

WAME, also spelled LOAME, Plaintiff
v.
BELLU LEJEJEN, also spelled JEJON, Defendant
Civil Action No. 358
Trial Division of the High Court
Marshall Islands District
April 2, 1974

Dispute over *iroij lablab*, *alab* and *dri jermal* interests for Baten *wato*, Mejit Island. The Trial Division of the High Court, D. Kelly Turner, Associate Justice, entered judgment on the parties' agreement disposing of the suit, decreeing that plaintiff was the *iroij lablab* and that defendant shall exercise *alab* and *dri jermal* rights until and unless terminated for failure to meet his obligations under Marshallese custom.

Counsel for Plaintiff: LAWRENCE EDWARDS
Counsel for Defendant: ANIBAR TIMOTHY

TURNER, *Associate Justice*

When this case came on for trial the parties and their counsel reached agreement disposing of the dispute. Involved is *iroij lablab*, *alab*, and *dri jermal* interests for Baten *Wato*, Mejit Island. Plaintiff claims all three interests in the *wato* and this claim was resisted by Bellu until the parties got together for trial.

The action originally commenced with suit by *Iroij Lanjo Laninaur* bringing an action against Bellu for withholding from him the share of copra sales due him. Bellu admitted withholding *alab* and *dri jermal* shares from the *wato* but denied that he also withheld *iroij lablab* interests.

Bellu did not resist *Iroij Lanjo's* *iroij lablab* claim but asserted he had been assigned worker interests which the *iroij* was now wrongfully attempting to cut off. This equivocal state of affairs continued until the settlement in

which Bellu agreed to recognize and meet his obligations under the custom to Wame as successor *iroij lablab* to Lanjo.

Entitlement to interests in this and other Mejit land was decided by *Anjouij v. Wame*, 5 T.T.R. 337, and in *Ishoda v. Jejon*, 5 T.T.R. 497. The present case, then, is the third attempt in this court to settle the disputes between the parties over southern Mejit lands. It is noted that the defendant, Bellu Lejejen, is designated Bellu Jejon in the earlier decision. The dissimilarity can best be explained by different counsel, different times, and (more likely) different English spellings by different interpreters.

In any event, the *Anjouij v. Wame* case held, among other things, that Lanjo, the original plaintiff in the present action and the *iroij lablab* who died after bringing this action, held *dri jermal* interests in the land which he assigned to Wame. As successor plaintiff after the death of Lanjo, Wame asserted his entitlement to all three land interests as successor to Lanjo. It was sufficient for that decision to deny the claim of the plaintiff, Frank Anjouij, to *dri jermal* interests without finding them in the plaintiff. The court said:—

“Granted that it is in the interest of all concerned for the successor *iroij* to Lanjo to be quickly determined, *Lainlij v. Lojoun*, 1 T.T.R. 113, this case cannot resolve that question because no evidence was heard on the point except Wame’s assertion that he was the successor.”

The next case, *Ishoda v. Jejon*, directly involved the worker interests—*iroij erik*, *alab*, and *dri jermal*—for Baten *Wato* on Mejit. In the *Ishoda* trial, Bellu claimed the three interests (excluding the *iroij lablab* rights) in Baten *Wato*. Again the court declined to rule on Wame’s entitlement to *iroij lablab* rights because they were not involved.

This is the first time, therefore all land interests for the area in question in Mejit can be settled by the court.

In the *Ishoda* decision, the court denied the plaintiff's claim but went a step further than in the previous ruling and held Bellu "is entitled to exercise *iroij erik, alab, and dri jermal* interests on Baten *Wato* until such time as those interests may be terminated in accordance with Marshallese custom by the *iroij lablab* successor to Lanjo." That individual, we decide today from the agreement of the parties and the other interested land holders, together with the council for the southern part of Mejit, is Wame.

As matters presently stand, Bellu, in spite of Wame's claim to all interests in Baten *Wato*, holds the worker rights on the *Wato* until such time as his interests may be terminated for any of the reasons found under Marshallese traditional land law for ending an interest in land.

Ordered, adjudged and decreed:—

1. That plaintiff is the *iroij lablab* for Baten and southern Mejit Island land not here specifically set forth.
2. That defendant shall exercise *alab* and *dri jermal* rights to Baten *Wato* until and unless terminated for failure to meet his obligations under Marshallese custom.