

(LAND DISPUTE)

BITWIN: (FAMILI MAALU)– CHIEF MANAVILALU mo
CHIEF LAKELEOWIA & DESCENDANTS

Orijinol kleman

AND: CHIEF HENRY MANLAEWIA

Kaonta Klemant 1

AND: CHIEF MARIPONGI FAMILI & FAMILY TANMIALA

Kaonta klemant 2

AND: FAMILY SIMON PETER MARIPOPONGI &
DESCENDANTS

Kaonta Klemant 3

Coram: Senior Magistrate Rita Bill NAVITI
Aelan Kot Justices:

1. Justice Ann Carlo, blong Pango;
2. Justice Chief EDY KARIS blong ETON;
3. Justice Chief HARRY JOSUAH blong ETON.

Aelan Kot Clerk: JONAS MESAU

Hearing date: NOVEMBER 2009

Judgment date: 28 JANUARY 2010

J U D G M E N T

MALASA

Backkraon blong case ia:

Orijinol kleman hemi pem fees mo filem dispute blong hem over land Malasa
Kastom kraon long 6 April 1990.
Efate Aelan Kot Klerk iputum out pablik notis blong disputes ia long 30 April 1990
long radio Vanuatu. Long taem ia tu Efate Aelan Kot klerk igivim raet long anyone
blong rejisterem klem blong hem.



Followem pablik notis ia Chief Henry Manlaewia mo Chief Maripongi & Famili blong Tanmiala oli rejisterem olketa documents blong olketa blong contestem Orijinol klemant

Ino gat trial long kes ia kasem 9 November 2009 taem we Kot hemi holem first pre-trial conference long 9 o'clock long morning long Magistrates kot long Vila. Mo adjournem kes igo long next day 10 November 2009 long 9 o'clock blong hearem olketa parties.

NEMS mo BAONDRIS BLONG LAND:

Kraon ia istap long North Efate long village blong Paunagisu.

Istart long **ARUSE long man made well** long sea kost iran inland kasem wan **Laken Napanga**; then southern direction igo long area blong **Maulapa** kasem **Laken Namele** then tekem direction toward **Laken Nakavika**; then tekem direction towards **Laken Nakoka** long area blong **Maulapa** yet. Long ples ia lukluk igo long South West long **Tavan' Nasusun Natara** olsem custom campus, then go long **Laken Natalie** bakeken long area blong **Davea Loa**. Then ikrossem main road mo go kasem **MAULAPA**;

From Maulapa hemi stretch mo run towards **LAONKARAI** mo stret go kasem **LAUSOAGA**. From Lausoaga, baondri iran folowem sea kost igo back long Aruse bakeken

COMPOSITION BLONG KOT

Olketa parties oli no gat objection long olketa Justices ia:

- **Justice Ann Karlo, blong Pango;**
- **Justice Chief EDY KARIS blong ETON;**
- **Justice Chief HARRY JOSUAH blong ETON.**

PROCEDURES:

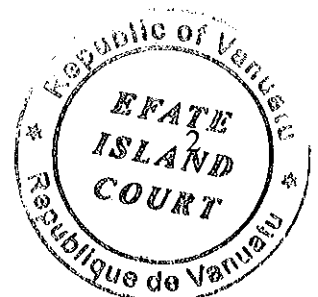
Kot hemi explainem procedure we bambae hemi followem blong harem kes ia. Bambae each klemant ipresentem **statement blong kes** blong hem, then hemi produsum olketa evidences through long olketa **witnesses**. Bambae olketa klemants oli testem olketa evidences/information through long:

- **Examination** in Chief,
- **Cross examination** mo
- **re-examination.**

LAWS:

1980, CONSTITUTION OF THE REPABLIK OF VANUATU:

Article 73. All land in the repablik of Vanuatu belongs to the **indigenous kastom owners and their descendants.**



Central element mo land policy long Vanuatu taem hemi kasem independence long 1980, hemi blong returnem every land igo back long Indijenous kastom onas. Every pre-independence freeholds mo leaseholds oli stop. Freeholders we oli registered olsem "alienators" oli entaetel blong kasem wan lease long commercial or residential rates or blong receivim wan compensation long improvements we oli been makem long land in kwesten.

Article 74. The **rules of kastom** shall form the basis of ownership and use of land in the Repablik of Vanuatu.

Blong findem kastom onas, Kot of law hemi must usum kastom law mo Rules blong usum land long Vanuatu.

Article 75. Only indigenous citizens of the Repablik of Vanuatu who have acquired **their land in accordance with a recognised system of land tenure shall have perpetual ownership of their land.**

Olketa Ni Vanuatu we kastom onas blong kraon ia oli givim raet over long kraon ia long olketa nomo oli gat raet blong holem free taetel.

Aelan Kot Act Cap 167 **Aelan Kot civil procedure Rules**

Role blong Aelan Kot under section 8 blong Aelan Kot Act hemi blong applaem kastomeri law blong erea we disputed land hemi located long hem. Decisen blong hem, hemi no must conflict wetem any written law. Mo too hemi no must stand againstem spirit blong justice, reality mo good order. Kot hemi gat power too blong mekem orders ia:

- a) Money olsem compensation;*
- b) Restitution blong property*
- c) Use mo occupation blong land igo long any party long dispute,*
- d) Prohibitim or restraining use blong land by any long olketa disputing parties*

Kastom of Efate-particularly North of Efate.

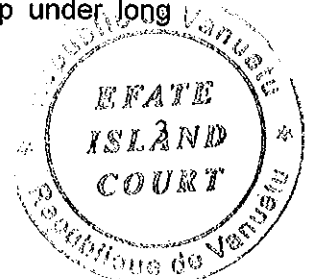
Long Kastom blong Efate, raet blong onem wan land hemi pass followem bladlaen blong man or patrilineal mo olketa exceptions blong hem we Kot hemi tok about long case blong Eleo-Eurakot (Land case 5 of 1993 we kot ia hemi disaed long March 2009).

Long erea we dispute ia istap long hem oli followem bladlaen. Dispute ia hemi involvem olketa following aspects blong onaship blong land long kastom blong Efate, olsem :

- A. Kastomeri Land onaship hem based generally long patrilineal system;
- B. Exception long rule blong patrilineal. Woman isave tekem right sapos inomo gat bloodline blong man istap;

KASTOMERI LAND TENURE:

- a) Bigfalla Chief hemi controlem, managem mo protectem olketa interest over lands blong olketa people we oli stap under long jurisdiksen blong hem.



b) Head blong Tribe: Hemi minim olketa assistants blong big Chief we Chief hemi givim specific kastom duty long olketa. Olsem warias, Munuwei... etc. Olketa ia oli head blong tribe we oli kamaot long side blong ol "man" long famli bladlaen blong big Chief or yumi save talem se olketa "brothers" blong hem.

c) Head blong Klan: hemi minim olketa Chiefs blong Naflak. Olketa oli head blong Chief blong Naflak we oli kamaot long saed blong olketa uncle blong Chief. Yumi save talem se olketa "tawian" blong hem.

STANDARD OF PROVE:

Standard of prove hemi long Probability.

Hemi duty blong Kot ia blong showem se hemi followem stret Constitution blong Vanuatu, 1980. Bambae hemi must applaem kastom olsem basis blong onaship blong kastomeri land raets, however desisen blong hem bambae hemi no must be inconsistent (igo against) wetem Article 73 mo 74 we hemi talk about onaship mo Perpetual onaship blong land.

FACTS:

LAND VISITATION:

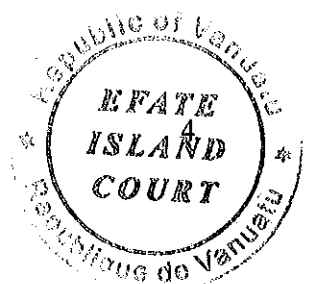
Kot itekem appearance, everyone istap mo oli depart long kot long 8.30 am, long 24 November 2009 igo long kraon. Plante people oli accompany Kot, but olketa parties mo spokesperson blong olketa nomo oli allowed blong go luk any particular kastom sites. Visitation hemi tekem wan dei nomo.

Kot iarrive long area in dispute long 9.45 am istart long:

- spring water long head blong Nambakura down long solwota long Emua,
- igo long white wood long main road;
- igo inland north long Namalaus tree;
- igo long east long Vatu Varao;
- Stret back long solwota long Vatu Varao, then everyone iproceed long main boundary olsem:
- Malosa (Tabu water)
- Moro ni Natamate, Vare sumansaipiri,
- Noai Aruse man dug well (wan bigfalla oldfalla Oak tri (oli just burnem)) ;
- Noai Aruse Naturel walter (about 200 m from the well)
- Original kleman ishowem 5 different sites nakamal or Varea.

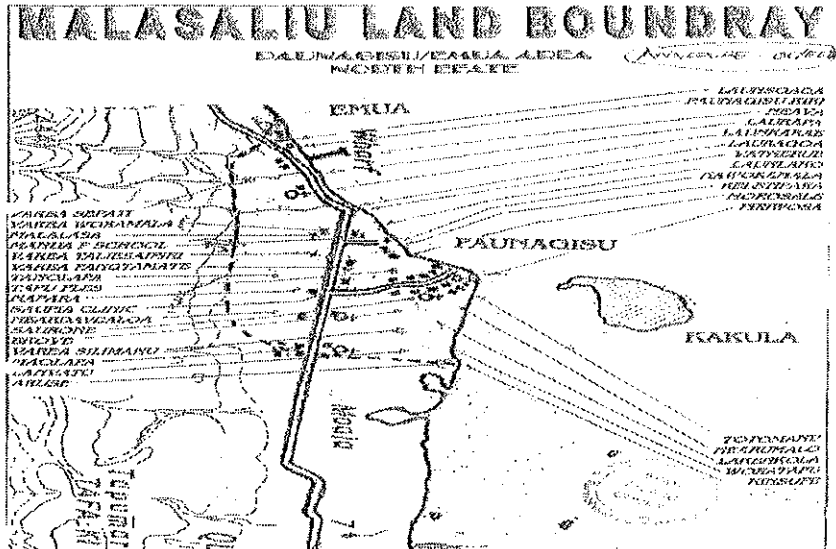
SAMARI BLONG EVIDENCES BLONG OLKETA PARTIES

CASE BLONG ORIJINOL KLEMANT:



Long 1990 original claimant hemi registerem klem ia under name blong MAALU FAMILI. Before kot iproceed hemi amendem name blong hem igo long chief MANAVILALU mo chief LAKELEOWIA.

Boundary:



Hemi produsim pleadings blong hem long 2 folders. Folder 1 hemi containem olketa statements mo folder 2 hemi olketa exhibits. Mo olketa witnesses blong hem oli confirm istri ia mo oli answer long olketa examinations.

KLEM:

Chief Manavilalu mo chief Lakeleowia tufalla ibasem klem blong tufalla long:

1. MATRILINEAL KASTOM BLADLAEN BLONG CHIEF MANAVILALU MO PATRILINEAL KASTOM BLADLAEN CHIEF LAKELEOWIA; MO
2. ANCESTRAL KASTOM LAND BAONDRI BLONG MALASA

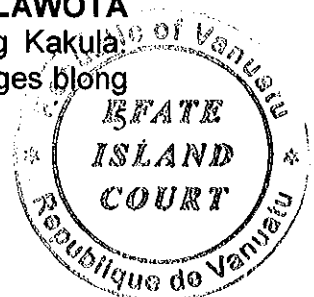
HISTRI:

Chief MANAVILALU, Chief LAKELEOWIA mo chief MANLAEWIA, trifalla last man blong MALASALIU.

Chief MANAVILALU hemi supreme custom chief blong namarakiana blong MALASALIU. Hemi no kat pikinini be hemi kat wan sista nomo we hemi LEITALIE, tufala iblong bikfala nakamal WORAMALA.

Chief LAKELEOWIA hemi brother blong Chief MANLAEWIA tufala iblong Varea NATALIE SAIPIRI. Chief Manlaewia imarretem Leimaire be tufalla ino kat pikinini. Chief Lakeleowia imarretem Leitalie sista blong Chief Manavilalu mo tufalla igat 3 pikinini: TOARA SARIAMATA, TALIETA MO TOARA LESSA.

Taem Good News ikam long Efate long late 1800s, olketa man long inland olsem SAVAKI, TANOMIALA, SUASU, TARIANGI, ROMOSO, LUMA, MALAWOTA mo RAVENGA oli been kam down long Malasaliu mo go settle long Kakula. Taem oli kam back long Efate, instead blong oli go back long olfala villages blong MALASA LAND 1/90



olketa long bush, oli stap nomo long **PAUNANGISU**; mekem tudei igat instability long land blong olketa fore fathers blong olketa.

Insaed long Malasaliu igat 5 different Varea:

- | | |
|---------------------------------|--|
| 1. Varea WARUA WORAMALA | Chief MANAVILALU (Paramount chief)
Chief MARVATUTIPUA |
| 2. Varea NATALIE SAIPIRI | Chief LAKELEOWIA
Chief MANLAEWIA |
| 3. Varea PANGTAMATE | Chief MANLAERANA |
| 4. Varea SEPATI | Chief PAKOA MAAU |
| 5. Varea SILIMANU | Chief TOKAIMAKAU |

Meaning blong olketa chiefly names ia:

Chief Manavilalu: imean kaekae iwaste. Taem hemi mekem kakae or naleoana (feast) kakae iolsem toti nomo (plentyfull, more than enough);

Chief Marvatutipua hemi Mataisau or namatapua (builder) blong chief we irresponsible long varea Woramala blong Chief Manavilalu.

Chief Lakeleowia hemi responsible long sierau mo aurea olsem sharem olketa something long village blong Malasaliu mo organisem old danis mo naleoana.

Chief Manlaewia hemi blong passem any news blong chief Manavilalu;

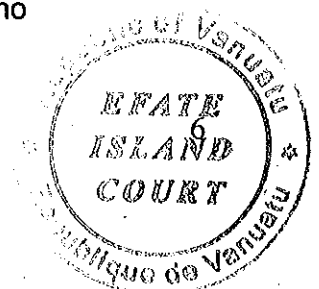
Chief Pakoa-Maau mo **Chief Tokaimakau** tufalla Maau blong Chief Manavilalu. nakamal blong tufalla chiefs ia istap long end blong boundaries blong Malasaliu.

Chief Manavilalu hemi gat kastom connection wetem bigfalla chief blong Pele. Taem big chief iwandem kakai human flesh, Manavilalu iprovidem long hem mo putum long Nagisu Ni Piriwosa (Paunangisu Point) blong chief ia ikam pikimup. Olsem paramount Chief Manavilalu isave performem kastom ordination blong chief Tagarasilasa blong Sake Tassiriki blong Pele we hemi too iwan paramount chief.

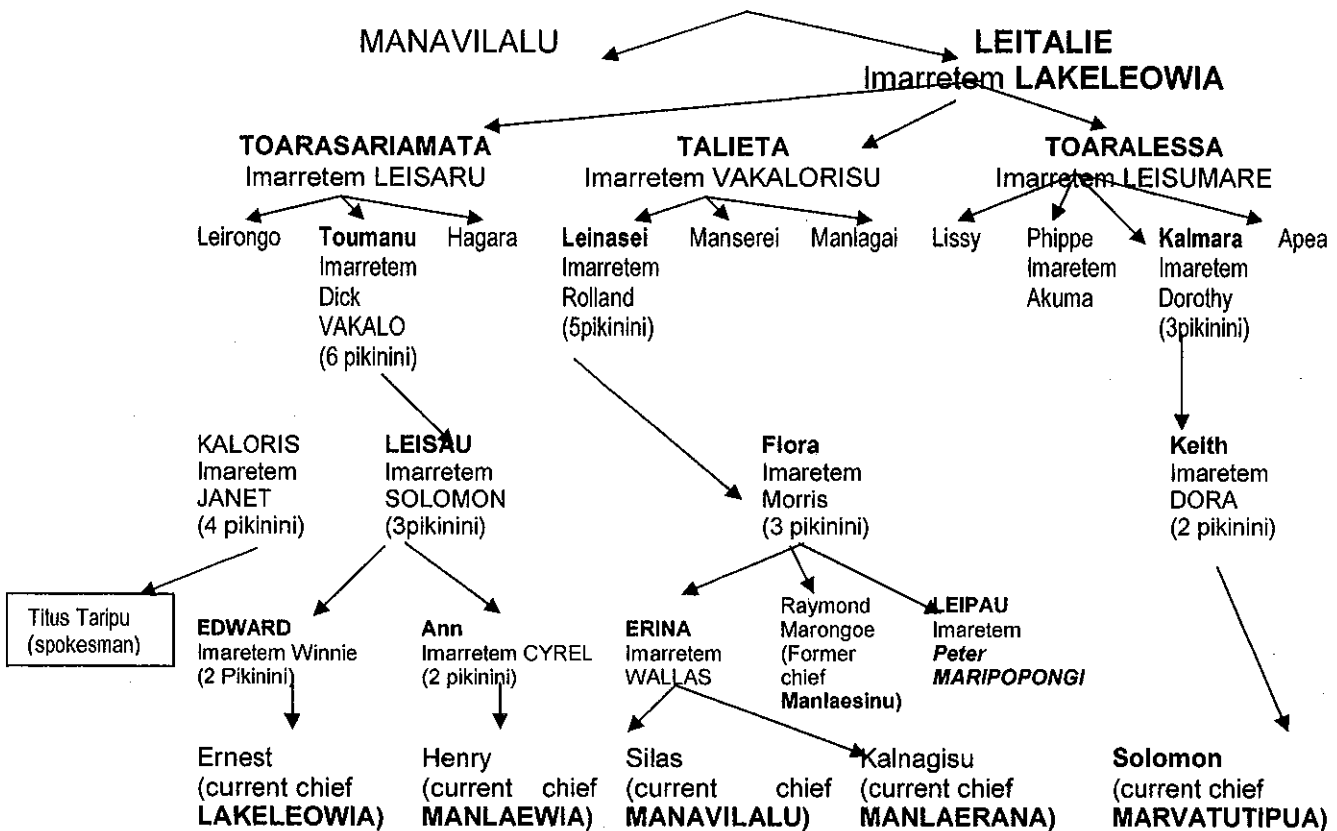
Famili tri blong MANAVILALU MATUA:

Sister blong MANAVILALU imarretem LAKELEOWIA, tufalla igat 3 pikinini: TOARASARIAMTA, TALIETA mo TOARALESSA.

- Current chief LAKELEOWIA mo MANLAEWIA tufalla ikamaot long TOARASARIAMATA;
- Current chief MANAVILALU, MANLAERANA, MANLAESINU mo PETER MARIPOPONGI oli kamaot long TALIETA; mo
- MARVATUTIPUA ikamaot long TOARALESSA.



CHIEF MANAVILALAU MATUA igat 2 pikinini



Kot ihearem evidences blong olketa witnesses blong hem:

WITNESS 1 TITUS TARIPU spokesperson blong Original klemant, sworn.

Hemi born long 1961 long Vila, papa blong hem Willie Taripu blong Nguna, hemi grew up long Paunangisu. Mama blong hem Nelly blong Paunangisu. Hemi related long Manavilalau through long mama blong hem Nelly. Nelly hemi daughter blong Kaloris, Kaloris hemi son blong Toumanu, girl blong Toarasariamata

Long toktok blong hem Chief Lakeleowia mo Chief Manlaewia tufalla ibrothers; tufalla iblong SUMAN SAIPIRI. Mo Chief Manavilalau now hemi paramount chief blong Malasaliu.

Solomon himself we ibin holem title blong Manlaewia bifo Henry, hemi blong Tariang. Hemi born before mama blong hem imaret.

Blong provum klem blong original klemant, witness iclaim se long kastom one Namarakian imust gat 1 Mwalala nomo; be igat evidence long olketa report blong oi Missionaries se igat 2 Mwalala long area ia: Malasa mo Tanmiala. So imust igat 2 paramount chiefs.

Furthermore Insaed long Malasaliu igat 5 Vareas:

- Woramala,
- Saipiri,
- Pangtamate,
- Silimanu (sikia) mo
- Sepati

Taem Chief Henry Manlaewia hemi ordained, group blong Chief Manavilalau mo Lakeleowia (orijinal klemant) now itakem new chief Manlaewia iwalk over long boundary blong title ia.

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Hemi save se Manlaewia hemi brother blong Lakeleowia. But Chief Thompson Tagarisi ibin ordainem Silas long name ia Manavilalu, taem olfalla Silas idead long Emua.

Main evidence blong witness ia hemi blong talem long kot se:

1. **Manavilalu** hemi big chief. **Manlaewia** hemi smol chief blong tekem news blong chief Manavilalu igo outside. Sapos Manavilalu hemi Paramount chief mo hemi ownem land, mo Manlaewia hemi chief blong passem news blong Chief Manavilalu, kastom bae idictate se Manavilalu now imust ordainem Manlaewia. Mo showem boundary blong chiefly title ia long hem. Hemia ino happen.

2. Chief Raymond Marongoe now ishowem boundary long Manlaewia. Kot iluk chief Raymond Marongoe mo appreciatem se hemi older than Henry Manlaewia mo hemi lukaotem Emua we ishare common boundary wetem Malasa long taem finish. Furthermore long famili tri blong original klemant, Chief Raymond Marongoe hemi great grand son blong Talieta; So sapos Manlaewia hemi ordained blong luk after Malasa land, then hemi probable se Bounadri blong Malasa hemi Siloa blong clan blong NAWI mo bambae hemi stret blong great grand son blong Talieta ishowem boundaries blong jurisdiction blong klan Nawi.

3. Long wan Namarakian imust gat wan Mwalala nomo. Mwalala hemi just wan custom dancing ground. Olgeta kastom advisors mo evidences long Kot ishowem se olketa smol/assistant chiefs oli save gat own Mwalala blong olketa too, apart from that of the High chief. So hemi depend nomo long wan wan chief.

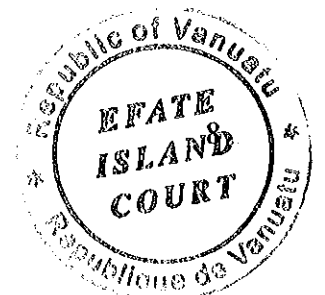
4. Papa blong witness ifirst born son blong Toumanu. Logically papa blong witness ishould inehritem title blong either Lakeleowia or Manlaewia, but title igo long pikinini blong Leisau (girl) we hemi second born pikinini blong Toumanu.

5. Solomon ino should ordained "Manlaewia" from hem (Solomon) himself iblong Tariang. Hemi born before mama blong hem imaret. Hemi not so clear how Solomon ibin holem title Manlaewia; from Solomon imarretem Leisau; long famili tri blong original klemant. Does witness hemi wandem givim contradictori evidence long kot ia? Sapos Solomon hemi no entitle blong holem title Manlaewia from hemi *illegitimate child*; then title ia ishould remain wetem husband blong mama blong Solomon. But witness ino clearem point ia.... But one thing iclear se Henry hemi pikinini girl blong Ann Cyrel, Naflac Nawi blong Leisau we ipass down from Toumau. Furthermore Cyrel (papa blong Henry) hemi pikinini blong Dorothy we imarretem Kalmara.

Kalmara hemi only male blood long line blong Chief Manavilalu mo Lakeleowia. Though hemi no stret pikinini blong Kalmara; be Kalmara iconsiderem hem olsem stret pikinini blong hem from hemi wan pastor.

Step brother blong Cyrel hemi Keith we ibornem Solomon mo Kalmaire. Keith istret pikinini blong Kalmara. Solomon ia iordained Marvatutipua. Iluk olsem marret blong Cyrel wetem Ann hemi followem kastom blong holem title blong hem olsem *spokesperson* or man blong passem news (olsem Oriignal klemant italem); But, blong Marvatutipua.

WITNESS 2 KALMAIRE KALMARA, sworn & states:



Hemi gat 38 years, papa or bubu blong hem hemi late Pastor Kalmara. Tom Kalmara hemi ded long 1989. Before hemi ded hemi givim title Marvatutipua long Solomon bigfalla brother blong witness ia. Mama blong witness ia Dora mo mama blong Dora hemi Nelly. Tom Kalmara hemi boy blong Toara Lessa. Toara Lessa hemi brother blong Toarasariamata mo Talieta. Papa blong olketa hemi Vakalorisu. Toaralessa imove igo long Kakula mo ded mo oli berem hem there. Hemi confirm se Lakeleowia hemi smol chief blong Malasa.

Hemi no clear from wanem party istap talem se Manavilalu hemi paramount chief mo Lakeleowia hemi smol chief from taem yumi followem family tree iluk olsem current Manavilalu hemi kamaot long Talieta but followem history blong Lakeleowia hemi kamaot long Toarasariamata we hemi first born brother blong Talieta mo Toara Lessa.

Between the two, long saed blong land taem ino gat bloodline blong man, girl blong Toarasariamata now bambae itekem title ia. But sapos oli followem Naflac bambae Manavilalu hemi tekem. Long ples ia Manavilalu hemi naflac Nawi go kasem Silas (current Manavilalu); but Kot ino gat enough evidence long background blong mama blong Winnie we hemi mama blong Ernest, blong save followem gud line blong tufalla brother chieves ia. Bakeken bambae Henry hemi stap long better position blong stand high sapos hemi followem naflac from hemi son blong Anne (Naflac Nawi).

Witness ia hemi seems blong talem long Kot se igat 3 chiefs long area ia: Manlaesinu long Emua, Manavilalu long paunangisu mo Marvatutipua long Lonkarae. But yet trifalla chieves ia oli kamaot long same famili tri blong tufala original Chieves Manavilalu mo Lakeleowia. Though male bloodline istap wetem Solomon Keith Kalmara we hemi ordained Marvatutipua, oli continu blong putum hem aside long dispute blong land.

Kastom hemi required se Custom ownership over land hemi pass through bloodline line blong "man". So Kot imust luk se tufalla titles (Manavilalu mo Lakeleowia) oli must flow through long bloodline blong "man". Tudei Solomon mo Kalmairé nomo tufalla istret bloodline male blong Toara Lessa from Toarasariamata ileavim behind 1 girl nomo (Toumanu) mo sister blong tufalla Talieta. Mo Solomon iordained chief Marvatutipua.

Question se sapos tufalla nomo istap why tufalla ino orijinetem klem ia? moreover from wanem tufalla ino playem main role insaed long klem blong ground?

Maybe in the past understanding long area ia, se land in dispute hemi blong klan blong Yam or Nawi mo chief blong klan now hemi decide. Mekem se olketa chief we oli kamaot long saed blong woman nomo oli save olketa boundaries mo history blong olketa over long land ia.

Witness confirm se Lonkarae iblong Phippe mo Flora. Oli givim long tufalla girls ia from long taem ia igat 1 boy nomo long famili.

Long famili tri we oli produsum igat 3 Phippe.

Ino clear se witness hemi stap talk about which Phippe?

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Sapos witness imeanim Phippe we hemi girl blong Leinase then, hem mo Flora tufalla ifollowem naflac blong Talieta from tufalla igat 2 brothers (Kalnagis mo Tom) be ino 1 olsem witness italem. Witness hemi stap talk about Phippe we hemi sister blong Kalmara. Phippe mo Lissy tufalla igat wan brother nomo (Tom Kalmara).

Surprisingly witness hemi stap talem long Kot se hemi obtainem wan restraining order, but ino clear se againstem who? But information we hemi passem long kot se bubu blong hem igivim land long tufalla (Phippe mo Flora); istap indicatem long Kot ia se Ps Kalmara now hemi owner blong ground ia we Phippe mo Flora istap ownem, how now Manavilalu we hemi bubu boy blong Flora istap talem se hemi Paramount chief? mo hemi Kastom owner blong land Malasa? Bakeken evidence ia ishowem se igat great confusion between ownership blong land mo title blong Chief long eria ia. But general understanding is that Land hemi followem bloodline blong man.

Witness ia continue se in the past, oli sharem land blong olketa man oli occupaem nomo, olsem Lonkaræ mo Laulapa we igo long control blong Manlaesinu blong Emua kasem tudei yet. Chief Peter Maripopongi hemi blong Tanmiala, oli ordainem hem long Paunangisu. (page 114 – 200 diary blong Peter Milne long Nguna).

Information olsem ileadim Kot blong belief se igat confusion too long boundary blong Emua mo Paunangisu.

Chieves blong Paunangisu mo Emua tufalla iredated mo tufalla ikamaot long famili line blong Torasariamata, Talieta mo Taora Lessa. Hemi probable se Missionaries McDonald mo Milne tufalla iplacem wan kind “Christian” boundary. Bambae Kot isettem common boundary long decision blong hem.

WITNESS 3 CHIEF RAYMOND MARONGOE sworn & states:

Papa blong hem Morris mo hemi small chief long Malwaka. Papa blong hem ided long 1943. Mama blong hem Flora hemi blong Pele. Mama blong mama blong hem Leintass. Hemi been ordained long 1959 olsem chief Manlaesinu blong Emua. Former Chief hemi ded long 1967. Mo Chief Marongoe istart rulem Emua (Laulapa kasem Laonkaræ) long 1967. Ino been gat bloodline long time ia so oli choosum hem blong hemi holem title blong Manlaesinu. Hemi save se boundary igo kasem nambagura tree long spring water long Emua.

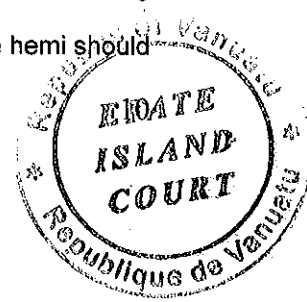
Hemi walk over boundary blong Malasaliu wetem Peter Maripopongi we hemi marretem PIELAU, sista blong Witness ia. Peter Maripopongi hemi bigfalla chief blong Tanomiala; same chief we 2nd mo 3rd claimants oli klem under. Mo long 1988 oli walk over long boundary bakeken wetem Johnson Kalfau papa blong 3rd Kaonta Kleman mo other people. Witness ia hemi Atavi blong Chief Maripopongi.

Long taem ia oli identifiaem boundary blong Malasaliu mo Tanomial. Long taem ia ino been gat dispute. Tanomiala mo Malasaliu tufalla different lands. Long kastom 1 namarakian igat 1 mwalala nomo.

Hemi confirm se Malasaliu hemi wan flat land, ino gat stone so oli stap markem boundary long ol trees; time one tree long boundary ided, oli plantem narawan blong replacem. Hemi talem se since hemi rulem Emua hemi save good everyone we oli live long area ia. Famili Kalomele oli kamaot long Emua. Famili blong hem igat Toara Kalorip, Daniel mo Apu blong Spokesman. Kalomele imarret igo long Tanomiala. Vakalorisu iblong Tanomiala, hemi marretem Talieta blong Malasaliu.

Chief Marongoe iconfirm se hem iordainem Henry Manlaewia. Mo talem long hem se hemi should helpem chief Manavilalu blong showem stret boundary long hem.

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Hemia imply se Manlaweia now bambae idecide long boundaries blong chiefly title blong Chief Manavilalu.

Hemia hemi wan oldfala chief, mo hemi Justice blong island kot, hemi sitdaon long plante land case. Kot ia ibelievim wanem hemi talem se land hemi wan flat land mo oli usum ol tris blong markem boundaries. Hemi confirm too se hemi iwalkbaot long boundri blong Malasa 3 times:

1. wetem Peter Maripopongi
2. wetem Johnson Kalfau, mo
3. wetem Manlaewia.

Hemi ordainem Henry Manlaewia.

WITNESS 4 EDWARD KALORIS sworn & states

Hemi son blong Stephen Kaloris, grand father blong hem Dick Vakao Tinapua blong Tongoa. Hemi been adopted ikam long area ia.

Papa blong hem iborn long Kakula Island. Oli leavim Kakula, oli go long Pele from ol pikinini oli school, mo oli stap go garden long Paunangisu.

Long 1928 chief Manavilalu hemi ordained long Emua mo papa blong hem too hemi ordained blong assistem Mantaura Simon Peter we iordained long 1922. Chief Mantaura hemi papa blong chief Maripopongi blong Suasu. Hemi ordained long surpise way, from long taem hemi stap pass long visite nomo, mo oli stap swim. Hemi ordained from bloodline connection blong hem wetem Malasaliu.

After long ordination oli showem siloa blong hem.

Hemi confirm se Maripopong hemi bif chief blong Tanmiala.

Malasaliu, Tanomiala, Tareangi, Luma, Malawota, mo Suasu oli gat same size blong namarakiana wetem own mwalala blong olketa. However Malasaliu nomo igat 5 varea out long everyone. Main Varea hemi Woramala we Manavilalu now ibig chief blong hem.

Hemi talem se kastom boundary blong Malasa hemi wan oak tri down long solwata, igo stret long wan Namele tri igo andop long wan nabanga tri. Boundary ia mama blong Peter Maripopongi italem long hem. Mama blong Kenneth (Kaonta klemant 3) hemi sister blong witness ia. Name blong hem LEITONGA mo Peter Maripopongi I adoptem hem. Mo Leinasei hemi subdividem land. Manlaewia hemi should rulum land antop nomo, but hemi wandem controlem full area.

Toraralessa hemi stap long school, Toarasariamata hemi gat nakamal behind long Police station, hemi should sharem place ia wetem Lakeleowia..

But tudei chief Manlaewia now hemi stap controlem olketa area.

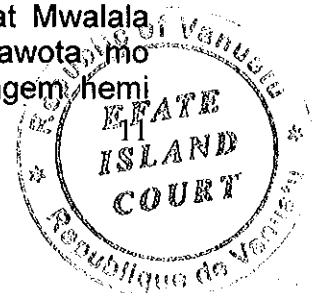
Igat plante interesting evidences ikamaot long witness ia:

1. Dick Vakao Tinapua blong Tongoa, hemi been adopted ikam long area ia be hemi no talem se who idoptem hem, mo why hemi ithink se hemi important blong mentionem adoption ia.

2. Long 1928 chief Manavilalu hemi ordained long Emua mo papa blong hem too hemi ordained blong assistem Mantaura Simon Peter we iordained long 1922. Hemia imply se Manavilalu hemi chief blong Emua? from hemi ordained long Emua. Hemi no specifaem siloa blong hem too.

3. Hemi confirm se Maripopong hemi bif chief blong Tanmiala mo se **Malasaliu, Tanomiala, Tareangi, Luma, Malawota, mo Suasu** oli gat same size blong namarakiana wetem own mwalala blong olketa. So long ples ia igat Mwalala blong Tanomiala mo Mwalala blong Malasaliu, Tareangi, Luma, Malawota, mo Suasu. Hemi possible se tufalla Mwalala we ol Christians oli damagem hemi

MALASA LAND 1/90

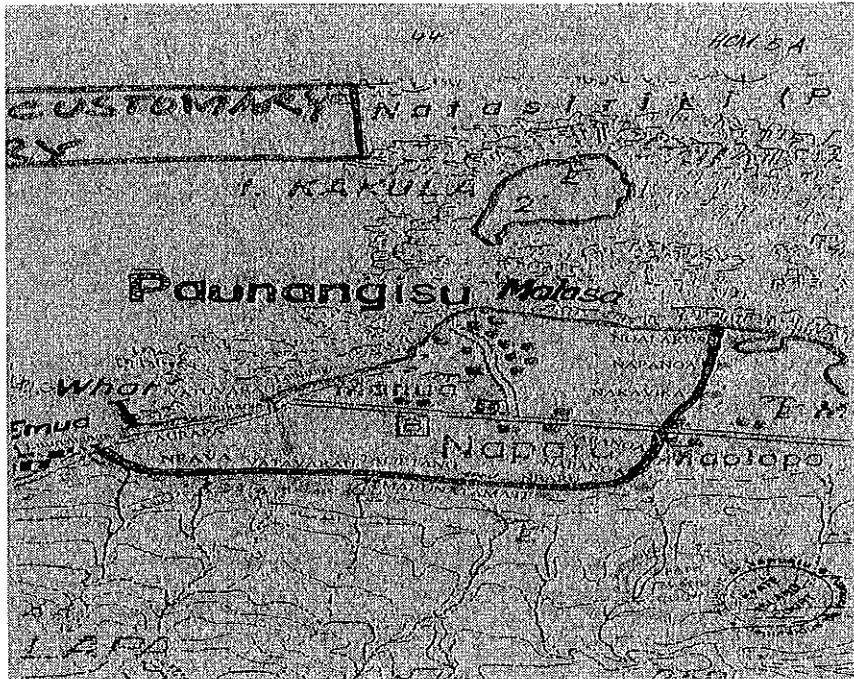


Mwalala blong Malasaliu mo Mwalala blong Tanomial or any long olketa cited Namarakiana ia.

4. Mama blong Peter Maripopongi italem boundri long hem. Mama blong Kenneth (Kaonta klemant 3) hemi sister blong witness ia. Name blong hem LEITONGA mo Peter Maripopongi I adoptem hem. Mo Leinasei hemi subdividem land. Hemia wan more evidences se woman or Naflac ishowem boundary.

KAONTA KLEMENT NAMBA 1 – CHIEF CYREL MANLAEWIA V (5)

Boundary:



Klem:

Kaonta klemant hemi basem klem blong hem long:

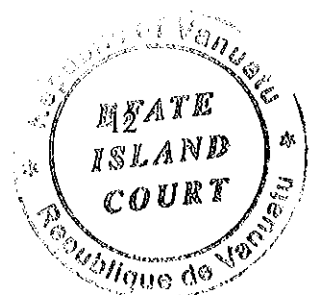
1. Bloodline blong CHIEF MANLAEWIA MATUA 1,
2. Ancestral Kastom boundari blong MALASA.

HISTRI:

Hemi startem klem blong hem blong talem se before ol Missionary oli kam kasem North Efate samtaem long late 1700s, olketa pupu blong hem oli stap finis.

Ownership blong graon ifolem bloodlaen. Long point ia, Nakainanga, Naflak or Clan oli no gat raet blong occupaem wan graon or land.

Long saed blong history blong chief, hemi claim se:



- **samtaem between year 1883 mo 1884** olketa man blong CHIEF MARIPOPONGI oli killim Chief MANLAEWIA Matua 1 blong SUMANISAEIPIRI (Malasa Boundry).
- **Samtaem long 1884** igat migration blong ol man igo long Kakula island;
- **Long 1900s** Charlies Luisui we hemi first born boy blong Chief MANLAEWIA I hemi ordained chief MASOE-MANU-KONA blong Kakula Island. Hemi no save tekem back title blong MANLAEWIA from Missy ino allowem blong ol native oli stap tekem back olketa original names blong olketa titles blong chieives blong olketa from hemia imekem olketa man long taem ia oli tempted blong go back long darkness or practisim traditional mo cultural rites blong olketa. Title ia MASOE-MANU KONA hemi meanim "star blong thousand stars". Oli ordainem hem long TALOA Presbyterien Mission long Nguna Island. Hemi gat duty blong lukaotem olketa people blong olketa different communities we oli go settle long Kakula from Gospel.
- **Long 1922** Yoba we hemi nephew blong chief MASOE-MANU-KONA hemi ordained back long title CHIEF MANLAWEIA II blong Paunangisu (Malasa); mo brother blong hem (Solomon) hemi ordained chief TUAPULETARI;
- **Long 1968** Chief Solomon TUAPULETARI (brother blong chief Manlaewia II) hemi ordained CHIEF MANLAEWIA III blong Paunangisu (Malasa);
- **Long 1988** Chief Thomas Solomon boy blong Chief MANLAEWIA III iordained MANLAEWIA IV; mo
- **Long 1996** Chief HENRY CYREL TUAPULETARI hemi ordained chief MANLAEWIA V blong Paunangisu (Malasa).

Hemi continu blong talem se CHIEF MANLAEWIA I hemi been acceptem Missionary blong enterem Malasa mo givim wan tabu place blong hem we oli kolem "MALOSA" blong Mission iusum before oli move igo long Kakula. Oli sendem toktok igo long olketa people blong inland blong oli move igo down from Gospel. Some people oli acceptem Gospel mo kam down mo settle wetem chief MANLAEWIA I long SUMANISAIPIRI. Among olketa people ia igat some people blong Tongariki too we oli marretem olketa woman Malatuel village antap long Undine Bay; olketa everyone igo long Kakula taem Missy hemi move igo there.

Long taem ia KALSURAI we hemi great grand father blong klemant ia hemi marretem LEINTASI, wan women Tarianga village.

Brother blong Kalsurai, Charlie Luisui ibeen go tij long Pele mo marretem sista blong Chief Maserei be tufalla ino gat pikinini. During long migration igo long Kakula island long 1884, Charlie Luisui too imove igo wetem waef blong hem mo ol famili blong waef blong hem. Olketa everyone oli go settle wan place nomo wetem famili blong chief MANLAEWIA long SUMANI WORAKAVIKA long Kakula Island. Oli gat wan passage blong olketa too we oli kolem "ELAU NI MALASA". Oli stap kam back long Malasa blong collectem kakae mo water.

Long 1890 Charley Luisui we oli stap callem hem too Charley Soso hemi salem wan pis graon long Malasa igo long Henry Taylor (wan trader). Long 1906 hemi



salem wan pis land bakaken long Mr. Ross. Long taem ia now olketa people we oli kam blong receivim teaching blong Gospel oli happen blong signem olketa deed blong sale. Olketa ia igat:

- *Marrig Tas* blong Tariang village we hemi related long woman blong Kalsurai;
- *Jack Toaramata* blong Tongariki;
- *Tarig Malip* we hemi wan woman Ambrym mo wan
- *Tom blong tanna* we oli stap callem hem Tom Tanna (see Annex HCM 2 & 2a).

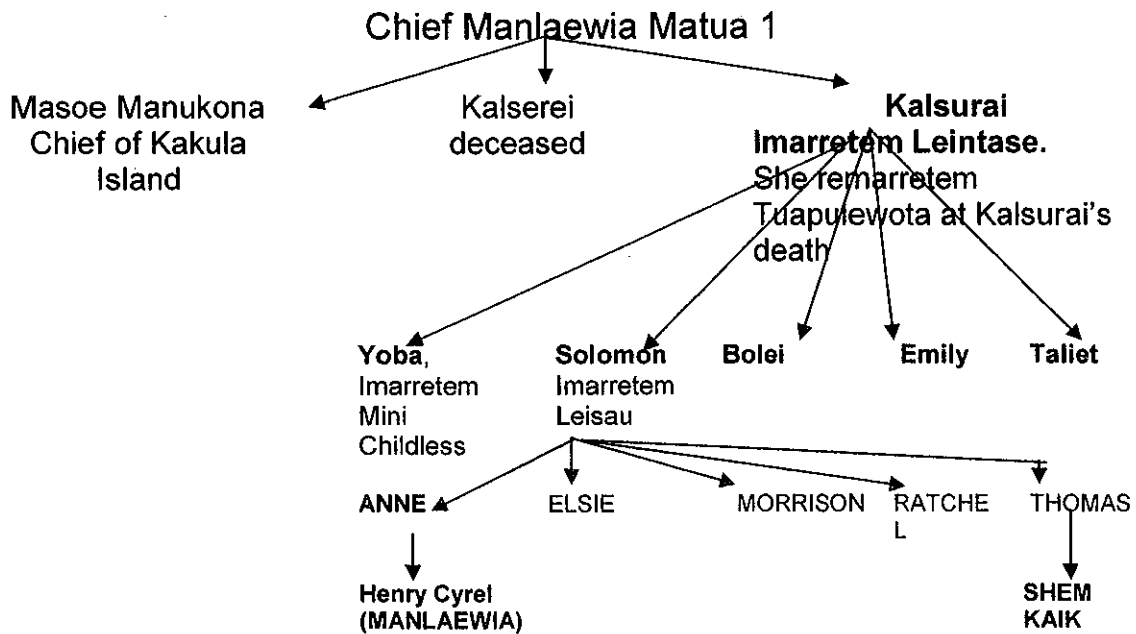
Hemi talem se Missionary ifinishim work blong olketa long early 1900s mo olketa people oli stap return long original place blong olketa.

Olketa first people blong kam back, oli Kalsurai mo famili blong hem we oli bin buildim home blong olketa long PIRIWOSA we tudei yumi save olsem PAUNANGISU, hemi around 1906. Then between 1911 mo 1920s other people oli go settle around long famili Kalsurai. Long period between 1920 mo 1930s igat 5 families nomo long Priwoso (Paunangisu).

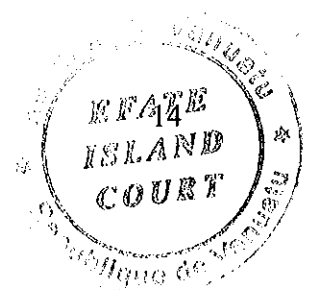
Plante people we oli move wetem olketa famili blong MANLAEWIA I oli nomo thinkthink strong blong go back long original ples blong olketa, mekem se Chief Manlaewia igivim some pis lands long olketa blong stap long hem. Mo olketa descendants blong olketa oli stap long hem yet tudei.

Famili bloodline: (MANLAEWIA)

Long SAED BLONG bloodline blong olketa hemi talem se:



Hemi presentem 4 witnesses



Witness 1 Fanny Cyrel hemi sworn:

Witness hemi wife blong Henry Cyrel Manlaewia, hemi blong Banks hemi marretem Henry long 1974; evidence blong hem iclear mo iluk se hemi save good histori blong famili blong hem. Plante evidence we hemi produsum hemi relevant long saed blong ordination blong chief. Kot ipikimup ol relevant evidence long land se:

- **Farea Saipiri hemi blong Manlaewia.**
- Head blong Toarasaimata mo Toaralessa hemi **Marvatutipua**, mo yellow part long map blong olketa hemi blong chief ia now. Hemia hemi part we olketa people blong Emua oli stap long hem. Mo part ia hemi blong Pastor Kalmara we ilink igo down long famili Maalu (original kleman).

Witness 2 Chief Henry Manlaewia hemi sworn:

Witness ia hemi Manlaewia V himself. Long way we hemi toktok, yumi luk save se hemi holem hight position mo responsibilities. Hemi talk quietly mo toktok blong hem igat weight. However plante evidence igo long saed blong Chief. Eventhough issue blong Lands plante hemi fas wetem issue blong Chief; mo Kastom loa ino save discussem issue blong Land without chiefly title or vise-versa, kot ia hemi no must loosum track long issue we istap long foret blong hem which is "determination of Custom Ownership of Lands". Henry Cyrel Manlaewia iconfirm full statement blong claim mo olgeta kastom stori, famili tri mo ol exhibits. Hemi prodiusim 2 famili trees— Chief Manlaewia mo Chief Marvatutipua blong showem se mama blong hem Ann ikamaot long chief Solomon Manlaewia mo papa blong hem, hemi pikinini boy blong wan white man Minto. Minto iabandonem hem wetem mama blong hem Doroty mo Ps. Kalmara imarretem mama blong hem. Pastor Kalmara hemi pikinini boy blong Toaralessa. Toaralessa hemi pikinini boy blong chief Marvatutipua we istap long famili tree blong original kleman.

Hemi continue blong advice se blong become wan chief, one imust showem good behavior and capability blong take care long olketa people. Chiefly title isave passed through long:

- i. Handing over, time one hemi retire; or
- ii. Handing over time one hemi sick to death; case ia iapply long hem; mo long taem ia everyone oli agree;

Chief Raymond Marongoe (we hemi witness blong Original kleman tudei) hemi announcem award mo ordination blong Henry;

Hem icontinu blong tok about issue blong chiefs. Long saed blong land hemi talem se:

- **Chief Manlaewia Matua 1 hemi big chief blong Sumansaipiri.** Name ia hemi meanim place blong talem aot sin. Olsem wan house blong justice;
- Malasa hemi name blong wan tabu water mo tabu place we oli givim long white man... name ia hemi become name blong wan big area we oli stap usum tudei. Water ia hemi rabis water, sapos man ihappen blong draonem body blong hem insaed, bambae isikras, ikam sore mo istap red, taem sore ia ifinis man ided.
- Olketa man Tanmiala oli killim ded Manlaewia Matua 1 from hemi caussem adultery wetem one woman Tanmiala.

Ibeen gat issue blong salem land we Mantaurea mo Nabuk imekem long area ia, witness hemi explainem ol sale se:



- Simeon Mantaura ilook after ol affairs blong village from taem Yopa ided son blong hem Solomon hemi young man yet mo hemi stap work long ship;
- George Nabuk hemi marretem widow blong Manlaewia, hemi usum power blong late Yopa blong salem some ground long village;
- Silas Manavilalu blong Emua too hemi stap long same category, hem too ino gat nothing blood blong ground ia;
- Ps Tom Kalmara iemployem Kalontan blong Nguna mo hemi stap mekem garden blong Pastor, mekem se hemi too hemi garden blong himself mo keepim wan parcel blong land there, be ino true se Maalu oli givim wan piece land long hem through long Taripoaliu;

Witness icontinu blong talk about naflac:

- Yellow part blong land hemi occupied by Maalu, (Kalmara, Marongoe mo son blong Phippe, long saed blong Toara Lessa)
- Mama blong TOARASARIAMATA, TOARALESA mo TALIET hemi naflac Maalu, mekem se every pikinini blong hem Naflac Maalu.
- Pastor Kalmara ino gat naflac from mama blong hemi iblong Tongoa;
- Marvatutipua too inogat naflac from hemi blong Tongariki, be oli adoptem igo insaed long naflac yam.
- Tinapua too hemi naflac Maalu oli ownem land through long Manlaesinu;
- Toarasariamata mo Toaralesa oli sharem land properly finis, Henri too igat some share, but hemi klemem land blong Manlaewia nomo;

Thomas Manlaewia igat 2 boys we tufalla young yet so hemi claim long behav blong tufalla blong interest blong olketa everyone we oli stap under name blong Manlaewia.

WITNESS 3 PASTOR KALSARURU sworn & states

Manlaewia 3 mo Neni tufalla blong Paunangisu. Since hemi born hemi hearem se ground iblong Manlaewia 3 hemi never hearem name blong Manavilalu mo Lakeleowia. Solomon Manlaewia igivim ground long hem long Malasa. Solomon hemi blong Varea Saipiri. Solomon ia yet igivim title long Henry, mo talem long hem se boundary mo people oli blong chief Henry Manlaewia.

WITNESS 4 KIRK KALMAIRE sworn & states

Papa blong hem iblong Ravenga, mo mama blong hem long Tongoa (Leikarie) Tom Kalmara hemi brother blong pupu woman blong hem. Hemi live 67 years finis long Lonkarae stret long trifalla baondris (Malasa, Emua mo Tanmiala); insaed long boundary blong Manlaesinu. Hemi never hearem Manavilalu mo Lakeleowia. Hemi talem se ground ia Manlaewia igivim long Toaralesa. Toaralesa igivim long Ps Tom Kalmara mo Tom Kalmara igivim long olketa sister blong hem, one long olketa sister ia igrand mother blong witness (mama blong papa blong hem).

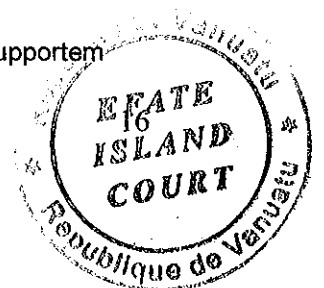
Stephen Kaloris ibin teachim hem. Stephen Kaloris ia hemi been ordained wetem title blong chief blong Pele long Tongoa. Manavilalu hemi stap live long ground klose long school blong Paunangisu. Oiketa descendant blong Toarasariamata oli stap around long school mo village too.

WITNESS 5 PIERRE KALORIS sworn & states

Papa blong hem Stephen Kaloris. Stephen Kaloris hemi boy blong Kick Vakao blong Pele. Mama blong hem hemi half caste blong Efate (Erakor/French). Hemi move ikam blong live permanently long Paunangisu long 27 January 1953. Hemi gat 69 years. Edward Kaloris (original klemant) hemi bigfalla brother blong hem

Hemi supportem Manlaewia from papa blong hem (Steven Kaloris) hemi agree mo supportem ordination blong hem. Henry Manlaewia hemi uncle blong hem.

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Solomon Manlaewia hemi marretem sister blong papa blong hem. Mama blong hem italem long hem se hemi no save Lakeleowia.

Papa blong Titus Taribu ibin talk from wan area we oli been clearem blong build long hem. Then hem (witness) ibin go consultem Solomon Manlaewia mo hemi talem hem se "ground iblong yumi".

Long cross-examination hemi stap talem se:

Toumanu hemi blong Efate. Akara, sister blong Toumanu hemi marretem chief Maripopongi. Stephen kaloris hemi stap swim, fishing taem oli pulum hem igo shore mo ordainem hemi atavi blong chief Manlaewia.

Hemi talem se Toumanu hemi should inheritem land, but hemi mekem Akara imaret igo long outsaed, ol famili oli cross from, oli no wandem givim land long hem. Hemi crae gogo Manlaesinu igivim Neava long hem. Tufalla titles ia oli stap longtaem tumas, mekem man ino save long tufalla title ia.

Manavilalu hemi title Tagarasi blong Pele but olgeta land we oli stap work long hem iblong olketa be oli no kastom owners. Long past oli stap givim nasautong long chief Manlaewia.

KAONTA KLEMAN 3 CHIEF MARIPOPONGI & FAMILI VAMELE BLONG TANMIALA

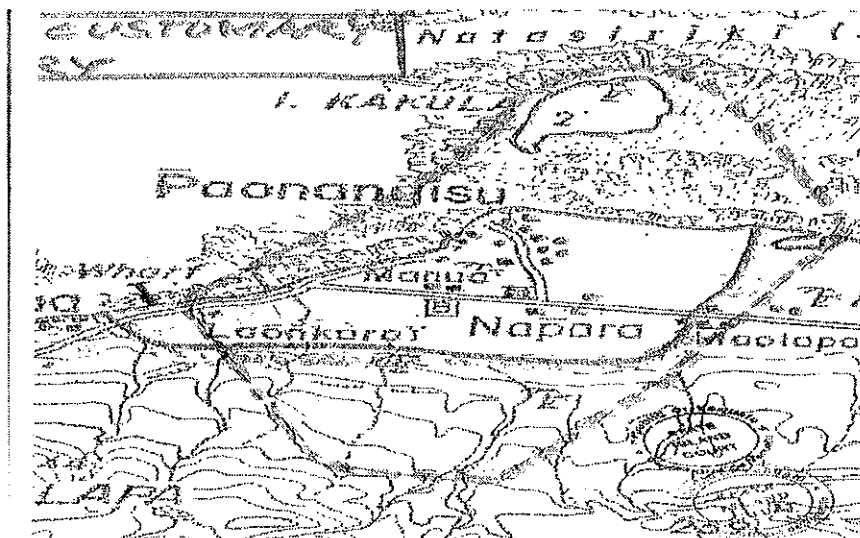
INTRODUCTION :

Family Vamele hemi kamaot long Tanomiala velej mo Chief Kalorong Maripongi hemi hed chief blong Tanomiala. Chief Maripongi hemi ordained long 1996 by Nafata Maraki Council of Chiefs (North East Efate Council of chiefs) represented by chief Mormor blong Magaliliu Velej mo chief Mosu blong Emau.

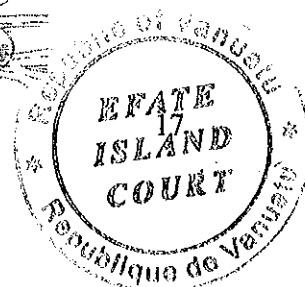
Bambae oli submitim case blong olketa long 3 parts:

1. Smol understanding long velej blong Tanmiala mo kastom government blong hem;
2. Impact blong arrival blong Missionaries wetem gospel;
3. Establishment blong Paunangisu velej.

BOUNDARI:



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KLEM:

Oli klem under:

1. BLOODLINE BLONG NAMELE OR VAMELE BLONG TUDEI;
2. ANCESTRAL KASTOM BOUNDARI TANMIALA – CHIEF MARIPONGI

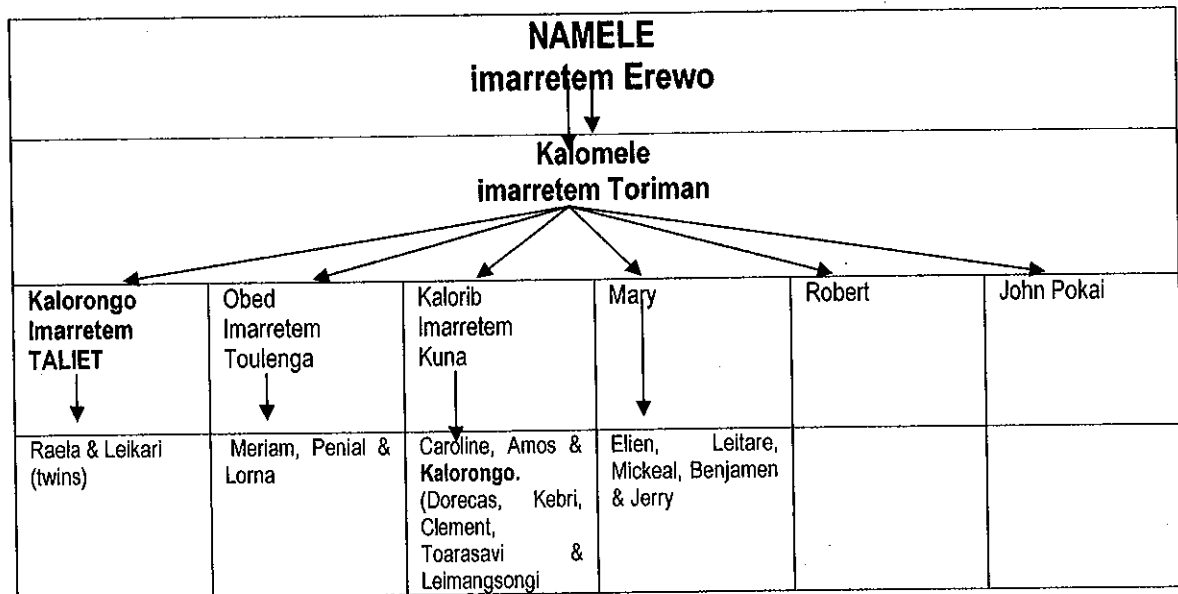
HISTRI:

Chief Maripongi hemi hed chief blong boundri blong Tanmiala. Hemi gat more than wan woman. Last woman blong hem icommittim adoltri mo oli killim hem ided mo oli berem long oldfala kastom velej. Chief Maripongi Hemi gat 2 boys, oli muve igo long Kakula island; unfortunately everyone ided long Kakula.

Long taem ia chief Maripongi hemi gat 1 sister “Turita” hem too imove igo long Kakula, hemi no marret. Tufalla igat 1 brother name blong hem Namele.

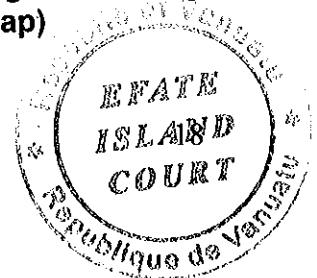
Namele imaretem Erewo long Kakula. Long 27th August 1893 Namele mo Erewo ibin aot igo olsem teacher long Pangkumu long Malekula. Tufalla iredned long Kakula long saling ship we Dick Vakau Tinabua blong Tongoa island (Papa blong Stephen Kaloris-Original claimant) hemi work long hem. Olketa famili blong Namele oli givim ground we olketa famili ia oli claimem tudei igo long Stephen Kalorisu blong pem out pasis blong tufala.

Famili tri:



Part one: Smol understanding long velej blong Tanmiala mo kastom government blong hem;

Boundari blong Tanomiala hemi stap long shape blong sail blong Canoe, mo ol pupu oli kolem Nalae Vakalo. (marked long map)



Malosa hemi wan tapu ples blong Tanmiala inside long hem igat wan swamp we oli kolem **Noai poa**. Taem wan man hemi draonem leg or body blong hem long swam or wota ia mbae leg or body isikras mo taem oli sikrasem bambae sore ikamaot long hem we bambae ino save finis. Bigfalla soa ia long leg or body blong hem mbae istap red koko taem soa ia idrae then man ia mbae hemi ded. Soa ia oli kolem **Miala moru**. Malasa land hemi coined up followem tapu ples ia "Malosa".

Long long taem bifo ground we istap insaed long boundary blong Tanomiala igat wan hed Chief nao ilukaotem. Insaed long boundari ia yet ikat ol smolsmol chiefs we ilukaotem ol smol pis blong ground insaed long boundary mo inside long ol ground ia yet ol chiefs oli kat nakamals blong olketa we oli still exist yet kasem tedei. Chief Maripongi now long taem ia hemi stap olsem hed Chief blong boundary mo antanit long hem igat ol chiefs ia:

- Chief **Matarimau** – hemi lukaotem Morun Natamate, Lanmegeve mo Napara. Nakamal blong hem Lanmegeve;
- Chief **Manapanga** hemi lukaotem ground we istap long area blong Vatu Farau; Nakamal blong hem istap long Vatu Farau;
- Chief **Namalikokona** hemi lukaotem area ia we nem blong hem Laken Natalietangi we sem taem hemi Nakamal blong hem;
- Chief **Masemanti** hemi lukaotem area we istap long Sumansaipiri mo tu Nakamal blong hem Sumansaipiri;
- Chief **Nansanga** hemi lukaotem erea blong Moru ni Natamate kasem Matanakai mo igo antap kasem Senakel. Nakamal blong hem Moru ni Natamate;
- Chief **Matoatau** chief ia hemi lukaotem erea blong Nasu insaed long tapu ples blong Tanomiala;
- Chief **Masemansarape** hemi lukaotem area we ikaveremap Lanagau kasem Marius; nakamal blong hem Lanagau-hemia klosap long ples we oli stap kilim ol man mo hangem olgeta blong istap mo oli sting koko oli nomo smel. Name blong hem Laken Natofea loa;
- Chief **Manavilalu** hemi stap tekemaot toti blong chief Maripopongi mo istap mekem parcel long ol ded body we oli smokem mo sendem long Chief Matangarasi blong Pele Island. Hemi putum long point blong Paunangisu we oli kolem Nangisu ni Piriwosa. Ples we oli smokem ol bodies ia long hem oli kolem Laken Totomani mo nem ia still in use kasem tudei. Nakamal blong hem oli kolem Tamatelaapa;
- Chief **Manlaewia** hemi lukaotem area we hemi stat long varea ni sui kasem sikia. Nakamal blong hem istap long sikia;
- Chief Maripokai hemi lukaotem area we istap long Vatu Wenu kasem Matanawora. Nakamal blong hem istap long Vatu Wenu;
- Chief Marmasoe hemi lukaotem area blong Monmono kasem Lukurara. Nakamal blong hem istap long Lukurara.

Part 2: Impact blong arrival blong Missionaries wetem gospel:

Start long 1883 olketa people around olsem Ravenga, Luma, Romoso, Tareang, Malawota, Suasu, Neava mo Savaki oli move igo closap long ol missionaries. Oli



stap long Launwora we tudei Manua Primary school istap long hem. Long ples ia Missi idividem olketa long 2 krup. Krup 1 oli ko down long Siviri mo oli stap wetem Daniel McDonald. Krup 2 istap long Launwora wetem Peter Milne. Taem ia ol chritions oli mixed nomo; oli no folowem village or island. Long taem too oli teach mo learnem language blong Nguna nomo. Mekem se plante native oli lusum language blong olketa.

After sometime, oli facem mosquitoes bites mo backslidings so Missy itekem olketa man igo long Kakula island blong isolatem olketa from cultural atmosphere we istap disturbem olketa mekem se olketa natives oli tempted blong go back long kastom style blong olketa mo from mosquitoes too.

After 27 years long Kakula olketa people oli change mo pis mo lav hemi mekem olketa oli considerem others olsem Christian brothers, olketa man Efate igivim land long olketa we oli no gat ground blong oli live mo kakae long hem. Olketa ground ia some long olketa oli salem mo others oli holem kasem tudei. Annexure VMS 4 (Deed of transfer of lands to Mission on 24 June 1884) hemi evidence se long taem ia Chief Maripong we oli recordem olsem "Chief MARIKI POG" MO Chief Mansemanserape we oli recordem olsem MASEI MANSARAB tufalla isignem transfer note. Oli recordem tufalla native se tufalla blong MALISA. Tufalla chiefs ia tufala iblong Tanmiala.

Establishment blong Paunangisu

Between year 1911 mo 1912 olketa man oli out long Kakula mo go back long main land mo buildim olketa houses blong olketa long surrounding area blong Malosa we tudei yumi callem Paunangisu. Paunangisu hemi stap insaed long land we deed blong transfer blong 1882 hemi givim raet long Missionary blong build long hem.

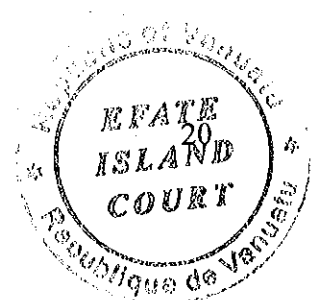
After plante year olketa early Christian converts ia oli think se oli kastom owna blong ground. But hemia name blong olketa famili we oli kam mo settle long Paunangisu mo stap kasem tudei:

- Lui Surassa blong Ravenga-papa blong Manuwia, Wallace mo Eson;
- Narasliliu blong Luma, mama blong Kaltonga mo Kalson;
- Kalsuran blong Romoso, papa blong Solomon Manlaewia;
- Samisuamanu blong Tareang, papa blong Melta mo Toulenga;
- Chief Tapang Tamate, papa blong Simion Mantaurea;
- Enadulele blong Savaki, papa blong Kalosike Tuabule;
- Taliemaire blong Malawota hemi marretem Simion Mantaurea,; mo
- Toaralesa blong Naeva papa blong Pastor Kalmar.

Olketa Natives blong Tanmiala oli givim ol pieces lands long olketa blong oli work long hem long Paunangisu mo Chief blong Tanmiala hemi givim some titles blong chief too long olketa blong lukaotem olketa people insaed long new community. Wetem olketa man Efate ia igat too ol people blong Santo, Pentecost, Maewo, Malekula, Ambrym, Tongoa, Karia, Mataso, Mguna, mo Emau. Even gat native blong Vietnam.

Hemi presentem 5 witnesses:

MALASA LAND 1/90



WITNESS 1 KALORONG MARIPOPONGI sworn & states

Hemi from Tanmiala. Hemi ordained long 1996. Hemi pass through long famili, area council of chief before oli ordainem hem.

Taem blong migration blong olman igo long Kakula, chief Maripongi irefuse blong go hemi stap gogo, hemi oldfalla good, sister blong hem ikam convincim hem blong tufalla igo long Kakula, hemi go stap short time nomo be ided from hemi oldfala tumas.

Taem hemi stap mekem comment long wan petition we hemi signem long 10 September 1987, hemi talem se after independence everyone isave nomo se ground ikam back long kastom owners, so oli bin go dispute under naflac, but oli realisem se land imust followem bloodline so nowia hemi klem under bloodline. Mo se Maripongi, Manlaewia mo Manavilalu oli naflac "Nawi".

Hemi confirm se Vamele mo Erewo tufalla igo long Pangkumu long Malekula. Tufalla ino save kam back, be lucki nomo long ship we Ti-Napua istap takem isail igo long Malekula then tufalla I manage blong boardem mo kam kasem Efate. Olketa famili oli glad tumas blong luk tufalla bakeken long village, so oli pem help blong Ti-Napua wetem wan piece land. We ol descendants blong hem oli stap long hem kasem tudei.

**WITNESS 2 ELDER ROBEA OBED, native blong Tanmiala, North Efate,
Sworn mo statem:**

Tanomial hemi oldfalla village blong olketa. Tudei hemi gat garden mo plantaion kokonas inside long boundary blong Tanomial close up long plantation blong Kalorip we hemi brother blong oldfalla obed mo ol narafala famili we ol oldfalla blong hem igivim long olketa blong work long hem.

Malasa hemi no wan village or name blong wan ground, but name blong wan tapu water insaed long Tanomial we wan sitting blong Efate Island kot blong Kakula, ifindem finish se Malasa hemi part blong Tanomiala boundri,

**WITNESS 3 MICKAEL DAVID MANLAETOA, native blong Tanomiala, sworn
and State:**

Hemi bon long 1945 mo grow up long Paunangisu Village. After long death blong papa blong hem long 1958, mama blong hem igo work long madam Perronnet we hemi ownem Malasa. Mo taem hemi smol hemi live wetem mama blong hem long surrounding area blong Malasa, mo mama blong hem istap constantly warnem hem blong no go klosap long Malosa, tabu water or no go plei plei long swamp. Hemi clearem se long taem ia igat wan main shopping center nomo long erea ia. Olketa man oli wandem go long store ia oli talem se oli go shopping long Malasa, hemia now imekem tudei name Malasa istap long piece land ia.

Chief Manavilalu hemi uncle blong hem, taem hemi ded chief blong Pele ikam mekem transfer blong title.

WITNESS 4 CHIEF TANEARU MANSANGA, sworn mo states:

Hemi wan smol chief blong Tanmiala. Name blong papa blong hem Kalsei. "Mansanga" hemi chiefly title blong papa blong hem we ipass ikam down long hem olsem first born blong famili blong hem. Papa blong hem iblong Romoso mo Solomon iblong Tariang be title "Manlaewia" mo "Mansanga" tufalla iblong Romoso.

Hemi agree wetem Original kleman se hemi signem wan document long 10 September 1987 blong talem se: hem wetem olketa members blong Naflac Yam oli petitionem Peter Maripongi blong hemi givim back title Maripopongi from bambae oli putum wan new chief Maripopong, same time too oli listim naflac yam olsem: Manlaewia, Mansanga, Marikinamali, Mansarope, Matsari



mo Marvatutipua mo oli askem se Sikia mo Napara hemi blong naflac Yam mo hemi must go back .

WITNESS 5 KALTAU WILLIE native of Tanmiala bounadari, sworn and states:

Papa blong hem Willie Watt ibin work blong Mr. Perronet long Malasa before wol war 2 long 1945. Mr. Perronet igat wan small farm blong chicken mo buluk long area blong Malasa.

Long 9 August 1952 papa blong hem ipem pis kraon long oldfala Robert. Robert hemi stap insaed long famili tri blong famili Vamele. Taem papa blong hem ipem ground ia, oli mekem wan receipt mo Mr. &Mrs. Perronet mo chief Simeon Mantaurea oli witness sale ia. (hemi presentem original blong document ia long Kot).

Document ia hemi containem olketa toktok ia:

Malasa 9/8/52

I Robert before witness have received this day the sum of 20.0.0. pounds (twenty pounds) for the purchase of a pice of land I have sold to Willy Watt of Matasso and kalapoi of Matasao.

COUNTER CLAIMANT 3 CHIEF PETER SIMEON MARIPOPONGI FAMILI & RELATIVES

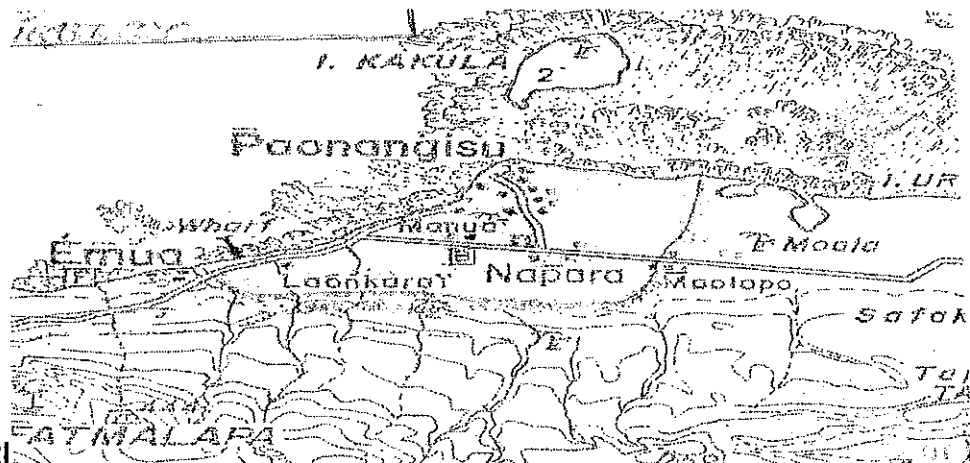
INTRODUCTION:

Kleman ia hemi registerem mo filem klem blong hem long 12 November 2009.

Long introduction blong hem, hemi talem se famili blong Peter Simon Maripopongi mo relatif oli submitem klem blong olgeta blong mekem smol clarification long kastom issiu we istap before long Kot.

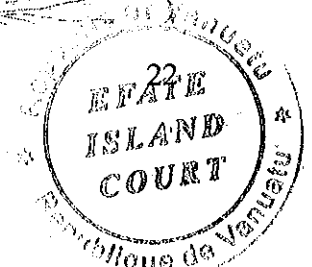
Oli no klemem kastom rait blong pipol blong Malasaliu (Malasa) be oli wantem klarifaem samfala point long issue blong Malasaliu baondri we istap. Malasaliu hemi wan smol boundri blong kraon nomo we tudei samfala party long kot iklemem se Manlaewia or Manavilalu hemi chief blong hem.

Oli kam blong specially challengem histori we Kaonta Kleman iputum long saed blong MINI.



BOUNDARI

MALASA LAND 1/90



Start long Solwota long North East blong Aruse long Natongtong. Go inland, then go finis long solwota long north west long coner blong launrangoa.

Disputed bounadri we oli stap callem Malasa hemi stap insaed long boundary blong Tanomiala.

KLEM:

Olketa grounds blong klem blong hem:

1. **Malasa hemi no custom village, farea or boundri;**
2. **Paunangisu ino custom village, hemi settlement nomore long early 1918;**
3. **Olketa residents blong Paunangisu oli kam from surrounding areas;**
4. **Relatives blong Late Peter Simeon Maripopongi nomore oli save Kastom boundary;**
5. **Chief Peter Simeon Maripopongi hemi winim case blong chiefly title long 2002;**
6. **Manlaewia hemi title blong chief Maripopongi**

HISTORI:

Long 17 November 2009 parti ia ifilem wan document we igivim futher information long case blong olketa.

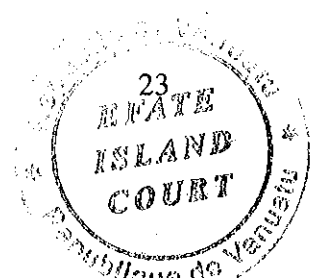
First ever chief **MANLAEWIA I** hemi person ia **MATOVA TOATAU**. Oldfalla Matova Toatau imarretem **MARSARIA**. Woman ia hemi blong bigfalla Nakamal blong **ROMOSO** long interior vilej. Tufalla igat 1 girl nomo name blong hem **NARRASSAIPIRI**. Hemi named after Varea blong papa blong hem **MANLAEWIA**.

About after 1884, oldfalla **MATOVA TOATAU** hemi ded, so **MARSARIA** hemi **TUKURAU** blong title blong **MANLAEWIA I** mo immigrate wetem **NARRASSAIPIRI** igo long Kakula. Taem oli stap long Kakula **GEORGES NAPUK** blong **LUMA** imarretem **MARSARIA** bakeken mo hemi stap exercisem powers blong chief **MANLAEWIA** olsem **MANLAEWIA II**.

Samtaem later **NARRASSARIA** imarretem **SAKONA**, mo **GEORGES NAPUK** **MANLAEWIA II**, **MARSARIA**, **NARRASSAIPIRI** mo **SAKONA** oli move ikam long big island.

Around 1910-1911, ibin gat wan contract between **GEORGES NAPUK** **MANLAEWIA II** mo **CHIEF MARIPONG** blong Unakap long Nguna, where chief Maripong ipem out wan debt blong Georges Napuk **MANLAEWIA II** againstem wan piece ground.

Long 1911 Chief **MARIPONG** blong Nguna long Unakapu igo luk **GEORGES NAPUK** **MANLAEWIA II** from promes ia mo **GEORGES NAPUK** **MANLAEWIA II** wetem wife blong hem **MARSARIA** tufalla imarkem wan bigfalla mama blong ground mo givim igo long Chief **MARIPONG**.



Great great great grandmother blong kaonta klemant ia MARSARIA now igivm right blong oli givim land ia long Chief Maripong.

Long 1921 Georges NAPUK MANLAEWIA II mo wife blong hem tufalla isalem sekon biggest parcel of land long community blong TIKILASOA long Nguna, followem power blong MARSARIA olsem TUKURAU blong MATOVA TOATAU.

Long 1922 GEORGES NAPUK MANLAEWIA II mo MARSARIA imekem marret blong **MINI** mo **YOPA** we hemi boy blong KALSURAE mo LEINTASS blong TAREANGI. Then GEORGES NAPUK MANLAEWIA II igivim title long YOPA, we ibecome **MANLAEWIA III**. Wetem toktok (will) se sapos Mini igat wan boy bambae Yopa ijust givim title long hem. YOPA MANLAEWIA III mo MINI, ino gat pikinini-YOPA MANLAEWIA III ided.

Long 1929 MINI imarretem WILLIE mo tufalla ibornem VARLET, KALFAU mo HENRY, ol members blong party blong kaonta klemant ia oli descendants blong olketa.

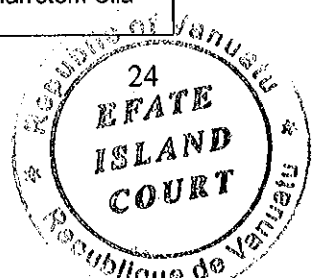
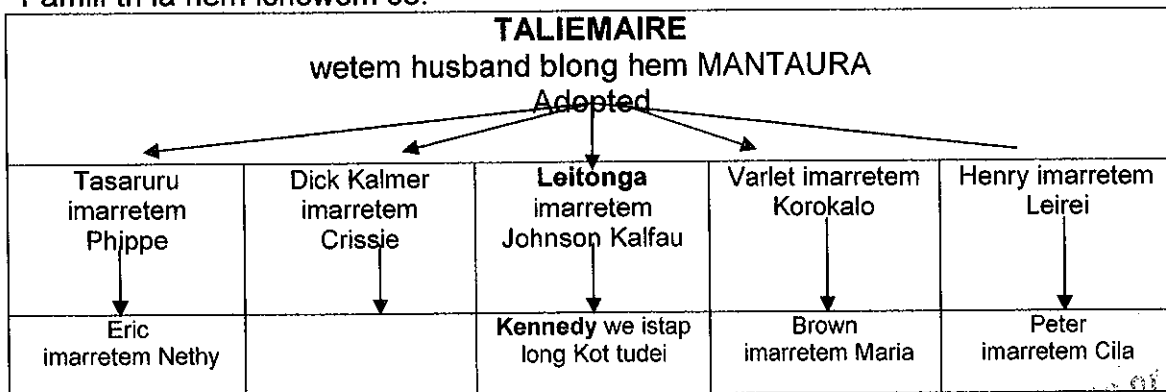
Hemi claim se next of kin blong blood blong **MATOVA TOATAU MANLAEWIA I** long case blong MINI hemi KALFAU mo HENRY.

Hemi continu blong givim situation blong EFATE we iluk samtaem bloodline blong man oli lus, be blood blong woman nomo oli stap lukaotem, kastom property olsem BAONDRI blong KRAON mo CHIEFLY title. Oli quotem toktok blong book blong professor RON CROCOMBE long oxford university: ***“Lineality varies. The people of the southernmost islands where patrilineal, those of the central islands matrilineal. North of them was another banks of patrilineal people, and in the north and north east the people were again patriniela. These differences of lineality did not lead to great variations in tenure patterns except in terms of claim and control of land...”***

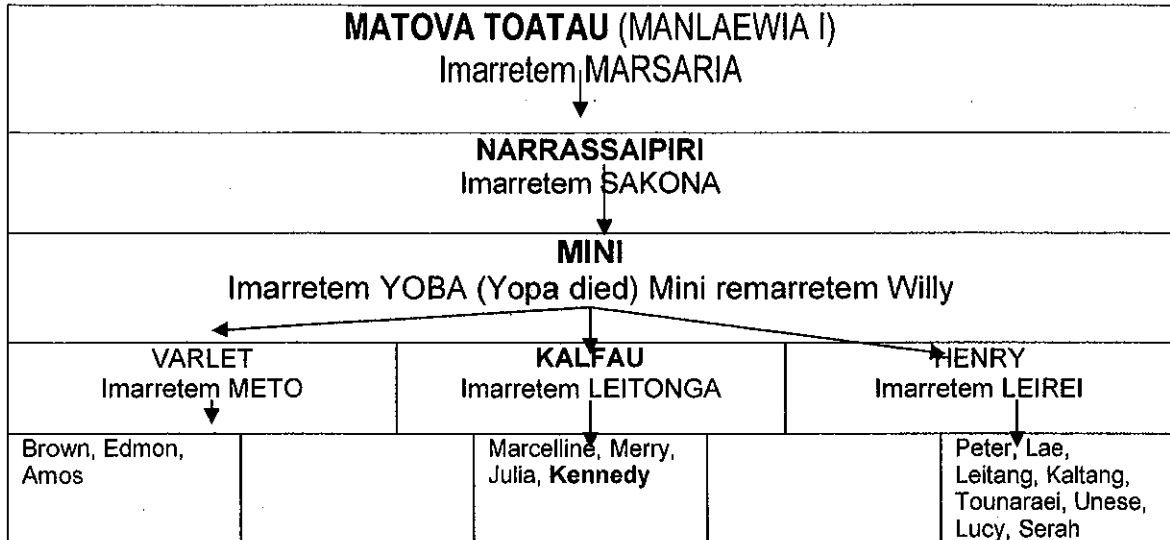
Hemi reconfirmem toktok blong RON CROCOMBE ia se central islands blong Vanuatu kastom igivim rait long woman blong oli save inherit ol rait blong man long kraon.

Long ples ia hemi endem blong talem se parti blong hem, istret bloodline blong VAREA mo NAMARAKIAN blong SAIPIR.

Famili tri ia hem ishowem se:



However hemi tracem 1st Manlaewia se:



Long tufalla famili tri ia. Taliemaire wetem Mantaura tufalla iadoptem mama blong Kennedy ; mo Mini istret mama blong Kalfau

Hemi presentem 5 witnesses:

WITNESS 1 KENNEDY KALFAU TAPANGATAMATE, sworn states:

Igat 2 lands under long title blong Peter Maripopongi: Tanomiala interior mo Saipiri long coastal area. Mo igat 2 separate chiefs: Maripopongi (Big chief) mo Manlaewia (subordinate chief).

Peter Maripopongi hemi uncle blong hem (witness). "Popongi" hemi meanim man we igat big heart, plante love.

Hemi save se grand father blong hem Kaloris hemi adopted igo inside long famili blong Peter.

Long 16 January 1884, time Gospel ikam long North Efate olketa man long interior oli kam long cost. Maripopongi too hemi wan long olketa. Hemi go ded long Kakula.

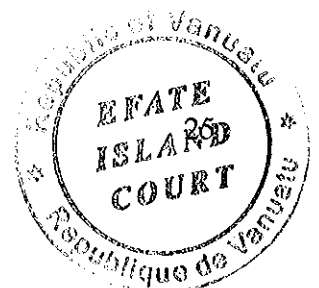
Mantaura mo Taliemaire tufalla imekem kastom blong pem aot mama blong hem long Stephen Kaloris mo woman blong hem..

Long 1957 taem we papa blong hem imekem strong head blong maretem wan narafala woman, olketa oldfalla oli no allowem, mo forcem papa blong hem blong imaretem mama blong hem. Time uncle blong hem Maripopongi ided hemi walkbaot around long coffin blong hem mo oli ordainem Maripopongi. Peter igat 2 titles blong Suasu mo Tanmiala.

Manlaewia hemi blong Saipiri hemi marretem wan woman Romoso mo tufala ibornem wan girl Naras Saipiri.

Igat wan name blong olketa too hemi Toatao. Name ia hemi indicative name. Olsem any pikinini iborn we ol ofalla oli putum name Toatao long hem, taem hemi grew up bambae hemi automatically inheritem title "Manlaewia".

Hemi confirm se Georges Nabuk hemi salem ground long Paunangisu taem Manlaewia hemi caretake (1911) long taem ia inomo gat native blong ples ia, grand mother blong hem we imaretem Nabuk hemi last survivor.



Leisau Maripopongi oli stap work long Saipiri , be ino ground blong tufalla, from hemia hemi no Tanmiala. Boundari blong land Saipiri istart long Noai Aruse (life water) long north east igo long North West long stone.

Land ia now istap long dispute. Hemi should go long Naras Saipiri we hemi daughter blong Matova Toatao – Manlaewia I. Solomon iblong Tariang. Title Manlaewia hemi blong Saipiri. Mo hemi claim Sumansaipiri (Malasa) under long name blong Matova Toatao.

Hemi concludim se Maripopongi hemi Paramount chief mo Manlaewia hemi subordinate chief.

Hemi confirm se Tanomiaia land igo kasem long solwota long both side blong Malasa. Chief Maripopongi isharem boundri wetem chief Manlaesinu. Yellow part long map iblong Tom Kalmara.

Papa blong hem Kalfau iblong Emau, be inomo gat survivor blong Tanomiaia tudei. Hemi talem se hemi tekem histori blong hem from papa blong hem, but wan document we papa blong hem iwritem, italem opposite blong wanem hemi talem. (Papa blong hem ilaef yet, but hemi talem se papa blong hem iodfalla tumas, sora ifas mo hemi stap forgettem ol samting, mekem se oli no wandem hem kam long Kot).

WITNESS 2 CHARLEY MALA hemi sworn mo state:

Hemi kamaot stret long Lausake village long Emau. Hemi stret blood blong paramount chief blong Valealiu.

Hemi save se Kalomele blong SIWO. Hemi bin commitim wan trabol wetem woman blong narafala man long Siwo mo run away long village blong hem. Hemi happen blong live wetem olketa people blong Tanmiala mo marretem Doriman, we istap work long trader Mr. Smith Anderson we hemi pem wan land long Tanmiala mo mekem business blong hem long hem.

Olgeta descendants blong Kalomele through long wan sister blong hem oli still live long Emau tudei. Wan long olketa hemi Kalorongo Kaltonga we istap long Paunangisu tudei. Taem oli askem sapos Kalomele we hemi stap tok about isave klemem mo tekem back rights blong hem, hemi talem "no".

Hemi continu blong talem se Maseibong hemi papa blong Kalomele.

Witness 3 UNESE ANDREW, sworn states:

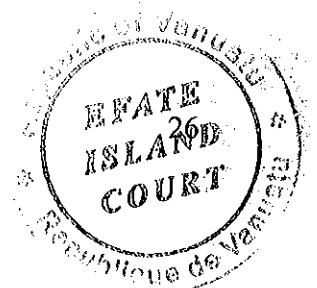
Hemi gat 40 years mo hemi marret igo long Tongoa. Hemi niece blong Kennedy, spokesperson blong Kaonta Klemant 3. Hemi supportem klem blong kaonta klemant mo hem stret bloodline blong Matova Toatao blong Namarakiana blong Saipiri.

Witness MERRY MANGAWAI, sworn states:

Hemi marret igo long Ifira . Hemi supportem klem blong kaonta klemant mo hem stret bloodline blong Matova Toatao blong Namarakiana blong Saipiri.

Hemi answer long cross examination se chief blong Namarakian blong Saipiri hemi Matova Toatao we hemi papa blong Nairas Saipiri. Hemi sister blong spokesperson blong Kaonta Klemant 3. Hemi talem se hemi born mo grew up long Paunangisu, mo hemi save se Yopa hemi caretaker blong title Manlaewia nomo. But Matova now hemi stret person blong inheritem title blong Manlaewia.

Hemi talem se Henry Manlaewia mo Pierre oli related long hem long saed blong mama blong hem. Long saed blong papa blong hem igat Johnson mo Willie



OLKEGA FINDINGS:

INTRODUCTION:

Name blong land: After we Kot ihearem every evidence, kot ifindem se Land we istap long dispute we oli stap kolem "Malasa" or " Malasaliu" hemi receivim name ia followem wan tabu water we istap insaed long area ia. Name blong tabu water ia long language blong North Efate hemi "Malosa". Kot ivisitem tabu water ia, hemi tekem bigfalla space mo hemi muddy still kasem tudei. Custom belief blong olketa natives blong ples ia, se water ia hemi save causem death blong anyone we hemi drownem any part blong body blong hem insaed. Mud ia isave kakae skin mo taem oli sikrasem hemi become red sore; isave stap red longtaem, finally taem hemi drae, hemi causem ded blong man/woman. **Red sore long language: *Miala moru.***

Olsem plante island long Vanuatu, taem ol whiteman or Missionary ikam askem blong acquirem wan land, olketa natives oli salem tabu ples or rabis ples blong olketa (area we oli no save usum blong mekem garden long hem). So blong identifiaem ples ia oli refer long hem olsem Malasa. Hemi karem name ia kasem tudei so Kot ia bambae iusum name ia too.

Malasa iexperiencem first impact blong development long New Hebrides (colonialism). Insaed long Malasa, yumi save look evidences blong colonial times, olsem village blong Pauanagisu we Presbyterien Mission hemi settle long hem blong start imposem new culture blong chritianity mo olketa first business blong commercialization blong coprah long area. Evidence ishowem se igat wan shop/store blong olketa coprah cutters istap close up long Malosa.

Malasa hemi experiensem storian blong blackbirding too. Unlike narafala settlements blong ol Missionaries long Efate, Malasa hemi givim hard time long olketa Missionaries long time ia we imekem se oli must removum olketa earlier Christians igo long wan smol offshore island (Kakula Island) from temptation blong backslidings (igo back long cultural pleasures) blong olketa natives mo mosquitos long tabu water "Malosa".

Boundaries: Taem Kot ivisitim land ia, ifindem se hemi wan flat ples, mo iluk olsem hemi followem olketa ples we olgeta natives oli been lendem igo long Presbyterien blong iholem in trust blong protectem from olketa planters long early european settlements. Ol custom boundaries oli ol tris mo fencings. Ino gat any natural features blong Land we yumi save lukim blong markem custom boundri. However olketa parties tudei oli save gud olketa wan wan virtual custom boundaries blong olketa. Kot hemi visitim some graves we isave indicatem some settlements blong bifo. Kot hemi visitim too some areas we hemi showem probability se igat Farea long hem bifo colonialism.

Kot ifindem wan striking site we every parties oli agri se hemi grave blong wan "lazy" man. Taem oli smol pikinini ol oldfalla blong olketa oli bin warnem olketa blong no touchem stone we oli plantem long grave ia, sapos no bambae oli save lazy olsem lazy man ia. Logical mo striking part blong site blong lazy man ia, is that, stone we oli putum blong markem grave ia hemi stand high long ground, about 1.20 metres; mo around long stone ia igat about 3 to 4 very old "Namele tris". Anyone isave luk olsem se hemi grave blong wan Paramount chief or wan



important man blong ples ia. Question istap se why olketa graves blong ol big chieives such as **Chief Manavilalu, Chief Lakeleowia, Chief Manlaewia** oli nearly lost. Olsem oli markem long ol smol smol stone nomo situated here and there long plantation, but blong "lazy man", hemi "Vatu Farau" (longfalla stone). Hemi more probable se Vatu Farau imarkem stone blong grave blong wan bigman we hemi bin live long area ia bifo. Sapos itru olsem then hemi no save stap stret long boundary mark blong wan kastom ground.

Igat high probability se Malasa hemi no wan kastom land hemwan, but part blong Tanmiala. Mo stret boundary istap long last page blong Judgment ia; mo ol first people we oli populatem Malasa oli kamaot long different area. Majority blong olketa ia oli Naflac Yam.

ORIGINAL KLEMANT

Long initial stage blong establishment blong Puanangisu village, igat intermarriages mo naflac MALU mo NAWI (yam) irule long disputed area. Famili blong original klemant oli instrumental long decision making and work blong developpem area in dispute so much that generation blong olgeta tudei oli wandem resistem pressure we ikam againstem olketa taem issues blong disputes over ownership blong land istap affectem every man Vanuatu. Infact majority blong olketa man we oli been ordained since establishment blong Puanangisu kasem tudei, oli born out long naflac YAM. Mo long disputed land ia trifalla persons ia: Toarasariamata, Talieta mo Toara Lessa oli producem every chiefs we villages blong Emua mo Puanangisu istap look up long olkega tudei. Olsem:

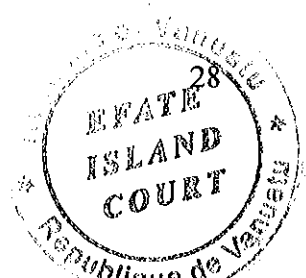
- Chief Lakeleowia: through Talieta;
- Chief Manavilalu: through Talieta
- Chief Manlaewai: directly from Toumanu girl blong Toarasariamata;
- Chief Raymond Marongoe: through Talieta;
- Chief Pakoa Maau Nattie: through Talieta;
- Chief Manlaerana Kalnagisu: Through Talieta;
- Chief Peter Maripopongi through Talieta
- Chief Marvatutipua: through Toara Lessa

Igat evidence se chief Manavilalu hemi title blong big chief Tagarasi blong Pele but olgeta land we oli stap work long hem iblong olketa be oli no kastom owners. Long past oli stap givim nasautong long chief Manlaewia.

Olketa chieives ia oli ordained followem naflac blong Toumanu mo Talieta except Marvatutipua we hemi descendant male blong Taora Lessa.

Kot inotem se Original klemant hemi originally claim under Malu famili then hemi recently changem claim under 2 chiefly titles: Manavilalu mo Lakeleowia.

Chief Manavilalu: Kot ifollowem bloodline blong Original claimant mo findem se last chief Manavilalu hemi inheritem title ia followem Talieta naflac Nawi, igo down long Leinasei we hemi marretem Rolland Maseitonga, then Flora we imaretem Morris, down to Erina we imaretem Wallace then Silas.



Chief Lakeleowia: Kot ifollowem bloodline blong Original claimant mo findem se last chief Lakeleowia hemi inheritem title ia long brother blong Talieta we hemi Toarasariamata naflac Nawi, igo down long Toumanu we imaretem Dick Vakao (Dick Tinapua), then Leisau we imaretem Solomon Manlaewia, then igo long Edward we marretem Winnie mo lastly long Ernest.

Tufalla original chiefly titles ia tufalla ibin sleep over 4 generations. Oli just leftemap bakeken long 5th generation igo long Silas Wallas mo Ernest Kaloris. Famili tri we tufalla chieves ia ipresentem ishowem se blood blong Leitatie wetem Lakeleowia istap tudei wetem Marvatutipua Solomon mo Kalmaire.

Igat probability se Manavilalu hemi title blong Pele. History ikamaot se hemi stap providem human flesh long chief blong Pele mo too hemi ordainem chief Tagarasilasa. Manavilalu mo Lakeleowia tufalla ino followem bloodline blong man; but naflac MALU blong original Chief Manavilalu mo Lakeleowia.

Klem blong tufalla chieves olsem "Custom Owners blong Malasa" ino save succeed. However olketa relatives blong tufalla oli holsem perpetual rights over long ol piece lands we olketa descendants blong tufalla chieves ia istap work long olketa since village blong paunangisu iestablished long Malasa. Iluk olsem olketa pieces lands ia oli stap long Sepati.

COUNTER CLAIMANT 1 CHIEF HENRY CYREL MANLAEWIA

Kot ifindem se **Chief Henry Cyrel Manlaewia** iclaim under:

- **Name blong hem "Henry Cyrel"**. Bloodline blong Henry Cyrel ikamaot long Mintho McCoy we hemi wan man Norfolk Island. Mr. McCoy hemi gat wan relationship wetem one Dorothy we hemi become wife blong Pastor Kalmara. Mr. Cyrel iborn out long relationship blong Mr. McCoy mo Dorothy. Mr. Cyrel imarretem Anne first born girl blong oldfalla Solomon Manlaewia mo tufalla ibornem Henry. Long saed blong Bloodline blong Henry Cyrel as kastom owner ino save succeed. However hemi Land owner blong olketa eria we hem inheritem from Solomon (papa blong Anne Cyrel).
- **Title blong hem "Manlaewia"**. Kot ifindem se title Manlaewia hemi title blong Naflac Yam. Hemi big chief blong Naflac yam hemi subordinate blong chief Maripongi. Hemi bigfalla chief long area we istap long dispute. Insaed long area ia igat chieves "Manlaewia" Mansanga, Marikinamali, Mansarope, Matsari mo Marvatutipua. Jurisdiction blong Manlaewia iextend igo long Sikia mo Napara including Varea Saipiri. Full disputed area ia hemi governed by title ia.

Furthermore Chief blong Tanmiala hemi save se Chief Manlaewia hemi lukaotem area we hemi stat long varea ni sui kasem Sikia. Nakamal blong hem istap long sikia;

Igat enough evidence blong Kot ideklarem se Henry Manlaewia hemi **custom ruler blong Malasa**. Title Manlaewia hemi never stop blong work/reign. Hem nao



hemi take care long bigfalla boundary blong Malasa within Tanmiala Kastom boundri.

COUNTER CLAIMANT 2 CHIEF MARIPONGI & VAMELE FAMLI

Counter claimant ia hemi claim under:

- Chief Maripopongi : Kot ifindem se title Maripopongi hemi blong Tanmiala. Iluk olsem title ia ibin sleep 2 generations. Oli lefem up title ia long Kalorong long thinkthink se hemi followem brother blong oldfala chief Maripongi igo long great grand son blong hem Kalorong through long Kalorib we hemi son blong Kalome wetem Touriman.
- Famili Vamele: Kot ifindem se oli kamaot long bloodline blong Namele we hemi brother blong Maripongi. Bloodline ia iflow igo down long Kalomele, icontinu igo long Kalorong, Obed, Kalorib Robert mo John Pokai mo go stap tudei long Peniel, Amos, Kalorong, clement mo Toarasavi. **Oli followem man.**

COUNTER CLAIMANT 3 FAMILY SIMON PETER CHIEF MARIPOPONGI & DESCENDANTS.

Long introduction blong hem, hemi talem se famili blong Peter Simon Maripopongi mo relativ oli submitem klem blong olgeta blong mekem smol clarification long kastom issiu we istap before long Kot. Oli no klemem kastom rait blong pipol blong Malasaliu (Malasa) be oli wantem klarifaem samfala point long issue blong Malasaliu baondri we istap. Malasaliu hemi wam smol boundri blong kraon nomo we tudei samfala party long kot iklemem se Manlaewia or Manavilalu hemi chief blong hem.

Indeed kaonta klemant ia hemi helpem Kot ia blong luksave se long taem befo, chiefly title hemi pass through long Naflac. However land hemi pass through long man (Male). Hemia hemi first taem we evidence olsem ikamaot long kot. Mo bambae Kot ia hemi usum olsem standard blong case ia. So kastom owner blong land hemi followem bloodline blong man. Insaed long each land Kastom owner hemi ordainem olketa chieves blong olketa naflac we oli existe insaed long Marae blong hem, then hemi allocatem "siloa" blong each chief wetem Jurisdiction blong ruling blong hem mo newly ordained chief ijust allocatem lands we olketa people blong hem oli needim blong work long. However land hemi remain blong original kastom owner.

Counter claimant ia hemi klem under Famili Simon Peter mo Descendants mo Chief Maripopongi mo descendants:

- Famili Simon Peter: Kot ifindem se Peter hemi kamaot long Simeon Mantaura we imaretem Taliemaire. Tufala ino gat pikinini so tufalla iadoptem 5 pikinini: Tasaruru, Dick Kalmer, Leitonga, Varlet mo Henry. Followem bloodline blong Taliemaire ino save succeed. Claimant hemi presentem olketa witnesses we oli talk about claim under long Matova Taotau blong Namarakiana blong Saipiri. Hemi no prodium enough



evidences blong provum case blong hem long bloodline blong Matova Toatau. Hemi no save succeed long bloodline blong Matova Toatau.

- **Chief Maripopongi:** Kot iluk se Claimant ia iprodiusum Chiefly rank blong Maripopongi we hemi prodiusum finis long Kakula Island Dispute blong ownership blong land. Iluk olsem Maripopongi hemi kamaot long Songomanu. Kot ino gat enough evidence blong talem se Chief Maripopongi we hemi claim under mo descendants' oli Custom owners' blong Malasa.

DEKLARATION

Kot idiklerem se followem pattern blong ordination blong olketa chieves long particular area long dispute (Malasa), TITLE BLONG CHIEF IFOLLOWEM NAFLAC MO OWNERSHIP BLONG KASTOM LAND HEMI FOLLOWEM BLOODLINE BLONG MAN (PATRILINEAL)

Duty blong chieves iblong look se ol people blong hem oli live long peace mo harmony mo oli gat enough land blong work mo live long hem. Chieves themselves oli no ownem bigfalla boundaries blong lands. Oli gat smol pieces we hemi "siloa" blong olketa. But land iblong everyone (Klan/tribe...)

DEKLERESEN WAN:

1. **MALASA land hemi part blong TANMIALA-(ping and Yellow);**
2. **Ownership blong hem imust folowem blood blong man TANMIALA;**
3. **Insaed long disputed land igat overlap blong EMUA (ORANGE PART) igo long MALASA; mo**
4. **Insaed long MALASA land igat 2 part: MALU mo NAWI.**

DEKLERESEN TWO:

CHIEF MARIPONGI & FAMILI TANMIALA (Kaonta klemant 2) oli custom owners blong Malasa land (Boundaries- attached (PING & YELLOW)).

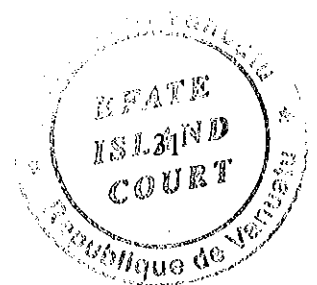
DEKLERESEN TREE:

"MANLAEWIA" hemi title blong chief we ireign since establishment blong Paunangisu kasem tudei mo who ever we iholem title ia hemi should rule under Chief Maripopongi. Mo hemi reign mo governem PING PART BLONG MALASA.

Henry Cyrel hemi gat perpetual rights over long olketa lands we Cyrel mo Ann irecievim followem custom. Lands blong Solomon ishould go long Morrison mo ol boys blong Thomas: Shem mo Kalo; under long care blong current Henry Cyrel Manlaewia III.

DEKLERESEN FOUR:

MALASA LAND 1/90



Title MANAVILALU mo Title LAKELEOWIA tufalla isubject long Mariponpogi olsem kastom owner blong Malasa mo. Olketa DESCENDANTS blong tufalla original persons we tufalla iholem titles ia, oli gat perpetual rights over long Olketa smol boundaries within bigfalla boundaries blong Malasa, long Sepati, (yellow part) we ol forefathers blong olketa oli acquirem followem custom during establishment blong Paunangisu. Tufalla titles ia ireign mo governem area ia.

DEKLERESEN FIVE:

CLAIM BLONG FAMILY SIMON PETER MARIPOPONGI & DESCENDANTS
olsem 3rd Counter Claim ifailed.

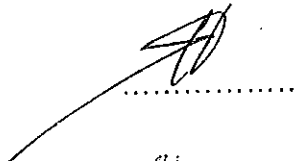
GENERAL ORDERS:

1. For better management blong lands insaed long Malasa, olketa descendants blong Chief Maripongi mo chief Manlaewia, chief Manavilalu mo chief Lakeleowia oli should reconcile mo reviewem structure blong chiefs blong olketa in order blong improvum lives blong olketa people we oli chosum mo mekem home blong olketa long Malasa Land.
2. Olketa declared kastom owners oli no save putum out anyone we hemi occupaem land ia over 60 - 100 years finis;
3. Oli must negociatem lease wetem olketa longtaem occupiers.
4. Anyone we hemi think se Kot hemi mekem any mistake long loa insaed long decision ia hemi gat right blong mekem appeal insaed long 30 days.

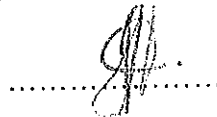
Port Vila, this 28 January 2010

Aelan Kot Justices:

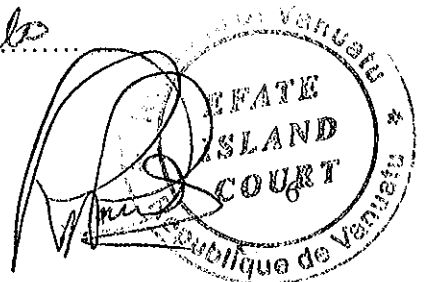
Justice Chief EDY KARIS:



Justice Chief HARRY JOSUAH:

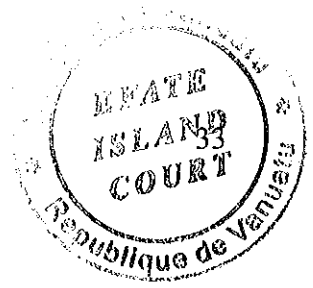


Justice/ANN CALO:



Senior Magistrate Rita Bill Naviti:

MALASA LAND 1/90



ALASALIU LAND BOUNDRA

DAUNAGISU/EMUA AREA
NORTH EFATE

ANINGURU : 0

