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THE LOCAL COURTS ACT  
(Cap. 46)

CUSTOMARY LAND DISPUTE  
(Unaccepted Settlement)  
[Section 8D(1)]

1. Name and address of chiefs involved in the decision

Deputy Paramount-Chief Vatubura Village: Mr. Polycap. Galagu.  
Second Appointed Chief Boromole " Mr. Stephen. Siria.  
Village Chiefs Pohomulu " Mr. B. Tarai.  
" " Borolinaba " Mr. Eliot. Bata.

2. Name and address of the Parties

(a) Complainant: Mr. Paul Gogera of Boromole Village,  
North Gela,  
Central Province.

(b) Defendant: Mr Thomas Kogao of Sende Village,  
East Gela,  
Central Province.

3. Name and address of witnesses:

(a) For the complainant: Mr. George. Sagusuragi of Vegovavala Settlement,  
North Gela,  
Central Province.  
& Mr Matthew Sabisi of Boromole Village, North Gela, C.P.

(b) For the Defendant:  
Mr. A. C. Suvele of Sende Village,  
East Gela,  
Central Province.

4. Description of the land relating to the dispute:

Customary Land.

Only in Flat Area or Land.

Area Started at Gavigasiola Stream  
to Alogai Stream.

5. Description of the nature of the dispute:

Suitable For developing Crops.  
As Coconuts and Cocoa.

6. Summary of evidence on behalf of:

(a) Complainant: Mr. Paul Gegere told the Court that the land was his started from the very olden days at the Second Manna. The Hogokiki Clan (Mingimatanga tribe) was at the first place he said. Because he died <sup>and</sup> buried in the land; The land was his for the payment of his life killed by a tribe in the land at the first place ~~he~~ said Paul Gegere.

(b) Defendant: Mr. Thomas Kogao told the Court that the land was his started from the very olden days too. He did not get any Sacrificing places in the land he said. His tribe too killed in the land said Kogao. He also mentioned that his death in the land had a means of his criminalness to the tribe whom at the first place in the land. The tribes killed his tribe named Koikua and they divided her bodies among tribes in that Area.

7. Summary of findings/decision by the chiefs: According in Gela Custom History, P. Gegere's ~~tribe~~ showed the land was his. Because the tribe was at the first place in the land killed his tribes in the land with no means. And he died and buried in the land also.

The defendant Thomas Kogao, lost the case. Because he was not die for the land. He died for his criminalness ~~upon~~ upon tribe in the land. His tribe was not buried in the land ~~too~~. The tribe killed his tribe and divided his bodies among tribes in the Area.

8. Date and place where dispute was heard: 28<sup>th</sup> September 1990

at TARANA Village North Gela, C.I.P.

Dated at 28<sup>th</sup> this THURSDAY day of SEPTEMBER, 1990.

Certified by chiefs:

P. Balausa  
S. Sinia  
E. Bata  
Harika