

**IN THE HIGH COURT OF KIRIBATI  
(BEFORE B. SUTTILL C.)**

**HCLA 66/1991**

<b>BETWEEN:</b>	<b>BORAUEA TIARETI</b>	<b>Appellant</b>
<b>AND:</b>	<b>TERAOI TABORAU</b>	<b>Respondent</b>

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**J U D G M E N T**

On 15 February 1991 in C/N NT 4/91 the magistrates distributed the properties of Kautoa and N. Kamoia after them. They were, they said in the record, distributing their properties as shown in HCLA 127/86. By this we have taken it to be the case that C/N NT 4/91 is a redistribution after an earlier distribution had been set aside by the High Court. The parties have confirmed for us that this is the case.

The appellant now asks us to set aside the magistrates distribution for a second time.

From the record of the court below the appellant received equal shares which is what he agreed with two other beneficiaries should happen. The magistrates accepted the view of three beneficiaries namely the appellant, Arawatau and N. Tangaruru over the view of Tabanea and Bitā.

The record shows that the appellant received what he asked for.

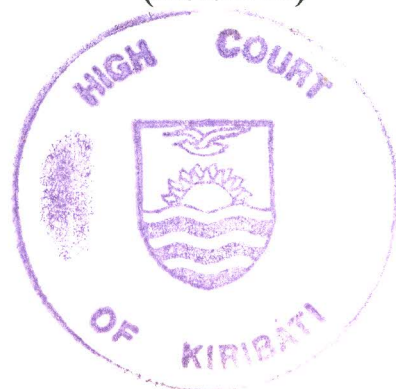
The appeal is dismissed.

Right of appeal to the Court of Appeal within 42 days explained.



**B. SUTTILL**  
Commissioner  
(16/5/1996)

  
**Tekaie Tenanora**  
Magistrate  
(16/5/96)



  
**Betero Kaitangare**  
Magistrate  
(16/5/96)