

IN THE MALAITA LOCAL COURT

LAND CASE NO.....13/94.....

DATE: 16/1/95.....

Name of Land in dispute.....FARAKWENE'/. THASUI LALAMO.....

Name of Plaintiff:.....BILLY RINGALEA OF SIKWAFATA VGE., NORTH MALAITA.....

V.

Name of Defendant:.....DANIEL KAROA OF NAO VGE., NORTH MALAITA.....

DECREE

JUDGMENT:

1) Court find plaintiff Billy Ringalea claim born female of LOFIO M's daughter name Dauna'ala (f), who was married to ASITAAFUKONA of Takiniano tribe. Court found that Daunala(f) even her descendants did not brought back pig to be sacrificed in Thasuilalamoa Farakwene.

2) Plaintiff Billy Ringalea claim 3 tambu places inside Faiabu land, which D1 & 2 said have no interest to talked about and outside boundary both claim, However the plaintiff did not showed to Court what stone signs are in those tambu places. In fact plaintiff only point out those tambu sites. Plaintiff Billy Ringalea stated before Court during survey. He did not worship or sacrifice in any tambu place within the disputed land. He said he only claim the land because of his properties.

With this, Court have grave doubt, likewise his IFIA or Matala worship claim was not shown to Court.

3) Principal sites, Fonu and Abutamuni. Plaintiff Billy Ringalea stood afar off point out tambu site likewise to ABUTAMUNI tambu site. Defendants (1) D. Karoa and D2 Sataloa lead out Court party into the tambu sites and showed fire of ETEA, grave of Kona'au son of Lofio, wall of stones around tambu sites at ABUTAMUNI they shown Maoma stones, ETEA, burial place dancing site (Fuliau) Court without doubt believe what D1 & 2 stated in Court. With this the handed down of power of worship and ownership of land by KONA'AU to his uncle NGOLITOA son of FAADAUTOA(f) sister of Kona'au was believable^{AS} to custom.

4) Plaintiff B. Rigalea during survey instated your worship of IFIA or (Matala) was performed in Takiniaano. Iliki land in bush outside dispute. This is not true according to custom. Your existing properties such as coconuts, cocoa farms etc cannot guarantee ownership of land.

5) Court believe D2 Sutaloa, born female (BOBONAMAE(f)) in Karoa's line (D1) played custom important part, as he took over priesthood after male line cease, and sacrifices to devil continue until his father accept christianity.

6) Court did not believe what plaintiff B. Ringalea stated in Court even during land survey.

7) Court believe what D1 D. Karoa and D2 Sutaloa stated in Court, and proofs during survey.

8) With these finding points, Court not hesitate to reach out a decision

DECISION

1) Court disqualified the boundary plaintiff Billy Ringalea claimed, which follow up Fgwaabu stream, to cover Faiabu land.

2) As the male line not exist today, this Court awarded defendant 1 Daniel Karoa, Defendant 2 Sutaloa and their clans the **THE RIGHT FULL OWNERSHIP** over THASUILALAMOA/FARAKWENE land.

3) Plaintiff Billy Ringalea, have right to own his existing properties, if wish to make any ~~full~~ development **MUST** seek permission from D1 & 2. **further.**

4) This decision bound the boundaries claimed by D1 & D2 from main road mouth of Kafunakae stream follow up inland to head Kafunakae stream then across to Kwao'oto valley down to Head DODOIA stream, across to Funiai valley then down Falili valley, then down to meet Dodoia stream follow down Dodoia stream to mouth at sea coast.

This decision did not bide Faiabu land. If anyone not satisfied with this decision may appeal against decision within 3 months. Decision release at Auki on 17.2.95. Expiry date 17/5/95.

Court Officials

VICE PRESIDENT
COURT MEMBER
" "
" CLERK

P. MAEKIRIA
J. MANUBUASA
MARTIN
PHILIP SILAS