

UNITED NATIONS

TRUSTEESHIP  
COUNCIL



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COMMUNICATION FROM MR. PIERRE SIMON NKEN TCHALLE CONCERNING  
THE CAMEROONS UNDER FRENCH ADMINISTRATION

(Circulated in accordance with rule 24 and supplementary rule F  
of the rules of procedure for the Trusteeship Council)

PETITION TO BE SUBMITTED TO THE FOURTH COMMITTEE AT THE  
NINTH SESSION OF THE UNITED NATIONS AT NEW YORK

I, the undersigned NKEN TCHALLE PIERRE SIMON, representative of NKOSSIM  
NGOUANGWANDA and POUT-KELE, ESEKA SUBDIVISION, SANAGA MARITIME REGION, CAMEROONS  
FRENCH ADMINISTRATION UNDER INTERNATIONAL TRUSTEESHIP

Explanation of United Nations petition T/L.481 of 27 January 1954<sup>1/</sup>

The French Administration states that I am a foreigner to the Sanaga-Maritime  
Region and that I and my family, whom I represent, entered that Region in 1918.

I consider all the statements by the authorities of the Colonial Administration  
null and void. Seeing that the Bassa general laws did not allow foreigners to  
enter their lands even to clear a plantation, they certainly did not dare to let  
outsiders settle among them. In 1913 and 1914 there was war between the indigenous  
tribes.

Seeing that there are eighteen generations of Nkossims from our first  
ancestor to this day, except the smallest.

I am submitting to you a list of names of our family:

- |           |              |              |
|-----------|--------------|--------------|
| 1. KWAN   | 7. NKOO      | 13. EBANGUE  |
| 2. KOBÁ   | 8. MBANG     | 14. MAKEME   |
| 3. MOUT   | 9. NGONDE    | 15. MANDJAME |
| 4. NGOUY  | 10. LINDJEME | 16. OLINGA   |
| 5. KILLA  | 11. NDJOLE   | 17. TCHALLE  |
| 6. MINSIM | 12. NYAGA    | 18. NKEN     |

1/ Note by the Secretariat: See T/COM.5/L.30, resolution 1058 (XIV).

Before the whites came to the Cameroons, the Nkossims' land ended at the village of Log-Bikoé, not Bayék. I should tell you that after the death of Mayi Mbem, the former Chief of the Ndock Boa-Nord Canton, Mr. Peu, the Administrator-Mayor, wished to meet one Bayeck's desire to become Cantonal Chief. As they had warned the Chief of the Sanaga Maritime Region in 1935, the people declared by vote that it did not want that person because of his arbitrary actions. But Mbam Mayi, the son of the late Chief, inherited the Chiefdom.

Bayeck was convinced by the people's democracy and asked the Chief Regional Officer for something else. And the authorities gave him the Nkossims' land, very profitable land 18 kilometres long. Bayeck did not actually derive profit from this land. He was overseer on it and the Chief Regional Officer dealt with all the harvests. At each harvest season he sent the clerk called EKWALA EIBOUMBOU to supervise all the sales of the crops. Note that Bayeck also had a large share.

On 5 January 1935, the Chief Regional Officer sent Mr. BUERE DAWSON Joseph Léopard, the Chief of the Eseka Subdivision, Senior Chief Deputy in the Civil Service, President of the Court of First Instance, accompanied by regional police to drive us out of Nouangouanda and expel us from Pout-Kélé.

Note that Bayeck was not convicted for the Nkossim palavers but rather for threats, theft and breaking into the home of Mr. Daniel BISSOU, Village Chief of EKOUM, and he was sentenced to four years' imprisonment.

I would point out to the members of the Trusteeship Council that all the statements in the petition you have sent me are unfounded. The Nkossims left Ngouangouanda on 5 January 1936, whereas Bayeck was sentenced only in 1945. You can see for yourselves that the Administering Authority is not willing to give you the facts of the case, as they have no extenuating circumstance to prevent my success in my petitions.

The Administering Authority states that Bayeck paid 13,505 francs to compensate the Nkossims for the work which he had carried out on his land. I tell you that the land cannot cost that sum and that it belongs to us. If Bayeck paid, to whom did he give that money? To the Administration, I am sure, as I have just explained to you.

The representative of the French Government states that the petitioner's charges are unfounded. I do not understand for what low motive I am denouncing the arbitrary steps which the French Government is considering and wrapping up in lies to carry them out.

Moreover, anyone who lays claims is said to be against him.

Nevertheless, I claim compensation for my 185 persons, 182 dwellings and the servants seized; which comes to 300,000,000 francs C.F.A. in all.

I thank you very much for your good faith.

Nken Tchalle Pierre Simon, Pout-Kellé, 30 km from ESEKA.

P.S. I should tell you that on 17 January 1954 we went to see the Chief Territorial Officer, but he merely remained indifferent to our case. I should also tell you that, in connexion with the compensation announced by the Administering Authority, I am sending you a copy of a notable court decision which will enlighten you from every point of view. I should inform you that this decision is illegal, since this court never existed. I ask you to read these documents; you will find that no member of the Nkossim was present at the hearing.

It should be pointed out that, according to the Administering Authority, Bassa custom does not permit foreigners to settle on their land. I should therefore like to know whether the land which we are now occupying does not belong to the Bassa who established this very custom.

Consequently, I persist in asking for compensation for my 185 men, 182 dwellings and domestic servants seized by the police and the French Administration of the Cameroons, 300,000,000 francs.

I HAVE THE HONOUR ..... (initialled)

NKEN TJALE P.O. Box 51 ESEKA, CAMEROONS

CAMEROONS

LOWER SANAGA REGION

ESEKA SUBDIVISION

COURT OF FIRST DEGREE

PUBLIC HEARING

on 5 January 1936 at 3 p.m.

held by the Court of First  
Degree of Eséka

composed of:

1. Mr. BRUERE DAWSON Joseph Leopold, Chief  
Deputy. Senior in the Civil Service,  
Chief Subdivisional Officer :. PRESIDENT
2. ESSOUMBA N'Tab, Bassa Notable, }  
Assessor, Protestant } Members
3. MALIM MBASSALA, Haoussa }  
Notable, Alternate Assessor }

Both having been sworn.

Together with MBOA André, writer-interpreter of the 4th class, Yaoundé by race, 30 years of age, Catholic, duly sworn.

CASE OF BADJECK Robert, son of Badjeck, deceased, and Ngo Mbanga, 45 years of age, Bassa by race, Catholic, Village Chief of Ekoum (Eséka Subdivision), plaintiff, appearing in person.

AGAINST BIKOUE Nkoué, son of Nkoué, deceased, and Ngobikoi, deceased, about 30 years of age, Nkossim by race, Catholic, resident at Ngouangouanda (Eséka Subdivision), respondent appearing in person.

PARTICULARS:

After several vain attempts at conciliation, BADJECK Robert, by written and subsequently by oral appeal to the Chief of the Eséka Subdivision against BIKOUE NKOUE, representative of the Nkossim Tribe, has made the following application: the costs set at 30 francs have been paid into the court. About eight years before I was sentenced by the Eséka Court I had cleared a large area of the forest along the highroad leading to the village of Ekoum, of which I was the Chief, to make two large plantations. In this I had the advice of a manager engaged by contract to the people of the Nkossim tribe which came from Yaoundé. These documents are still in my possession and I venture to submit them to you to attest my statements. When I was exiled at Garoua in 1930 following my conviction, all my former employees, taking advantage of my absence,

seized my property, which had been made profitable by my own efforts and at my own expense.

Having been pardoned in 1932, I was able to return to my country and did not fail to lodge a complaint with the Chief Subdivisional Officer of that time.

I therefore persist in claiming these plantations which belong to me, and that by reason of the arrogance displayed by my former workers, now owners on their own authority and for several years the beneficiaries of the yields from my cocoa trees and palm trees. I should add that in 1920 Bikoi's father had already brought an action against me to claim alleged rights to the land in question. After settlement, the plaintiff was nonsuited. As the properties reverted to me, I put labourers paid by me to work there and the work contracts attest that. They are the same workers who today consider themselves the owners, and here are their names: IBAME, BONDI, KAKOKERE, BIKOI, LINDGEME.

.....

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The case having been heard, the Court, after consultation, delivered the following decision:

WHEREAS in order to do this BADJECK at his own expense had engaged as day labourers, by contracts in due form which have been submitted to the Court, the same persons who are now contesting his title to the ownership of the plantations in question;

WHEREAS BIKOU NKOUE acknowledges, although he is unwilling to do so formally, that they were only paid workers of BADJECK but not associated in share-cropping or any other form of tenant farming and whereas they cannot therefore be accorded the recognition of any rights whatsoever to the properties or crops;

WHEREAS it was for these plaintiffs to apply in due time (about 1928-1929) to the local authorities if their wages were not paid, but they thought fit, owing to the absence of BADJECK in prison and for the reasons stated, to take over his properties with full title;

WHEREAS after visiting the site, the Court found that the cocoa trees and palm trees, 8 to 10 years of age and at this time in full yield, had been harvested for several years by the regular occupiers and that there were grounds for ordering the latter to leave immediately without any compensation;

WHEREAS the presence of the plaintiffs in the region would be a source of continual disputes between them and BADJECK and whereas they should leave this region without delay and settle some ten kilometres away, in the interest of keeping the peace;

WHEREAS the plaintiffs are of the Nkossim race, originally from Yaoundé, and in consequence foreign to the Bassa race, the only one by customary law owning the land in the Eséka Subdivision;

For these reasons the Court decides that: the two plantations shall revert with full title to BADJECK Robert, residing at Ekoum, within the following bounds:

|                        |               |                       |   |                  |
|------------------------|---------------|-----------------------|---|------------------|
| <u>1st PLANTATION:</u> | on the north: | Maholo village        | ) |                  |
|                        | on the east:  | the Djis Lilem river  | ) | Approximate area |
|                        | on the south: | by some plantations   | ) | 200 hectares     |
|                        |               | owned by Edkouangombé | ) |                  |
|                        |               | village               | ) |                  |
| <u>2nd PLANTATION:</u> | on the north: | the schedule 1 forest | ) |                  |
|                        |               | bounding the chiefdom | ) |                  |
|                        |               | of Sintat Libong -    | ) | Approximate area |
|                        |               | villa Maholo          | ) | 130 hectares     |
|                        | on the east:  | the Lobe river        | ) |                  |
|                        | on the south: | the bounds of Minka   | ) |                  |
|                        |               | Mintoumba chiefdom    | ) |                  |
|                        |               | Ekoangombé village    | ) |                  |
|                        | on the west:  | Ekpun village         | ) |                  |

Orders that a time limit of fifteen days from the date of this decision shall be given for removal over and above the two months already agreed upon out of court on 4 November 1935.

Orders that no compensation of any kind may be paid to the plaintiff or to his people, who have derived advantage for nearly six years from the crops of the plantations in question and may therefore be considered to have been adequately indemnified.

Given at a public hearing on the day and in the month and year cited above.  
The President has apprised the parties that they had the right to appeal and clearly explained the time limits and formalities.

Signed by the President, the Interpreter and the two Assessors:

Signed: ESSOUMBA-MBASSALA-MBOA André

Signed: BRUERE DAWSON

Extract certified true copy

Eséka, 28 January 1936

Signed: The Chief Subdivisional Officer

True extract

Edéa, 9 March 1954

E. JOUD

Deputy

FOR THE CHIEF REGIONAL OFFICER

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