

Civil Session of May 13<sup>th</sup> 1913

Jack (Sibou) of Pentecost, represented by Maître  
Jacomb.

v. Louis Mathieux, settler, of Mélé, represented  
by M<sup>r</sup> J. Coursin.

At 9 A.M. on May 13<sup>th</sup> 1913 the Joint Court composed  
of the President, Count Buena Esperanza; the French  
Judge, Jean Colonna; the Pontist Judge, T.E. Roseby;  
in presence of the Public Prosecutor, Count Andino,  
M<sup>r</sup> Bengel, Registrar, reading;  
Sitting in a civil case, as a Court of first & last  
instance, after due deliberation, delivered the following  
judgment;

The Joint Court:

Whereas, the native Jack (Sibou) having been by writ  
dated April 28<sup>th</sup> 1913 summoned the said Mathieux  
before this Court & being represented by Maître Jacomb,  
M<sup>r</sup> Coursin, attorney for the defendant, asked the Court  
to declare that, Jack, being engaged by a French man  
& being, moreover, a minor, it appertained to the  
French Resident Commissioner to designate the counsel  
charged with the defence of his (Jack's) interests  
before the Joint Court; & in consequence, to say that  
Maître Jacomb has no power to represent the above-named  
native in the case;

Whereas, however, even if it appears from the general  
tenor of the provisions of the Convention that natives  
regularly indentured benefit during their period of  
engagement by the protection of the power to whom  
their employer is subject, it appears nevertheless  
& is formally stated by Article 17 par. 4 of the  
Convention that the natives "may further if he so wishes

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chose for himself other legal assistance ;  
Whereas, moreover, as concerns the minority of the  
native Tack, the Court could not, owing to the lack  
of civil status of the said native, take cognizance  
on the simple statement of the petitioner ;

For these reasons :

Declares that the objection raised by M<sup>r</sup> Cousin,  
acting as aforesaid, is unfounded ; dismisses the  
objection & orders the case to be continued .

The costs of the present judgment are at the cost  
of M<sup>r</sup> Mathoux .

Done, judged & pronounced, the day month  
& year as above . By the Joint Court,  
the President, the French Judge, the  
British Judge, who signed with the Registrar

The President :

The British Judge :    The Registrar :    The French Judge :

Certified true translation  
of the Original

R. H. H. H.  
Vila H. J. 25<sup>th</sup> 1913    Official Interpreter-Translator  
New Hebrides    to the Joint Court of the Condominium