

**IN THE SANTO MALO ISLAND COURT  
REPUBLIC OF VANUATU**

**LAND CASE No. 02 of 1999**

(Land Jurisdiction)

**BETWEEN: PAUL MARI MARI**  
Original Claimant

**AND: JOEL NAKOLE**  
Fes Kaonta Klemen

**AND: VIRA MELE**  
Seken Kaonta Klemen

**AND: PASTOR SIMEON KELE**  
Third Kaonta Klemen

**AND: REVEVURO & PAIA**  
Fourth Kaonta Klemen

**AND: FAMILY VATU**  
Fifth Kaonta Klemen

**AND: LOUIS TIRIPE**  
Six Kaonta Klemen

**AND: DENNIS PHILIP**  
Seven Kaonta Klemen

**AND: ANDESUPE**  
Eight Kaonta Klemen

**AND: PASTOR PAUL AROUVUTI**  
Nine Kaonta Klemen

***Coram: Jimmy Garae – Presiding Senior Magistrate***

***Justices: Ben Rovu***

***James Ngisa***

***Petro Rite***



## **JASMEN**

### **INTRODAKSEN**

Graon we ol pati oli rao from kastom onasip blong hem, nem blong hem hemi Pakalio mo istap long Saot Santo. Graon hemi stap bitwin tu riva, Wailapa long nort mo Waialo long Saot. Namba blong ol pati we oli rao from graon ia hemi ten (10) evriwan. Long fes sitting blong Kot, 9<sup>th</sup> Kaonta Klemen Adesupe hemi aplae blong witdro klem blong hem. Klemen hemi blong metel bush blong Santo. Kot i oda folem aplikesen blong hem

Klosap hearing i finis, Pastor Arou Paul imekem aplikesen blong joen olsem pati. Kot i alaom aplikesen blong hem mo hemi kam namba ten (10) klemen.

### **STAMPA LAW BLONG ONEM GRAON**

Atikol 71 blong Constitution i provide se evri graon long Vanuatu i blong stret manples we oli kastom ona mo plande generesen iet we bae ikam afta. Atikol 72 i provide se man bae folem kastom rul blong onem mo yusum graon.

### **KASTOM LAW BLONG ONEM GRAON**

Long Santo, olsem long ol narafala aelan long Vanuatu wan individual or wan man nomo hemi no kastom ona blong graon, kastom ona hemi famili, clan or traeb. Wan man hemi holom graon long level nomo olsem trasti long bihaf blong ol desenden blong em we oli kam long plante generation afta, mo olgeta we i laef long generesen blong hem. Wan wan memba blong famili, clan or traeb oli gat raet nomo blong e.g. yusum graon, liv long graon or collectem fruits long graon, i dipen long kastom blong wan wan area.

Nao long Santo, olsem wanem wan man ikasem raet ia blong yumi kolem hem kastom land owner.

Wan common fasen we istap long plante ples hemi tru long blood, hemia patrilineal or matrilineal. Olsem son long bihaf blong famili grup blong hem bae oli kastom ona blong graon we i blong papa, bubu mo great grand bubu blong hem.

Malo aelan tu igat wan pepa we i setemaot ol difren fasen blong gat raet long graon.

Nao long Saot Santo Eria 2 we Pakalio Land istap insaed, hem tu igat wan gadlaen abaot hao man i onem graon, mo ol nara raets insaed long graon. Gadlaen i setemaot fo (4) stampa wei blong olsem wanem man i onem graon. Ol fasen ia:

1. Patrilineal, son bae isave tokbaot or ona blong graon blong papa blong hem from hemi pem mama blong hem; mo
2. raet bae ino save go long son spos papa ino pem mama blong hem. Son bae istap nomo long graon, emi no kastom ona, emia spos man istap finis long graon we raet blong em i superior long son; mo
3. spos woman i maret igo aot mo ino gat male issue ilaef long graon blong papa blong hem, hem wetem ol pikinini blong hem bae igo bak blong tekem raet long graon; mo



4. man isave tekem raet long graon spos kastom ona igivim raet long hem folem kastom mo man we igivim graon hemi nogat famili ilaef istap.

Saot Santo Eria 2 emia nao ol fo (4) men stampa wei blong onem graon. Sapos igat wan o mo kastom blong onem graon, man we iklem folem kastom ia bae hemi mas pruvum tru evidens.

#### **BANDRI MAK BLONG ORIGINAL CLAIMANT**

Originol Klemen we hem nao ifes pati blong putum klem long kot, hemi makem bandri mak blong hem olsem: istat long Wailapa Riva long solwota long east ifolem solwota igo kasem Waialo Riva long saot. Afta folem riva igo antap long bush long west kasem Pila Riva mo i folem riva kasem Apolotu riva long north, mo folem wan stret line istwod kasem Wailapa Riva mo folem riva ikam daon kasem solwota bakegen.

Ol kaonta klem ikam antap afta Originol Klemen i faelem klem blong em se evri graon insaed long bandri mak iblong hem.

#### **BANDRI CLAIMS BLONG PARTIES**

Igat four (4) pati oli klem ful bandri blong Pakalio. Olgeta ia igat original Claimant, Marimari, Kele, Vatu mo Denis.

Kele i klem graon stat long Wailapa Riva igo kasem Olei Riva tru long blad. Nara haf blong graon stat long Olei Riva igo kasem Waialo Riva hemi klem folem kastom blong bubu blong hem i pem long pig.

Tri pati i klem pat blong Pakalio stat long Wailapa Riva igo finis long Olei Riva. Tri pati ia hemi Nagole, Vira mo Arou. Be Nagole behaen hemi mekem aplikesen mo kot ialao aplikesen ia blong jensem bandri mak blong hem. Graon hemi klem istat long Wailapa Riva igo finis long wan creek, Viroronmele istap bitwin Olei Riva mo Nasulesule vilij.

Tu pati Revevuro/Paia mo Tirip tufala iklem pat we istat long Olei Riva igo kasem Waialo Riva.

#### **EVIDENS**

Long ol kot blong graon evidens we ikam long kot yumi kolem se "hearsay evidens". Hemia imin se man i talem store long kot, mo store ia hemi harem long wan narafala, olsem papa i kivim long son mo son ipasem long pikinini blong hem. Kot i dipen long evidens ia nao we ino reliable tumas, bat hemia nao fasen blong store blong graon ipas long wan generesen igo long nara generesen. From hemi no reliable tumas samtaem bae kot i lukluk long ol nara evidens blong helpem hem blong decide long wan kes blong graon. Long side ia kot bae i save lukluk long "conduct" blong pati or blong ol pati. Hemia, olsem, wanem nao pati mekem long saed long kes we naoia istap long Kot. Conduct ia i positive or negative long saed blong kes blong hem.

Long saet long standed blong pruvum evidens hemi long balance of probability. Hemia i min se evidens or store blong hu nao bae Kot i bilivim bitim store blong narafala or blong ol narafala pati.



## **KLEM BLONG ORIGINOL KLEMEN, PAUL MARIMARI**

Mari Mari klem Pakalio from se hemi graon blong ol ancestor bubu blong hem. Hemi tresem famili tri blong hemi igo kasem stampa ancestor blong hem we hemi Rotolu. Rotulo hemi kasem kastom nem Molputput taem hemi kilim pig. Hemi gat brata, nem blong hem Vatolu, tugeta i maret mo gat desenden we oli laef tedei.

Famili tri blong Molputput igo olsem: Hemi gat tu waef, Vesale wetem Veuilez. Hemi gat 4 pikinini, tu boy igat Moli Aka mo Belele, wetem tu gel, igat Vesilei mo Vekampusa.

Moli Aka hemi maretem Veajuju mo pikinini blong tufala hemi Alvono we hem hemi no gat pikinini.

Bulele, waef blong hem hemi Vevura, pikinini blong tufala igat Apu Merurani we hemi no maret; Reverave Apu, hem tu ino maret; Matai hemi maretem Vease; Tohvono hemi gat tri waef, Vetitine, Veovi mo Vepaonarave; mo sista blong olgeta hemi Veajujuiato.

Matai pikinini blong hem Asemele. Asemele hemi gat tu boy, Rarapua mo Hure. Rarapua son blong hem Alecxan. Brata blong Rarapua, Hure, son blong hem, Philip we hemi papa blong Denis Philip we hemi 8<sup>th</sup> Kaonta Klemen

Tohovono, brata blong Matai hemi gat tri waef, wetem Vetitine hemi gat tu boy, Mari Mari wetem Bulele. Wetem waef blong hem, Veovi hemi gat Beli, Vevura, mo Vekempusa, mo wetem waef Vepaonarave hemi gat Vekamasasa.

Sista blong Matai mo Tohvono, Veajujuiato, hemi gat wan son, Pauravoke. Marimari ino save nem blong husband. Pauravoke, son blong hem, Lolo. Lolo, daughter blong hem, Vetamata. Vetamata, daughter blong hem, Vepere we hemi mama blong Kaonta Klemen Vira Vetamata.

Gel blong Tohvono, Vakasasale, husband blong hem, Takaia, son blong tufala hemi Bonmele. Bonmele, sons blong hem, Matio wetem Tamata. Matio, son blong hem, Victor, mo Tamata, son blong hem, Silas.

Son blong Tohvono, Beli, waef blong hem, Velane. Gel blong tufala, Vetitine. Boe blong Vetitine, Vatu mo Christian.

Nara son blong Tohvono, Bulele, waef blong hem, Veraraoso. Boe blong tufala Daniel wetem Eli. Emia olsem we istap long famili tri, be long writen evidence blong Mari Mari, hemi talem se Bulele hemi gat tu waef, Veraraoso, we son blong hemi Eli, mo wetem Marianiese, boe blong hem, Daniel.

Las boe blong Tohvono, Mari Mari, waef blong hem, Vematai, boe blong tufala igat, Paul Mari Mari, Originol Klement, Rene Mari Mari, Jean Mari Mari mo Gerard Mari Mari.

Famili tri blong Klemen i soem se Mari Mari hemi gat tu waef, Vematai mo Marianies. Be long written evidence Paul Mari Mari i talem se Mari Mari igat wan waef nomo.



Paul Mari hemi gat ol pikinini mo bubu, wan son hemi Joachim Mari Mari, spokesman blong pati.

Las pikinini blong Mol Put Put, Vekampusa, husband blong hem, Surumoli, son blong tufala, Malarani, waef blong hem, Vekarae, boe blong tufala, Molitasi, waef blong hem, Veanmuni. Laen blong Vekampusa ino laef tede.

Brata blong Mol Put Put, Vatolu, waef blong hem, Vease, boe blong tufala, Kalkal wetem Sio. Kalkal, boy blong hem, Tarialo, Vusa Vusan Gole mo Karai Tilai. Sio hemi nogat pikinini.

Tarialo wetem Karai Tilai tufala ino gat pikinini. Brata blong tufala, Vusa Vusan Gole, waef blong hem, Venale, gel blong tufala, Veuillez we imaretem Naho, gel blong tufala, Vearupuo, husband blong hem, Avui Levu. Tufala ia boy blong tufala, Jacques Nakole we i maretem Bernardette mo boe blong tufala hemi, Fes Kaonta Klemen, Joel Nakole.

Mari Mari igivim evidence se papa blong Pakalio graon hemi ansesta bubu blong hem, Mol Put Put.

Spokesperson blong Paul Mari Mari hemi son blong hem Joachin Mari Mari. Paul Mari Mari ino givim evidence be Joachin i presentem evidence long saed blong pati.

Joachin Mari Mari i kohed wetem evidence se papa blong graon emi Molputput. Hem nao i ona blong Pakalio mo emi gat ol disenden we oli laef tede we hem, hemi wan i emi olgeta.

Hemi talem se ol pupu oli bin mekem kaekae antap long bush long wan ples, Papaivusia village, we hemi ples blong nefiu blong Molputput bifo Molputput i leko ol pipol oli kam daon long graon blong hem, Pakalio.

Bifo long kaekae ia nao wan son blong Molputput, Moli Aka, i klaem long seling bot igo wok long sukaken plantesen long Australia.

Witnis i se taem Moli Aka ikam bak long Australia, emi nomo go bak long bush be emi mekem home long Najoiaka, emia insaed long Pakalio. Emi se Moli Aka em nao i fes man blong kam mekem home insaed long Pakalio. Bihaen yet Molputput wetem Moli Aka tufala i mekem kastom long wan olfala, Husia Vari, olsem pem raet long em blong oli save go daon long solwota long Tasmalum, emia klosap nomo long Pakalio.

Witnis i talem se afta Moli Aka ikam bak long sukaken plantesen long Australia mo stap long Najoiaka, ol nara pupu blong hem oli tes mov ikam insaed long Pakalio mo liv afta. Emia oli bin mov long ol difren taem mo stap long ol ples olsem Papunasio, Papaivututuni, Papara Tamata, Tanopusa mo Vialeju.

Witniss ia i talem se bifo independence, Pastor Vatu nao istap klem graon ia Pakalio, man we i stanap agensem Vatu emi Jaques Nagole. Emi talem se taem ia Original Klemen, ino bin klem. Se emi bin stap long kastom Kot ia be blong lisin nomo long proceedings. Emi talem se taem ia Original Klemen ino klem Pakalio, be emi bin stap agensem Franis Kapman taem emi stap pusum nose blong em long graon ia.



Further long kros exsaminesen emi talem se emi gat graon antap long bush beyond Pakalio, be graon ia emi blong laen blong mama blong Molputput.

More yet oli askem hem se from wanem long miting long 1993, emi presentem wan famli tri histri we i difren long emia we emi presentem naoia long kot. Hemi ansa se emia i true, be emi mekem more miting betwin olgeta.

Tu, witnis talem se hem, hemi no askem long Vuso Vuso Paia blong go wok long Penangiro, be kasin brata blong em, Eli. Be emi se emi bin helpem Eli wetem olting blong store blong givim long Vuso Vuso Paia, olsem tank yu from hemi givim raet long Eli igo wok mo live long Penangiro.

Witnis talem se emi no save abaot nasara blong Vatu long Pakalio. Witnis i admit long evidence se polis wetem wan riletif blong Keimol, mo Pere oli go tekem olgeta long Patunlove, emia long bush ikam daon long solwota. Polis wetem Keimol oli bin go wetem George Beras. Emi se reason blong tekem olgeta igo daon emi blong oli leko darkness mo risivim word blong God, olsem blong kam Christian.

Namba tu (2) witnis emi Gerard Mari Mari, hemi brata blong Original klemen. Witnis ino talem tumas toktok, emi talem nomo se afta oli mekem kaekae long Revoluna, oli aot ikam daon mo mitim Vuso Vuso Paia long Vione mo hemi lidim olgeta igo long Railapa, Pakesulei mo Nasulesule.

Long kros exsaminesen emi talem se bifo independence original klemen ino dispute from Pakalio wetem Vatu, Paia Nagole nao istanap agensem Vatu, mo Original Klemen ibin stap olsem witnis blong Nagole. Emi talem se emi no save se Sio mo Kalkal papa blong tufala hemi, hu, Ratolu or Vatolu.

Emi talem se brata blong em Paul Mari Mari i bon long Pantunrara, long bush aotsaed long Pakalio mo olgeta ikam long Pakalio long 1961, especially blong kasem gud news blong Baebol mo go long skul. Emi talem se olgeta famli blong em oli no mekem kastom long Vuso Vuso Paia blong stap long Penanjiro olsem cousin brata blong em Eli i talem.

Namba tri witnis emi Akletui Valao. Witnis ia ino givim plante evidens. Emi jes talem nomo se Molputput wetem brata, Vatolu tufala i kastom ona blong Pakalio, mo se em, emi aot long Lavo, antap long bush ikam daon long Penanjiro long Pakalio.

Long kros exsaminesen witnis i talem se long 1972 Paia Nagole wetem Bon Mele tufala i rao from Pakalio. Hemi se taem ia Paul Mari Mari ino klem be naoia emi klem. Emi talem se long 1993, em, Joel Nagole, Joachim Mari Mari, Paul Mari Mari mo Jacob we oli droemap wan famli tri blong original klemen we i difren long emia we pati i presentem long Kot naoia. Hemi no save why igat jenis ia long family tree. Ibin gat dispute tu abaot Pakalio bitwin Vatu mo Paia Nagole. Emi talem se Paul Mari Mari fastaem oli stap long Tapunpita, oli aot oli kam long Penanjiro, afta oli jes kam daon long solwota, emia long Ukoro. Infact emi se oli stap long Patunrara, afta oli go long Tapunpita, bihaen kam daon long Revoluna mo afta kam daon long solwota. Emi se hem, hemi bon long Lavo, long bush.





Nekis witnis blong original klemen emi Tomas Sevuro. Emi tu olsem tu las witnis, emi no givim tumas evidens. Emi talem nomo se Molputput wetem brata, Vatolu, tufala ibin stap long Revoluna, narasaed nomo long Penanjiro, mo emi talem se Molputput wetem Moli Aka tufala i mekem kastom long Husavari long Tasmalum blong olgeta i pas kam daon long solwota.

Long kros exsaminesen, emi se son blong original klemen emi Joachim Mari Mari i askem boe blong Bonmele, Matio, blong fensem wan plot blong graon long Sumata insaed long Pakalio. Emi talem se Bonmele emi land ona we igivim raet blong hem long pupu blong hem, Silas be raet ia naoia istap wetem Paul Mari Mari.

Witnis ino ansa long plante kwesten we oli putum igo long em, mo talem se long taem bifo ol jifs oli harem ol klem blong Vuso Vuso Paia mo son blong hem Vua Moli agensem Bonmele, be taem ia Paul Mari Mari emi no wan pati long ol klem ia. Emi talem se Paul Mari Mari, Joel Nagole mo Dennis Philip oli related nomo.

Las witnis blong Originol Klemen hemi jif Vatu Livo i givim evidens nomo se Molputput hemi ona blong graon. Hem tu i disenden blong Molputput.

Long cross examination klosap evri question emi talem se emi no save ansa.

Emia emi end blong kes blong original klemen.

#### **KLEM BLONG FES KAONTA KLEMEN – JOEL NAGOLE**

Fes Kaonta klemen i klem pat blong Pakalio folem wan kastom oli mekem.

Klemen igivim evidens i talem se igat tufala brata, Siho mo Kalkal. Kalkal ino gat pikinini. Siho igat tri pikinini, wan boe, Tilai mo tu gel, Vuerani wetem Vehui.

Tilai igat 2 pikinini boe, Paia Eve mo gel Vepuo. Paia Eve ino gat pikinini. Sista blong hem Vepuo i maretem Avuilevu, son blong tufala emi Paia Nagole.

Paia Nagole i maretem wife Vejimuro. Tufala igat 6 boe mo 2 gel.

Paia Eve emi nogat pikinini, sista blong hem Vepuo nomo igat. Paia Eve igo long Australia long seling ship mo ikam bak mo talem se bae oli mas mekem wan kastom blong nephew blong em Paia Nagole ikarem raet ova long graon blong em. Kastom ia blong nephew, Paia Nagole i mekem long uncle, Paia Eve. Paia Nagole i givim 5 pig mo Paia Eve i tekem 5 pig.

Long cross examination klemen i talem se emi klem graon folem raet oli givim long papa blong hem, Paia Nagole..

Emi talem se papa blong em hemi bon narasaed Wailapa river, long ples nem blong em, Maliu Raujame. Emi talem se graon blong pupu blong em emi long Ajila.

Emi talem se Paia Eve emi gat ol adopted daughters, igat Ronnie mo Letin we tufala gat famli i laef tedei. Be emi no givim raet long ol from oli maret igo long Tangoa mo oli no stap long Pakalio. Emia nating we emi mekem maret blong ol. Tufala Ronnie mo Letin wetem brata blong



tufala, George Beras, Paia Eve i tekem trifala wetem mama blong trifala, mo i bin lukim aotem trifala.

Emi talem se long 1982 mo 1985 ibin gat Court blong graon ia bitwin bitwin sam narafala pati be emi no bin klem from emi no harem abaot kastom kot ia. Bakegen emi talem se kot long 1996, pipol blong Namoru oli bin luk family Vatu i representem Paia Eve, be ino em from olgeta ino save famli blong Paia Eve, mo olgeta i mekem kastom long Famili Vatu blong oli kasem raet blong live long Namoru.

Klemen ino save klosap whole histri blong Paia Eve we hemi stap klem raet we ikamaot long em.

Fes witnis blong Nakole emi Valulu Vesule. Witnis i talem nomo se Paia Eve nao emi papa blong Pakalio, ino nara man. Emi talem se papa blong hem emi witnis taem we oli mekem kastom blong pasem raet.

Long cross examination witnis ino save oli mekem kastom ia wea mo wanem yia..

Emi se fastaem Paia Eve i bin plan blong givim raet long papa blong em, Paia Voke, be papa blong em i se no, givim long Paia Nagole from emi nephew blong yu. Witnis ino kat plante save abaot Paia Eve, man we Nagole istap klem raet ikam long em.

Namba tu witnis blong klemen Joel Nagole emi Ato Lui. Witnis i talem se Paia Nagole i land ona from emi bin givim graon long papa blong em, long em wan, mo long evri man long Ukoro. Emi se Paia Nagole ibin stap kot wetem Vatu Varisi from graon ia mo man we stap witnis blong hem emi Paul Mari Mari, original klemen.

Long cross examination, witnis ino save wea ples, Paia Nagole ibin bon, emi no save papa mo mama blong Paia Nagole.

Emi no save uncle blong Paia Nagole. Emi no save who i givim land raet long Paia Nagole. Witnis ino save klosap evri detail abaot Paia Eve we oli stap klem se i givim raet long Paia Nagole.

Emia i klem blong Joel Nagole.

### **KLEM BLONG SECOND KAONTA KLEMEN – VIRA MELE MO FAMILI**

Klemen ia originally i mekem klem blong em folem se raet ikasem em tru long pupu woman blong hem, Vetamata, mo emi putum nem blong klem blong em olsem Vetamata Vira.

Amended klem blong em i talem se originally graon emi blong Toa Vari. Toa Vari ino gat son, emi gat daughter nomo, Vehavo.

Vehavo i maretem Hoe, boe blong tufala hemi Melenarave. Melenaranne, wife hemi Vepaia Usi. Tufala igat 10 pikinini we i inkludim Varitalo, Ianavari mo Hoe we i papa blong Klemen.

Hemi talem long evidens blong em se emi stap klem graon folem kastom kaedlaen blong South Santo. Emi klem tru gel blong Toa Vari we emi Vehavo. Emia from Toa Vari ino gat boe.





Klemen talem se brata blong Toa Vari emi Ragou, emi gat generesen i laef long Australia, mo long Fiji. Emi talem se bae emi holem graon long behalf blong ol desenden blong Ragou. Emi talem se Ragou, Maltona mo Lougouvougou, olgeta nao oli salem graon ia long ol waetman.

Klemen i talem se graon i blong ol from ol famli blong em oli go tok long kot long Vila from graon ia, we taem ia oli putum olsem native reserve. Tufala we igo from ikamaot long Araki aelan. From oli tok from mekem kapman i letem oli kam stap long graon.

Emia nao klem blong em.

#### **KLEM BLONG NAMBA TRI KLEMEN – PS. SIMEON KELE**

Ps. Simeon Kele i klem Pakalio tru long wan man nem blong em Maltona. Nem ia istap long Deed of Sale blong 25<sup>th</sup> February 1985. Emi talem se graon ia emi pat blong Marua land, emia pat we istat long Wailapa river igo finis long Olei river. Marua land istap nara saed long Wailapa River mo aotsaet long Pakalio. Klemen i givim evidens se Maltona salem graon stat long Wailapa river igo finis long Olei river. Emi talem se Maltona i salem graon ia wetem tu woman blong em, wan nem blong em Lougouvougou mo nara waef nem blon gem Ragou. Emi givim evidens se em, emi blad blong graon ia.

Nara pat blong klem blong Ps. Kele, emi klem graon stat long Olei river igo finis long Waialo river. Emi givim evidens se emi klem folem wan kastom we Maltona i mekem long kastom ona blong graon ia we emi Vuso Vusan Gole blong Nasulesule. Pupu blong em i mekem kastom ialong 14 pig we tut raon gud.

Klemen i putum long family tree blong em se stampa pupu blong em, Maltona, emi gat tu waef, Ragou wetem Lovougougov.

#### **KLEM BLONG NAMBA FOUR KLEMEN – REVEVURO/ PAIA**

Revevuro/ Paia namba 4 klemen i stap klem graon istat from Olei River igo kasem Waialo river.

Klem blong pati emi presented by Mikael Lirou, we emi main witnis tu long pati.

Lirou i givim evidens se graon we oli klem emi blong Tchia Tribe. Ol memba blong tribe ia oli tok Tchiai lanwis.

Witnis i givim evidens se tribe ia stampa blong em igat Voyatamta we i maret long Veolovoke, tufala igat six pikinini. Tu long ol pikinini ia igat desenden oli laef tedei. Atovirai i maret long Vemorijam, tufala igat tu pikinini boe, Vusovusoi Paia mo Vepepiloivolū.

Brata blong Atovira we em tu igat disenden oli laef tedei emi Atovusan, wife blong em, Vejamvoke, tufala igat gel nem blong em, Vepaia.

Witnis i talem mo istap long famli tri blong pati se Vepaia, wan woman i maret igo long Revevuro. Revevuro, folem famli tri ikam aot long nara family, stampa blong em, Livoiato, i maret wetem Vesipo. Son blong tufala emi Turioro we waef blong em Veato. Tufala ia igat tu pikinini, Revevuro we igat disenden i laef tedei mo Doro we ino gat pikinini. Famli we stampa



blong hem em , Livoiata we i laef tedei hemi inkludim Michael Lirou mo Francis. Ikat plande disenden olsem we istap long famli tri.

Witnis i talem se olgeta nao i land ona blong graon we istat long Olei river igo finis long Waialo Riva. Graon ia oli dividem up bitwin ol ancestor blong ol long taem bifo finis. Mo olgeta ibin stap live long ol difren parts insaed long Pakalio.

Tru long kros examination ol points ia ikam aot.

- Ol Revevuro oli bin stap live aotsaed tu long Pakalio, long ol ples olsem Naloloeje, Erilou, mo Natore. Emi talem se Pakalio igo kasem inland long bush we i abaot one (1) dei wokbaot olsem.
- Emi talem se Vuso Vusoi Paia emi blong Pakalio, be emi bin live aotsaed tu long Pakalio. Witnis i talem se Vuso Vusoi Paia emi no blong Nautalena, aotsaed long Pakalio olsem ol nara pati i talem.

Witnis i talem se ples we Vuso vusoi Paia i bon long em emi long Natore, mo emi kolem Paia Nagole olsem brata. Mo emi admit bakegen se ples blong birth blong Soponinisia emi long Natore olsem Vuso Vusoi Paia.

Witnis i talem long evidens se Revevuro/ Paia oli klem graon tru long bladlaen, be afta emi talem se ikat tu stampa famli Voyatamata mo Livoiata tufala i blong tu difren famli. Emi se tufala i difren famli be tugeta iblong Tchia tribe.

Emi talem se Vuso Vusan Kole i salem pis graon long Nasulesule long tufala pikinini blong Voyatamata, Ato Virai mo Ato Motiro. Emi se tufala ipem from oli sherem graon finins wetem nara famli blong Vuso Vusoi Paia.

Witnis i talem se famli blong em Louvougouvou mo Soponinisia, be emi no save plante information abaot tu man we emi presentem long kot. Jif Karae Joneth ilaef mo i strong istap i givim long em histri blong pati.

Jif Karae Joneth witnis i talem se emi no wan memba blong tribe, be emi inkludim em tu olsem wan tribe memba insaed long list blong ol memba blong Tchia tribe. Emi se Karae Joneth ibin karem store long Vuso Vusoi Paia from emi bin stap klosap oltaem wetem em.

Witnes igivim long fala evidens be emi no save kliarem evidens blong hem taem oli kwestem hem. Importantly, witnis i talem aot se em pupu man blong em, emi Michel Keimol be hemi no save papa blong Michel Keimol hemi blong wea. Witnis talem se emi bin groap wetem Mari Mari mo Denny Philip. Oli luk aot long em mo mekem maret blong em.

Fes witnis blong Revevuro/ Paia emi Morres Pilou.

Emi givim evidens se emi blong bush inlan aotsaet long Pakalio. Emi talem se em tu ikam daon long bush mo stap long Penanjiro. Taem oli stap long ples ia emi harem Bulele, brata blong



Mari Mari, papa blong original klemen i talem se Vuso Vusoi Paia i givim raet long olgeta blong oli stap long Penanjiro. Emi se Penanjiro emi blong Vuso Vusoi Paia.

Long cross examination emi talem se toktok we ikamaot long pati blong Vatu istret se ol nara klemen oli kam daon nomo long bush. Hemi talem se emi no save se Revevuro/ Paia oli ona blong Pakalio from "toktok ino stret tumas". Emi se tufala Ato brata we i pem graon long Nasulesule, emi no save from wanem spos tufala i ona blong graon finis.

Emi se olgeta evriwan blong bush, mo Vuso Vusoi Paia nao i kliarem bush long Nasulesule. Long saed long Vatu emi se emi blong Olei, oli bin tekem em long ples ia.

Long saed long pati we emi witnis long em emi talem se emi harem se Vuso Vusoi Paia wetem Ninisia tufala i lan ona be emi no save tufala kasem raet olsem, folem blood or nara rod.

Witnis i honest from ol nara question we emi no save ansa blong ol, emi talem stret se emi no save.

Namba tu witnis emi Eli Rave, emi wan long tri witnis long kot ia we oli olfala tumas.

Witnis ise em papa blong em Bulele. Bulele, brata blong em, Mari Mari we i papa blong original klemen.

Emi se em mo Mari Mari graon blong tufala Patunrara, mo Original klemen emi "Man kam" from olgeta oli askem raet long Vuso Vusoi Paia wetem Ninisia blong yusum graon long Pakalio.

Long saed wea ples Vuso Vusoi Paia i bon long hem, emi talem se long Tapuas, long Natore eria aotsaed long Pakalio antap long bush. Emi se Ninisia tu emi blong ples ia. Se bihaen long Natore emi graon blong Vuso Vusoi Paia.

Emi se igat ol difren graon bitwin Pakalio mo Natore, olsem graon blong Morres Piloe mo Peie Mata.

Long saet se emi save ol stampa pupu blong laen blong Vuso Vusoi Paia wetem Ninisia, emia Voyatamata mo Lovoaita, emi se emi no save tufala. Mo emi se emi no save se tufala pikinini blong Voyatamata tufala i pem graon from wanem from olgeta i lan ona mo emi no save who ia tufala Ato brata ia.

Emia nao i klem blong Vuso Revevuro wetem Ninisia.

#### **KLEM BLONG FAMLI VATU – NAMBA FAEV KAONTA KLEMEN**

Pati i givim evidens se ol ancestor blong em nao oli original pipol blong disputed land mo oli ona blong graon ia.

Fastaem olgeta ol bubu oli stap long Aplotu, bihaen oli mov ikam daon long Pelpojojo. Pati i talem se originally oli blong Olei. Ol pupu oli kilim pig long Pelpojojo mo nasara blong ol i klia istap, emia blong Boetapu, Javira Sicot, Vutinamoli, Micirovo, Maltasi mo Maile.



Pati igivim evidens se olgeta igat hol blong stone (kev) istap oli kolem Viloko, emia olsem beri graon blong tet man blong ancestor blong ol. Long olfala ples blong ol igat ol namele tri, ol bredfrut tri, ol nagai tree mo ol nadau oli stap.

Long saed long ol nara klemen, pati i talem se famli blong em oli tes tekem olgeta ikam from skul. Emi se Vusovusoi Paia i givim wan pig blong stap long Nasulesule.

Vejam i givim wan pig blong stap long Ukoro. papa blong Sale i givim wan pig blong stap long Olei. Mo Moli Rarau i givim pig blong stap long Namoru. Pati i se ol pupu, papa mo George Beras oli makem graon blong ol man oli stap long em, mo tu givim graon long olgeta long Namoru.

Famli tri blong pati i olsem se stampa ansesta emi Boetapu.

Emi kat desenden we oli laef tedei. Wan long olgeta emi George Beras we i olfala nogud, mo igivim evidens. Long saed blong Dennis Philip, pati i talem se mama blong Sale Lui igivim wan pig long saed long olgeta blong stap long Pakalio. Sale Lui hemi uncle blong Dennis Philip olgeta.

Fes witnis blong Vatu hemi Sale Lui.

Emi givim evidens se em wetem olgeta nara klemen olgeta oli blong bush. Emi talem se Vatu klan nao oli tekem olgeta long bush ikam daon long solwota, insaed long Pakalio. Emi se em, George Beras, namba tu witnis, igo antap long bush mo talem long olgeta se yufala lego nambas mo kam skul. Emi talem se Pakalio emi blong Vatu. Vatu famili nao i makem graon long ol blong oli stap. Emi se oli tekem olgeta ikam daon blong skul, mo em mama blong hem i givim pig long Vatu blong pem raet blong stap long Pakalio.

Bifo emi talem se taem oli wandem samting, oli luk Vatu. Emi se sapos ol olfala oli laef tedei bai ol klem ia ino gat or olsem se bae ino gat toktok from graon.

Long cross examination witnis i talem se emi save gud se Vatu i land ona from taem olgeta ikam daon long bush, Vatu, Beras no papa blong hem Tavue, olgeta nao i putum ol long graon. Wantaem em, papa blong em Tavue, Vatu mo Vuso Vusoi Paia oli go long Namorou mo talem long olgeta se oli live long ples ia be graon emi pat graon blong Olei. Oli bin mekem kastom long Vatu long 1960's.

Witnis i talem se olgeta oli kam daon long bush, oli save gud se graon emi blong Vatu. Papa blong em i mekem kaekae mo givim wetem pig tut i raon igo long Vatu long Tangoa. Mama blong em ikam daon long bush mo i save se Vatu i kastom ona mo i mekem kastom long Vatu.

Witnis i se em, emi save gud se Vatu i land ona from Vatu putum em blong lukaot graon blong em. Emi se Vatu i bin tekem em wetem Vuso Vusoi Paia mo soem ol ples long tufala, olsem ol nasara long Belpijojo. Long ples Vatu i talem se ol bubu blong em oli gat 4 nasara, mo wan nasara istap klosap long haus blong em( Sale), mo tu Vatu oli gat beri graon long solwota. Se bifo oli no berem tet famli blong ol be oli putum insaed long hol blong ston.



Witnis i talem se wantaem Vatu mo Vuso Vusoi Paia i askem em blong folem tufala igo long bush. Emi se taem oli go tufala i askem em blong putum wan mark. Emi katem narara mo planem, emia long Wailelet. Long mak ia igo long Waialo river bae Vuso Vuso Paia i wok long em mo mak igo long Wailapa river, em Vatu bae istap long em from emi putum ol man oli stap long eria ia.

Witnis i talem se long Pakalio bifo ino gat man istap. Evriwan long olgeta oli tes kam nomo blong kasem tok blong Baebol mo skul. George Beras, Polis mo ol nara man, tufala kapman i sendem olgeta igo tekem ol klemen ikam daon. Em tu i lidim sam misnari igo long bus from em i save gud rod.

Namba tu witnis blong Vatu hemi George Beras.

Hemi givim evidens se ol nara klemen oli blong bush. Emi talem se em wetem polis mo ol nara man, tufala kapman i sendem olgeta igo long bus mo tekem ol man ikam long Pakalio. Emi se em nao i makem graon blong olgeta istap long em long Nasulesule mo Ukoru. Kapman i wandem olgeta ikam daon blong oli kasem tok blong Baebol mo go long skul.

Famli blong em tu i givim graon long olgeta we oli stap long Namoru. Olsem tangyu oli givim wan pig mo kaekae.

Witnis italem se taem oli go long bush, oli kambak, em i karem Jif Karae blong Nasulesule, taem ia emi smol, mo taem i ren tufala i haed andanit long bush umbrella.

Long kros exsaminesen, witniss we bubu blong em Vatu Puemala, i talem se olgeta oli originally blong Ukoru. Taem ol Missionary oli kam oli tekem wan ancestor, Moltora blong em igo long Tangoa, Emia we istap finis long istapTangoa igo mo tekem Javira Sicoti mo Vatu igo long Tangoa.

Emi talem se long taem bifo ino gat man long Ajone kasem Pakalio, hamas ancestor blong em nomo oli stap long Adjone. Oli bin mekem karen long Adjone taem oli stap long Tangoa.

Be taem graon i smol long Araki, tufala kapman italem long olgeta blong oli kam mekem karen long Adjone area, emia Melerave olgeta.

Witnis i talem se Pakalio emi graon blong olgeta. Emi se Vuso Vusoi Paia, afta ikam bak long prison long Vila from emi kilim waef blong em, emi go stap long Penjanjiro. Wan taem emi tekem pig, fowl mo 2 bandel taro igo long Tangoa mo givim long Vatu, olsem kastom blong askem raet blong yusum graon. Emi se emi bin stap taem ia mo emi lukim Vuso Vusoi Paia igo wetem son blong em, Vua Moli.

Witnis i talem se long nara taem, Vuso Vusoi Paia igo bak long Tangoa mo lukim Ps. Sale mo talem long Ps Sale se emi wandem go long skul. Tufala igo luk Rev. Williamson from tingting blong Vuso Vusoi Paia, mo Rev Williamson italem se oraet, mo oli faenem ol man oli go wokem skull long Nasulesule. Emi talem se skul i open long 1949 mo papa blong em, Tavue em nao i tija long skul.





Emi talem se naoia ol disenden blong Vuso Vuso Paia oli stap tok from graon be bifo Vuso Vuso Paia ino tok from graon.

Witnis italem se olgeta oli gat ol nasara oli stap long Olei, kolosap long solwota mo tu oli gat beri graon blong ol. Beri graon blong ol emi hol blong ston (kev), we oli putum ded bodi blong ol insaed. Emi se em bifo emi bin live tu long Olei.

#### **KLEM BLONG TIRIPE LOUIS – NAMBA SIX KAONTA KLEMEN**

Klemen ia istap klem pat blong Pakalio folem tu raet, fes wan emi folem blad, mo namba tu tru adopsen blong Louis we hemi papa blong Tiripe. Runjamele i mekem adopsen.

Klemen i givim evidens se papa blong graon emi Javira Maeni. Emi gat ol disenden we i laef naoia long Joni. Emi klem tru long blad folem raet ia ikam long Joni we emi no save kam long kot. Emi talem se papa blong Joni, Rujamele i adoptem papa blong em, Louis. Adopsen ia nao i mekem stampa tu basis blong klem blong em.

Long cross examination klemen i talem se em wetem ol nara pati oli blong bush. Mo tu emi talem se emi no save why Joni ino putum klem blong em. Plante questions igo abaot famli tri, klemen ino gat ansa long ol.

#### **KLEM BLONG DENNIS PHILIP – NAMBA SEVEN KAONTA KLEMEN**

Pati ia i askem leave long kot blong amendem klem blong em. Kot i alao em mo i jenisim klem blong em blong emi nomo klem long tribe be naoia emi klem long blad, emia se ol ancestor blong em nao oli originol ona blong Pakalio, mo tu emi witdroem klem blong em from ol smol smol pis graon insaed long Pakalio, mo klem hol bandri blong Pakalio.

Stampa ansesta blong pati emi Livo Mala Mala, emi bin stap live long Rovoluna, wan vilij we istap insaed long Pakalio bitwin Taope mo Aplot.

Livo Mala Mala, pikinini blong em igat Matai Apu, Apu Mermeru, mo Ravravei Apu.

Matai Apu, son blong hem, hemi Asemele. Oli bin stap long ol ples ia, Nopunvoro, Tapunpita mo Vura Vusa manVepei.

Asemele ibin stap aot long Vura Vura, mo igo stap long Tapunpita, Navutivari, mo Vura Vura man Vepei.

Asemele son blong em, Ure. Ure ibin stap liv long ol ples ia, Napel Puru, Nautipata, Pilonsoae, Tarivia, Kameto, Namiliuvulae, Pakaviarae, Pakatapunpito, Patunarutolu, Penanjiro mo Okoro.

Pati i talem se Asemele i kilim pig mo ol man nara saed Wailapa river we oli bin kam stap wetem hem oli givim kastom nem long em, we hemi Moli kin Kin Oro, emia lanwis Tatjia narasaed Wailapa river long bush.

Fes witnis blong Dennis Philip emi Alexandre Asemele. Emi givim evidens nomo se Dennis Philip emi wan boe blong em, (son) mo wanem emi talem oli true evriwan.





Long saed long famli relation wetem Mari Mari, Bulele mo Peli, olgeta olsem oli brata blong em from olgeta evriwan oli blong tribe Pei.

Emi se long saed blong Revevuro wetem Paia, papa blong em, Rarapua i talem se olgeta oli blong narasaed Wailapa.

Las witnis blong pati emi Philipe Assemele. Em tu i talem se evri tok we Dennis Philip i talem long Kot oli stret mo i true.

Long cross examination Philipe i talem se Livo Mala Mala we i stampa ancestor emi no save papa mo mama blong em. Emi se emi no save hu i pem woman blong Ure, be Eli Rave, cousin blong Paul Mari i pem woman blong Dennis Philip.

Pati i talem se i true long taem blong ol kot bifo long jif olgeta oli no klem Pakalio, emi from bubu blong ol i talem se oli no mas mekem toktok from graon, from spos oli mekem, emia oli lukaotem tet blong ol. Be emi talem se Paia Nagole wetem Paul Mari Mari tufala nao i stanap long bihaf long olgeta long kot blong graon.

Long saed spos pati wetem Paul Mari Mari oli gat graon aotsaed long Pakalio, pati i ansa se "yes". Bae oli klem agensem man spos i tajem graon blong ol. Emi se graon blong em aotsaed long Pakalio emi Tari Via, be Pakalio emi still pat blong graon blong ol long bush.

Long saed long Vatu, Dennis Philip i talem se emi blong sem tribe wetem olgeta, Aru long saed long woman. Emi talem se olgeta, uncle blong ol Sale Lui, wan witnis blong Vatu. Taem Vatu i skul long Tata skul, Vatu i luk em mo save em se emi famli blong em (Uncle) mekem se emi sendem Sale Lui blong luk aot Pakalio long bihaf blong olgeta.

Pat i agri se long taem bifo taem i gat problem ikam long olgeta, oli ron from Vatu blong i stretem. Emia nao emi klem blong Dennis Philip.

### **KLEM BLONG AROUVUTI PAUL – NAMBA EIGHT KAONTA KLEMEN**

Namba 8 kaonta klemen istap klem pat blong Pakalio, we emi stap klemem se tufala bubu blong em, Aru Sae mo Aru Mololo i salem long waetman long 1800s. Emi klem folem mak we istap long Deed of Sale, be ino kastom mark.

Famli tri blong em igo olsem, stampa bubu blong em emi Sako, wife blong em Veae, son blong tufala Raorao. Wife blong Raorao emi Vesako, tufala igat boe, Malapo. Malapo waef blong hem, Vamatua, tufala igat fo (4) pikinini, Aru Sai, Mololo, Vease mo Vearounarave.

Vearounarave i maret igo long Araki. Vease i maret igo long Asesupe (Bubu blong Tiripe). Malolo ino maret. Aru Sai i maretem Vetavoui, son blong em emi Variseri. Variseri waef, Veakamuli mo son blong tufala emi Aru Vuti, papa blong klemen.

Klemen i talem se ol bubu blong em oli bin stap insaed long Pakalio long taem bifo mo oli gat nasara long Lorca mo long Malimalivo.



Long kross examination klemen i talem se fastaem emi wan witnis blong Louis Tiripe. Be emi tekemaot nem blong em afta we wan memba blong Palemien i soem em wan Deed of Sale we i soem se Aru Sai mo Mololo i salem pat blong graon we emi klem, emia long manis September 2010, taem kot istap kohet finis. Emi agri se bifo ikam emi neva save se emi gat raet long graon long Pakalio. Emi se papa blong em i bin stap long ol kot bifo taem ol nara man ibin klem graon ia be emi neva klem, ating from emi sem (shy). Emi agri se papa blong em i witnis long klem blong Joni from graon long Pakalio.

Emi se emi save se nasara long Malimalavo mo Lorca I blong Aru Sai, be emi no klem from se emi ting se bae emia ino strong evidens, be taem emi faenem Deed of Sale emi luk se naoia emi gat strong evidens.

Witnis ino save se ol bigfala nasara klosap long Olei river oli blong who.

Emi talem se Bonmele ibin givim graon long ol laen klosap long Vuravusa blong oli wok long em.

Witnis ino gat save abaot Mololo mo Aru Sai.

### **SAMARI BLONG EVIDENS BLONG OL PATI**

#### **Paul Mari Mari**

Evidence blong Mari Mari i talem se Moli Aka nao emi fes man blong liv long Pakalio, emia long Najoiaka. Hemia afta hemi go long seling bot long Australia blong wok mo ikam bak hemi nomo go bak long Revoluna, hemi stap long Najoiaka.

Hemia bae emi long let 1800's or eli 1900's long taem blong ol man Vanuatu, waetman i tekem olgeta igo wok long sukaken plantesen long Australia.

Bifo long emia who nao i live long Pakalio.

Evidens blong em tu i talem se Moli Aka wetem papa blong em, Molputput, tufala i stretem nara rod igo long solwota wetem olfala Husiavari, emia long Tasmalum. From wanem tufala i pem nara rod blong go long solwota spos oli gat bigfala solwota finis bitwin Waialo mo Wailapa river?

Pati i agri George Beras, Keimol we emi reletif blong ol, Pere mo Police oli bin go tekem olgeta long Patunlove blong kam long solwota. Se oli kam blong skul. Emi givim evidens se olgeta oli gat graon long bush, be se emi long saed blong mama blong Molputput.

Pati i agri se long 1993 emi givim difren famli tree long emia we emi presentem naoia long Kot.

Long saed long conduct blong pati, emi givim evidens se yes i true taem ol man istap klem Pakalio bifo em emi no klem, emi helpem Paia Nagole we tok long bihaf blong olgeta, mo emi witnis.

Pati i agree emi bin helpem Eli Rave blong pem ol goods mo givim long Vuso Vusoi Paia olsem pay blong kasem raet blong go bak wok long Penanjiro. Sapos pati i ting se hemi land ona olsem we emi stap klem naoia, from wanem emi askem raet mo pem long Vuso Vusoi Paia?



Fes witnis blong pati, Gerald Mari Mari emi brata blong Paul Mari Mari hemi se hemi no save se who ia i papa blong Kalkal mo Sio, Vatolu or Rutolu, nating we olgeta nao istampa bubu blong em mo oli stap klem long nem blong tufala.

Witnis ia emi admit se brata blong em Paul Mari Mari i bon long Patunrara mo oli kam long Pakalio long 1961 blong risivim toktok blong God mo go long school.

Namba tu witnis i givim evidens, em tu ikam daon long bush long Lavo mo hemi kam stap long Penanjiro. Witnis ia i talem tu se bifo Paul Mari Mari i live long Patunrara, afta igo long Tapunpita, bifo oli kam daon long Penanjiro, afta jes kam daon long solwota.

Witnis ia i talem se long 1993 hem, Joel Nagole, Joachim, Paul Mari Mari mo Jacob oli droemap famli tri blong Paul Mari Mari. Be family tri we oli droemap long 1993 i difren long famli tri we pati i presentem long Kot naoia. Emi no save from wanem igat jenis ia.

Witnis ia i agri wetem pati se long taem bifo taem ol man istap klem graon insaed long Pakalio, olsem Paia Nagole agensem Bonmele long 1993, Original klemen ino klem.

Witnis blong pati, Mores i agri Molputput wetem Moli Aka imekem kastom long Husivari blong Tasmalum blong stretem rod ikam long solwota. Kwesten se from wanem oli gat bigfala solwota finis be oli mas faenem mo pem nara rod igo long solwota.

Witnis ia emi givim evidens Joachim Mari Mari ibin askem raet long Matio blong pulum fanis long Sumata, hemia insaed long Pakalio. From wanem askem permission spos em emi kastom ona.

Be afta witnis ia i talem se Bonmele nao i land ona, igivim raet blong em long grandson blong em, Silas be raet ia naoia istap wetem Paul Mari Mari. From wanem Silas ino klem or witnis?

Witnis ia emi givim evidens se bifo Vuso Vusoi Paia wetem son blong em Vua Moli oli rao from graon ia mo go long kot wetem ol nara man, be Paul Mari Mari ino klem agensem olgeta.

### **Joel Nagole**

Issue blong Joel Nagole emi kastom se oli mekem blong Paia Eve igivim raet ova long graon igo long papa blong hem, Paial Nagole.

Wanem emi nid blong pruvum emi fes wan se Paia Eve emi kastom ona blong graon, mo namba tu blong pruvum se kastom we Paia Eve i kivim 5 pig mo Nagole olgeta 5 pig, hemia hemi stret kastom blong Saot Santo we bae i tek ples blong wan ona blong graon igivim aot raet blong graon blong hem igo long nara man.

Fes witnis blong Pati, Valulu Vesule, fastaem emi se papa blong graon emi Paia Eve. Emi se papa blong em i witnissim long kastom ia, afta emi se emi no save wea oli mekem kastom ia.

Fastaem, witnis italem se Paia Eve ibin plan blong givim raet blong graon long papa blong em, Paia Voke be Paia Voke se no, givim graon long nephew blong yu, Paia Nagole.



Witnis ia, olsem Klemen ino gat plante save abaot Paia Eve, olsem spos emi go luk boe mo tu gel blong em long Tangoa mo liv wetem olgeta or no. Emia from Vatu i talem se Paia Eve ibin stap visitim tufala gel blong hem, Letin mo Rone long Tangoa mo liv wetem olgeta. Hemi bin very klos wetem tufala.

Namba tu witnis, Ato Lui i talem se Paia Nagole i land ona from emi givim graon long papa blong em mo long evri man long Ukoro.

Long cross examination witnis ino gat eni save abaot Paia Nagole or Paia Eve.

Pati ia ijensem kastom mak blong hem. Long kastom ol olfala blong taem bifo oli putum mak, hemia nao mak, from hemi kastom mak, man ino save pleple wetem kastom mak.

Tu issue we hemi mas pruvum, hemi no pruvum. Be wanem we hem wan mo ol nara pati pruvum se Paia Eve hemi blong bus. Long saed long kastom ino kat pruv ia nating, mo tu kastom ia ino stap long kastom kaedlaen blong Saot Santo. Maybe spos graon hemi blong Paia Eve bae hemi posibol se bae hemi ting baot blong givim sam raet long gel blong we hemi luk ol mo ogeta tu oli luk aotem hem.

### **SEKEN KAONTA KLEMEN – VIRA MELE**

Klemen ia taem fes tu Klemen istap presentem klems blong tufala, long cross examination emi askem tufala abaot bubu woman blong em Vetamata mo man, Lolo. Ol tu fes klemen wetem witnis oli se yes oli save gud Vetamata mo Lolo. Paul Mari Mari i talem se Vetamata emi laen blong em, emi maret igo aot long bush emia folem kastom bae emi no save klem.

Nao taem emi kam blong presentem klem blong em, emi tekem aot shirt blong em, tears blong em i foldaon, nao emi talem se emi werem tu flag, nao bae emi sakemaot wan flag mo bae i werem nara flag. Tu flag ia emi minim bae emi jensem klem blong em. Emi askem Kot blong jensem klem from Vetamata, bubu woman blong hem igo long Toa Vari, laen blong bubu man blong em. Kot i alao em blong mekem amendmen ia.

Emi mekem klem blong em from nomo ol nara pati oli save bubu woman blong em, Vetamata we emi bin klem folem fastaem. From folem kastom blong Saot Santo, klem blong em ino save go tru.

Kot i visit ino lukim eni nasara blong Toa Vari, be Lolo yes emi bin stap long Pakalio bifo.

Klemen i putum nem blong kes fastaem Vetamata, mo long ol Kot blong jif bifo emi bin klem graon long nem blong Vetamata.

Emi karem declaration blong minister blong Land long nem blong Vetamata.

Graon, kastom ona blong hem wan nomo. Store pas from generesen to generesen se kastom ona man ia. Klemen for many years, long saed long hem, hemi regadem Vetamata olsem disendan blong em mo kastom ona blong graon we hemi stap klem. Bat taem hemi luk toktok ino stret long hem, hemi mekem jens. Man i save jenisim toktok long nara samting be ino long issue kastom lan onasip blong graon.



### **NAMBA TRI KAONTA KLEMEN – PS. SIMEON KELE**

Klemen imas pruvum se Maltona i kastom ona mo se Maltona hemi ansesta blong em, mo pruvum kastom Maltona i mekem long 14 pig.

Klemen i kolem tu witnis, tugeta ino save eni toktok blong graon nating, mekem se emi mas witdroem tufala.

Long saet blong em weta Maltona i ansesta blong em or no. Ansa, Maltona we i ansesta blong em i difren, ino hemia we salem graon. Hemia we i salem graon hemi no gat tu waef, wan nem blong Ragou mo nara wan, Lougouvougou olsem klemen i talem. Be igat evidens istap se Maltona we i salem graon, hem i bin salem wetem tu nara jif, Ragou mo Lougouvougou.

Long saet long kastom blong 14 pig, klemen ino kat pruv ia, mo tu kastom ia ino stap long kastom kaedlaen blong Saot Santo.

Maltona we i ansesta blong klemen hemi no blong Pakalio mo hemi no lan ona blong Pakalio.

### **NAMBA FOUR KAONTA KLEMEN – REVEVURO / VUSO VUSO PAIA**

Pati ia igivim evidens se Pakalio hemi tribal land blong em. Tribe ia Tchia.

Issue bae emi se long kastom tribe olsem klemen i putum ikam long kot i save onem land or no. Evidens ikamaot se pati ia ikamaot long tu difren famli, wan stampa bubu emi Voyatamata mo nara famli i stampa bubu emi Livoiato. Tu famli ia i konek tru long maret bitwin Revevuro, grandson blong Livoiato mo Vepaia we i granddota blong Voyatamata.

Folem kastom blong Santo, mo kastom guideline blong Saot Santo, neva se tu difren famli i onem wan graon. Emia from wan wan famli histri blong graon blong hem i difren.

Pati i putum plande evidens bat eviends ino save stanap long cross examination.

Pati i talem se em originally emi blong Olei. But evidens ikam aot tru long olgeta bakegen long cross examination se Vuso Vuso Paia mo Revevuro se tufala i blong Natore antap long bush. Evidens ia ikam long pati mo ol witnis blong pati.

Michael Lirou mo ol witnis blong pati olgeta oli blong bush, mo evidens i klia oli klos famli wetem ol nara pati, especially Paul Mari Mari mo Dennis Philip.

Blong kam memba blong tribe, memba oli mas kamaot long wan common ancestor. Pati i gat tu common ancestor.

Further, evidens se pati ia oli originally blong bush emi Presbyterian Church History Book Live 7 we i talem se Vuso Vuso Paia emi "bushman". More yet long grev blong em igat toktok meaning samting olsem emi kam ia long 1949.

### **NAMBA FIVE KAONTA KLEMEN – FAMILI VATU**



Klemen Vatu i putum evidens bifo long Kot, em nao ol ancestor blong em oli ona blong graon. Oli gat nasara istap mo oli gat bury graon istap. Ol las bubu blong pati, Vatu wetem papa blong em missionary wetem ancestor we igo fastaem finis long Tangoa itekem olgeta igo long Tangoa blong jensem laef mo skul.

Pati igivim evidens ol nara klemen oli tes kam nomo long bush, mo em yet igivim graon long ol.

Pati igat witins, tu we tufala i olfala olgeta. Tu witnis ia i witnesem mo tekem pat blong tekem ol nara klemen ikam daon long solwota. Witnis George Beras, pupu blong hem Vatu, em, Polis, Keimol mo Misnari oli go tekem ol nara klemen ikam long solwota folem toktok blong tufala kapman. Mo emi makem graon long olgeta. Witnis ia papa blong em i fes tija long Nasulesule taem skul istat long 1949.

George Beras igivim evidens Vuso Vusoi Paia i blong bush, emi go lukim olfala Vatu, imekem kastom long em blong wokem skul long Nasulesule, emi stap taem ia.

Ol man long Namoru oli kam daon long bush oli go mekem kastom long Vatu blong stap long Namoru.

Witnis Sale Lui igivim evidens se bifo oli kam oli save se Vatu i ona blong graon. Mama blong em imekem kastom long Vatu, emi se bifo taem problem ikam long olgeta, oli ron igo luk Vatu long Tangoa.

Witnis ia i tears i drop long cross examination from em emi talem se hemi no save bae hemi ansarem olgeta olsem wanem from hem wetem olgeta oli blong bush, oli kam blong skul.

### **NAMBA SIX KAONTA KLEMEN – LOUIS TIRIPE**

Klemen ia istap klem (a) tru wan adopsen mo (b) tru blad.

Emi givim evidens Rujamele itekem mama blong Louis, we hemi papa blong klemen. Se Rujamele itekem mama blong Louis taem ia Louis ibon finis tru long wan relationship wetem wan nara man. Klemen italem se taem oli tekem bubu woman blong em wetem Louis iklia se oli adoptem Louis, mo oli klem tru adopsen.

Long saed long blad, emi klem se papa blong graon emi Javira Maeni we emi gat descendants i laef tede, emi Joni. Se ancestor blong Joni oli adoptem papa blong em, Louis. Emi klem raet blong Joni, we klemen ino save wanem emi no kam blong klem.

Bakegen, olsem ol nara pati, klemen i talem se emi blong bush.

Long saed long adopsen, ino kat proof blong adopsen ia. Emi talem nomo se oli go tekem bubu woman blong em, emia yet antap long bush. Klemen ino givim evidens abaot wanem nao kastom blong mekem adoption.

Long saed long blad, igat Joni istap, sapos emi ting se graon i blong em, bae emi putum klem blong em olsem ol nara pati. Joni, taem hemi hemi no klem, hemia min se hemi save se graon



ia ino blong hem. Ino kat pruv se Joni i kastom ona blong mekem se klemen iklem tru adopsen mo blad.

### **DENNIS PHILIP**

Pati talem se emi klem whole bandri from nomo ol narafala oli klem hol banndri. Hemia ino stret from man imas klem wan kastom bandri we ol bubu i putum bifo.

Klem i withdraw klem blong em long smol smol pis graon insaed long Pakalio, emia taem emi jensem klem blong em blong klem hol bandri. Emi klem ol smol smol pis from emi developem ol graon ia.

Emi givim evidens se stampa bubu blong em, Asemele em tu olsem ol nara pati emi blong bush. Bubus i bin aot long Vura Vura igo stap long Tapunpita mo ol nara ples bifo emi kam long Pakalio.

Long saed long Revevuro/ Vuso Vuso Paia klemen italem se bubu blong em, Rarapu emi bin stap folem tufala mo klos wetem olgeta from olgeta oli blong narasaed long Wailapa river, aotsaed long Pakalio.

Long saed blong Vatu, klemen i talem se em wetem olgeta oli blong wan tribe, Vun Aru emia long saed long woman.

### **NAMBA NINE KAONTA KLEMEN- PS PAUL AROU VUTI**

Ps. Arou Vuti evidens ikamaot emi stap klem wan graon we ino gat kastom mak. Graon we istap klem mark blong em emi survey mak.

Evidens ikamaot se bubu blong klemen, papa blong em, mo em wan, neva bifo oli save se graon ia emi klem ,emi blong olgeta. Bubus mo papa blong klemen neva tufala italem bifo se graon ia iblong olgeta.

Evidens ikamaot se bifo ol man istap klem graon ia, be papa blong klemen ino bin klem, emi stap lisen nomo long Kot. Long wan taem emi bin witnis long Joni taem Joni klem graon ia.

Klemen i agri se bifo family blong em neva oli save oli gat raet long graon ia, be emi tes save nomo taem Kot ia gohed finis taem wan MP i soem em wan Deed of Sale we i soem se bubu blong hem i salem graon ia long waetman, imekem se emi joen blong klem.

From bubu mo papa blong em ino talemaot long em se graon ia iblong ol, i possible se tufala man we i salem graon tufala i difren man, ino famli blong em from sapos i famli blong em bae bubu mo papa blong klemen i save. Emia from graon i laef blong man Vanuatu, mekem se toktok blong graon i laef oltaem, from bubu igo long papa mo igo long son, mo igo long ol plante generesen afta.

But evidens istap tu long kot se klemen olsem ol nara klemen emi blong nara ples mo ites kam nomo mo stap long Pakataura blong skul. Pati ibin askem graon long Bonmele wok long hem.



Evri pati igivim evidens agensem evri nara wan wan pati se oli blong nara ples, espeseli nao se oli blong bus. Long long balance of probability evri pati, oli blong bus, olsem olgeta iet oli talem. Ikliia long evidens blong ol se oli save save long olgeta bifo oli kam daon long Pakalio. Oli kam daon nomo blong risivim tok blong God, mo blong skul. Emia igat strong mo convincing evidens se olgeta oli blong bus mo oli kat graon long bus.

Skelem evidens blong ol agensem evidens blong Vatu Varisi, long balance of probability, ansesta blong Vatu oli Originol Occupant blong Pakalio.

Vatu igat strong mo convincing evidens se man we ibin stap fastaem or original occupant blong Pakalio emi ansesta blong Vatu.

### **DEKLERESEN**

Folem evri toktok mo evidens we ikam aot, Kot i deklea se **KLAN BLONG VATU VARISI** hemi kastom land ona blong graon ia Pakalio. Pati ia bae i disaed long wei blong yusum mo developem graon ia long wei we hemi ting se i stret blong benefitim generesen we i laef tede mo plande generesen iet bae i laef afta.

**DATED long Luganville long 23<sup>rd</sup> dei blong November 2012**

Aelan Kot Justices:

**Justice Chief BEN ROVU:**

  
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**Justice Chief JAMES NGISA**

  
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**Justice Chief PETRO RITE**

  
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**Senior Magistrate JIMMY GARAE**

  
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