

IN THE MALAITA LOCAL COURT

LAND CASE NO. 1/93.....

DATE: 1/2/95.....

Name of Land in dispute... NAKI/ASANAO.....

Name of Plaintiff: 1) JOHNSON RAMONI OF MANASU, ATAA
2) DIKO NUTOGA OF SANGORI.....

V.

Name of Defendant: 1) KWAESIKO OF NGALIBIRUABU VILLAGE, ATA'A
2) MRS KOKI SUIA OF ARANIU VILLAGE, ATA'A
3) BA'A MUSURII OF ARANIU VILLAGE, ATA'A.....

DECREE

JUDGMENT:

Court finds that Ba'a from Tageoa and Ramoni from Maeiu both from Talafolo tribe. Naki gifted area belongs to Talafolo tribe whether male or female according to custom. Naki/Asanao land dispute 1/2/95.

1) In assessing what was given in Court as evidences by both parties and their witnesses. This Court consider them very seriously in line with our custom.

2) Three principal people like Tageoa, Abaelo and Maeiu, are from Talafolo which Naki gifted portion based on.

3) Ba'a Musurii whom Kwaesiko declared owner of Naki was on female lineage of Asanao and living descendant of Tageoa of Talafolo.

4) Ramoni Johnson is also from Talafolo and from the third brother Maeiu(m).

5) As usual plaintiffs witnesses and defendant witnesses always strongly supported the party they assisted and favour.

In this case both strongly denied each other which this Court had the right to make its findings and consideration.

6) Plaintiff and defendant had rightly stated that it was during this Solmac & Marving brother operations that caused this dispute. This Court found there was unfairness in distributing these royalties. That caused this dispute over this said land. Should Ba'a distributed the money to his fellow brothers of Talafolo then this Court found there wouldn't be. Over this portion of Naki.

7) In the past people of the same time shared feasts together but when this Logging Companies came into operation and royalty payments are paid to land owners people of the same tribe through greediness denied their brothers whom they depended on in the past. This typical attitude is seen everywhere where Logging is operated.

8) This Court only concerned with Naki disputed area. The coastal areas he should open a new fresh case to determine the ownership.

9) Kwaesiko still owner of Asanao customary land.

DECISION:

Naki portion of land belongs to Talafolo tribe which included Ba'a Musurii (m) and Johnson Ramoni(m) and their tribesmen. If there may arise any new development within this portion consult the whole Talafolo tribe not just few.

If you feel that this decision is not agreeable to what you suggest then appeal within 3 months 8/2/95 - 8/5/95.

Right of Appeal Explained.

Signed: O. SANGA (VP)
R. ANTHONY (CM)
BROWN TOLIDO (CM)
L. KEBAI (C/CLERK)

DATED THIS THE 8TH DAY OF FEBRUARY 1995.