

beglora

REPABLIK BLONG VANUATU
SANTO/MALO AELAND KOT

JAE MAN LONG LAND DISPIUT

SEVUA

TAMBOTAL

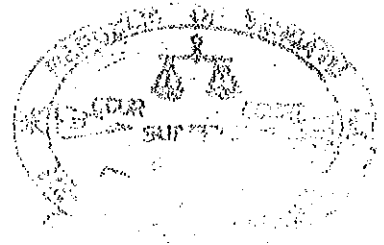
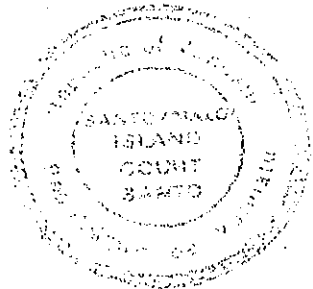
BELLERUE

BEMOLIE

19 JULY 1995

Helen Aru
Commissioner for CATNS
REPUBLIC OF VANUATU

14 JULAE 1995



LD 800/4/3-2

MAGISTRATES KOT
BLONG REPABLIK BLONG VANUATU
SITDAON LONG LUGANVILLE

LAND DISPIUT No 4/92

LAND DISPIUT

PRESIDENT BLONG KOT
ISLAND KOT JASTIS

Magistrate Rita Bill Naviti
Tim Hu Tial blong Hog Harbour
Petro Rite blong Port Olry
Moli Atevari blong Sarete
Ellen Rose Aru

ISLAND KOT CLERK

FIRST PART : Bitwin LOYROR LIN

Spokesman TOM SIRO SIRO

Long wan saed,

Mo FAMILY TAPTUMOL

Spokesman LOUIS VATU

Long nara saed,

FROM GRAON BLONG SEVUA/NAMBAUK/TAMBOTAL

SEKON PART : Bitwin FAMILY TURA

Long wan saed,

Mo FAMILY TAPTUMOL

Present : Joseph ANDRE

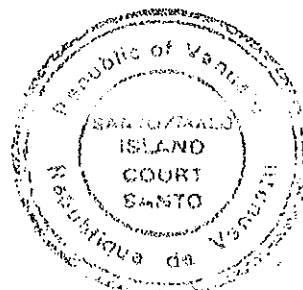
Pierre VATU

Spokesman LOUIS VATU

Long nara saed,

FROM GRAON BLONG BELERU/BELLEMOLI

Hemia hemi wan difficult case we 4 graon oli ovalapem olgeta. Taem Clerk hemi applaem olgeta prosida blong registerem claim long island kot followem informations we hemi receivim oli lidim hem blong askem Kot ia blong dil wetem tufalla cases same time.



PART ONE

SEVUA/TAMBOTAL - LOYROR LIN mo TANLE TAPTUMOL

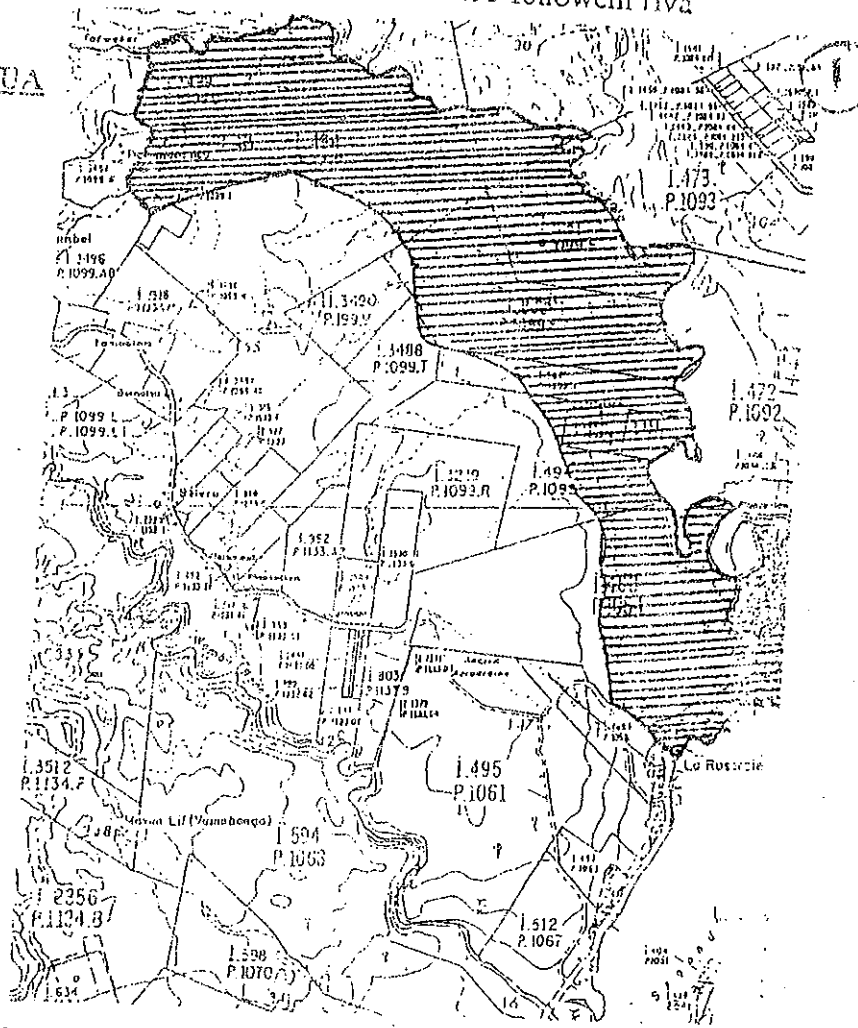
Loyror hemi claim graon we hemi collem Sevua, we hemi talem boundaries blong hemi ron i go olsem :

Ist : start long bridge blong Sarakata, followem river i go antap kasem ples we Tafwakar riva i joint wetem Sarakata we Loyror hemi collem Aivok riva.

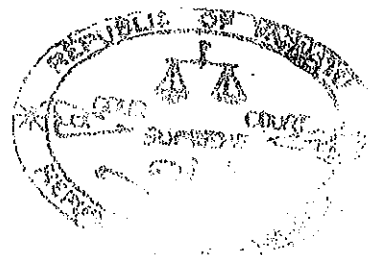
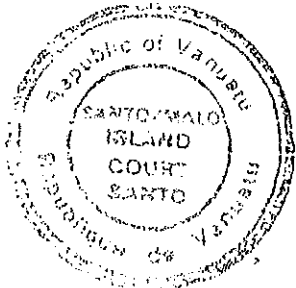
Not : Aivok river

Saot : Start long smol crik, bitwin Dinh Shipping mo Melcoffee Saw mill i go antap followem hil i go long taetol 463 long wan stampa bambou, mo followem hil i go long Taetol 494 i go long left said cona blong taetol 580 followem riet saed boundari blong taetol 3488, ron behind long riet saed boundari blong taetol 3490, i go long cona blong taetol 3489, pass behind long taetol 3492, pass bitwin taetol 3491 mo 3493 followem riva i go back kasem Aivok riva.

Map 1.- Claim blong Loyror/SEVUA



Loyror hemi claim followem Josephine Voremba, we hemi talem se woman ia hemi adoptem hem long kastom. Long written application blong hem long Kot. (document L. 1) long fael, hemi talem se Josephine Voremba, hemi pikinini blong Molsus we hemi man



Sevua, mo Josephine i nomo gat family blong hem i laef tedei. Hemi go head blong talem se defendant saed oli collem Josephine sista, but hernia laen momo oli no blad blong graon. Hemi talem se 3 tala biata long famili Taptumol oli no pem ol mama blong olgeta so olgeta oli no gat raet long graon blong Molsus. Molsus hemi chief blong Sevua. Loyror hemi talem se long saed blong adoption blong hem oli mekem followem kastom : "Loyror hemi bon, 6 days i pass Josephine Vorombo, hemi followem Kastom, hemi tekem 1 yan banana tree, hemi go long house blong parents blong Loyror, (Veantmol mo Romra) hemi givim 20 pounds long tufala, hemi planem banana mo hemi putum nem ia Loyror long hem" Mo tekem out Loyror long mama blong hem, kasem taem Loyror hemi maret. Hemi talem se Josephine, hemi showem boundary mark long hem.

Loyror hemi ansarem olgeta lovestens we defendant i putum long hem calmly mo mi look osem hemi stap talem stret samting we i stap long think think blong Josephine taem, hemi adoptem hem.

Loyror hemi presentem wetem application blong hem :

I document we hemi entaetel "The New Union Council of Chiefs" we hemi readim out main think blong Josephine taem hemi adoptem Loyror, we oli mekem long 1971. Think think se Josephine hemi adoptem Loyror from Graon Sevua.

Mo too 1 adoption orda blong Loyror we Josephine hemi mekem long Kot long Santo long 1 Novemba 1982, we i confirmem bakeken think think blong Josephine taem hemi adoptem Loyror.

Kvesten we mi mas ansarem se, followem kastom Josephine Vorombo, hemi gat some birth raet or no gat long graon ia Tambotal/Nambank/Sevua.

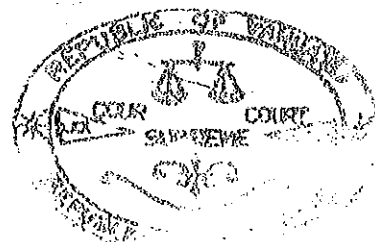
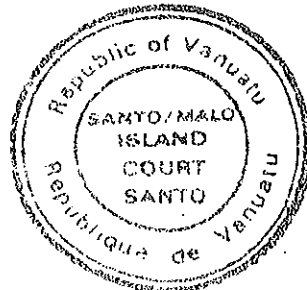
Long saed ia Loyror hemi talem se kastom owna blong Sevua hemi Molsus. Molsus now papa blong Josephine so Josephine hemi gat birth raet long graon ia Sevua.

Hemi talem too se Josephine hemi maret first taem long Varnatamol, mo oli pem hem long Andre Netitao from taem ia hemi bin stap wetem Andre Netitao mo famili blong hem. Afta hemi maretem Leo blong Bankas, from Varnatamol hemi dead. Totovon hemi pulum aot Josephine long Leo. Andre hemi blong Tambotal, hemi laen blong Josephine nomo. be i no blood laen blong Josephine, so Andre i no save claim raet blong Josephine. Hemi talem se hemi save se olgeta defendants oli collem Molsus se "anle" blong olgeta, be hemi laen nomo i no stret famili.

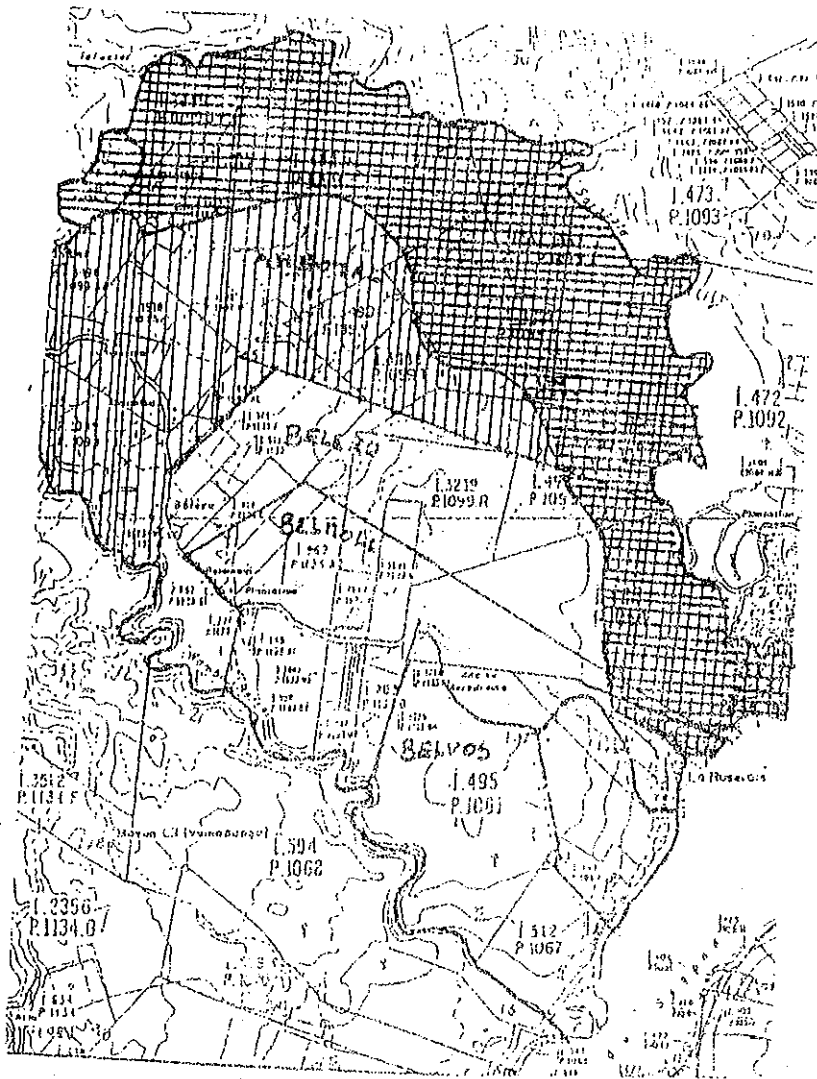
Hemi true se Josephine hemi maret 3 times, but from we hemi las laen blong Molsus, so Josephine i must karem back graon blong papa blong hem.

Long defense blong olgeta famili Taptumol oli talem se Josephine hemi no save tekem raet blong Molsus from tufalia reasons ia :


1. Josephine hemi no stret pikinini blong Molsus
2. Josephine hemi maret 3 times finis.




3. Loyror hemi no adopted from graon blong Sevua. Mo graon we oli talem Sevua, hemi no wan land but wan station momo insaed long tambotal, now oli presentem map blong olgeta, we mi putum antap long map 1.

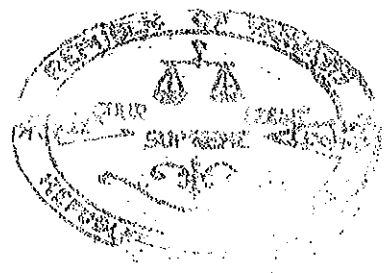
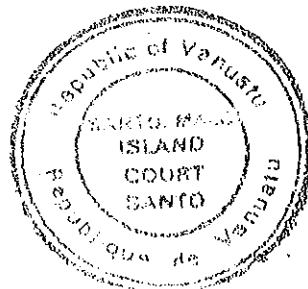


MAP BLONG TAPTUMOL /SEVUA TAMBOTAL ANTAP LONG MAP BLONG LOYROR

 Area i no gat dispute long hemi

 Area we i gat disput long hemi

Taptumol i talem long written defense blong hem (doc. VI) long histori blong hem se Molsus hemi pikinini blong Taurerua, man tambotal. Taurerua hemi maretem Vosangai, mo hemi karem Molsus mo brother blong hem Moltailang. Taurerua hemi ded Vosangai hemi go maretem Molnatak we hemi big chif blong Bellerue, mo tufalla i bonem Votaraia. Votaraia hemi step-sister blong Molsus mo Moltailang. Votaraia hemi go maretem big chif blong Tambotal we hemi Taptumol. Mo Taptumol now hemi karem Pierre Vatu, Andre Netitao mo Ancelo, we oli defendants long case ia. Molsus hemi maretem Votove we



hemi woman Dandaru be woman ia Votove hemi gat bei finis, now hemi bornem Josephine Vorombo. So followem histori oli talem se Josephine hemi no blad blong Molsus.

Josephine hemi maret first taem long Varnatamol. Varnatamol i pem Josephine long Andre Netitao. Second man blong Josephine, taem Varnatamol hemi ded hemi Leon Pehilus. Leon hemi pem back mane blong Varnatamol. After Torovon hemi pulumaot Josephine long Leo.

So long way ia too Josephine hemi lusum raet blong hem finis. From long Kastom taem oli pem woman, woman hemi lusum every raet blong hem. Mo long way we Andre i holem rope blong pig, blong marrer blong Josephine, hemi showem se Andre hemi laen blong Josephine.

Long saed blong adoption, Taptumol oli talem se oli no save nothing se Josephine hemi adoptem Loyror, mo too olgeta oli no save acceptem adoption blong wan pikinini we hemi gat 12 years finis. But oli save se Josephine hemi adoptem Sardon, fas born brata blong Loyror, be hemi ded.

Olgeta defendant oli presentem long Kot wan document we hemi entaetol Kastom ona blong graon we olgeta chif oli givim out long 25 August 1987. Oli decide se famili Taptumol hemi ona blong graon Sevua, we taetol 3489, 3491, 3492 mo 3493 oli stap long hem, hemia long Nambauk village.

Oli talem too se insaed long tambotal i gat graon ia : SEVUA, BELNATJA, LAKURUTSA MO DILLA.

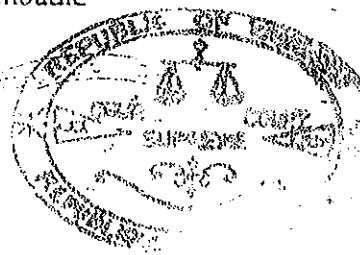
Long wan kwestin blong Plaintiff, defendant hemi replae se bifo Moltures we hemi sem man ia Taptumol hemi go long wan lafete long Fanafo, mo hemi stillim wan woman, nem blong hem Vobel mo ran away i go long South Santo. Olgeta man blong chief Molsakel blong Fanafo, oli go blong tekem back Vobel, but oli no tekem hem. Instead oli sutum wan man blong chif Molsus blong Tambotal. Taem Taptumol hemi kam back wetem Vobel long Tambotal mo faenem out se oli sutum wan man blong Molsus hemi givim first bon pikinini ia Andre long hem. Man we oli sutum nem blong hem Netitao, so oli putum nem blong Andre Netitao we hemi papa blong Joseph Andre we hemi present long Kot today.

Followem histori ia oli talem se oli no gat blood laen nomo be oli gat kastom laen too followem Netitao.

Defense hemi presentem wan witness, Jean Baptiste Andkar, hemi talem se hemi stap laef long Nambauk long taem. Hemi witnessim wantaem forma president blong Repablik blong Vanuatu, Georges Sokomanu hemi putum foundation stone blong area council haos wetem Andre Joseph.

Taem hemi ansarem kwesten blong plaintiff, hemi talem se i tru bifo hemi stap long saed blong Josephine we hemi againstem Joseph, but long taem ia hemi no save stret se Josephine i no pikinini blong Molsus. se long meeting ia now hemi jast save stret histori blong Josephine se hemi no stret pikinini blong Molsus.

Namba two witness blong defense hemi Merei Farel, hemi talem se long 1960, hem nao first man hemi tekem permission blong chif Netitao Andre blong stap long Nambauk.



Taem hemi anserem wan kwesten blong Plaintiff hemi talem se hemi save se Josephine nao hemi putum Presbyterian church long Nambauk. Hemia hemi from se olgeta holders blong Presbyterian church oli askem Joseph blong putum church, be Joseph hemi no letem olgeta. Mekem oli go look Josephine, mo Josephine hemi agri. Long saed blong adoption Merei Farel hemi talem se i save se oli adoptem Sardon be i no Loyror.

Think think blong Kot :

Taem mi stap harem case ia mi look se mi gat 3 kwestens blong ansarem.

1. Josephine sapos hemi no stret pikinini blong Molsus bambae hemi still gat raet ?

Olgeta kastom advisa blong mi oli talem se long kastom taem man hemi pem woman we i gat bel finis i mean se hemi pem aot pikinini too we istap long bel blong mama yet. Sapos pikinini i bon finis bambae man i save pem pikinini or livin pikinini wetem family blong woman. But sapos hemi tekem wetem mama blong hem, then pikinini hemi bekam pikinini blong man ia. So pikinini ia hemi gat raet long olgeta samting blong man ia.

Long case ia Josephine hemi gat some raet blong Molsus. But narasaed blong hem Josephine hem wan woman we oli pem hem 3 times finis. Hemia bambae hemi stap long Kot hemi decide sapos hemi lusum every raet finis.

2. Adoption blong Loyror i followem kastom or no ?

Olgeta advisa blong mi oli talem se followem kastom adoption ia hemi stret. Mo even sapos Josephine hemi adoptem Sardon, olsem defendants oli talem, mo Sardon i ded. Hemi stret nomo blong Loyror i tekem ples blong hem.

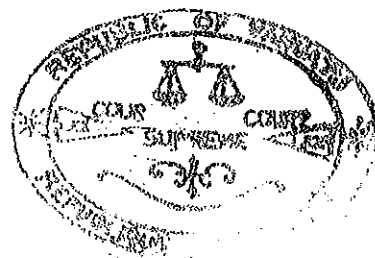
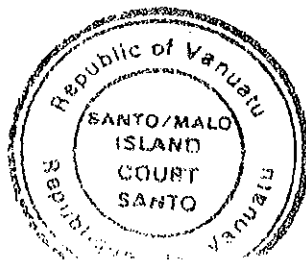
3. Wanem nao relationship hitvin family Taptumol mo Josephine ?

Taem Andre Nevitao hemi holem rope blong pig blong Josephine taem hemi marret.

Olgeta kastom advaesa blong mi oli talem se taem wan girl hemi maret stret brata blong hem, ino save holem rope blong pig blong hem. But laen nomo, but oli recognaesem se Andre hemi laen blong Josephine Vorombo, mo hemi stret nomo blong hemi holem rope blong pig.

Long saed blong Pierre Vatu hemi family blad laen tru long Votaraia, we hemi sister blong Molsus. Vosangai hemi stret mama blong Molsus mo Votaraia. Vosangai hemi bornem Molsus long Taurerua blong Tambotal mo hemi bornem Votaraia long Molmatak.

Long saed blong relationship blong Generation blong Josephine, Kot hemi look olsem Josephine mo Joseph tufalla i stap tugeta oltaem mo kot i look too se Joseph Andre hemi considerem se Josephine i gat some raet. Long way we tufalla witness blong Taptumol oli toktok, mi look olsem taem Josephine i laef, i gat confusion i stap long saed blong kastom owna blong Nambauk Sevua. Olgeta man we oli stap oli no really sure se who nao hemi kastom owna. Taem oli go long wan road, i fass oli go long narafalla.



Kot i look se Josephine hemi gat some raets long Sevua. But digri blong raet blong hem i drop plante long way we hemi maret mo too i gat doubt long blad laen blong hem. I mekem se Josephine hemi gat smol raet long Sevua, bigfaa raet i stap nao long family Taptumol.

Smol raet blong Josephine i must go long Loyror followem think think blong Josephine taem hemi adoptem Loyror. Kot i wandem blong leavim part ia long Taptumol famili blong givim long Loyror, but mi fraet se bambae i gat problem long hem so bambae mi decide.

Sevua we olgeta chief oli sidaon from long 25 August 1987 hemi wan graon we i karem taetol 3489, 3491, 3492 mo 3493. Mi been faenem out se Loyror hemi stap work finis long wan long olgeta taetol.

Kot i orda i go olsem :

Dispiuted area long map 1:

Taetol 3492 long Sevua i go long Loyror Lin, followem think think blong Josephine Vorombo

Ful dispiuted area without 3492 i go long famili Taptumol

Bambae i no gat cost awarded long ples ia.

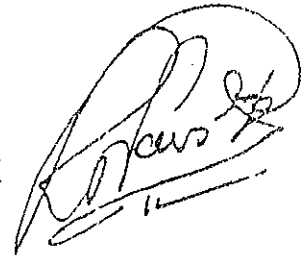
Tugeta parties i gat raet blong mekem apil i go long Supreme Kot insaed long 30 days start long today.

Saen : Island Kot Jastis TUM HU TLAL

PETRO RITE

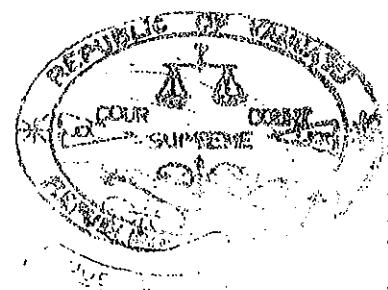
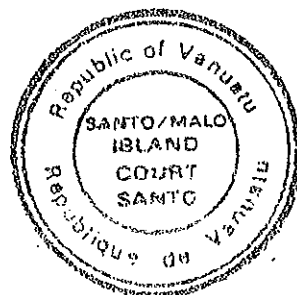
MOLI ATEVARI

PRESIDENT BLONG KOT
MAGISTRATE R B NAVITI



SEKON PART

BELIMOLI/BELERU - FAMILI TURA MO FAMILY TAPTUMOL



SEKON PART

Since we Tura hemi pem fee blong registerem dispiut blong hem, hemia long 29 May 1986, hemi no putum map blong dispiut blong hem, blong allowem everyone blong identifiaem boundaries blong Dispiut blong hem. I no gat plan or map blong dispiut blong hem kasem long 16 June 1995, hemia wan wik bifor sitting.

Problem ia, i mekem se Taptumol hemi komen se hemi no agry wetem sitting ia, from hemi never save which boundaries, Tura hemi dispiutin, mekem se blong sekiurim interest blong hem, hemi must pem 90 000 Vt blong 3 kastom graon, we hemi save long eria ia insted blong 30 000 Vt normal fee blong wan specific kastom graon we Tura i claim. Hemi apply long Kot blong no sidaon mo decide blong Tura hemi must pem full fee blong 3 graon. From se hemi look se last map blong Tura hemi coverem up 3 graon be i no wan nomo olsem Tura hemi talem. Mo too long saed blong histori blong hem, hemi submittim histori blong 3 falla graon, start long Nambauk, Sevua go kasem long solwota.

Tura hemi talem se hem wetem forma Clerk blong Island Kot (Sera Atinting) tufalla oli identifiaem boundaries blong hem long wan bigfalla map long wol long offis blong hem, but i no gat map long fael.

From we clerk hemi markem long big map long wol, Tura hemi no think se hemi need blong forwardem i map bakeken. Mo long think think blong hem Kot i must go head. Mo hemi no save pem narafalia fee bakeken.

Clerk Ellen Rose Aru, hemi confirm se hemi no aware long any map blong dispiut blong Tura other than hemia we hemi submittim long 16 June 1995.

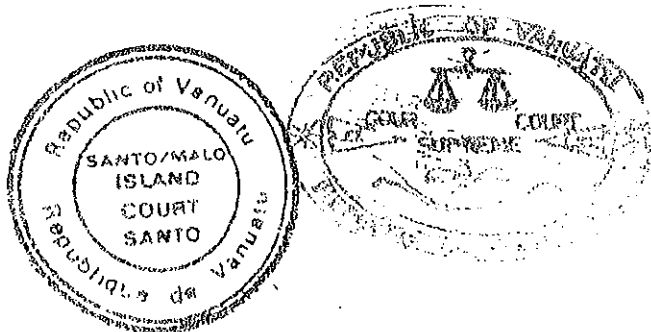
President blong Island Kot hemi decide i go olsem :

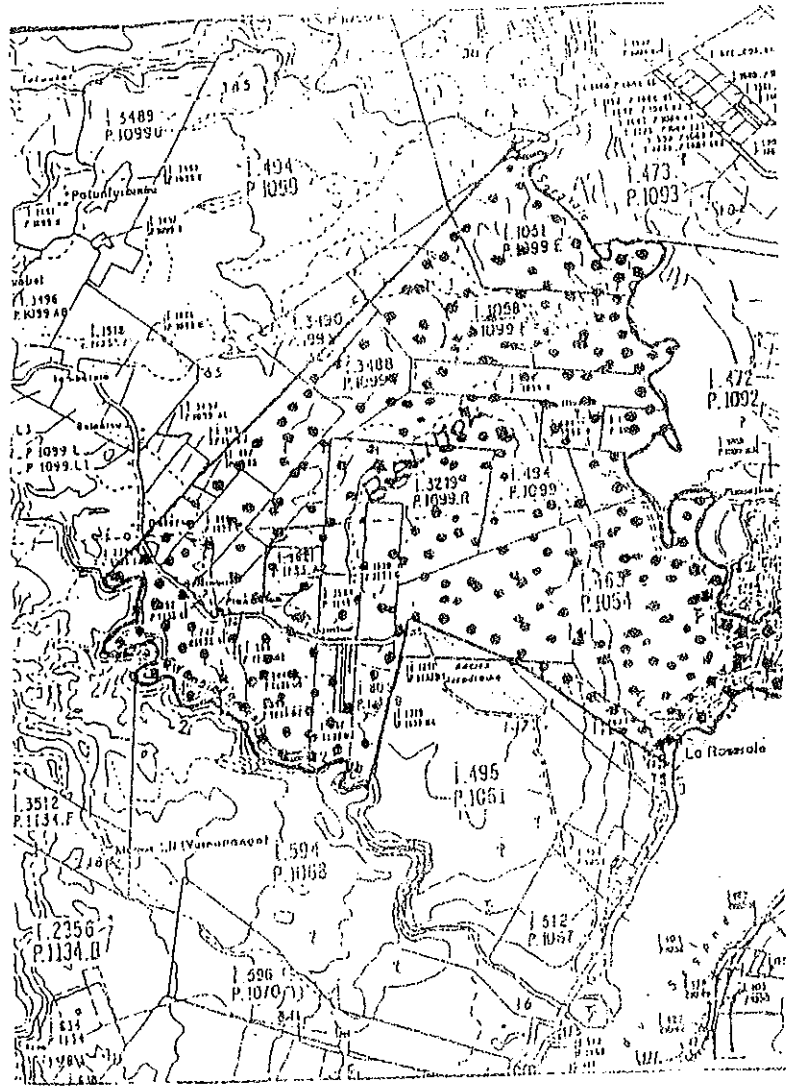
1. Hemi duti blong Plaintiff, blong case ia Tura blong preparem gud case blong hem. Clerk hemi stap blong receivim olgeta documents blong claim nomo, mo prosesem i go long Kot. Hemi no duti blong Clerk blong preparem map blong dispiut blong wan wan claimants.

So Kot hemi go head wetem sitting blong hem, mo desnedem fee behaen.

Tura hemi claim followem mama blong hem Veouve Marie, hemi talem se Marie Veouve hemi last laen blong Bellimole. Veouve Marie hemi girl blong Tura, Tura hemi pikinini blong Rutsa mo Votarvunie.

Graon blong Rutsa mo Tura hemi Bellimole, we hemi putum long map 4.



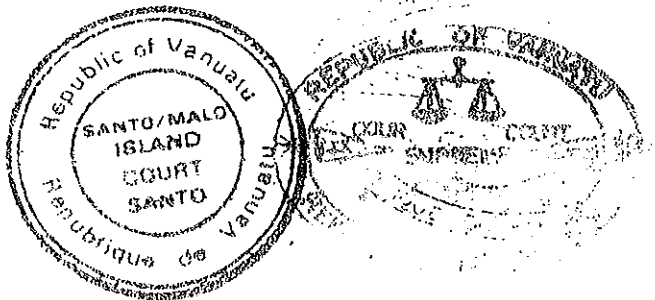


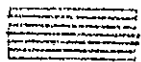
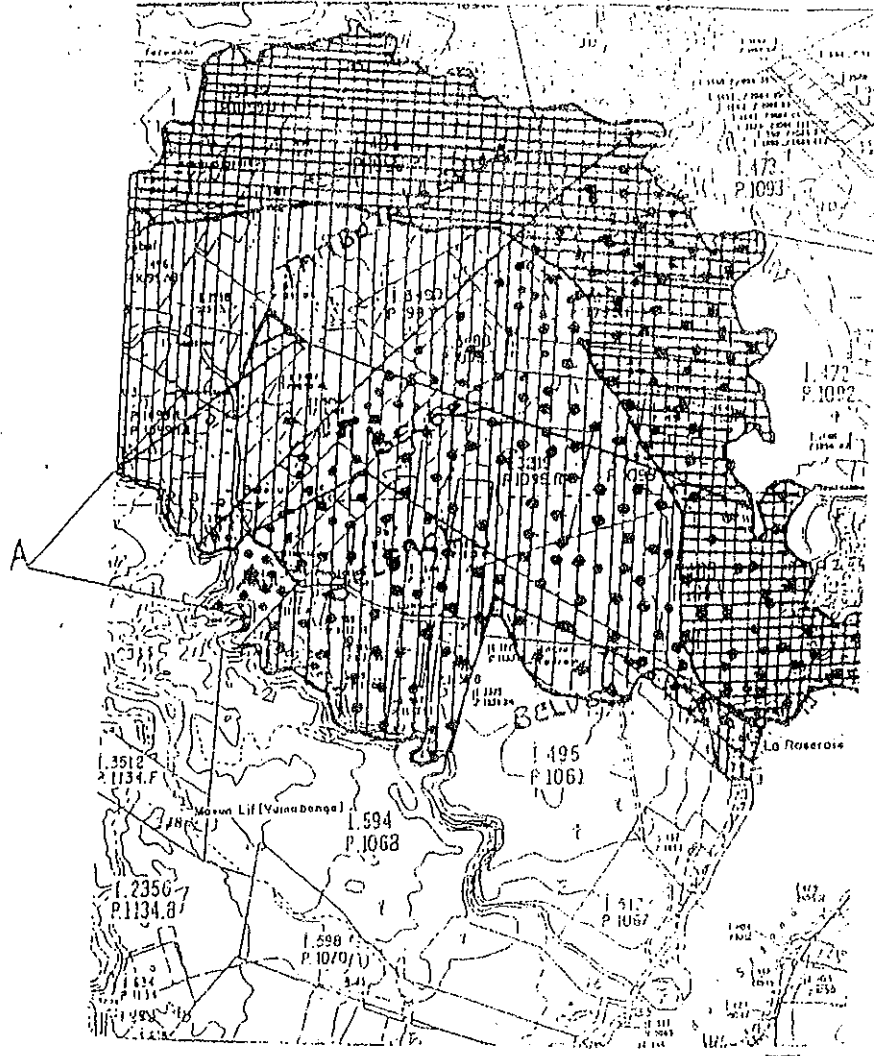
Famili Taptumol oli defendem interest blong olgeta long dispiut ia mo oli produsim map 5

Oli claim se i no gat 1 kastom graon nomo olsem Tura i talem, but 3 graon

- 1 Tambotal
- 2 Bellerue
- 3 Bellemol

Mo se Marie hemi marret finis i go long Pentecost, hemi nomo gat rael long any land long area ia. Taptumol hemi gat kastom rael followem pig killim wetem owna blong ples ia.

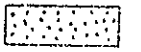




Dispiut eria blong Loyror



Dispiut eria blong Taptumol

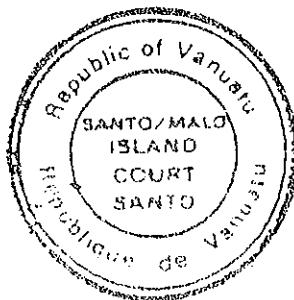


Dispiut eria blong Tura
"A" hemi no dispiut

Blong provum se graon ia i blong Marie Veouvé hemi givim histori ia :

Se bifo Rutsa mo Votarvuni tufalla i stap liv long Mamba Kalarue long map mark "B". Tura i born long Mamba Kalaru. Tufalla i move around long Sasawa, Tabui-Van, Bellimol, Bellimol-Aul, Natun Sasawa, Bellebut, Lambue, Turmelea mo Tabui-Vitua mo lastli Tabui-Van. Hemi talem se boundarie blong Bellimole-Aul nao hemi seperetem Bellimol-Aul mo Turboia, village blong Chief Molmatak, bubu blong Vatu Pierre ; but taem blong killim, pig blong namangi oli mekem long saed blong Bellimol-aul. Then i gat rao bitwin Molmatak, Tarkol mo Tura, from se pig blong Tura mo Tarko i stap kakae karen blong olgeta people blong Molmatak.

Molmatak hemi tekem olgeta man blong hem oli move i go long bush. Tarkol mo Tura wetem man blong tufalla, oli move i go down long Natun-Sasawa. Wan day papa blong



Pierre Vatu, hemi sutum woman blong Tura Karae Davui, then from trabol ia Tura hemi putum tabu long olgeta road blong go long Solwota, mekem olgeta man blong Moltures oli no save go down long Solwota. So blong openem road, Moltures hemi givim girl blong hem Votaresta i go long Tura. Votaresta hemi sista blong Pierre Vatu. Then Tura mo famili blong hem oli go long Bellembut, Marie Veouve hemi born long bellembut.

Tura hemi talem se Taptumol hemi no save ownem graon long area ia, from Taptumol hemi wan pikinini blong namarai, se Bovele mo Vosara, tufalla i faenem Taptumol long hol blong Stone i stap titi long stone, mo i stap crae Nao, Bovele mo Vosara tufalla i tekem hem mo lookaotem hem. Pruve blong hem se Pierre Vatu oli no kakae namarai. Taptumol hemi maretem Votaraia, girl blong Molmatak, mo second woman blong hem Vobel blong Sark-Bay.

Taptumol hemi receivim nem blong Moltures long olgeta ancle blong hem nomo, taem ia Taptumol mo Votaraia tufalla i ronwe i go stap long Saot from olgeta man blong Molsakel oli wandem killim Taptumol from woman blong Molsakel we Taptumol i stillim long wan danis long Fanafo. Olgeta pikinini blong Taptumol Moltures :

Wetem Vobel : Andre Netitao

Wetem Votaraia : Votaresta, Paul Maabi, Pierre mo Angelo

Long saed blong map blong hem, Tura hemi claim se i gat :

Start long Navele blong solwota long river wambu pulum stret laen go long Not Ist long Tila Baul long Sarakata riva.

Start long Tila Baul, followem riva i go Saot Ist kasem solwota.

Followem sanbis i go back long saot kasem wan breadfrut we i stap bitwin store blong Sima mo haus blong Nafui.

Stat long Breadfrut pulum stret laen i go antap mo behaen long oldfala Airport mo stop long raet saed cona blong Airport.

Stat long cona blong Airpot pulum stret laen i go long saot, sperem riva wambu, long Patun Turi mo followem riva i go long Not kasem Navele blong solwota bakeken.

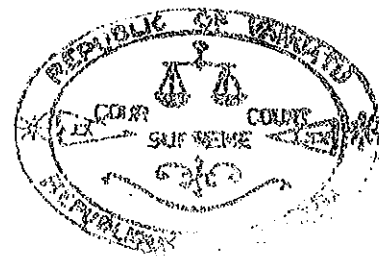
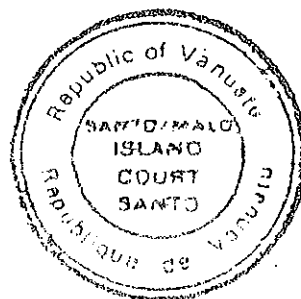
Insaed long boundaries ia i gat : Tactol 2345 mo 617- Bellimol-Aul, 814 Natun Sasawa, 852, 777, 962 Tabui-Van, 869, 2584, 1510 Turmeia 3219 Mambe Kalaru mo 463.

Tura hemi talem se i no gat bellerue, i gat Bellimole nomo. Bellerue hemi wan stone. Hemi claim se olgeta pikinini blong Taptumol oli no pem olgeta woman blong olgeta. So olgeta pikinini blong olgeta oli must go back long land blong mama blong olgeta.

Tura hemi anserem olgeta kwestin se :

- Hemi save se Varvar ino bladlaen blong hem,
- Hemi save wan chif nem blong hem Kamewa, hemi blong Belta,
- Pio hemi been stap laef wetem Tura, from mama blong hem (Pio) hemi ded.
- Tarkol hemi stap killim pig wetem Tura.

Tura hemi presentem namba 1 witnes blong hem, Uri Bernard we hemi papa blong Etienne Tura, husband blong Marie Veouve.



Hemi talem se hemi blong Pentecost, hemi kam long Sarito olsem wan mission worka long 1929. Hemi se hemi kam wetem pere Andre, we hemi namba 3 pere we i kam lukaotem St Michel. Pere Andre i sendem hem blong go tekem olgeta man bush i kam daon long school long St Michel. Hemi go lukim chif Marie Madeleine, wan woman chif we hemi girl blong chif Molmatak, antap long bush mo hemi go luk Tarkol mo Tura Karai Davui long ples blong fufalla. Mo long taem ia oli buildim 2 haos, wan blong olman Tambotal mo wan blong olman Bellembut. Hemi se long taem ia Pierre Vatu, Jean Ancelo, Frank Manque oli smol yet. Hemi talem se first woman blong Tura Vonalae, witness i berem hem long "olgalla" beri graon. Mo second woman Vouya, oli berem hem long Natun Sasawa, mo witnes yet hemi berem Tura Karai Davui long "olfalla" beri graon. Varnatamol boy blong Tura hemi soem olgeta boundaries mark long Uri. Mark ia i seperetem Turboia mo Bellimol-aul. Mo Varnatamol hemi givim raet long Uri blong defendem olgeta land raet blong olgeta bubu blong Tura.

Taem hemi ansarem olgeta kwestin, hemi talem se :

- Marie Madeleine hemi gat name ia Lissie too. Hemi big chif long ples blong papa blong hem Molmatak, big chif blong Turboia we i boundari wetem Bellemoli- Hemi harem se Lissi hemi blong wan village long Bellerue, i be hemi think se Bellerue i kavremap Turboia- Hemi pem woman blong hem Marie, long chif Lissie. Molmatak hemi bubu blong Vatu Pierre.
- Olgeta chif blong Tambotal, Bellembut mo Natun Sasawa oli killim pig wan ples blong mekem oli kam brata long kastom.
- I gat wan woman i kam blong mekem pis.
- Varvar hemi stap hem wan now Tura i tekem i go stap wetem hem blong tufalla i killim pig long village blong Tura.- Marie Veouve hemi laen blong Pio be ino blad laen.
- Ol waetman oli ronem ol man Belvos nomo
- Hemi no been save se Marie Veouve waef blong hem, i shud maret long Tambotal
- Hemi save se i gat wan chif blong mango bifo

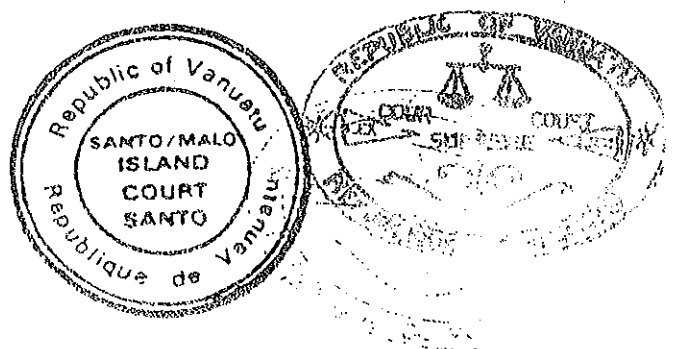
Witness ia hemi wan gud witness, we hemi tok stret. Hemi no fract mo hemi relaxe nomo taem hemi ansa long olgeta kwestin.

Namba 2 witness Tom Siro Siro

Hemi talem se hemi sapotem claim blong Tura. Andimele big chif blong Nambel i showem boundari blong Bellimol long hem. Boundari we hemi save i stret wetem map blong Tura. Long saed blong Sarakata Riva hemi go stret long 2 stones - Tila Baul mo Baturivota. Turboia hemi same graon long Bellerue. Bellimol- Aul hemi different.

Taem hemi ansa long kwestin hemi talem se :

- Hem blong Narango, hemi go long eria blong Bellerue 25 ya a pass
- Bifo ol man bush oli pem raet blong pass i go long solwota long Antavei, Karai Sno Vuro, Karae Taore, Bovel olgeta ia blong Yunaspef, afta oli pem long Molsus long Sevua mo Kamewa, hemia long Mango station.



- Long kastom sapos i nomo gat man blong wan graon, woman we oli pem finis i save tekem back raet blong hem.

Mi must talem long ples ia, se witness ia Tom Siro Siro hemi same man we hemi spokasman blong first claimant blong case namba 1 - Loyror Lin wetem Taptumol. Mi doubt tumas toktok blong hem plante.

Namba 3 witness Bernadette Koroga, girl blong Marie Veouve, sista blong Etienne Tura

Hemi talem se hemi sapotem claim mo plan blong Tura. Mama blong hem i showem mark long hem.

Taem hemi ansa long kwestions hemi talem se

-Olgeta stations insaed long Bellimoli i gat Bellimore, Nasudu, Bellimol, Natun Sasawa, mo Bellimol-aul.

-Long 1981, Marie mo Pio oli givim raet blong oli tekem back raet blong graon blong tufalla.

-Mark blong bellemoli mo Belyos i stap stret bitwin Asmus mo Ferey

-Jean Marie hemi stap work today long olgeta coconuts we ol olfalla blong Tura oli planem

Fasin we witness ia hemi ansa long kwestions, mi look save se hemi wandem showem trust mo integrity we hemi gat long mama blong hem, long Kot.

Namba 4 witness Jerome Tura, pikinini boy blong Marie Veouve, brata blong Etienne Tura

Hemi talem se Uri hemi berem Tura so hemi karem raet blong hem, from hemi wan way long kastom. Bifo independance olgeta Defendants oli save gud se Marie hemi Kastom onra.

Wetem statemen blong hem, hemi putum i go long Kot 3 documents :
(attachem wetem exhibit T.7)

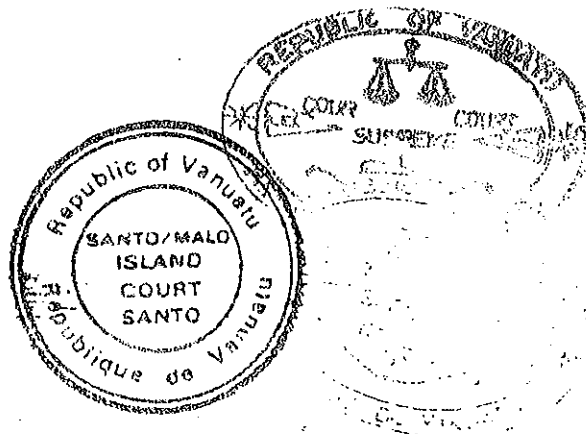
1. wan dokumen we oli mekem long foret blong Pere M. Linossier long 1960, we i showem se since 1952, olgeta man long Bellerue oli look save se Marie hemi owna blong graon long Bellerue, mo hemi autoraesem wan Gabriel blong hemi work long wan pis graon long Bellerue. Andre Netitao hemi saen olsem witness.

2. Wan "Act de Vente" we oli mekem long 1966, long foret blong Assistant French District Agent we i showem se Marie hemi owna blong graon long Bellerue mo hemi salem wan pis graon ia long paulul.

3. Wan "Kastom Raet Deklaration" we Pio mo Marie oli saen long 3 octoba 1981 mo chif Andre hemi saen olsem witness.

Taem hemi ansa long kwestions hemi talem se :

- Molmatak mo Tura tufalla oli laen long kastom



- Tarkol hemi famili wetem Tura
- Kamewa hemi no wan chif
- Hem nao i givim nem ia Kamewa blong oli nemem schooll long hem Today. Hemi givim name ia from Kamewa hemi last man blong ples we mango station i stap today.
- Belleru hemi name we olgeta man oli plastarem long every graon long erea start long olfala airport go kaasem Nambauk. Ol man oli no save stret boundaries so oli talem bellerue.

Witness ia hemi wan valuable witness blong Plaintiff. Mi look olsem hemi nervous long Kot taem hemi ansarem kvestens, mo hemi givim impression se hemi decide blong ansa nomo long kvestem we hemi wandem

Then i gat wan independant witness, we hemi Pio Varvar.

Hemi anserem few kvesten nomo, from i gat think think se hemi stap lusum maen from hemi olfala tumas. Hemi talem se :

- Marie Veouve hemi gat graon long Bellembut
- Marie hemi sista blong hem long laen nomo i no blad
- Bellerue hemi harem se i stap long back way long Tambotal
- Turboia i blong Vatu, Tambotal i blong Joseph, Bellemoule i nomo gat man long hem
- Hem wetem Marie oli saenem wan pepa blong sekiurim raet blong Celestine, wan long olgeta girl blong Marie.

Defense

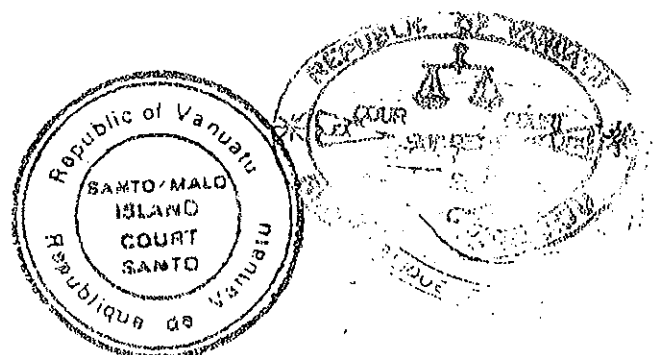
Taptumol long written toktok blong hem (doc. VB1 go kasem VB5) hemi talem se hemi defendem case ia from long kastom, Famili blong hem hemi gat full kastom raet long hem. Followem wan paramaount chif blong erea ia Molmatak, Chief Molmatak i gat 12 waefs, wan nem blong hem Vosangai. Vosangai hemi bonem Votaraia, Votaraia hemi bonem Pierre Vatu. wan mor waefe blong Molmatak hemi bonem Votibas. Taem blong open road blong olgeta man i go long Solwota Molmatak hemi givim Votibas i go long Tarkol chif, mo blong Bellimol.

Chif Taptumol hemi givim Votaretsa i go long Tarkol. Chif Tarkoi hemi shud givim wan woman i go long Molmatak mo/or Taptumol, Promes i stap se Marie Veouve nao blong go long Molmatak mo/or Taptumol, but Bernard Uri hemi maretem hem long St Michel.

Tarkol hemi no gat woman blong givim back long Molmatak mo/or Taptumol, mekem hemi tekem Pierre Vatu blong stap wetem hem, mo mekem Pierre Vatu i killim pig mo karem nem ia Dakaru. i no tekem

Marie Veouve, oli pem out hem finis, igo long Pentecost. Hemi no save claim raet blong Kastom.

Tura hemi famili wetem Molvarvar, papa blong Pio, graon blong olgeta Belvos. mo Ol waetman oli ronem olgeta nao oli go antap. Molvaivai i tekem olgeta i go long Bellembut, mo givim wan pis graon long olgeta. Taptumol hemi no dispiutim Bellebut. Bellebut hemi blong Tura.



Molmatak hemi tekem last grade blong hem long Bellerue, mo from namba blong pig i go antap tumas, oli changem nem Bellerue i go long Turboia. *NOTRU*

Taem hemi stap anserem kwestens hemi talem se :

- Olgeta man Pentecost we oli stap long Bellemoule tudei oli askem permission blong work long area ia, long Marie from hem nomo hemi easi blong olman i wandem graon oli save contactem.
- Taptumol oli no tok tumas from graon from bifo Franis Government nomo hemi controlem every graon
- Tarkol hemi owna blong Bellemoule
- Cloaneg, FDA, wan taem hemi mekem meeting blong tok about boundari blong Bellerue mo Bellemoule, mo hemi putum mark.

Taptumol hemi presentem namba 1 witnes blong hem Mangue Francois Vorondalie:

Hemi talem se hemi famili blong Taptumol from sista blong hem i marret i go long olgeta. Long kastom taem oli pem woman hemi lusum raet blong hem

si hemi representem Tura from hemi big chif taem oli pem Marie Veouve long hem

- Hemi harein Bernard i tok from graon, be hemi no look
- Robert mo Edward Tevi, tufalla Police we tufalla i tekem graon long erea ia bifo, be tufalla i no talem long hem se tufalla i askem long who
- Varnatamol hemi fast blad blong pies.

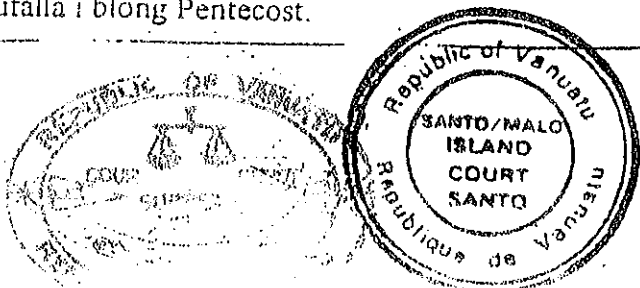
Witness ia hemi talem samting nomo we ae blong hem i luk, hemi no bringim new information long Kot. Hemi confirmem olgeta toktok blong Taptumol.

Namba 2 witnes hemi Payazines Pospit

Hemi talem se bubu woman blong hem i blong Nambel, nem blong hem votarave. Taem bubu man igo blong karem bubu woman blong hem, oli pass long Nadihisu, oli go long Bellemoule. Hem i kollem mama long Veouve Marie. Tufalla mama ia i stap long laen Tovo.

Witness ia plante taem hemi hesitate blong ansa, mo hemi stap ansa long kvestin nomo we hemi look se bambae i satisfiem think think blong man we oli presentem hem. Mi look olsem plante taem hemi no wandem ansa long olgeta kvesten long saed blong general knowledge long kastom. Hemi talem se hemi no save Kastom. But mi must notem long ples ia se Payazines hemi nem blong chif. Hemi olfalla mo mi save givim long hem over 45 years. I information we hemi givim nem Nadihisu we hemi followem nem blong station we Bernardette Koroga hemi givim.

Namba 3 witnes Moise tevi, hemi president blong eria council blong olgeta chifs Vatvevekaea" blong Latano Not Pentecost mo Namba 4 witnes Dominique Boulekone, representativ blong Santo Ealand BilMalVanua, tufalla i blong Pentecost.



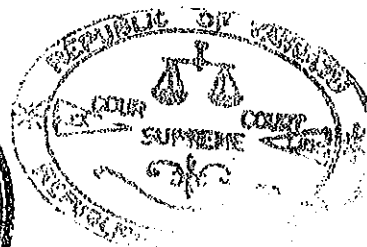
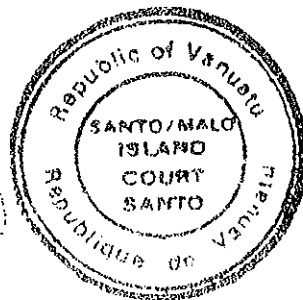
Defendant hemi presentem tufalla blong talem se tufalla i save gud se olgeta blong pentecost oli pem Marie finis, mo long kastom olgeta pikinini blong Marie oli no gat raet blong tok about graon blong famili blong Marie. Olgeta pikinini blong Marie oli save gat raet nomo sapos oli mekem kastom i go long olgeta famili blong Marie we oli laef yet. Benedict Tabirap papa blong Dominique Boulekone hemi wan long olgeta we hemi pem, mama blong Etienne Tura.

Afta long olgeta toktok ia, mi look se mi gat tu main points we mi mast deal wetem :

1. Aedentiti blong Marie Veouve,
2. Boundaries blong Bellemoule.

Bambae mi deal first taem wetem aedentiti blong Marie Veouve. Who now Marie.

1. Marie hemi pikinini girl blong Tura.
2. Bernard hemi look Tura mo Tarkol long ples blong tufalla. So Tura hemi wan man blong Tarkol. So Marie hemi under long Tarkol. Tarkol hemi owna blong Bellemol.
3. Marie hemi stanap blong berem Tura wetem husband blong hem.
4. Marie surely, hemi stanap blong berem Varnatamol.
5. Plante toktok blong talem se Marie hemi lusum birth raet blong hem taem oli pem hem. Long kastom raet i go olsem : 1st raet i go long Bladlaen
2nd raet i go long Kastom laen
3rd raet i go long last man/woman ples.
Ino gat sufficient evidence blong showem se i gat bladlaen i stap laef tudei, we i save karem graon blong Tura mo Tarkol other then Marie.
Ino gat Kastom laen blong Tura mo Tarkol hemi laef tudei other then Marie.
Varnatamol hemi last laen blong Tarkol mo Tura.
So probabiliti i stap se Marie hemi bladlaen, Kastom laen mo last woman blong Tarkol mo Tura.
6. Marie hemi sista blong Varnatamol, pikinini boy blong Tura. Varnatamol hemi last blad laen hemi dead. So Marie last blad followem Varnatamol
7. Marie hemi shud go long Molmatak blong chenise wetem Votaretsa we oli givim long Tarkol, but Uri Bernard i tekem hem. So Tarkol i no gat woman blong givim i go nao hemi tekem Pierre Vatu blong stap wetem hem, mo hemi mekem Pierre Vatu i tekem first step blong killim pig. Fasin blong olgeta narafalla chif we oli givim stret pikinini girl blong olgeta igo long Tarkol, hemi suggest se Tarkol tu hemi must givim wan bladlaen blong hem i go long olgeta chif ia, specially long Molmatak or Taptumol. So Marie hemi laen blong Tarkol, maybe famili laen or Kastom laen or last woman ples blong Tarkol.



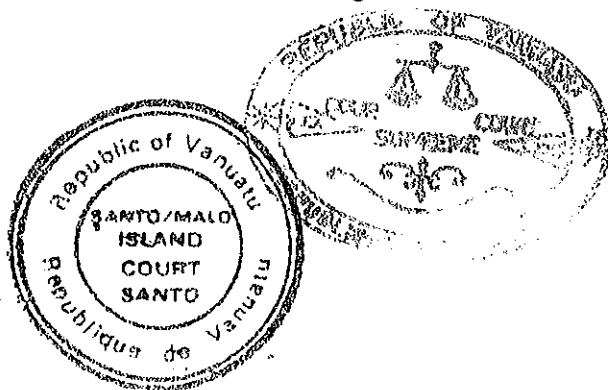
8. Marie hemi no stret sista blong Pio
9. Long 1952 kasem 1960 Andre Nititao hemi look save raet blong Marie long Bellerue taem oli saenem wan certificate blong letem wan Gabriel i work long Bellerue,
10. Long 1966, Andre Joseph hemi look save raet blong Marie, taem oli saenem wan acte de Vente.
11. Long 1981, Andre Joseph hemi look save some raet blong Marie taem hemi witnessim se Marie i givim raet blong hem long Etienne Tura. I true oli no mentionem nem blong graon long document in kwesten. But main point se Andre i look save some raet blong Marie.
12. Marie hemi gat raet long Bellembut, olgeta Taptumol oli no dispiut tudei, but oli no clarifaem se from wanem Marie i no lusum raet blong Tura long Bellembut too, taem hemi maret. From wanem bambae hemi lusum some raet long some graon be no long wan narawan?) X
13. Long taem bifo Marie hemi stap live long Bellerue/Bellemol, plante man i wandem graon oli go look Marie nomo, from hemi stap oltaem long ples. Hemia i suggest se Marie, after we hemi maret hemi never leavim ples, from hemi look save se hemi last woman blong ples, hemi look save raet blong hem.

Followem olgeta points ia Kot i look se Marie Veuve Tura hemi last bladlaen blong Tura mo Tarkol, mo too hemi last kastom laen we i laef blong Tarkol, from Tura mo Tarkol tufalla i stap killim pig wan ples. Mo hemi last woman blong group blong Tarkol we hemi chif blong Bellemole.

Long saed blong Boundaries blong land ia Bellemole :

Tura hemi no save explenem gud boundaries blong hem. Kot i look se Tura hemi save Histori blong hem, but hemi no sure long boundaries.
 Might hemi from Varnatamol i no showem boundaries long hem? Varnatamol hemi showem long Bernard Uri nomo.
 Long saed blong olgeta Navota too, Tura hemi no save gud olgeta.
 Kot hemi tekem view se hemi from we Marie hemi wan woman long taem we olgeta man or chifs oli stap mekem Kastom ceremoni hemi no so interested, but long end blong taem blong hem, taem Varnatamol i dead, hemi left alone, olsem last woman ples. Hemi just look save value blong olgeta Navota long personal histori blong hem. So hemi tok about fiu nomo we hemi save gat access long olgeta long olgeta pikinini blong hem.) X

Olgeta defendant oli save gud every kastom mark mo Navota blong olgeta. Kot hemi must praisem olgeta mo thankfull long way we oli helpem Kot blong mekem decision long boundaries blong case ia.



Long saed blong boundaries, Kot hemi must faenem out se i gat wan graon Bellerue or no?

I gat enough evidence blong showem se Bellerue hemi oifalla nem blong Turboia. Hemia hemi confirm nomo se Marie hemi no followem gud olgeta stori blong Namangi or Navota. From information i showem se namba blong pig we oli killim long Bellerue now hemi changem nem igo long Turboia. Turboia hemi sherem boundary wetem Bellemol-aul. Long antap hemi fass wetem Tambotal.

Kot hemi acceptem too se Bellerue hemi wan general nem we olgeta man oli stap usum taem oli tok about graon i stap behon oldfala airport.

Taem Kot i visitim Land, Defendant now i showem every Navota, mo hemi mekem most talking, Vatu hemi showem impression se hemi save gud every boundaries mo mi save trustem hem.

Etienne hemi showem olgeta frut tri nomo, se hemia nao mark blong hem. Hemi save Navota or ples blong killim pig blong Tarkol, we tugeta parties oli agri long hem.

Long begining blong case ia Kot hemi sapraes se Etienne Tura hemi no disputim claim blong Loyror Lin, taem Loyror Lin hem claim se Sevua hemi start long Nambauk Village i ron i go long riva blong Sarakata mo ron i go daon long Melcoffe Saw Mill, instead Tura hemi tekem spokesman blong Loyror Lin, Tom Siro hemi wan witness blong hem.

First case i pass finis, Kot i no save deal wetem same graon 2 taem.

So Boundaries we bambae Kot hemi mekem decision long hem, long sekon part, hemi katem out finis part we Loyror Lin hemi claim long hem.

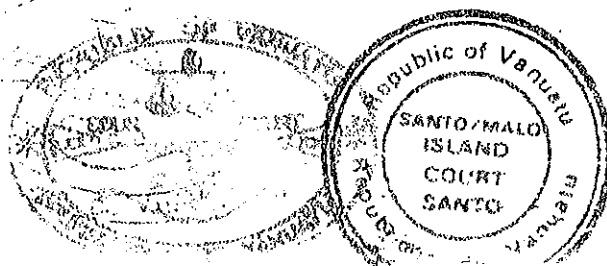
Mo taem Kot i visitim land, Defendant hemi showem Kot long Navota blong Lissi, we i stap long dispiuted area blong 1st case but Tura hemi no komen long hem.

During sitting blong Kot mo long visit long land, mi look olsem Tura hemi no familiar tumas wetem olgeta boundaries long East side, hemia long saed closap long riva blong Sarakata. Hemi save long olgeta boundaries blong Ouest, hemia Bellerue/Bellemol.

So Kot hemi putum mark blong Bellimole olsem :

Start long West :

- Start long riva Wampu pulum stret laen i go long Not between taetol 975 Ferey mo 2345 mo 617 Asmus ; stret laen i go kasem long first raet saed ankel blong taetol 3490.
- Start long first raet saed ankel blong 3490 pulum laen i go long East kasem medel boundari mak blong taetol "3219 ;
- Start long medel boundari mak blong taetol "3219 ; pulum stret laen i go long Saot go kasem first corna blong oldfala Airport ;
- Start long first corna blong oldfala airport pulum laen i go Saot, Saot West kasem sekon raet saed corna blong taetol 803, long riva wambu followem riva i go back long starting point;



Kot hemi orda se Land ia Bellemole, hemi land blong Marie Veuve, therefore i go
long famili Tura.

Sapos boundaries hemi tekem out sam land we any parties we ino gat kastom raet
blong Marie long hem, oli save negotiate from lease. Wan kastom owna i no save
sakem out anyone long graon we hemi declared kastom owna, unless oli pem out
compensation from work we hemi mekem finis.

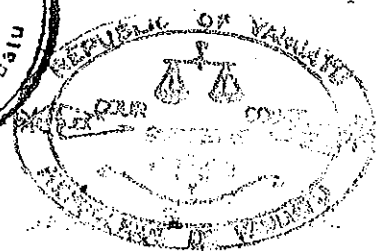
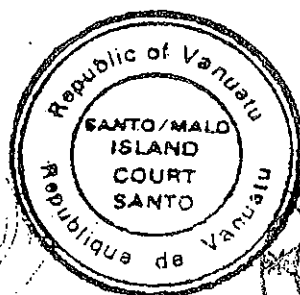
General Map i stap long back blong page ia

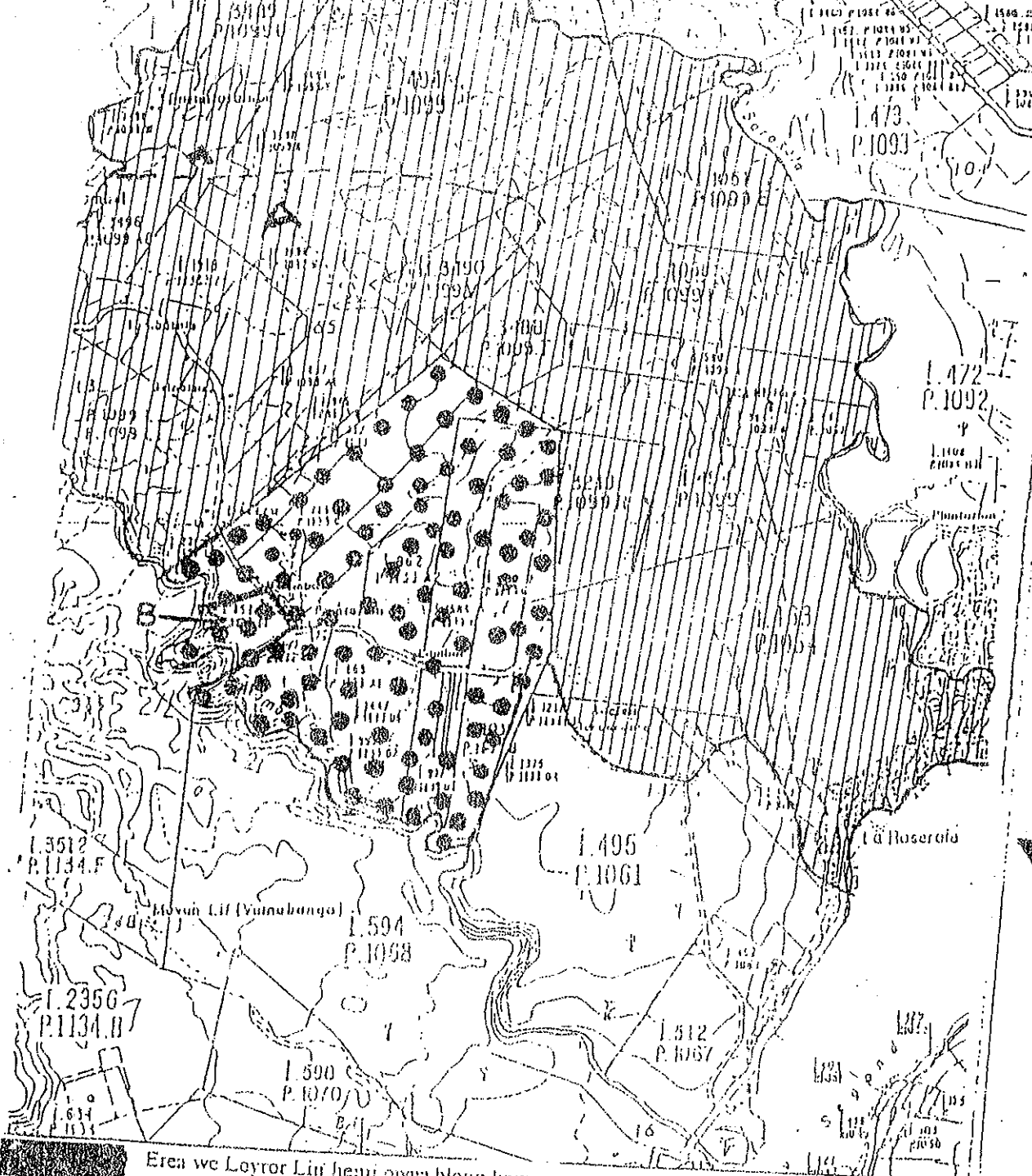
Olgeta parties oli gat raet blong mekem appeal igo long Supreme Kot insaed long 30
days from today.




Luganville, 14 Julae 1995



RITA BILL NAVITI
President blong Santo/Malo Island Court





-  Erea we Loyror Lini hemi owia blong hem
-  Erea we Tura hemi owia blong hem
-  Erea we Taptumol hemi owia blong hem
- "A" i na dispur so i go lang Taptumol
- "B" i na dispur so i go lang Tura

