

ILILAU, Appellant
v.
IDUB, Appellee
Civil Action No. 201
Trial Division of the High Court
Palau District
April 6, 1961

Appellant was given opportunity to present further evidence regarding appeal in Civil Action No. 132, Trial Division of High Court for Palau District. The Trial Division of the High Court, Chief Justice E. P. Furber, held that since appellant failed to show error in inference drawn by trial court, previous opinion on appeal sufficiently covers matter.

Affirmed.

Appeal and Error—Notice and Filing of Appeal—Excuse for Late Filing

Where appellant on appeal from judgment in District Court is given opportunity to present further evidence and fails to show error in inference or assumption drawn by trial court, trial court's assumption is taken to be correct.

Assessor:

JUDGE PABLO RINGANG

Interpreter:

SYLVESTER F. ALONZ

Counsel for Appellant:

JOHN O. NGRAKED

Counsel for Appellee:

BENJAMIN MERSAI

FURBER, Chief Justice

It appears from the record that the appellant, after opportunity to present further evidence in accordance with the previous opinion of this court, has failed to show that there was any error in the inference or assumption drawn by the trial court which was the occasion for this court's granting an opportunity for further evidence. The court therefore believes that its previous opinion in Palau District Civil Action No. 132 sufficiently covers the matter and that the trial court's assumption in question must now be taken to be correct.

JUDGMENT

The judgment of the District Court for the Palau District, entered November 1, 1960, in its Civil Action No. 189 is affirmed without costs.