

1462/12/12

P E T I T I O N

To His Honour the President of the Joint Court of the New Hebrides.

Mr RAO FUJOL, Native Advocate living at Vila, acting under the attached authority from Their Honours the Resident Commissioners, has the honour to state:-

That by its Judgment N° 57 of 24th January 1950 the Joint Court granted, to the benefit of the natives of Vila, a Reserve registered under the name of "Vila-Malalopa Native Reserve" Title 57G;

That as a result of the straightening of the public road from Vila to M214 and the construction of a permanent bridge over the Tagabé River, the Public Works Department was obliged to encroach on this Reserve with more-over the prior consent of the natives.

That it is now necessary to regularize the new situation by a Decision of the Joint Court;

That the amount of compensation to be paid to the natives by the Joint Administration has been, in principle, settled amicably under the terms of an agreement signed by the native users of the expropriated land and the owners of the destroyed coconut trees, the original being annexed hereto;

That under this agreement the compensation to be paid by the Joint Administration to the natives amounts to:-

1°	Value of land taken from the Native Reserve	£A. 75	0	0
2°	Value of coconut trees destroyed	£A. 40	0	0
	Total	£A.115	0	0

Your Petitioner therefore prays that it may please the Court:

To declare:

That the Vila-Malalopa Native Reserve Title N° 57G, as defined in Judgment N° 57 of 24th January 1950, is reduced in area by seventeen areas eighteen centiares ten square decimetres (17a. 18 ca. 10 dm2) such area having been taken from the said Reserve by the Joint Administration for the purpose of building a portion of the Vila to M214 public road such as is indicated red on the plan annexed hereto and according to the attached description of boundaries;

That under the terms of the Agreement dated 11th July 1960 the Joint Administration is required to pay to KAL ARAM and LEIKAVE widow of KALBUAGO, the sum of Seventy five Pounds Australian for the expropriated land and Forty Pounds Australian for the destroyed coconut trees.

Finally to order that Title N° 57G, "Vila-Malalopa Native Reserve" be modified at the Land Titles Registry in the foregoing terms.

Presented at Vila the 10th day of February 1961.

(sgd) R. FUJOL
Native Advocate.

President of the Joint Court,
Considering the attached petition communicated to us this day by the Registry, and hereas, by the terms of Article 27 of the Protocol it rests with the Joint Court, and not with the President, to amend decisions which it has taken in the matter of Native Reserves, I, RAO FUJOL myself incompetent and refer the matter back to the Petitioner for such action as he may think advisable.
Given in Chambers at Vila the sixteenth day of March 1961.
R. FUJOL
British Judge.

Verified true translation
of the Original

22/2 1061
Official Interpreter-Translator
to the Joint Court of the New Hebrides