

JOINT COURT OF THE NEW HEBRIDES

CONDOMINIUM

v.

ALFRED of PAUNANGIS

JUDGMENT

The accused, ALFRED, appeared before the Court on the 9th December, 1966 charged, that on a date unknown in the month of November, 1966 at Paunangis on the island of Efate he stole £A. 27.17. 6, the property of the inhabitants of Paunangis, from Stephen TALAU who had been entrusted with the safe keeping of the said property.

To this charge he pleaded guilty.

Commandant Walford, the Public Prosecutor, told the Court that on the 14th November, 1966 Stephen TALAU found that £A. 27.17. 6, village community funds, which he had in his custody and which he had put in a suitcase had disappeared : the suitcase was kept in a drawer in his house. Having seen the accused loitering around his house about this time he taxed the accused with the theft. The accused freely admitted taking the money and said he had spent it on food and clothing. A complaint was made to the police and accused was arrested on the 4th December. While in custody the accused made a statement in which he admitted the theft.

The Public Prosecutor said that the accused was convicted on the 23rd May, 1966 of theft and that the case was adjourned for sentence to the 22nd November, 1966 and that it was during this adjournment that the present offence was committed.


Maître Pujol, the Native Advocate, was heard in mitigation. He told the Court that the accused has been an orphan since he was a baby. He has no land and has been living with various members of his family. Maître Pujol said that there was no one to look after the accused and that he had no education. He stressed the youth of the accused : that he is only 16 years of age.

The Court adjourned the case until today, the 16th December, 1966 when having heard the accused's brother and the Chief of the village, sentences the accused to two months' imprisonment to date from the 4th December.

The Court orders the accused to be detained in custody pending the receipt of the decision of Their Honours, the Resident Commissioners on the sentence imposed. If the said decision be not pronounced before the expiration of the said two months the Court further orders that the accused shall then be released and shall be deemed to have undergone the penalty imposed.

DATED at Vila, this 16th day of December, 1966 ./.


French Judge


British Judge

Registrar