

IN THE GELA LOCAL COURT

CONTINUATION OF CIVIL CASE NO. 4/83

HELD AT TULAGI ON THE 8.12.83

<u>BEFORE:</u> ISAAC BIKU	COURT PRESIDENT
CECIL KOETE	COURT VICE PRESIDENT
EDGAR RADE	COURT JUSTICE
MICHAEL GEREMATE	COURT CLERK

PETER BOLLEN - Plaintiff  
JOHN SISA - Defendant

Mamate Land Dispute. This case partly heard in May 1983 and now it is to complete by giving decision.

PLAINTIFF'S: PETER BOLLEN

The following people of my tribe were the first people to live in Mamata land as I heard from my great great grand fathers. The first was Kavokakau, second kosavaka and the third man was Maenaka. When these settled down in Mamate, Sisa wasn't come in yet. Huguunagi tabu was the home of these men. I hoped when Sisa arrived my ancestors may put him in Mangroove and swampy area because he came by canoe as he said, but on such a time I already on the main hills and featile lands behind these areas at Mamate point. It was my ancestors who is me today called Sisa to land at Mamate. It was me too who did pay for his life that he wouldn't murdered or killed by my people. I said this because I am the original land owner. My land begins from the top of the hills down to Sorovagi Sili and to Vatuvahola rock on the sea shore. That's the Kakau land for which I stand to claim under my ownership. Today Sade was put in at Mahalo in Mamate land by me because the land is my land. With this my stories end.

C/Q: Could you state your geneology to this court?  
P/Ans: Yes. I'll give that to the Court. And my first person on my list was (1) Tagatona (2) Siria (3) Rade (4) Kamasaga (5) Saukaho (6) Ribe (7) Vulivatu (8) Luda (9) Ruakona (10) Kavokakau (11) Gabu (12) Koilo (13) Manetugua (14) Tuvi (15) Kevi (16) Langani (17) Kenekere (18) Tome (19) Borosi (20) Tiki (21) Peter Bollen. I am the Plaintiff to this court today. This is my geneology, the generation having this geneology I claim this land to be mine so you see, my great great grand father Kavokakau said when this people (Sisa) arrived they didn't call onto the dry land but they float or drifted on the sea until Kavokakau asked them to land. When they landed he took them and settled them at Mamate in the Mangroove area. Maeraka with his people took their canoe up to the higher land and the people who came and landed did settled. That is the story I heard.

DEF: JOHN SISA - SWORN AN HOLY BIBLE

I'll say that from Hugu Vunagi is the beginning of my land I claimed. At Lavareva is the cave of Sanalava. It was a tabu place at seashore. He was burried at Leparapelo. A coconut trees was planted on his head and this could be seen today. There is also a brown looking sand on beside that their magiano were at Tanataki where Arevatu lived. Down at Sorovagi Sili was the place where seven human Lower Jaws were sanked which was from seven great leaders of other tribes. There is also today a grave of Unasi. The posts of their canoe is still there today. The canoe's name was Belamataga. Still in the same land a small hill at near the West and is named Taotao the place of 3 girls, Koi Kolobu, Koi Vanoda and Koi Ponoti. Still nearby there was the place for a great bravery Danalu. At the same place in the sea a shark named Gai Supasupa was kept and fed. On the reef is a shallow where they used to throw the waist bellies of pigs and out there is a reef which was called Vanasuvu Viuna. It's name is Tabanikuli. Nearby is a rock in the sea the house of Viuna the shark. The name of this huge rock is Gerelava. Out beyond, was the front and back shutters in Gela language, Vononago and Vono muri. Now to complete all this custom articles or object on and in land and sea, I claimed the Mamate land to be mine following my tribes ownership rights.

C/Q to Plaintiff:

Who did brought into Mamate land this tribe?

P. Ans: The Hogokiki tribe brought in this tribe. But on the other side and not to this land the court is dealing about today.

CXXD DEF: The Plaintiff said he didn't know me and if so where did I call on my arrival?

P/Ans: I don't know him because I already on the land when he arrived.

P/Q. What is the really meaning of coming into a place by ship or canoe than to be there on the land?

A/Ans: Yes, I landed by canoe and it means you are the land owner but it's you who settled me in.

D/Q: Would the Plaintiff show me the grave on the land?

P/Ans: No one could show that today because the II World War has damaged everything in that area.

C/Q: Would you show him the grave you are aiming?

D/Ans: Sanalavo's grave is just near the Hugu Vunagi.

C/Q: Did you know this the Plaintiff?

P/Ans: No. Sanalavo's grave is at Saesape only.

C/Q to P/Side: What did you know about Sorovagi Sili?

P/Ans: I really don't know anything about that, but it's a home for Kavokakau Dua Bravery.

C/Q to D/Side: What did you know about that?  
D/Ans: Seven Lower Jaws of seven braveries were sunk there by my tribal leaders.

P/Q: Who was the first person to settle there?  
D/Ans: Odabuburu of Kakau tribe.

C/Q to D/Side: You also mentioned Tanataki. What was there?  
D/Ans: No grass, trees ever grown there but only a Magilian ungly looking man was there.

P/Ans: Kevu was the first man there. No one ever stayed there with him. Because its a tabu place.

MAMATE LAND DECISION - 8TH DECEMBER 1983.

The Gela Local Court finding declares this decision that the custom stories stated in from the previous hearing including this as the second court session do approves that the "Kakau Tribe" was the true original owner of Mamate Land according to their custom ownership rights. However, the court dealt the dispute in harmony and did accepted the Plaintiff Mr Peter Bollen's statements proves that he did brought in John Sisa and gave him to settle into Mamate land. The court stands to confirm the procedure accordingly to custom and traditional rights to accept that Mr. John Sisa Defendant of Hagalu Village Central Big Gela wins the case and Mr. Peter Bollen Plaintiff of Haleta Village loose it. The court says the land from Hagu Vunagi acrossing the VatuVahola beach is the present boundary line for Mamate land for Sisa. From there and coming up to Mamate point and down to the Kopuria river mouth to Hugu Vunagi in the river side is the land for Sisa. You Peter Bollen, all the land behind this on the main land is all yours but don't touch or disturb Sisa as he is only having a Mangroove land area. This court orders you both to take good control over your separate potions of land now.

R. Biku  
.....  
Court President

M. Geremate  
.....  
Court Clerk

Dated this 8th day of December, 1983.