

1914/04/28

THE ANGLO-FRENCH CONDOMINIUM
OF THE NEW HEBRIDES.

Natives of TAHI (Paama)
Represented by E. Jacomb.

v

Natives of TAVALIE (Paama).
Represented by Dr. Borgesius.

WHEREAS on the 26th May 1913 Mr Jacomb representing the natives of Tahī and Dr Borgesius Native Advocate representing the natives of Tavalie presented themselves before the Court in accordance with Article XXI (1) of the Convention and prayed the Court to arbitrate in the dispute between their respective clients as to the ownership of certain land at Paama;

AND WHEREAS the case was adjourned in order that further information and more particularly a plan of the disputed land might be obtained;

AND WHEREAS it appears that the land in question has been held by the village of Tavalie for more than 70 years as the result of a tribal fight which led to the expulsion of the former inhabitants from the land in dispute formerly called Tahālip;

AND WHEREAS some of the descendants of the village of Tahālip now inhabit the village of Tahī which now claims the land in question in their right;

AND WHEREAS the village of Tavalie by their representative repudiate the claim of the Tahī village to the land which they have occupied for more than 70 years and on which they have built houses and made cultivation and otherwise improved but nevertheless offer as a matter of grace to give a part for the persons who are descendants of the village tribe of Tahālip;

AND WHEREAS the Court considers it inequitable to disturb an occupation of so long duration. ^{The Court therefore} decides :

that ownership of the
disputed

disputed property shall remain in the village of Tavalie having regard to all individual rights of members of the village and third parties.

That the costs of the plan and report made ^{through 14.} by the offices of the British Administration shall be defrayed by the village of Tahi.

That the other costs of the case shall be defrayed by each party paying its own costs respectively.

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The ~~British~~ Court house, Vila, this 28th day of April
one thousand nine hundred and fourteen



[Signature]
President. *Carlo [unclear]*

[Signature]
French Judge.

[Signature]
Acting Registrar.

[Signature]
British Judge.

[Signature]

[Signature]

[Signature]