

IN THE MALAITA LOCAL COURT

LAND CASE NO..2/84....

DATE: 11/2/84....

Name of Land in dispute...ULO-ONE LAND.....

Name of Plaintiff:..HANUEL HANITEE OF ROONE VILLAGE, E/S MALAITA.....

V.

Name of Defendant:..HETI GEORGE OF ROONE VILLAGE, E/S MALAITA.....

DECREE

JUDGMENT:

The southern region Local Court made the judgment of a piece of land name Ulo-one between Manuel Hanitee and Hedley George. The Local Court found out Hedley George did not found liable, either Mr. Manuel Hanitee claim that piece of land Ulo-one, as his own customary land, because there is no river divided his own land and that piece of land Uloone. The Local Court found out true when the survey.

Mr. Hanitee claim Ulo-one land as his own piece of land, because he did hear or knows such payment Hedley George's father, Timothy George made instead of the two brothers UHIPEINE and UHIMORU. Hanitee made his statement, that Uhipeine and Uhimouru's land are separated lands from his own land including Ulo-one. D/ witness Toosi said in his statements, that he was at a time of Mr. Pool came to Ko'one in 1916 but he did not see any such payment of £30.00 gold Timothy George made to Mr. Bell to Mr Pool.

ARAANA Hanitee's witness also proved that he did not hear or anyone told him concern such payment of £30.00 gold. Mr. Hanitee told the Local Court Uloone land is own by PAEWA-ALA-ALA tribe he said PAEWA-ALA-ALA was died out and ASIHANE, is his tribe is control and look after at present. Hanitee also told the Local Court when the school was operated in 1966 the school committee paid to him with the sums of \$40.00, because he owns Ulo-one land he stopped the school from Ulo-one land. As the reason because Mr. Hedley George is owns Ulo-one land with him. Hanitee's wife also witness told the Local Court she did not hear Timothy George paid Ulo-one land including other lands. Therefore Local Court believed Ulo-one is part of Hanitee's land true.

The Local Court for southern region again found out from Mr. Hedley George, that Hedley claim Ulo-one land is part of all the lands his father Timothy George paid with £30.00 of gold. Mr. Hedley George told the Local court in his statement, that what he said was written by his father Timothy George in this letter on 29th March 1965.

The Local Court believed this payment was a true payment Mr. Timothy George made instead the four chieives to Mr. Pool. The Local Court

believed this letter written by Timothy George concern all the land starting from TOLIHUASA, to south wards Onepaine, island including Mangroves, spearlines at Heuloho continuing to Warowaro swamps.

Therefore Local Court believe Ulo-one may be part of that area as well.

The Local Court also found out from Hedley's witness Sadeas Tole said that from that Ulo-one land swamp and it is in the spearlines which Mr. Timothy George paid with other lands with £30.00, of gold. Mr. Sadeas Tole when he made statements he said that Araana once he faced Hanitee that Hanitee did not own Ulo-one land. The Local Court again found out that James Uihunu, is the Chief of Hanitee he against him and witnessed against him James Uihunu when made statement he approved the payment Timothy George made to Mr. Bell to Mrs Pool was true. Hanisno also witness to Hedley said that the payment was true. Hedley claim Ulo-one land because the school committee paid to him \$20.00 which Hanitee did not ask it from him until today, in which Local Court really proved.

The Local Court did not take any note with the court heard at Pulu by Watehiruwala, because there was no record received from high court or Magistrate office Malaita.

The Local Court found out from both sides in some how you tell the true or not however he will pass you decision according to what was heard from all your statements.

TO THE SURVEY REPORT

The plaintiff side have no map to follows when we survey. The survey follows the river sloopulu, to Iloi streams to warowaro. The both parties had agreed with the defendant boundary, between Hanitee's own land. The plaintiff mentioned that his principal tambu place and old settlements with those SUE trees, but there was no, principal tambu place neither any old settlement or SUE trees. The piece of land Ulo'one which both sides are disputed, is about 2 acres and it is mainly mixed with sand carols and ground. It is situated near the mangroves towards warowaro passage. Ulo-one is only fit for station and few coconuts to plant, but no big forms.

The court also found out from both sides, Hanitee and Hedley are coming from Roone village and both sides are related according to custom, because Timothy George married Misipa the daughter of the two brothers UHIPEINE, and UHIMORU, in PAEWA-ALA-ALA in which you Hanitee is control in ASIHANE. In the same way Local Court found out, Araana in the previous years you was facing Hanitee. Yet in this court you become one of his witness, against Hedley George. Local Court also found out James Uihunu is Hanitee's Chief which he should support him yet James is witness to Hedley George, against you Hanitee.

Therefore the Local Court made its decision concern the above points from both sides.

DECISION

1. HAMUEL HANITEE YOU THE 1ST PRIMARY RIGHT TO OWNER A PIECE OF LAND ULO,ONE, AS IN THE BEGINNING.

2. Hedley George you the 2nd primary right to owner to that piece of land Ulo'one, as well, because \$20.00 the school committee had paid to you is still in your hand until to day.

Right of Appeal Explained. 90 days or 3 months.

Dates of appeals 18.7.84 to 15th November 1984 is the closing date.

Signatures:	Robert Ouou	Vice President
	Michael Nitoka	Court member
	Willie Hikimae	" "
	Joseph Sihiu	" Clerk.