

FRANK E. WALLACE,
SOLICITOR.

Vila,

ENCLOSURE

New Hebrides, 29th. Octr., 1915.

ISLAND INSPECTION.

Messrs Burns Philp & Coy. Ltd.,
Bridge Street,
Sydney.

Dear Sirs,

PORTION 6 SOUTH SANTO.

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I should like your opinion as to the claim for this land. The title is Tovari and others to New Hebrides Coy. (Bundle 22). The description in the deed describes the land as "Commencing at a marked tree on the shore a short distance west of Lizen and running about north by one point west two and a half miles until it comes to a clump of 'Binatala' trees blazed, which marks the N.W. corner, thence north by six points east to a clump of coconut trees at the River Atzone about three and a quarter miles, thence down the river to the sea coast - excepting about two acres near the coast upon which the school house stands which is owned by the P. Mission".

Mr Hawkins in his report says "The eastern and southern parts of this claim are well defined by natural boundaries such as the Atzone River and the sea coast; but the northern and western boundaries are fixed by the lengths mentioned in the deed; these boundaries are straight but do not follow the bearings given in the deed because if they did it would be impossible to get the full lengths stated. The bearings in the deed were only very roughly guessed at and the lines were not run to prove them".

In his private report he says "When I surveyed Portion 6

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"I found that I had adopted the points where the boundaries were supposed to go to it would have been impossible for me to have made the lines agree with the lengths stated in the deed. Acting on the first instructions I made a plan showing the full lengths of lines which you will notice cross the Wailapa River which I have not shown because it is not mentioned in any way. The northern and western boundaries are not run but have been calculated".

I enclose a sketch plan showing the whole position. What we may call the original block edged yellow (5665 acres) gives the full length of lines. I think you will agree with me that it is a rather unconvincing looking plan. The Wailapa River is one of a fair size and surely would have been mentioned if the boundaries really did cross it.

The block edged red (1600 acres) gives us the bearings in the deed; but as the north west corner had to connect with a clump of trees by a line north 6 point east we do not get the full length along A B running north 1 point west mentioned in the deed.

In the block edged green (2359 acres) we get the full length along A B C running north 1 point ^{west} north but strike the Atzone River at a higher point and our line from C to river does not run north 6 points east, *nor is it the given length.*

Either of these two look better than the yellow block and are certainly nearer the description than it is.

I think the definite distance given along A C would justify us claiming the green edged block; but on the other hand the block edged red (which cuts down our line A C to A B) enables us to get the

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direction given in deed to a clump of cocoanut trees on the river but not the length - $3\frac{1}{2}$ miles - we only get 110 chains ($1\frac{1}{2}$ miles).

I would suggest that we claim the green block 2359 acres but at the same time we must recognise that there is a chance of our being cut down to the red one.

What do you think?

Yours faithfully.

Frank Mawack