

IN THE HIGH COURT OF KIRIBATI
(BEFORE B. SUTTILL C.)

HCLA 224/1990

BETWEEN: **BARANIKO TONGAAI** Appellant
AND: **URIAM BRECHTEFELD** Respondent

J U D G M E N T

The appellant is not present and several attempts to trace him have failed.

The magistrates ordered the sale of a canoe and equal distribution of the proceeds between the appellant and the respondent.

When the appeal was lodged there was apparently a stay of execution and the canoe was ordered to lie where it was and not to be touched.

There it has laid for 5½ years and is now a wreck and of no value. This does not speak too well of the justice available to litigants in Kiribati.

There seems no point in prolonging a dispute over a valueless item.

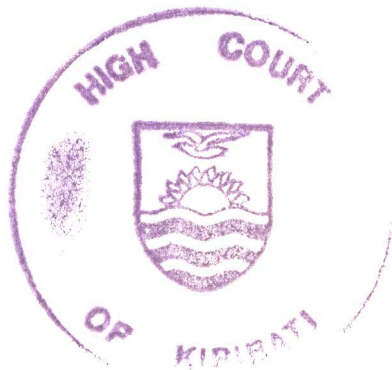
The appeal is dismissed for want of prosecution.



B. SUTTILL
Commissioner
(9/4/1996)



Tekaie Tenanora
Magistrate
(9/4/96)



Betero Kaitangare
Magistrate
(9/4/96)