature to justify the offence of arrest and conveyance of the defendant before the
authorities at Vila, simply consists of an authorisation from the French Resident
to control recruiting operations and engagements to which circumstances might
permit him to assist in the islands of the archipelago;

Accordingly that the injury caused by Paul Mattei to Maketou is and remains
unquestionable.

But that, nevertheless, the Court, must, in view of the explanations furnished by the plaintiff, reduce to its true proportions the amount of damages allowed by its judgment by default delivered on the before-mentioned date;

For these reasons;

Received, formally, Mr Paul Mattei opposing the judgment above stated;
The Court: amending the condemnation pronounced the 8th October, 1912
fixes the sum of the damages to be paid by the plaintiff to the native
Makelou at one hundred francs (Fr 100); condemns him accordingly to
pay this amount and also the costs of the present judgment and that of the
8th October, 1912, to which opposition has been made.

Done, judged and delivered, the day, month and year
as at head. By the Joint Court, the President, the
French and British Judges have signed these presents
with the Registrar.

The President

The British Judge

The Registrar

The French Judge

Certified true translation
of the Original

M. Boulebois

Paris 28th November 1912

Official Interpreter-Translator

New Hebrides

to the Joint Court of the Condominium.

