

Mooring in correctional jurisdiction, 13th August, 1912.

No. 66.

Public Prosecution against Hippolyte Seclerc.

The year 1912, 13th August, at 9 am. the Court met composed of Messieurs the President, Count de Bussan, M. de la Roche, Judge, Jean Colonna, the Public Prosecutor, M. de la Roche, In the presence of the Public Prosecutor, Count de Bussan, M. Benzel, Registrar, recording; sitting in police jurisdiction in first and last resort, delivered the following judgment:

The Court:

1. In regard to procedure:

Considering that Hippolyte, Seclerc, although regularly and duly summoned does not appear, and that it is established in consequence, to pronounce default against him for failure to appear;

2. The case:

Having heard the Public Prosecutor of the Government in his conclusions, more for default on Seclerc, the documents in the case, notably the report drawn up by the Councillor of the French Consulate and transmitted by the Resident French Commissioner, read;

Having heard the witnesses, particularly, M. de la Roche, in their depositions;

Having heard the Public Prosecutor in his speech for the prosecution;

Considering that the debates and the depositions of the witnesses show, it is established that on the 17th October, 1911, at a place called Big Bay (Sauts), the said Hippolyte, Seclerc recruited against their will and with violence the natives Ombi, Minto, Vou, Tembe, Nere and Sore, all natives of the New Hebrides, that the offence provided against by the Convention of the 20th October, 1906 and punished by its article 56 as follows: "1. Any infringement by non-natives of the terms of the present

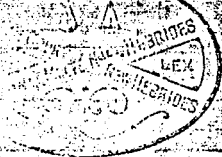
Constitution regarding the recruiting and engagements of native laborers shall be punishable by a fine of from \$10 to \$20 and by imprisonment of from one day to one month or by either of the above penalties. . . . 3. The Court shall inflict the penalties and 4. . . .

II. Concerning the witnesses before the Court

Considering that although duly summoned, there were persons who did not appear when called by name, that the penalty is provided against such persons by Article 3 of the Special Regulations Nº 136, as follows: "The witness who duly summons and does not appear before the Tribunal or the Judge shall be deemed to have testified that he judged and condemned by his jurisdiction to a fine of from \$10 to \$20."

For these reasons

The Tribunal hereby judges by default and in public hearing and condemns Sosa and Betanc to a fine of \$20, condemns Hippolyte to one month imprisonment and a fine of \$20, and condemns Luis also to all costs.



So done, judged and pronounced this Tuesday 13th August 1912 and signed by Court de Buena Esperanza, Jean Polina and Philibert Alexander Bengel, Registrars.

The Judges:

J. Arroyo
L. G. Alcantara

The President:

Benigno Bengel