

Case 1372

JOINT COURT OF THE NEW HEBRIDES.

CRIMINAL JURISDICTION.

THE thirtyfirst day of July in the year One thousand nine hundred and sixty-one ;

BEFORE their Honours :

James P. TRAINOR, British Judge, President,
Georges GUESDON, French Judge,
Armand de PREVILLE, Native Advocate, ad hoc.
D. WALFORD, Public Prosecutor, ad hoc.
and Mr. D.I. ALLEN, Assessor,
assisted by O. HONEGGER, Acting Registrar.

J U D G M E N T.

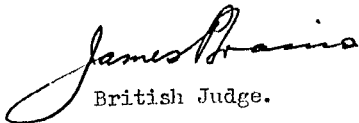
THE evidence to connect the accused JOHSUA MALAS of MELE, Efate, with the offence with which he is charged was that given by AUGUSTINE, ELTON and PAUL. Each of these swore that he had seen on the 6th. June, 1961, the accused insert a piece of cloth in the drift sight of an aircraft belonging to FIJI AIRWAYS LTD. The accused emphatically denied this.

THE evidence of these three witnesses for the prosecution contained many inconsistencies on matters that appeared to the Court to be important. To this weakness might be added the confessed dislike of AUGUSTINE and ELTON for the accused.

THE Court ^{is} ~~was~~ of the opinion, that while a strong suspicion might attach to the accused, the evidence is not such as would warrant a conviction.

IN the circumstance the case is dismissed.


French Judge.


British Judge.


Assessor.

Acting Registrar.
