

IN THE MALAITA LOCAL COURT

LAND CASE NO...9/91...

DATE: 21/4/92.....

Name of Land in dispute..... HANEA

Name of Plaintiff: Matthew Oiu of Lede village, Sa'a P/A, S/Malaita

V.

Name of Defendant: Ezekiel Teahou of Roapu village, Sa'a P/A, S/Malaita

DECREE

JUDGMENT:

Court finds that Matthew Oiu of Lede spokesman on behalf of his two chiefs Seseu and Tarakoke we descended of Pwounahanue in Ueniusu/Roasi later our tribesmen descended to Pwaoasi and made sacrifices the chief priest Heloalaha offered the sacrifice pig IKI/KIROBSAU to the devil PROSAUNIKOU (m). Later a man ILALAIWALA descended to Benga the first tambu place visited in Hanea land (disputed area)

The chief priest who offered sacrifices here was RORA (m) ILALAIWALA beget Lehesango (m) beget Rutee (m) beget Ohoinaoulu (m) Court also find that the plaintiff Matthew Oiu (m) did not trace his full generation of how his ancestors grandfathers and father had taken full possession over the Hanea land.

Court also finds that Ezekiel Teahou the defendant gave evidence in Court and trace his generation of Iolairamopeine. That Poroaelimaeopeine of Manganadani then descended to Ha'alo. Poroaelimaeopeine beget eight sons (all TAHERIUSU) later the second tribe arrived at Apwaapwa in Hanea land ILALADILI's people father of the eight Taheriusu's Aelimaeopeine gave power to ILALADILI of Apwaapwa. ILALADILI beget Liuliuha'otowala beget Iuiliutolihanua (2) Ilalapue beget Otohoeniwala (2) Otohoenikulu beget Teahou beget E. Teahou (2) (present) beget Liuliumanerua (present) (7 generation)

Court also find that Matthew said Mr Ezekiel came into Hanea land following a blood relationship of female line of Mrs TOUKENI (f) who married Iuiliu of Iolairamopeine. (Toteo village) beget Hoenikulu and Hoeniwala.

Court finds that Matthew mentioned Liuliu intercourse Horakeni the wife of Ikinaopeine the chief of Iolairamopeine tribe (Iola) so he and two sons Hoenikulu and Hoeniwala fled to Ueniusu/Roasi land. Court finds that Plaintiff Matthew Oiu has two witnesses of Iolairamomeimei PW1 - Silas Ohaouou of Unimenu (Iolairamo) confirmed in Court that Ezekiel his man has no generation of Manganadani and the generations of Porosumaeopeine and ILALADILI are not true.

PW4 James Horaouou of Iolairamo tribe denied Ezekiel's boundary but shows the boundary of Hanea land owns by Ueniusu/Roasi tribe. Chiefs are Seseu and TARAKOKE he did not hear Ezekiel's genealogy from his grandfathers and father that they should own Hanea land.

Court finds that Ezekiel did not trace his one true generation in Court. He was trying to trace the eight Taheriusu brothers but not follow which Taheriusu brother he descended from in Iolairamo tribe.

On defending side Mr Ezekiel stated his two men Horahanua and Ohaouou helped Matthew Oiu of Ueniusu/Roasi tribe because his chiefs allowed them to settle at Unimenu village and secondly I stopped him not make his settlement at Uiehu site. My brother Roesisihu pulled out Silas Oha's coconut planted at Aupwai land ridges in Hanea land. Court also finds that Martin Lae of Unimenu village of Ueniusu/Roasi tribe is the only witness outside of Iolairamo tribe more or less tried put Ezekiel firmed into Hanea land (disputed) today. DW2,3 and 4 are all from Roapu/Iolairamo tribe. Mr Matthew Oiu the plaintiff to his witnesses PW1 and two from Lede village Ueniusu/Roasi tribe which they might give only one similar statements in Court.

Court also finds that both plaintiff and defendant claimed the settlement sites and burial sites surveyed on the disputed area Hanea land, e.g. at Moemoesau both claimed but no shown the true stone ovens and at Konemangita Matthew claimed his tambu place but Ezekiel shown some human bones jaws heaped together but not real true principal tambu site for custom feasting covered with secondary bush and a bush track goes through the area.

Court also finds that the Walooa river boundary which dividing Iolairamo and Ueniusu/Roasi is not true because the other customary boundaries already across Walooa river Loatoa tribe Ueniusu Unu tribe and Ueniusu/Roasi tribe.

Court finds that both parties have some existing properties coconut plantations and tambu sites near the sea Pirupiru. Both claim the shark Sinahanua on their Pirupiru (cave) (ruu) on the seashore. But Court doubted Ezekiel. His shark is called Horahanua where this Iolairamo tribe use this name until today.

DECISION

Court offered primary right to Matthew Oiu and clan of Hanea land and Ezekiel Teahou has the secondary right over Hanea land following his female line Toukeni (f).

The boundary lines from Lamahuto river goes through Eliholo goes to Hokala goes down to Derimehu down Walooa river again to Menunigeli area stream.

Right of appeal explain within 90 days 29/4/92 - 29/7/92.

Official signed:	M. Nitoga	-	Acting Vice President
	I. Houmawai	-	Court Member
	P. Aitaa	-	Court Member
	Lucian Kebai	-	Court Clerk (M)