

1702 (08) 27
LAND CASE NO. 01/85

EFATE ISLAND COURT

HELD AT SUPREME COURT HOUSE, PORT VILA ON 4th, 5th, 6th and 7th MAY 1987.

BEFORE:

JUSTICES:- Johnson SOPE
Jif Waea TENENE
Tom KALTAL

CLERK Vako RAKAU

PARTIES : Kenneth James SATUGIAMATA - Claimant present in person
Alfred Tom MESEK & brother Jif Albert SATUGIALIU -
Defendant present in persons.

CLAIM Claimant states :

" Fas sauting mi wantem expressen bigfala tankyu long yufala blong makem hemi possible blong Kot ia i nidaen dedei. Reason why mi makem Klaim ia from Village Kaosel blong Jif blong Pele Island i lukluk long hem be Defendant hemi no rispektem Disisen ia. So mi takem i come long Efate Island Kot. Mi biliv strong se KIRIVATU hemi kraon blong famli SATUGIAMATA."

CASE BLONG CLAIMANT

Claimant Kenneth J SATUGIAMATA duly sworn and states :-

Mi gat wetem mi wan statement we mi bin producem finis long Village Kot long Pele island. Statement hemi rid olsem...

(see Claimant Document NO.2 as marked - CLD NO.2)

Attached wetem statement ia hemi wan sketched map of the land re- KIRIVATU land dispute as marked (CLD NO3). Hemia nomo toktek blong mi Tankyu your Honour.

CROSS EXAMINATION by DEFENDANT

Alfred T MESEK: Q.1. Yu talom se ol Jif oli bin lukluk long keis mo talem se yu nao Kastom Ona long kraon ia. Wanem or who Jif nao i givim Jasmen se kraon ia KIRIVATU i blong yu ?

Ans : Name blong olgeta ia - Jif Thompson TANGARASI

" MASEREI

" Kaloran TARILIU mo

" Seth TITOGOA

wetem two witness 1 Kenneth BILLY 2 Tamara HANSES.

Q2 : Wea ples nao oli saenem Jasmen ia ?

Ans : Long Pele island long 18/3/81.

Q3 : Taem ol Jifs oli givim Jasmen ia oli bin lukluk long side blong makem PEACE bitwin mi wetem yu ?

Ans : No, inogat Jasmen or rekomendesen blong PEACE istap wetem mi mo yufala.

Q4 : Olgeta kokonas ia we olfala blong yu i takem ol man blong planem oli takem wea ?

CROSS EXAMINATION by DEFENDANT (cont.)

Ans : Refer bak long statement we i talem se "long 1920 oli just planem kokonas" mo mi biliv se oli takem nomo long Pele island.

Q5 : Hemi true se ol kokonas ia oli jas planem long 1920 ?

Ans : Mi biliv iolsem from mi gat wan witness we hem nao i luk.

Q6 : Oli planem kokonas ia long kraon blong who ?

Ans : Since 1920 kasem 1966 Land ia KIRIVATU inogat dispute long em be afta bihaen igat dispute long em. From reason ia makem se mi biliv se kraon ia i blong SATUGIAMATA. So oli planem kokonas long kraon blong SATUGIAMATA.

Q7 : James WALLACE we hemi papa blong yu. Olsem wanem long papa blong James WALLACE we hemi Bubublong yu, hemi stap usum kraon ia fastaem bifo papa blong yu i usum ?

Ans : KIRIVATU homi Tabu kraon blong HALAPATI mo ol man oli stap frait blong wok long em, so grandpapa blong mi hemi no stap wok long hem kases taem blong papa blong mi nao oli start blong wok long hem.

Q8 : Mining long SNAKE ia wanem ?

Ans : Hemi Tabu Spirit blong SATUGIAMATA.

Q9 : Wanem nao nem blong Bubublong yu ?

Ans : Bambae mi givim name blong Bubublong afta from olgeta ia oli stap wantem save be oli no save be mi save name ia.

Q10 : Olgeta names ia, SATUGIAMATA, SATUGIALIU, SATUGIAMARATA mo ol smolmol names, I true se SATUGIAMATA hemi really name blong Pele island we homi gat rait blong ownem KIRIVATU ?

Ans : Ansa hemi YES.

Q11 : Sapos Satugiamata hemi base long Emae mo Satugialiu long Pele island, Satugiamata igat rait blong usum ol kraon blong Satugialiu or no ?

Ans ; Satugiamata inogat rait blong usum kraon blong narafala man be kraon blong hem nomo.

Q12 : Kraon ia KIRIVATU hemi stap anda hamas grandbubu blong yu ?

Ans : Mino save hamas be save blong mi, papa blong mi nao hem fas man blong usum, so ples ia nomo mi save be ol nara olfala mi ne save long hem.

Q13 : Hemi true se yu stret blad blong man we i Kastom Ona long KIRIVATU ?

Ans : Sapos mi save se mi no stret man we blad blong mi i come not long stret Ona long KIRIVATU bambae mi nosave go inside, be mi biliv se Yes, blad blong mi hemi come not long stret Kastom Ona long kraon ia Kirivatu.

CROSS EXAMINATION by DEFENDANT (cont.)

Q14 : Who nao olgeta stret man we i stret man blong tufala name ia SATUGIALIU mo SATUGIAMATA ?

Ans : Yu klain Satugialiu mo mi klei Satugiamata. Tufala name ia SATUGIAMARATA mo SATUGIALIU tufala anda wan name nomo we hemi SATUGIAMATA.

Q15 : Papa blong yu James WALLACE hemi putun wan samting insaet long KIRIVATU blong soem so hemi kraon blong hem ?

Ans : Samting we hemi putun insaet hemi SNAKE nomo be nara samting minosave. Olgeta land marks hemin nomo we mi soem long yufala taem yumi visitin kraon ia Kirivatu mo istap long sketch map we mi produse long Kot. (see CLD NO.2)

Q16 : Hemi true se papa blong yu James WALLACE hemi blong Pele island ?

Ans : Yes, papa blong mi hemi blong Pele island mo ol witness blong mi oli save ansarem quistn ia taem oli come antap.

Q17 : Yu gat nara kastom identiti apart from SNAKE, olsem NAKAMAL or NASARA we oli conect wotem Kirivatu ? Sapos yes ol samting ia oli stap wea ?

Ans : Yes, fas samting hemi SNAKE. Long saet long NASARA hemi MALAPATI. Long saet blong ordeinom wan man blong hemi Jif mifala igo long Emae island. MALAPATI hemi ples blong danis be Tabu samting hemi SNAKE we hemi life be ino stone we i ded samting.

Q18 : Nomo quistn tankyu your Honour.

EXAMINATION by JUSTICES

Q1 : Who nao i stret Ona long name ia SATUGIA, SATUGIALIU or SATUGIAMATA mo wea ples nao Nakamal blong hem ?

Ans : Tufala names ia iblong same Nakamal nomo.

Q2 : Who nao istap fastaem long KIRIVATU, SATUGIALIU or SATUGIAMATA ?

Ans : SATUGIAMATA hemi fas man.

Q3 : Jif Thompson TANGARASI, Jif TAVINAWOTA, mo Jif TITONGOA oli lukluk finis long kois ia or nomo ?

Ans : Yes, kopi blong Jasmen hemi stap long file blong yufala finis. (see CLD NO.1)

Q4 : SATUGIAMATA mo SATUGIALIU i come aot from wan famli or nomo ?

Ans : Name we mi takem (SATUGIAMATA) hemi blong Jif mo minosave takem until Kastom Ceremoni blong takem name ia i take ples.

Q5 : Jif Thompson TANGARASI hemi save dividem kraon long ol man or nomo ?

Ans : Mifala istap anda long Jif T TANGARASI be hemi no save dividem kraon mo givim long ol man.

Q6 : Nomo quistin.

CLAIMANT CONCLUDED and states :- Mi nemo gat enimo toktok blong talem.
Ol toktok blong mi i finis nomo long ples
ia mo mi wantem singaotem olgeta five fala witness blong mi blong testify
on my behalf. Thank you your Honour.

CLAIMANT WIT. NO.1 Jif Thompson TANGARABI duly sworn and states :

Stori long kraon KIRIVATU mo histri blong hem mino save.
Olgeta nomo oli save storian long em. Hemi true se tufala brata ia, papa
blong tufala Tom Mecek SATUGIALIU i come lukim mi abaot kraon ia KIRIVATU.
Hemi true se Tom Mecek SATUGIALIU i come blong askem sipos mi save helpen
hem blong takem aot kraon ia KIRIVATU, be mi talem long hem se minogat rait
be igat stret man blong em. Mi talem tu se hemi kraon we yufala SATUGIA i
should settlem bitwin yufala. Mi advisem papa blong tufala Tom M SATUGIALIU
blong oli mas sitaon tugeta blong settlem problem ia. Hemi sabraisem mi
tumas we oli no makem wan santing be oli gohed mo wok long kraon ia.

Long saet long QUICKLY COMPANY we oli bin come wok long
KIRIVATU taem ia ni smol yet mo mi luk olgeta i wok long kraon ia. Papa
blong Kenneth J SATUGIAMATA (Claimant) i bin pulum plante man blong wok long
ples ia Kirivatu. Mi save rimemba wan long olgeta we name blong hemi BOUA
mo hemi blong Luspukuti, Tongoa. Taem ia hemi yangfala nomo mo mifala istap
pleiplei wetem hem.

Olgeta kokonas we oli planem oli takem long Pele island
nomo even some long plantation blong papa blong mi.

Olgeta ia SATUGIA oli blong wan FAREA mo oli anda long
mi, mo long Kot ia we Kenneth J SATUGIAMATA i talem hemi true se mi nao mi
Chairman long em. Kot ia hemi sidao wan ful dei mo tufala side i strong
tumas makem se mifala ino come long wan saksos. Mi traem blong makem se
tufala famli i come long PEACE be i hard tumas, so mi just talem long tufala
se bambae mifala Jifs i handelen keis ia sapos i come long Aelan Kot or
wanem Kot hemi bines blong mifala. Mi traem blong finem wan wei blong tufala
famli ia oli come tugeta from oli anda wan Nasara nomo be oli strong tumas
makem se yumi come long Aelan Kot dedei.

Wantaem we mi bin lukluk long keis ia mi traem splitin
kraon ia be tufala tugeta ino agri so mi feil blong handelen. Toktok blong mi
i finis long ples ia.

CROSS EXAMINATION by DEFENDANT

Alfred Tom MESEK: Jif Albert SATUGIALIU:

Q1 : Long taem we yu Chairman long Kot we i Jasom keis ia, yu wetem who nao
i sitaon long taem ia ?

Ans : Taem ia mi wetem trifala Jif ia TITONGOA, MASEREI mo TARILIU mo long
taem ia mifala ino bin givim wan stret Jasmen blong talem se who nao
hemi stret Kastom Ona long KIRIVATU. Taem ia papa blong yutufala istap.

Q2 : Hemi true se papa blong mitufala i askem yu se hemi go insaet long
kraon ia KIRIVATU ?

Ans : Yes, hemi true.

Q3 : Who nao hemi TITONGOA ia we i sitaon wetem yu long Chair ?

Ans : Mi nosave rimemba gud who nao i representem Jif TITONGOA long taem
ia be oltaem we mifala i lukluk long Land dispute olsem i mas gat four
(4) Jifs i lukluk long em mo taem wan i sik be i mas gat wan i rep -
rosentative blong hem so whoever i representem Jif TITONGOA mi nosave
rimemba.

CROSS EXAMINATION by DEFENDANT (cont.)

Q4 : Taem James WALLACE i takem ol man blong come plan long kraon ia KIRIVATU, taem ia yu save se kraon ia i blong hem stret ?

Ans : Mi talem finis se minosave ol hia⁹tri long kraon blong yufala so ating Kenneth James SATUGIAMATA (Claimant) i save ansarem quistin ia.

Q5 : Nomo gat quistin.

EXAMINATION by JUSTICES:

Q1 : Taem blong Kot tufala ia, Defendant wetem brata blong hem i stap ?

Ans : Mi no save rimemba gud from hemi long taem lelpet.

Q2 : Iu save rimemba gud stret taem we Kot ia i take ples ?

Ans : Date hemi stap long Jasmen we yufala igat kopi long em finis. (See CLD No. 1)

Q3 : Tufala ia Defendant wetem brata blong hem istap tu long taem ia ?

Ans : Yos, mi ansarem quistin ia finis.

Q4 : Nomo quistin.

RE-EXAMINATION by Claimant: Kenneth James SATUGIAMATA.

Q1 : Mi nogat quistin blong askem.

CLAIMANT WIT. NO.2: Assist/Jif Kalran ATAFI - sworn.
and states:-

Mi wantem makem i klia se olgeta toktok long statement blong Kenneth James SATUGIAMATA oli true. Long 1920 mi save se papa blong hem istap wok long kraon ia KIRIVATU. Mi luk long eye blong mi we hemi takem some man blong wok long em. I bin gat wan Kampani we oli koleme se QUICKLY COMPANY. Papa blong Kenneth James, James WALLACE i singaoten blong wok long kraon ia. Ino bin gat nara man i wok long kraon ia be James WALLACE nome. Naolia mi kases 78 years mo mi save gud storian long wanem istap happen long kraon ia. (Kirivatu) Hemia nome toktok blong mi.

CROSS EXAMINATION by DEFENDANT:
Alfred Tom HESEK & Albert SATUGIALIU.

Q1 : QUICKLY COMPANY ia hemi name blong wanem ?

Ans : Name blong kampani ia papa blong Kenneth James i givin mo hemi kampani blong wan football team.

Q2 : Yu save wea ples grandpapa blong James WALLACE i come long em ?

Ans : Mi nosave grandpapa blong James WALLACE be mi save papa blong hem nomo ?

Q3 : Long 1920 QUICKLY COMPANY igo wok inside long Kirivatu. Tem ia ibin gat samsamting istap finis or hemi bush nomo taem kampani igo wok inside ?

Ans : Taem ia Kirivatu hemi bush nomo.

CROSS EXAMINATION by DEFENDANT (cont.)

Q4 : Long year ia 1920 hemi same year we oli putum name ia Kirivatu ?

Ans : Hi nosave wanem taem kraon ia i takem name ia KIRIVATU.

Q5 : Yu save gud se kraon ia i blong who, blong James WALLACE or i blong who ?

Ans : Mi luk James WALLACE wotem Kampani ia igo wok long Kirivatu mo mi harem plante man oli se kraon i blong hem. (James WALLACE)

Q6 : Nomo quistin.

EXAMINATION by JUSTICES:

Q1 : Yu really save se James WALLACE hemi stret Kastam Ona long ples ia ?

Ans : Yes, from mi harem plante toktok se hem nao stret Ona long kraon ia ?

Q2 : Ol name blong FAREA i language blong wea ?

Ans : Oli language mo names blong Pele island.

Q3 : Nomo quistin.

RE-EXAMINATION by CLAIMANT:

Q1 : Mi nogat quistin blong askem.

CLAIMANT WIT. NO.3: Jif Seth TITONGOA sworn and states:-

Mi wantem makem i klia se kraon ia KIRIVATU i blong Kenneth J SATUGIAMATA. Mi stap long Pele island fastaem bifo Alfred Tom HESEK wotem brata mo famli oli come. Taem we oli come papa blong mi hemi Jif mo hemi wokem wan haus blong oli come stap long em, so oli come stap wetem mifala. Smol pis kraon we oli stap long em naoia hemi blong SATUGIAMARATA. Reason why mi talem se kraon ia Kirivatu i blong Kenneth James SATUGIAMATA from papa blong mi i talem long mi. Hemia nomo toktok blong mi.

CROSS EXAMINATION by DEFENDANT:

Alfred T HESEK & Albert SATUGIALIU,

Q1 : Whoia nao SATUGIAMARATA we iatap long Pele island naoia ?

Ans : SATUGIAMARATA hemi Caleb be hemi ded finis. Hemi gat/^{Somo}pikinini be inogat wan long olgeta i takem name ia yet.

Q2 : Yu save talem histri blong man ia Caleb we i takem name ia SATUGIAMARATA ?

Ans : Stamba blong trifala names ia: SATUGIALIU, SATUGIAMATA mo SATUGIAMARATA hemi wan nomo.

Q3 : Who nao hemi stret blad we i Ona long kraon ia Kirivatu ?

Ans : Kenneth James hem nao i stret blad mo Ona long Kirivatu.

CROSS EXAMINATION by DEFENDANT (cont.)

Q4 : Wen ples nao Nakamal blong SATUGIAMATA istap long em from bifo kases dedei ?

Ans : Nakamal blong SATUGIAMATA hemi MALAPATI.

Q5 : Wanem Tabu samting blong James WALLACE istap long Malapati ?

Ans : Mi nosave be papa blong mi i talem long mi se igat wan GRAVE be grave ia ino blong wan Jif.

Q6 : Who ia istap long grave ia ?

Ans : Mi save se whoia istap long grave ia be mi nosave talem not, mo man ia ino grandpapa blong mi or grandpapa blong Kenneth James (Claimant)

Q7 : Hamas grandpapa blong James WALLACE finis we oli entitle long name ia SATUGIAMATA mo kraon ia KIRIVATU ?

Ans : Ansa long quistin ia hemi stap wetem Kenneth James blong givim.

EXAMINATION by JUSTICES:

Q1 : TITONGOA, yu Jif long wan ples long Pele island ?

Ans : Ansa hemi Yea.

Q2 : Yu bin wok samtaem long Kirivatu ?

Ans : Ansa hemi No.

Q3 : From wanem yu mo nara Jif ino traem blong stretem keis ia long village Kot ?

Ans : Hifala i traem be wan side ino agri.

Q4 : Yu gat hamas year ?

Ans : Mi bon long March namba 2 1924.

Q5 : Nomo quistin.

RE-EXAMINATION by CLAIMANT:

Q1 : Mi negat quistin blong askem.

CLAIMANT WIT. NO. 4: Elder Kenneth BILLY - sworn and states:-

Long side long Tom Mesek SATUGUALIU we i papa blong Alfred T MESEK wetem brata blong hem Albert SATUGIALIU, mi luk long eye blong mi. Mi big man finis bifo long 1932 mi luk papa blong tufala ia SATUGIALIU hemi stap long Pele long village blong Jif TANGARASI. Oltaem taem papa blong Jif Tangarasi i talem wan wok hom Tom SATUGIALIU i neva come mifala nomo. Taem we mi lukim hem (SATUGIALIU) mi kases 21 years finis.

Tom M SATUGIALIU i come long Pele since 1932. Igat two pikinini nomo blong hem we i bon long Sake village, Pele be ol nara wan ia olsem tufala brata we istap long Kot naoia tufala i bon long Nguna. Since 1932 ia nao oli start blong settle long Pele mo wokem karen etc...

1946 kases 1947 Tom M SATUGIALIU i startem problem wetem mi mo brata blong mi. Taem papa blong mi i ded papa blong tufala Tom M SATUGIALIU i startem problem wetem mi.

Long side blong Kirivatu, kraon ia i blong SATUGIAMATA.

CLAIMANT WIT. NO.4: Elder Kenneth BILLY (cont.)

Mi big man finis taem mi lukim we oli planom COTTEN, KOKONAS mo ol nara samting long em. Taem ol kokonas oli bigwan finis afta oli putum buluk mo horse inside.

Taem we papa blong Kenneth James i ded finis hom Kenneth J istap long skul yet. Taem Kenneth J SATUGIAMATA i come bak nao hemi start wok bakoken long same kraon ia.

Celeb taem hemi sik nao hemi handem ova kraon igo long Rolland KALNAGISU blong i lukaotem mo wait long Kenneth James. Hemia long 1966 and from taem ia nao dispute i start blong come aot from SATUGIALIU wetem famli come kassom naoia. Hemia nomo toktok blong mi,

CROSS EXAMINATION by DEFENDANT:

Alfred T MESEK & Albert SATUGIALIU,

Q1 ; Grandpapa blong yu, hemi teachim yu abaot kraon ia Kirivatu ?

Ans : Papa mo grandpapa blong mi i talem stret long mi se kraon ia Kirivatu hemi blong Kenneth James wetem famli blong em.

Q2 : Taem Kirivatu hemi bush yet first man blong puruput long kraon ia hemi who mo wanem nao hemi putum inside long kraon ia ?

Ans : James WALLACE wetem QUICKLY COMPANY nao first man blong wok inside long Kirivatu.

Q3 : Taem Kirivatu i bush yet mo James WALLACE igo wok long em. Kirivatu i minia wanem ?

Ans : Kirivatu hemi mean NAKIRIKIRI I MIX WETEM STONE WETEM KRAON.

Q4 : Who nao hemi stret man blong SNAKE ?

Ans : Hemi papa blong Kenneth James we hemi James WALLACE.

Q5 : SNAKE ia hemi minia wanem ?

Ans : Hemi mean se Kirivatu i Tabu ples blong em.

Q6 : Wanem name blong Snake ia ?

Ans : Snake ia name blong hem KIRIVATU.

Q7 : From we yu bin promes long Tabu Baebol finis se bambae yu talem true toktok, mi wantem askem bakoken se hemi true se name blong Snake ia hemi olsem we yu talem ?

Ans : Ansa hemi Yea.

Q8 : Yu save gud se who nao stret blad Ona long SATUGIAMATA mo blad Ona long Kirivatu mo who nao i teachim yu ?

Ans : Quistin ia mino save ansarem from mi no wantem kiaman.

Q9 : Nomo quistin.

EXAMINATION by JUSTICES:

Q1 : Tom Mesek SATUGIALIU hemi blong wea ?

Ans : Mama blong hom long Nguna island mo papa blong hom long Sake village long Pele island.

Q2 : Wanen kaen SNAKE ia yufala itap tokabaot ?

Ans : Hemi Snake blong shore.

Q3 : Nomo quistin.

RE-EXAMINATION by Claimant:

Q1 : Taem papa itap wok long kraon ia igat dispute long kraon ?

Ans : No, inogat dispute kasseem taem Tom Mesek SATUGIALIU i come settle long Pele island.

Q2 : Taem Tom H SATUGIALIU i come long Pele hemi gat kraon long Pele we hemi itap long em mo dispute same taem wetem Kirivatu ?

Ans : Yes, hemi gat kraon long Pele be bihaen nao hemi itap dispute akensem Kirivatu.

Q3 : Nomo quistin. (Case adjourned until 5/5/87 at 0830 hrs)

CLAIMANT WIT. NO.5: Jif Tamara MANSES duly sworn and states:-

Mi sapotem olgeta toktok blong Kenneth J SATUGIAMATA. Mi biliv se kraon ia Kirivatu hemi blong SATUGIAMATA. From kraon ia hemi go fasa wetem kraon blong mi. From kraon ia, taem mi itap wok long kraon blong mi wetem grandmama LEIATU mo grandpapa TOMVATU tufala i talem long mi se mi nomas wok ova long kraon ia from hemi blong SATUGIAMATA. From kraon ia mi save histri long em mo mi save histri long famli blong James - WALLACE we i papa blong Kenneth James (Claimant).

Long histri blong James WALLACE hemi come from Efate. Name blong papa blong James WALLACE hemi MALASIKOTO. Malasikoto ia hemi gat two brata mi nosave name blong tufala. Name blong woman blong Malasikoto hemi LEIRIBU. Leiribu igat tri (3) pikinini we 1st bon James WALLACE, 2nd bon Coleb mo las bon we hemi gel name blong hem SEFORA.

Name ia SATUGIAMATA, Malasikoto nao i takom name ia. Satugiamata hemi head Jif long Satugiamarata mo Satugialiu. Satugiamata afta Malasikoto i ded hemi givia long James WALLACE mo afta James WALLACE i ded hemi givia long Kenneth Kamea we hemi Claimant naoia. SATUGIAMATA i takom ol HAKAINAGA blong hem afta oli go long Emae island mo oli holom hed blong SATUGIA - MATA.

Long side long kraon ia ni witness long hem from uncle blong mi TITONGOA hemi talem long mi, wetem Willie KALOLO wetem Jif MASEREI TONGA.

Olfala ia TITONGA hemi talem histri long famli blong Tom Mesek long mi. Hemi talem long mi taem mi itap wetem hom long Launamoa village long Pele island.

Taem Tom Mesek i sperem wan KARONG (fish) mo i taken i come saken long village ia Launamoa mi itap long taem ia mo mi lukim fish ia afta mi askem long Jif Titongoa se who ia wan ia mo hemi come wea ? Jif Titongoa i talem long mi se, Tom Mesek ia mo hemi narafala uncle blong mi we hemi wan brata blong hem.

CLAIMANT WIT. NO.5: Jif Tamara MANSES (cont.)

Mi askem se olsem wanem hemi no come. Afta Jif Titongoa i se Tom Mesek i bon long Emau island long village oli callem se MABUA mootret ples we hemi bo long em hemi MALATONU. Tom Mesek i aot long Emau mo hemi go stap long Nguna. Uncle Titongoa i talem long mi se bambae wan dei Tom Mesek wetem famli blong hem i come long Pele island.

Tom Mesek istap long Nguna kassem taem hemi bonem tufala ia Alfred T MESEK (Defondant) wetem brata blong hem Albert SATUGIALIU. Tom - Mesek wetem famli oli stap long UNAKAP village Nguna mo ol man long ples ia oli finem se oli stap woken wan fasia blong stil long karen. Wan dei oli fainem pruv se famli ia nao se oli holem wan miting mo oli talem se Tom - Mesek wetem famli oli mas go bak long Pele island.

Taem Tom Mesek i come long Pele i come stap wetem uncle Jif Titongoa. Long taem ia hemi askem Jif Titongoa blong givim wan ples blong hemi stap long hem. Jif Titongoa i givim wan pis kraon mo hemi talem stret long hem (Tom Mesek) se kraon ia ino blong tufala be hemi blong SATUGIAMARATA. Kraon ia oli stap long hem kasem dedei. Famli SATUGIAMARATA wan long olgeta istap long Pauuagisu village mo name blong hem emi Tom TASARURU we mama blong hem emi LEIKAS. Toktok blong mi hemi finis long ples ia.

CROSS EXAMINATION by DEFENDANT:

Alfred T MESEK & Albert SATUGIALIU,

Q1 : Satugiamata we hemi base long Emau mo hemi boss long olgeta sasting long Emau, hemi gat rait blong come long Pele mo boss long olgeta kraon we Satugialiu i lukaoten ?

Ans : Evri Jif we oli stap long Shebhard group oli aot long Efate. Satugia - mata hemi aot from BUVA mo stret man ia nao hemi Malasikoto mo long Emau igat ples blong Satugialiu tu wetem kraon.

Q2 : Malasikoto hemi wan Chiefly name or wan ordineri name nomo ?

Ans : Hemi wan private name nomo be afta hemi just takem name ia SATUGIAMATA.

Q3 : Hemi true se SATUGIAMATA blong Emau hemi putum hand long James - WALLACE blong hemi come takem kraon long Pele island ?

Ans : Hemi true mo ordination ia i take ples long Emau island.

Q4 : Malasikoto we hemi bonem James WALLACE hemi really blad line blong holem Satugiamata follem papa afta papa kasem Kenneth James ?

Ans : Olgeta olfala we mi talem not name blong olgeta long first toktok blong mi oli talem long mi se yes hemi stret man blong takem name ia.

Q5 : Jif Titongoa bountri blong hem wea stret ?

Ans : Jif Titongoa mo Jif Satugiamata tufala istap inside long bountri blong Thompson TANGARASI.

CROSS EXAMINATION by DEFENDANT:(cont.)

Q6 : Jif Titongoa igat rait blong takem kraon blong narafala man mo givim long nara man ?

Ans : Taem Jif Titongoa i takem step blong givim kraon blong Satugiamarata long Tom Heseck hemi ordain finis mo tu tufala i wan famli nomo so from we hemi sori long hem nao hemi givim kraon ia we istap inside long bountri we hemi lukaotem. So hemi gat rait blong takem decision olsem.

Q7 : Malasikoto we hemi papa blong James WALLACE hemi true native blong Pele island ?

Ans : Yes, hemi stret native blong Pele island.

Q8 : Wea ples long Pele hemi stret ples blong hem mo wanem nao nem long ples ia ?

Ans : Hemi stap long village blong Jif T.TANGARASI we hemi WARASIVIU we hemi new village be olfala village hemi SUMANTAVA.

Q9 : Tom TASARURU, papa blong hem i bin karem name ia SATUGIAMARATA ?

Ans : Papa blong Tom TASARURU hemi blong Nguna be mama blong hem long Pele mo from reason ia nao Tom TASARURU i entitle long name ia SATUGIAMARATA from hemi name blong famli we mama blong hem i come from long Pele.

Q10 : Hemi Kastom blong yumi long Efate or ol smolamol island aotsait Efate espesiali long North Efate blong Tom TASARURU hemi save taken name olsem SATUGIAMARATA follem blad line blong mama blong em be ino name blong papa blong hem we hemi Jif Tom TABAURIBU blong Nguna ?

Ans : TABAURIBU hemi taken wan woman Efate. Woman ia hemi gat plante kraon. Hemi talem long Tabauribu so naolia yu come stap wetem mi long Efate. Woman ia name blong hem MARERE we i blong Paunagisu village. Taem man blong Marere i agri blong go wetem woman blong em blong stap long Efate hemi taken aot name ia TABAURIBU mo givim long wan pikinini blong brata blong em mo name blong boy ia hemi TAPAU. Taem hemi taken aot name ia hemi come stap long Efate mo ino long woman ia i ded mo bihaen hemi maretem nara woman LEIKAS we hemi mama blong Tom TASARURU blong Pele. So hemi Kastom blong Efate blong man i save taken name blong papa or mama.

Q11 : Nemo quistin.

EXAMINATION by JUSTICES:

Q1 : Taem Malasikoto i not from Efate(BUVA) mo igo long Pele, igat some Jif istap finis or nogat ?

Ans : Taem ia ol Jif istap long Pele finis.

Q2 : Yu save talem some names blong ol Jif ia ?

Ans : Taem ia ol Jif ia istap finis: Jif T. TANGARASI, TITONGGA, TARILIU mo MASEREI.

Q3 : Taem Malasikoto icome long Pele, hemi gat woman finis ?

Ans : Taem hemi come, hemi single nomo bihaen hemi just maretem wan woman Pele.

EXAMINATION by JUSTICES: (cont.)

Q4 : Malasikoto hemi gat rait blong givim name ia SATUGIAMATA long boy blong hem James WALLACE ?

Ans : Yes, hemi gat rait.

Q5 : I gat tri SATUGIA ia e.g : NATA, MARATA mo LIU. Satugia-LIU hemi givim long who ?

Ans : SATUGIALIU hemi name blong Emae be SATUGIAMARATA mo SATUGIAMATA tufala name ia nomo blong Pele. Tufala names ia Satugia - MARATA mo LIU i foldaen yet mo ino come antap yet olsem SATUGIAMATA.

Q6 : Hemi true se Satugia - MARATA, NATA mo LIU oli wan famli nomo ?

Ans : Yes, hemi true.

Q7 : Yu taem se Malasikoto hemi come from BUVA, Efate mo hemi go maretem woman Pele mo stap long Pele, Hemi gat rait blong Onem kraon long Pele ?

Ans : Yes, hemi gat rait follem rait blong woman blong hem.

Q8 : Name ia Malasikoto hemi name blong woa ?

Ans : Name ia blong Efate.

Q9 : Taem Malasikoto i come long Pele, hemi gat two sons wetem wan gel. I gat man istap long Kirivatu finis or nomo ?

Ans : Taem ia inogat man istap long ples ia. First man nao hemi Malasikoto.

Q10 : YU save mining blong Malasikoto ?

Ans : No, minosave.

Q11 : Yu bon long wanem taem ?

Ans : Mi bon long 1921.

Q12 : Nomo quistin.

RE-EXAMINATION by CLAIMANT:

Q1 : How nao Tom Mosek i bon long Emau, afta hemi go stap long Nguna, oli ronem hem afta hemi go long Pele mo Jif TITONGOA i givim kraon long em ?

Ans : Taem papa blong Tom Mosek hemi go teach long Nabua village Emau, Tom Mosek mo Jif Titongoa tufala igat wan mama nomo. So taem papa blong Tom Mosek istap teach yet Tom Mosek ino bon yet, be Jif Titongoa nomo. Afta wan man Emau long Nabua village i stilis mama blong Tom Mosek nao hemi bonem Tom Mosek. Name blong man Emau ia hemi KALOMATA. Tom Mosek hemi bon long Emau mo olfala MASARAFIA i lukaotem Tom Mosek be mi nosave se hemi adobtem hem or nomo.

Q2 : Nomo quistin (Case adjourned until 2p.m 5/5/87)

CLAIMANT'S CASE CLOSED.

CASE FOR DEFENDANT OPENED: (2p.m on 5/5/87)

Defendant Alfret Tom MESEK duly sworn and states:-

First samting, mi wantem talem tankyu long Klak mo Jastis we mi save gat janis ia blong tok long side long kraon ia KIRIVATU. Olsem mi nao main person we i makem se dispute istap long kraon ia. Mi bin preporemi finis statement blong mi be mi gat problem long eye we taem mi rid long taem ol wora long eye blong mi istap rounon. So mi wantem passem Statement ia long Kot mo mi wantem sipos Klak i save ridim blong mi.

(Defendant's Statement read out in Court by the Clerk) see Defendant Deckument Number 1 as marked DFD NO.1)

Mi wantem closen toktok blong mi olsem se lukluk long olgeta toktok blong mi we Klak i just ridim aot long Kot hemia nomo ol toktok blong mi mo mi biliv se oli true toktok olsem we mi promes long Baebol long face blong ol Jastis blong Kot. Tankyu your Hona.

CROSS EXAMINATION by CLAIMANT Kenneth J SATUGIAMATA:

Q1 : Hamas year yu gat ?

Ans : Mi gat 51 years from mi bon long 1936.

Q2 : Sapos yu say Tom Mesek hemi rait man blong karem name ia SATUGIALIU mo' rait Kastom Ona long KIRIVATU, yu save talem some names blong some olfala we istap long Pele naeia we oli save sapotem histri blong yu atart from 1920 icome kasesem 1987 ?

Ans : Mi bon long 1936 mo ol olfala we istap since 1920 kasesem 1987 we oli save sapotem Histri we mi putum aot long Kot, mi save se igat some olfala blong yufala tu be mi no bin lukaotem Histri ia from olgeta or ol Jif. Histri ia i blong mifala nomo long Famli SATUGIALIU.

Q3 : Tom Mesek we hemi papa blong yu, hemi gat brata or sister we i stil life dedei ?

Ans : Ansa hemi NO.

Q4 : Yu takem Histri ia yu wan or yu takem from papa blong yu ?

Ans : Mi rikoten/^{not}from papa blong mi we Famli i passem i come daon kasesem mifala.

Q5 : Yu talem se Famli SATUGIALIU taem i come settle long Pele inogat wan man nating istap long Pele taem ia. Yu gat pruv long em ?

Ans : Yes, igat plante samting we i save pruv olsem we mi writem long statement blong mi.

Q6 : Sapos statement ia i true se Famli blong Tom Mesek fas wan blong arrive long Pele long year we yu no talem aot mo from taem TANGARASI, TITONGOA, TARILIU mo MASEREI wotem ol pipol blong ol, taem oli stap wokabaot long ol bountri long Pele, Satugialiu hemi stap quistinim olgota long em or nomo ?

Ans : Name ia SATUGIALIU hemi wan Chiefly name blong makem PEACE from tufala name ia SATUGIALIU mo MAUTAFILIU i man blong makem PEACE. Hemia toktok we papa i talem long mi. Long taem ia each Jif istap long omia bountri blong hem. Long side long TANGARASI hemi Spokesman blong Jif SATUGIALIU, so ol famli SATUGIALIU oli blong wan Nakamal nomo.

CROSS EXAMINATION by CLAIMANT: (cont.)

Q7 : Yu say taem igat rao bitwin ol Jif, Jif SATUGIALIU i makem PEACE. Wanem PEACE nao homi makem ?

Ans : Itrue Peace Ceremoni istap takem ples we Jif SATUGIALIU istap organisem. e.g Ni rinemba wan PEACE Ceremoni we homi makem blong Jif TITONGOA taem ol pipol blong oli rao nao oli ronwei wanwan.

Q8 : Refer long Statement mo toktok blong yu antap yu se TANGARASI hemi Spokesman blong Jif SATUGIALIU. Why nao hem, TANGARASI i putum hand long wan SATUGIALIU we homi stap dedei ?

Ans : Olgeta sauting i jenis afta we papa blong wifala i ded. Blong Jif - Tangarasi i putum hand or ordeinem present Satugialiu hemi follem riqest blong famli SATUGIALIU. From name ia SATUGIALIU inosave slip nomo olsem istap, so hemia i wokem nomo olsem from hemi start bifo finis.

Q9 : Refer long Statement blong yu, yu say taem wan man oli ordainem hem Jif igat Stone we man ia igo sidaon long em. From wanem nao Jif Albert - SATUGIALIU, taem Jif TANGARASI i putum hand long hem hemi no sidaon long Stone ia ?

Ans : Mi ting ansa mi givim finis mo miosave ripitim bakeken from dispute hemi long side blong KIRIVATU.

Q10 : Yu mentionem wan ples we homi SEREVAKALO. Wanem nao mining long name ia?

Ans : SEREVAKALO mi save gud mining no stori blong em be storian long em hemi long wan tumas. Sapos mi storian long em bambae mi takem long taem long em. So mining blong hem so" YUMI PASS LONG PLES WE YUMI TING IGAT FAIT LONG EM."

Q11 : Yu say tufala¹⁰ SATUGIALIU fas taem, taem tu^{fala i} come shore long Pele inogat man, Afta yu say tufala istap wokabaot be same taem tufala istap frait long man. Yu save makem ples ia i klia ?

Ans : First wokabaot blong tufala hemi wan quik luk nomo sapos igat man long Pele no tufala i fainem se inogat, bihaen nao tufala igo bak taken famli no come bak bakeken long Pele blong stap.

Q12 : Sapos Tom Mesok i save se SATUGIALIU nao i Kastom Ona long kraon ia Kirivatu, from wanem nao homi no stopem SATUGIAMATA taem oli start blong wok long em ?

Ans : Inside long wan Statement blong mi hemi ansarem quistin ia finis. (see DFD NO.4 para.2)

Q13 : Wanem man ia TALOLO we yu stap tokabaot ?

Ans : TALOLO hemi papa blong papa blong mi or homi olsem grandpapa blong mi.

Q14 : Sapos Tom Mesok i save se Kirivatu i kraon blong hom, why nao homi go stap long Nguna.?

Ans : Hemi stap long Nguna from same wok ia we papa blong hem i wokem olsem Teacher. Hemi take ova long hem mo hemi holom wok ia long 11 years.

Q15 : Sapos Satugialiu hemi fas famli blong come shore long Pele, why nao taem Tom Mesok i come bak long Pele hemi askem kraon bakeken long Elder Kenneth BILLY ?

CROSS EXAMINATION by CLAIMANT: (cont.)

Ans : Mi no agri long quistin ia from hemi tokabaot nara bisnes. Hemi no stap inside long Statement we mi makem.

Q16 : Mi wantem save sapos Tom Mesek i strot man Pele hemi planem some kokonas we i stap kason dedei ?

Ans : Tom Mesek hemi gat bigfala er plante kraon we plante man Pele nao oli life long em. Olgeta oli save gud be oli wantem hidem. Talole = SATUGIALIU we hemi grandpapa blong mi, hemi planem plante kokonas finis istap long some smolamol ples long kraon blong hem finis afta James - WALLACE hemi just come long Pele. So ansa blong quistin hemi Yes.

Q17 : Lukluk long quistin blong mi(Q15) mi wantem sapos yu save ansarem strot?

Ans : Mi stil objek long quistin ia.

Q18 : Long Pele igat four Jifa wetem bountri blong olgeta. Jif TANGARASI, Jif MASEREI, JIF TITONGOA, mo Jif TARILIU. Olgeta nao mifala ovriwan long Pele island i save bountri blong ol. Wea nao bountri blong Satugialiu ?

Ans : Hemi klia nomo. TASIRIKI area hemi bountri blong Jif SATUGIALIU from first landing blong olgeta long Pele tufala SATUGIALIU we Statement i tokabaot hemi area we tufala i wokabaot long em. Taom tufala i come bak namba 2 taom afta tufala (SATUGIALIU mo MAUTAFILIU) i putum olgeta name ia long each point blong markem bountri: TAFALELE NO.1 point, KIRIVATU NO.2 point, SEREVAKALO NO.3 point, antap long hill we igat wan STONE we igat four corner long em hemi VATUKANASI NO.4 point mo last mark hemi FALEAKADU NO.5 point. Long ples ia tufala i planem wan NAGAU, hemi still stap dedei mo miting bambae i ded from mi luk we Elder Kenneth BILLY i bonem smol.

Q19 : TASIRIKI nao hemi stap inside long bountri blong Jif T.TANGARASI ?

Ans : Mi nosave ansarem quistin ia from mi nosave wea nao bountri blong Jif T.TANGARASI from mi nosave wea ples we hemi wokabaot long em, be bountri we mi talem fastaom hemi bountri we ol bubu blong mi oli wokabaot long em.

Q20 : Yu save talem mining blong name ia MAUTAFILIU ?

Ans : MAUTAFILIU mining blong hem olsem:-

MAU = man blong fight mo hemi wan strong man.
TAFILIU = hemi assistant Jif blong SATUGIALIU, so tufala name ia i min se hemi WARRIOR mo same taom hemi holes wok blong Jif taom big brata blong hem i ded.

Q21 : Yu agri long bountri we mi soem long olgeta Jastis wetem Klak blong Kot taom yumi go visitin ?

Ans : Mi agri long bountri ia be smol ples nomo yu mostem, olsem yu soem tri(3) kokonas be strot mark nao hemi wan NAKARIE olsem we istap long sketch map we mi wokem. (see DFD NO.6)

CROSS EXAMINATION by CLAIMANT: (cont.)

Q22 : Sapos grave blong Satugialiu istap inside long Kirivatu, why nao yu no soem taem yumi wokabaot long em ?

Ans : Hemi no stap long Statement blong mi. Satugialiu oli borem long nara ples.

Q23 : Mi bin askem plante quistin we some long ol quistin Defendant i ansarem be some hemi no ansarem so naoia mi nomo gat quistin blong askem;

EXAMINATION by JUSTICES:

Q1 : Satugialiu mo Mautafiliu, tufala name ia i blong Efate mo tufala ia i blong Efate ?

Ans : Yes, hemi true olsem taem tufala i stap long Efate yet tufala istap anda ol narafala Jif mo taem tufala igo long Pele tufala i takem names ia igo wotem tufala.

Q2 : Yu save talem wea ples stret long Efate tufala brata ia i come aot long em mo go long Pele ?

Ans : Papa i talem long mi se tufala i come aot from MALAFAU long Port - HAVANA antap long bush.

Q3 : Satugialiu hemi gat some kraon long Emae or nomo ?

Ans : Sapos hemi gat kraon long Emae be i blong Satugialiu we istap long Emae.

Q4 : Satugialiu mo Mautafiliu, taem tufala i land long Pele olgeta four Jifs we istap long Pele naoia oli stap finis or nomo ?

Ans : Taem ia faurfala Jifs ia inogat yet.

Q5 : Hemi true se fourfala Jif we istap naoia oli no stap taem tufala Satugialiu igo shore ?

Ans : Taem mi talem se oli nostap mi stap refer long area we hemi bountri blong TASIRIKI.

Q6 : Nomo quistin.

DEFENDANT CONCLUDED:-- mi wantem makem wan correction long toktok blong mi olsem, taem mi talemse fastaem we tufala SATUGIALIU mo MAUTAFILIU i go shore long Pele "OL JIF INOGAT YET" mo putum olsem se, taem tufala igo shore long Pele "INOGAT WAN JIF YET" inside long bountri blong Tasiriki. Hemia nomo. Tankyu your hona.

DEFENDANT WIT. NO.1: Jif Albert SATUGIALIU duly sworn and states:-

Mi bon long 14 July 1927. Mi stanap blong witessem long wanom hemi stap long pepa finis we istap finis long hand blong yufala. Hemi soem i klia gud long trifala side we hemi dispute we yumi stap long em dedei.

DEFENDANT WIT. NO.1: (cont.)

Namba 1. hemi KIRIVATU, namba 2 hemi name ia SATUGIALIU mo namba 3 hemi name ia SATUGIAMATA.

Naoia mi stori abaot KIRIVATU. Land Kirivatu we hemi dispute bitwin famli Satugialiu mo Satugiamata mi biliv strong long name blong God so Kirivatu mifala nao SATUGIALIU i really Kastom Ona long kraon ia follem blood blong Dubu blong mifala come kasesem mi we i namba six (6) generation mo Jif. Hemia Histri blong KIRIVATU.

Naoia mi wantem tokabaot name ia SATUGIALIU. MI save gud so plante quistin igo finis long side long name ia. Mi biliv strong long name ia Satugialiu hemi blong mifala we mi Jif Albert SATUGIALIU i holom istap dedei. Evri Tabu samting blong hem olsem we mifala i soem long yufala finis long taem blong wokabaot hemi soem so oli blong name ia SATUGIALIU follem famli Tree blad line blong mifala.

Naoia bambae mi givim ol name blong ol properti blong name ia SATUGIALIU. NO.1 Nakamal blong Satugialiu name blong hem emi VANUMAUURUA. Igat Stone blong NAFUSAKEANA istap long em. Name blong em hemi VATU NINA-FUFUSAKEANA.

NO2: Farca blong Satugialiu name blong hem emi VANUMAUURUA.

Malala blong Satugialiu we hemi ples blong danis name blong em hemi MALAPATI i mean so PATISIKOSIKONAWOTA. Malala ia hemi gat wan grave we hemi blong 1st SATUGIALIU we oli berem hem taem hemi life yet. Oli berem hem wetem ol NALIKAU (fighting weapons) blong hem blong witnessem bountri mo evri smol smol properti inside long TASIRIKI. Ol toktok oli pass through six generation kam kasesem mi we papa blong mi i talem long mi.

NO.3 smol stori long side blong SATUGIAMATA. SATUGIAMATA stori blong om we i stap long Statement finis i soem aot i klia who nao i really blad blong Satugiamata we hemi stap naoia long Emae. Name blong tufala ia KOLEMANSAKAU mo MAKALIKEO votem ol pikinini blong tufala. Olgeta nao oli really blad line blong SATUGIAMATA we oli stap dedei long Emae wetem ol samting blong olgeta we oli stap tu long Emae. Hemia nomo we mi save witness long side blong name ia SATUGIAMATA.

Last toktok blong mi hemi olsem se s'pos quistin i come long mi abaot ol samting we mi tokabaot mi save ansarem, be s'poss i pass aotside mi nosave ansarem. Hemia nomo Tankyu tumas Your Hona.

CROSS EXAMINATION by CLAIMANT: (Kenneth J SATUGIAMATA)

Q1 : Histri we yu just talem aot antap, yu karen stret from papa blong yu or from narafala man we i sapotem Histri ia ?

Ans : Mi negat wan man we i sapotem mi blong taken Histri ia. Histri ia mi mi taken stret from papa blong mi we papa blong hem i teachim hem.

Q2 : Name ia SATUGIALIU yu save talem from wanem nao yuno sitaon long stret FAREA blong yu taem oli ordainem yu. Olsem yu no sidaon long Stone we oli stap ordainem olgeta SATUGIALIU ?

Ans : Reason from mifala Satugialiu Famli i agri blong makom wan saen so name ia ino ded be i life istap kasesem taem mifala i fainem stret man m'bao mifala i singaotem SATUGIAMATA from Emae blong come putum hand long man ia long stret ples blong em we hemi VATU-NAFUFUSAKEANA.

Q3 : Toktok we yu talem se SATUGIALIU hemi bigfala Jif mo taem we oli berem hem alive, who nao i givim orda se oli berem hem olsem mo who olgeta man ia we i berem hem ?

Ans : Jif SATUGIALIU nao i givim orda mo brata blong hem MAUTAFILIU nao i berem hem afta we hemi givim name ia SATUGIALIU long hem.

CROSS EXAMINATION by CLAIMANT: (cont.)

Q4 : Ol nara grave we istap wetem blong SATUGIALIU oli blong who ?

Ans : Mi nosave ansarem stret quistin abaot ol nara smolmol grave ia but main wan nao mi ansarem finis.

Q5 : Ol four nara Jif oli berem olgeta wea mo oli ordainem olgeta wea ?

Ans : Oli ordainem olgeta long same ples we mi talem finis mo/^{berem}long same ples we oli berem first SATUGIALIU. So ol nara Jif oli berem long same ples.

Q6 : Nomo quistin (11.20 hrs, case adjourned until 2pm 6/5/87)

DEFENDANT WIT. NO.2: Nettie Tom MESEK duly sworn and states:-

Hi come blong witness blong big brata blong mi Alfred - Tom MESEK. Long side blong kraon Kirivatu olsem we papa blong mi i teachim mifala long em se, kraon ia Kirivatu i blong Jif SATUGIALIU follem blad blong Famli Tree we i come kases mifala dedei. Hemia nomo, Tankyu.

CROSS EXAMINATION by CLAIMANT:(Kenneth J SATUGIAMATA)

Q1 : Taem James WALLACE istap wok long Kirivatu from wanem yu no dispute wetem hem ?

Ans : Mi objek long quistin ia from hemi outside long wanem mi talem antap.

Q2 : Olgeta toktok ia we yu talem se Famli Satugialiu nao hemi stret Kastom Ona long Kirivatu, who nao i Jif or olfala we i givim toktok ia blong apruvus really blad blong Kirivatu ?

Ans : Ol toktok ia papa blong mi Tom MESEK SATUGIALIU i talem long mi.

Q3 : Yu save sapos igat anymore man outside long Famli Satugialiu we yu harem hemi talem tok ia se Famli Satugialiu hemi Kastom Ona long Kirivatu?

Ans : Ansa blong mi hemi NO.

Q4 : Nomo quistin.

EXAMINATION by JUSTICES:

Q1 : Hemi true se ol toktok ia papa blong yu nomo i givim ?

Ans : Yes, hemi true.

Q2 : Hamas year yu gat ?

Ans : Mi bon long 1940, so mi gat abaot 47 years.

RE-EXAMINATION by DEFENDANT:(Alfred T MESEK)

Q1 : No quistin.

DEFENDANT WIT. NO 3 : John ALFRED duly sworn and states:-

Mi come witness long side blong papa blong mi Alfred - Tom MESEK long side long Kirivatu follow blad line we hemi Jif SATUGIALIU. Kraon ia Bubu blong mi i teachim me so hemi blong SATUGIALIU. Mi no save talem anymore toktok be follow Statement we i come not mi save mo biliv so hemi true. Hemia nomo toktok blong mi.

CROSS EXAMINATION by CLAIMANT: (Kenneth J SATUGIAMATA)

Q1 : Long wanem Bubu blong yu i teachim yu or givim toktok ia long yu, hemia blong Emae or blong wea ?

Ans : Teaching ia mi takem from Bubu blong mi we hemi papa blong papa blong mi Alfred T MESEK mo name blong Bubu blong mi hemi Tom Mesek SATUGIALIU.

Q2 : Hamas year blong yu nao ?

Ans : Mi gat 22 years nao.

Q3 : Taem we Bubu blong yu i talem Histri ia long yu, yu bin talem long some nara man we i outside long Famli Satugialiu or from yu just harem long papa blong yu nomo nao yu sapotem ?

Ans : Bubu blong mi i talem Histri ia taem mi omol yet kasem taem mi go long Primary Skul. Evri taem afta long kakae mi go lukim hem mo hemi stap storian long em, even taem mi go long Collogo taem mi spol mi stap go lukim hem mo hemi storian long Histri ia. Long side blong storian long nara man outside ansa hemi NO.

Q4 : Nomo quistin.

EXAMINATION by JUSTICES:

Q1 : Hemi true oe Kraon ia i blong SATUGIALIU ?

Ans : Ansa hemi YES.

Q2 : Bubu ia blong yu hemi blong Pele or blong Emae ?

Ans : Hemi blong Pele.

Q3 : Yu santsem go long Emae ?

Ans : Yes, mi go last taem ia nomo. Mi go lukim mama blong mama blong mi or grandmama blong mi.

RE-EXAMINATION by DEFENDANT:

Q1 : No quistin, olgeta witness long side blong mi hemi finis.

Case of Defendant closed. (case adjourned until 10.00 hrs 7/5.87)

SUBMISSIONS BLONG CLAIMANT:

Kenneth J SATUGIAMATA states:-

Emia mi pruvum se Kenneth J SATUGIAMATA emi rili Kastom Ona blong land ia KIRIVATU.

1. From we Famli Tree blong SATUGIAMATA emi soem aot se James Wallace - SATUGIAMATA emi stret pikinini blong HALASEKOTO SATUGIAMATA mo stret blaad blong hem.
2. From we four fala Jifs mo wan Church Leader oli come witness long kraon ia oli representem four main area blong Pele island.
3. From we Alfred Tom MESEK hemi produsum wan map we inogat land marks, mo hemi agri long samo wan we mi bin makem wetem ol Jastis, mo hemi agri long map we mi soem long Kot from we ikat Land Marks.
4. From we bifo mifala i kivim evidence blong mifala long Kot, ol Jastis i nas luksave ol witness blong mifala. Fourfala Jifs mo wan Church Leader oli witness blong mi.
5. From we ol witness blong mi oli olfala mo oli save gud Kastom blong mifala mo year blong olgeta start long 65 years igo kasem 78 years.
6. From we James Wallace SATUGIAMATA hemi gat Tabu Snake istap long kraon ia, mo Tom MESEK inogat wan Tabu samting istap long kraon ia KIRIVATU.
7. From we James W SATUGIAMATA wetem brata blong hem CELEB istap wok long kraon ia from 1917 kasem 1966.
8. From we Jif Kaosel blong Pele island oli bin stretem finis long 1977 se Tom MESEK, hemi no true Kastom Ona blong Kraon ia KIRIVATU.
9. From 1917 kasem 1966 inogat dispute nating long Kraon ia.
10. Mi gat bigfala Honour long ol Jastis, blong talem se ol point we mi putum bambae ol Jastis m'bae i takem gud considareson long em. Hemia nomo, Tankyu your Honour.

Signed: Kenneth J SATUGIAMATA.

SUBMISSIONS BLONG DEFENDANT:

Alfred T MESEK states:-

Olcem yumi save se two main samting we i stampa blong dispute hemi KRAON mo tufala Jif names (SATUGIAMATA mo SATUGIALIU).

1. Mifala i save se kraon ia KIRIVATU, mifala nao i rili stret Kastom Ouna long em follem blad line blong Famli Tree blong mifala, mo i gat ol Tabu samting blong mifala blong bifo istap. Ol Tabu samting ia hemi ol pruv blong Jif SATUGIALIU se hemi true first Jif blong TASIRIKI eria.
2. Mifala i save mo biliv se TALOLO mo TOMVATU i planem kokonas i stap finis bifo WALLACE i askem blong planem Cotten long em blong blokem TANGARASI ino wok long em.
3. Mifala i biliv tu se WALLACE hemi rifus blong washem hand blong Tom - VATU from hemi save se kraon ino blong hem be Tom MeseK SATUGIALIU nao

SUBMISSIONS BLONG DEFENDANT: (cont.)

i washem hand blong Tom VATU. Hemia i soom i klia gud so KIRIVATU i blong Tom Mesek SATUGIALIU.

4. Long side blong tifala name ia SATUGIALIU mo SATUGIAMATA, long bifo i come SATUGIAMATA we i stap long Emma hemi High Jif blong ol SATUGIA we oli stap long Emma nomo.
5. Mifala i save tu so mifala nao i rili strot blad line blong Jif - SATUGIALIU we istap long Pole follem Famli Tree blong mifala long earliest time long bifo kases naeia, so mifala ol blad line blong SATUGIALIU i save gud so name ia SATUGIAMATA ino strot name blong Kenneth i takem, from hemi no blad line blong hem. Satugiamata i gat ol Tabu ples blong hem tu istap long Emma, so ol strot blad line blong hem nao hemi, Kole MANSAKAU mo MAKALIKEO wetem ol pikinini blong tufala.
6. KIRIVATU Tabu Land wetem ol narafala Tabu Land we hemi stap long bountri blong TASIRIKI hemi truely Birth RIGHT blong ol Ancestors or five(5) great bubu blong mifala, we wan man inosave jenisis long wan narafala man or makem exchange long wan samting or pem long wan PRICE. e.g long 1 King 21:2(RSV)

-- And after this Ahab said to Naboth, "Give me your vineyard, that I may have it for a vegetable garden, because it is near my house; and I will give you a better vineyard for it; or, if it seems good to you, I will give you its value in money."
Hemia nomo toktok blong mi, Tankyu your honour.

Signed: Tom Mesek SATUGIALIU.

Case for both Claimant and Defendant re - KIRIVATU closed.

Time: 11.20 hrs on 7/5/87.

J U D G E M E N T:

Afta we Efate Aelan Kot i sidon from namba 4,5,6 no 7 May 1987 blong harem keis ia follem KIRIVATU Land Dispute we ietap long Pele aelan. Kot i lukluk gud no considaren olgeta toktok blong tufala Parti ia:-

- 1) CLAIMANT - Kenneth J SATUGIAMATA we hemi representon SATUGIAMATA Famli mo votem em, hemigat 5 Witness. Igat Jif T - TANGARASI, Assint/Jif Kalran ATAFI, Jif Beth PITONGA, Elder Kenneth BILLY mo Jif Tamara MANSES.
- 2) DEFENDANT - Alfred T MESEK we hemi representon SATUGIALIU Famli mo votem em, hemigat 3 Witness. Igat Jif Albert - SATUGIALIU brata blong hem, Nettie T. MESEK sista blong em mo John ALFRED son blong hem.

Afta we Kot i lukluk long olgeta toktok blong tufala Parti votem witness blong tufala, Kot i fainem inav Pruv mo i Biliv strong se stret mo true Kastom Ona long kraon ia KIRIVATU hemi Famli SATUGIALIU follem olgeta reasons ia:-

1) FAMILI TREE:

- 1:1) Defendant i kleim se Famli SATUGIALIU naomia i ova 6 generation we i come aot from tufala brata ia, SATUGIALIU mo Mautafiliu SATUGIALIU. Tufala ia i come aot from Malafau North Efate mo first man blong go shore mo settler long bountri blong TASIRIKI long Pele aelan. (A.F. DFD No. 1)
- 1:2) Claimant i talem long Kot se hemi namba 3 generation follem olgeta ia:- Malasikoto SATUGIAMATA, James Wallace SATUGIAMATA mo hen Kenneth James SATUGIAMATA. Wit. No. 5 Jif Tamara MANSES i talem aot long Kot se MALASIKOTO i come aot from DUVA long Efate mo go long Pele aelan.

Kot i lukluk long tufala kleim long Famli Tree ia mo akseptem tufala tugeta. Same taem hemi luk so Famli Tree blong Defendant i hevi more long hemia blong Claimant.

2) FIRST MAN BLONG PURUFUT LONG KIRIVATU:

- 2:1) Defendant i talem long Kot se first man blong wokabaot long KIRIVATU Land Dispute emi first SATUGIALIU mo brata blong hem MAUTAFILIU.
- 2:2) Claimant i talem aot long Kot se first SATUGIAMATA blong purufut long KIRIVATU Land Dispute hemi papa blong hem James W SATUGIAMATA mo hemia long 1917.

Kot i lukluk long tufala kleim ia mo akseptem tufala tugeta. Same taem Kot i luksave se Famli Satugialiu i first taem follem big difren long Famli generations.

3) MAN WE I GIVIM NAME IA "KIRIVATU":

- 3:1) Defendant i talem aot long Kot se taem great, great, great Bubu blong hem SATUGIALIU votem brata blong hem MAUTAFILIU igo bak long Pele aelan long namba 2 taem votem famli blong tufala, tufala i wokabaot bakeken long kraon blong markem bountri blong TASIRIKI mo KIRIVATU hemi wan point we i markem bountri ia. So name ia KIRIVATU tufala nao i givim.
- 3:2) Claimant ino talem aot long Kot sapoc wan memba blong Famli SATUGIAMATA nao i givim name ia KIRIVATU. Namba 2 Witness blong Claimant i talem aot long Kot se hemi nosave wanan taem nao kraon ia i takem name KIRIVATU.

3) MAN WE I GIVIN NAME IA "KIRIVATU":(cont.)

Kot i lukluk bakoken long tufala kleim ia/^{up}akseptem toktok blong Def -
endant se SATUGIALIU mo MAUTAFILIU nao i givin name blong kraon ia
se KIRIVATU.

4) FIRST MAN BLONG WOK INSIDE LONG KIRIVATU:

4:1) Defendant i talemaot long Kot se first man we i wok inside long kraon
ia KIRIVATU hemi grandpapa blong hem Talolo SATUGIALIU.

4:2) Claimant i talemaot long Kot se papa blong hem James W SATUGIAMATA,
hem nao first man blong wok inside long KIRIVATU, Hemia long 1917.

Bakoken Kot i lukluk long tufala kleim ia mo luksavo se TALOLO i more
old long James WALLACE se Kot i takom disisen ia se TALOLO nao first
man blong wok inside long KIRIVATU.

5) REASON WHY TALOLO MO JAMES WALLACE IGO WOK LONG KIRIVATU:

5:1) Defendant ino givin eni reason why Talolo igo wok inside long KIRIVATU
be reason we hemi givin se why James WALLACE igo wok inside from papa
blong hem Tom MESEK i letem hem (James WALLACE). Olnara reason from, taem
tufala, Tom MESEK mo James WALLACE istap long Emau tufala i singaotem
tufala se brata, mo tufala i luksavo se tufala i come sot from wan
NASARA nomo. Last reason blong stopem TANGARASI ino wok ova mak blong
KIRIVATU.

5:2) Claimant ino givin eni quistin blong akensem agrimen bitwin papa blong
hem mo papa blong Defendant or even friendship blong tufala. Claimant
wetem nomba 1 Witness blong hem i agri se tufala famli ia, SATUGIALIU
mo SATUGIAMATA i blong wan NASARA nomo.

Kot i luksavo se Tom MESEK mo James WALLACE i blong wan generation, se
hemi possible blong wan agrimen olsem isave take place follem toktok
blong Defendant.

6) WASHEN HAND BLONG TOM VATU:

6:1) Defendant i talemaot long Kot se afta we James WALLACE i start wok
inside long KIRIVATU wan long olgeta man we i wok blong hem omi Tom -
VATU. Tom VATU i finis long wok se afta hemi askem James WALLACE blong
washen hand blong hem (pem hem) be James WALLACE i talen long hem se
kraon ino blong hem be stret man blong kraon istap wok long ship taem
hemi come afta hemi just washen hand blong Tom VATU. Man ia hemi Tom -
MESEK, papa blong Defendant. Taem Tom MESEK i come bak hemi pem \$3.00
igo long Tom VATU.

6:2) Claimant ino putum eni quistin blong traem go akensem statement ia.

Kot i luk se homia i wan strong statement blong pruvum se Famli
SATUGIALIU i true Kastom Ona long KIRIVATU.

7) OLGETA TOKTOK BLONG WITNESS:

7:1) Lukluk blong Kot long olgeta witness blong Defendant long side long Kirivatu Land Dispute, Kot i luk se oli save gud Histri blong olgeta. Kot i luk tu se ol toktok blong olgeta i agri wotem olgeta statemente ve Defendant/ ^{Witness} Kot i gat rispek blong considerem mo sapotem statement ve Witness No. 1 (Jif Albert S) i putum aot blong kleim se name ia SATUGIALIU i blong hem. Kot hemi impress bigwan long how Jif Albert i save pruvum long Kot save blong hem long side long Histri blong Famli SATUGIALIU.

7:2) Kot i lukluk long ol toktok blong witness blong Claimant mo finem aot se some toktok blong olgeta ino sapotem some toktok ve Claimant i putum aot long Kot. Example hemi stap long side long Village Kot Judgement ve Claimant i talom aot se Kot ia (Village Kot) i givim disisen se hem (Claimant) nao i Kastom Ona long KIRIVATU be toktok blong Witness No. 1 i dinaem Judgement ia.

Kot i luk se olgeta Witness blong Claimant oli no witness long Kot nomo from oli Jif mo Church Leader long Pele aelan BUT from oli gat some nara privet bisnes finis akensem famli Satugialiu.

8) ORDER WE KOT I DECIDEM HO GIVIM:

8:1) Start long or bifo namba 30 Mei 1987, Kenneth J SATUGIAMATA ino mas intafia long wanem plan Famli SATUGIALIU i makem blong developem kraon ia KIRIVATU.

8:2) Sapos Kenneth J SATUGIAMATA ino rispektem Kot Orda ia bambae Kot i considerem aksen ia olaem wan "contempt of Court" mo hem (Kenneth J - SATUGIAMATA) i save pass long Kot bakekon follem aksen ia mo hemi save pem wan faen we ino ova long VT24.000 (Inland Court Act No. 10 1983 section 19)

8:3) Kot Orda (8:2) hemi applae tu long eni man Pele aelan we ino memba long Famli SATUGIALIU.

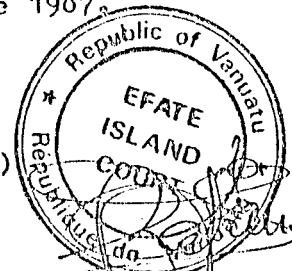
8:4) Sapos Kenneth J SATUGIAMATA i interest blong wok inside long KIRIVATU Kot i rekomendem blong hem (Kenneth James S) i takem same step ve papa blong hem James W SATUGIAMATA i takem wotem papa blong Alfred T MESEK ve hemi Tom MESEK, Hemia long condition ve sapos Famli SATUGIALIU i agri.

8:5) Kot i givim 30 dei blong Kenneth J SATUGIAMATA i appeal sapos hemi no agri long JUDGEMENT mo ORDER blong Aelan Kot. Date blong appeal hemi start from namba 30 Mei kasem namba 2 Julae 1987.

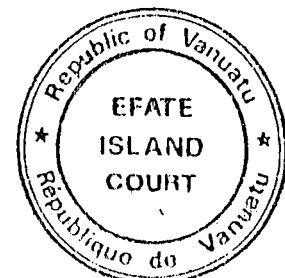
Saen by: Jastis - Waea TENENE Waea TENENE (Jif)

Jastis - Tom KALTAL T. Kaltal

Jastis - Johnson SOPE J. Sope Aelan Kot Klak - V. RAKAU



Dated this 27th day of May 1987.



L^v APL 1/1987

J U D G E M E N T:

Afta we Efate Aelan Kot i sidaon from namba 4,5,6 mo 7 May 1987 blong harem keis ia follem KIRIVATU Land Dispute we istap long Pele aelan. Kot i lukluk gud mo considarem olgeta toktok blong tufala Parti ia:-

- 1) CLAIMANT - Kenneth J SATUGIAMATA we hemi representem SATUGIAMATA Famli mo wetem em, hemigat 5 Witness. Igat Jif T - TANGARASI, Assist/Jif Kalran ATAFI, Jif Seth TITONGA, Elder Kenneth BILLY mo Jif Tamara MANSES.
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Afta we Kot i lukluk long olgeta toktok blong tufala Parti wetem witness blong tufala, Kot i sainem inav Pruv mo i Biliv strong se stret mo true Kastom Ona long kraon ia KIRIVATU hemi Famli SATUGIALIU follem olgeta reasons ia:-

1) FAMILI TREE:

- 1:1) Defendant i kleim se Famli SATUGIALIU naomia i ova 6 generation we i come aot from tufala brata ia, SATUGIALIU mo Mautafiliu SATUGIALIU. Tufala ia i come aot from Malafau North Efate mo first man blong go shore mo settle long bountri blong TASIRIKI long Pele aelan. (Ref. DFD No 1)
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- 2:1) Defendant i talem long Kot se first man blong wokabaot long KIRIVATU Land Dispute emi first SATUGIALIU mo brata blong hem MAUTAFILIU.
- 2:2) Claimant i talem aot long Kot se first SATUGIAMATA blong purufut long KIRIVATU Land Dispute hemi papa blong hem James W SATUGIAMATA mo hemia long 1917.

Kot i lukluk long tufala kleim ia mo akseptem tufala tugeta. Same taem Kot i luksave se Famli Satugialiu i first taem follem big difren long Famli generations.

3) MAN WE I GIVIM NAME IA "KIRIVATU":

- 3:1) Defendant i talemaot long Kot se taem great, great, great Bubu blong hem SATUGIALIU wetem brata blong hem MAUTAFILIU igo bak long Pele aelan long namba 2 taem wetem famli blong tufala, tufala i wokabaot bakeken long kraon blong markem bountri blong TASIRIKI mo KIRIVATU hemi wan point we i markem bountri ia. So name ia KIRIVATU tufala nao i givim.
- 3:2) Claimant ino talem aot long Kot sapos wan memba blong Famli SATUGIAMATA nao i givim name ia KIRIVATU. Namba 2 Witness blong Claimant i talemaot long Kot se hemi nosave wanem taem nao kraon ia i takem name KIRIVATU.

3) MAN WE I GIVIM NAME IA "KIRIVATU":(cont.)

Kot i lukluk bakeken long tufala kleim ia/^{mo}akseptem toktok blong Def -
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4:1) Defendant i talemaot long Kot se first man we i wok inside long kraon
ia KIRIVATU hemi grandpapa blong hem Talolo SATUGIALIU.

4:2) Claimant i talemaot long Kot se papa blong hem James W SATUGIAMATA,
hem nao first man blong wok inside long KIRIVATU.Hemia long 1917.

Bakeken Kot i lukluk long tufala kleim ia mo luksave se TALOLO i more
old long James WALLACE so Kot i takem disisen ia se TALOLO nao first
man blong wok inside long KIRIVATU.

5) REASON WHY TALOLO MO JAMES WALLACE IGO WOK LONG KIRIVATU:

5:1) Defendant ino givim eni reason why Talolo igo wok inside long KIRIVATU
be reason we hemi givim se why James WALLACE igo wok inside from papa
blong hem Tom MESEK i letem hem (James WALLACE).Olnara reason from,taem
tufala,Tom MESEK mo James WALLACE istap long Emau tufala i singaotem
tufala se brata, mo tufala i luksave se tufala i come aot from wan
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KIRIVATU.

5:2) Claimant ino givim eni quistin blong akensem agrimen bitwin papa blong
hem mo papa blong Defendant or even friendship blong tufala. Claimant
wetem nomba 1 Witness blong hem i agri se tufala famli ia,SATUGIALIU
mo SATUGIAMATA i blong wan NASARA nomo.

Kot i luksave se Tom MESEK mo James WALLACE i blong wan generation, so
hemi possible blong wan agrimen olsem isave take place follem toktok
blong Defendant.

6) WASHEM HAND BLONG TOM VATU:

6:1) Defendant i talemaot long Kot se afta we James WALLACE i start wok
inside long KIRIVATU wan long olgeta man we i wok blong hem emi Tom -
VATU. Tom VATU i finis long wok mo afta hemi askem James WALLACE blong
washem hand blong hem (pem hem) be James WALLACE i talem long hem se
kraon ino blong hem be stret man blong kraon istap wok long ship taem
hemi come afta hemi just washem hand blong Tom VATU. Man ia hemi Tom -
MESEK papa blong Defendant. Taem Tom MESEK i come bak hemi pem £3.00
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6:2) Claimant ino putum eni quistin blong traem go akensem statement ia.

Kot i luk se hemia i wan strong statement blong pruvum se Famli
SATUGIALIU i true Kastom Ona long KIRIVATU.

7) OLGETA TOKTOK BLONG WITNESS:

7:1) Lukluk blong Kot long olgeta witness blong Defendant long side long Kirivatu Land Dispute, Kot i luk se oli save gud Histri blong olgeta. Kot i luk tu se ol toktok blong olgeta i agri wetem olgeta statements we Defendant/¹KOT i gat rispek blong considarem mo sapotem statement we Witness No.1 (Jif Albert S) i putum aot blong kleim se name ia SATUGIALIU i blong hem. Kot hemi impress bigwan long how Jif Albert i save pruvum long Kot save blong hem long side long Histri blong Famli SATUGIALIU.

7:2) Kot i lukluk long ol toktok blong witness blong Claimant mo finem aot se some toktok blong olgeta ino sapotem some toktok we Claimant i putum aot long Kot. Example hemi stap long side long Village Kot Judgement we Claimant i talem aot se Kot ia (Village Kot) i givim disisen se hem (Claimant) nao i Kastom Ona long KIRIVATU be toktok blong Witness No.1 i dinaem Judgement ia.

Kot i luk se olgeta Witness blong Claimant oli no witness long Kot nomo from oli Jif mo Church Leader long Pele aelan BUT from oli gat some nara privet bisnes finis akensem famli Satugialiu.

8) ORDER WE KOT I DECIDEM MO GIVIM:

8:1) Start long or bifo namba 30 Mei 1987, Kenneth J SATUGIAMATA ino mas intafia long wanem plan Famli SATUGIALIU i makem blong developem kraon ia KIRIVATU.

8:2) Sapos Kenneth J SATUGIAMATA ino rispektem Kot Orda ia bambae Kot i considarem aksen ia olsem wan "contempt of Court" mo hem (Kenneth J - SATUGIAMATA) i save pass long Kot bakeken follem aksen ia mo hemi save pem wan faen we ino ova long VT24.000 (Island Court Act No.10 1983 section 19)

8:3) Kot Orda (8:2) hemi applae tu long eni man Pele aelan we ino memba long Famli SATUGIALIU.

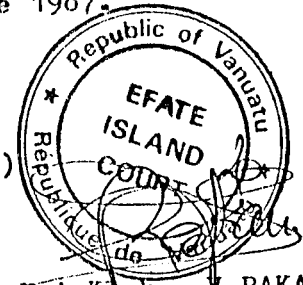
8:4) Sapos Kenneth J SATUGIAMATA i interest blong wok inside long KIRIVATU Kot i rekomendem blong hem (Kenneth James S) i takem same step we papa blong hem James W SATUGIAMATA i takem wetem papa blong Alfred T MESEK we hemi Tom MESEK, Hemia long condition we sapos Famli SATUGIALIU i agri.

8:5) Kot i givim 30 dei blong Kenneth J SATUGIAMATA i appeal sapos hemi no agri long JUDGEMENT mo ORDER blong Aelan Kot. Date blong appeal hemi start from namba 30 Mei kasem namba 2 Julae 1987.

Saen by: Jastis - Waea TENENE Waea TENENE (Jif)

Jastis - Tom KALTAL T. Kaltal

Jastis - Johnson SOPE J. Sope Aelan Kot Klak - V. RAKAU



Dated this 27th day of May 1987.

