

IN THE BANKS AND TORRES ISLAND COURT SITTING AT NERENIGMAN MOTALAVA, ON THE 1ST OF NOVEMBER 2001 AT 8H.30 IN THE MORNING.

BEFORE THE JUSTICES : MR. DICK ROCLIFF
MR. MALANTAN BARTHOLOMEW
MR. NORMAN WILSON
AND MRS EVELYNE HOPKINS, THE COURT CLERK.

CIVIL JURISDICTION - CIVIL CASE No.56/2000

BETWEEN : MR. HARRY ASMUS, plaintiff
AND : MR. JONAS ZEBULON, Defendant

CLAIM : REFUND OF COMMUNITY'S MONEY MISUSED IN THE SUM OF VT.40,000
PLUS COURT FEE..... VT. 1,000

Court Clerk i readimaot statement blong kleim.

Court i givim toktok long plaintiff i statem case blong hem "Ol toktok blong me i stap long statement we me mekem long Court. Me wantem hemi mas refundem money blong Community blong Avar village."

Defendants'plea "No me no guilty long Case ia ". Ol money mifala i usum blong pemaot sam materials blong Church mo mifala i usum VT.4,000 I go long diocese blong Banks and Torres."

Case i go long Trial :

plaintiff i kat two witnesses.

1. Witness, Mr. Mackenzie blong Avar village i swear wetem Bible mo talem "Money ia mifala community i bin work from long Port Patteson. Total blong money hemi VT.60,300, then mifala i usum VT.20,000 long day blong church then VT.40,300 i stap yet.

" Your worship hem nao i chairman blong last community committee we oli handelem ol money ia. Hem i no mas holem money, treasurer nao i mas holem money ia."

Defendant i swear wetem Bible mo i questionem witness "From wanem yufala i askem me blong yumi meeting and yufala i go puttum long Court ?

Ansa -"From yu no givim wan gud ansa long money ia i mekem se mifala i tekem igo long Court. Yu bin askem blong formem wan Niu Committee then bae yu handelem money ia i go long hem but i no hapen. Committee i form i wait but nothing i hapen so case i mas go long Court."

2nd witness Mr. FELI blong Avar Village Motalava, i swear wetem Bible mo talem " Mifala nao i go work from money ia long Port Patteson. Mefala i no save se hemi usum money long wanem".

Taem hemi finis hemi no givim any report blong money mo receipts we i pruvum ol toktok blong hem. Hemi neva mekem handova long work mo talem se emia nao money we i stap."

Court i questionem Defendant "Did yu holem sam Receipts i kam wetem yu ? - Defendant i ansa "No your worship, i stap long haos, bae misave go tekem".

Court i adjourned case blong 10minutes blong allao Defendant i produsum ol Receipts blong hem.

After 10 minutes Court i go on wakeken long case ia .

plaintiff i swear wetem Bible mo talem "Your worship ol Receipts we bae hemi produsum nao i pruvum toktok blong hem long spent blong money. Spos i true se hemi been pem sam materials blong church hemi mas pruvum long receipts."

Court i questionem Defendant "Tekem ol receipts blong yu i kam ia spos yu kat any.

Defendant : "No mi lusum ol receipts from i longtaem finis".

Court i questionem Defendant mo hemi answer :

"Long taem we yu holem work olsem Chairman, did i kat wan treasurer ?

- Yes Feli nao i treasurar long taem ia.

why yu no handelem money long hem ?

- From me think se me chairman bae me save handelem gud money ia.

Did committee i save taem sam men i kam borrow money long yu?

-No me givim from oli kam askem but committee i no save.

Court i questionem plaintiff mo hemi answer :

- Vt. 4,000 we hemi givim long Diocese blong Banks and Torres, yufala everyone i aware long hem ?

- Yes mifala i aware long hem.

Hemi ol findings blong Court :

- Jonas Zebulon, Defendant hemi bin Chairman blong olfala committee mo hemi kat wan treasurer but hemi no handelem money i go long hem.

- Hemi say i spendem money ia long church materials but hemi no save produsum Receipts blong pruvum ol toktoks blong hem.

- Hem i askem oli formem wan niu committee blong hem i hand ova ol money ia long new treasurer but hemi neva mekem no matter new committee i form.

- Givimot money long sam men hemi thinkthink blong hem nomo.

- Hemi been spendem only VT.4,000 i go long Diocese blong Banks mo Torres.

Through long ol findings ia Court i givim decision blong hem.


DECISION OF COURT :

Court i findem se Defendant ,Jonas Zebulon hemi Guilty mo i orderem hem blong pem igo long plaintiff mo Community blong Avar the sum of VT.36,000 plus Court Fee. Total to pay VT.37,000. To be paid within 8months. Last payment to be made on 31st July 2002.

The Appeal rights explained to both of them.

THE COURT CLERK




Justice Dick Rodick


Justice Malanlan Bartholomew


Justice Norman Wilson