

Name of Land in dispute.....OTERADE.....

Name of Plaintiff: Patrick Maekiria of Gwaunasa Village, W/Kwara'ae...

V.

Name of Defendant: Jack Alongolia of Buma (North) Village, W/Kwara'ae.....

DECREE

JUDGMENT:

Court finds that both parties claiming OTERADE. One said his first settlement site and the other man said his devil first settled in here.

1. On Plaintiff's side Patrick Maekiria of Gwaunasa, Court finds that his devil Mafoliu first settled in Oterade his generation who inhabiting the land is 16 generations until his son.

2. Court finds that chiefs in Ward 4 should asked some of the chiefs of Ward 3 who are free from this dispute to sit together to settle this dispute between him and Jack.

3. Chiefs of Ward 4 should not follow Local Court procedure of settling the matter one sided on complainant side as they did on this case which against the Amendment Act.

4. Patrick's statement seems true that when we came to land surveying court saw some custom remain on Oterade site a table of stone the high priest eating place & the Baricde of wall stone at Sulufou near the sea but bones of ancestors were thrown away by church men in the sea.

5. Court finds that Patrick stated that Oterade is named after his Oterade site in Kwalus'abu land. Jack said that this settlement side Oterade he name after this area hve had many Rade plants grown in this area.

6. Court find that PW1 Manase said that his devil married a woman of Patrick's tribe name Fotali who lived in Oterade land.

PW 2 & 3 Peter (PW2) said that his devil of Fudiwane gave food (Taro) for Patrick's devil to plant on Oterade land and PW3 Stephen Ganiofa said he and Patrick came out of two devils Mafoliu and Luikali (m) of Oterade. Then left for Sabana areas.

7. Court also finds that PW4 Joshua Maekira was the strongest supporting evidence witness in this case by saying that Jack the defendant and himself came from Saefanoa descendants of the sons of NAFINIMAE. Jack descendant of NGUMAE (m) and Joshua descendant of LIMANITO. Therefore he denied Jack wasn't rightful man of Oterade but they live under leadership of others tribesmen in the area (dispute)

8. Court finds that DW3 John Lafisi said that Patrick's devil named KONGOU married a woman from his tribe by the name MUSUTA (f) yet he refused Patrick not to lead court members to Sabena to show his custom tambus there.

9. Court finds that Patrick's clan inhabiting the land down to the sea coast where his last tambu site Sulufou enclosed by a Baricade wall stone (Labu) destroyed by Tidal wave in 1952 but the bones were destroyed by church men then church establish in Dalamata site and his people became christians and Jack's people too joint the church then.

10. Court finds Patrick mentioned that 8 tribes arrived to him in Oterade land the eight tribe is Jack the living descendant, who are disputing in this case today.

11. Patrick said that his father Billy Sale sold a portion of land to Arthar but your father or you not against him before chiefs or Court.

IN CONTRAST

Court finds that the defendant claimed Oterade as his principal or discovery site with 19 generations including 4 generations in his mother land Saefanua in West Kwaio areas.

12. Court finds that the record of 1964 land case held between him and Maefunia he talked things in Oterade & Sabena yet you wanted to bring Maekiria before chiefs which was stopped by Amendment Act that no land heard by any Court in the past could be reopened by any chiefs committee.

13. In Oterade as Jack claimed in court he showed no sign to court party but showed the same spot Patrick showed to court at the first place. Both claimed the dancing site and entrance.

14. Court finds Jack was breaking the Amendment Act 1985 when he bought the chief of Ward 4 to opened up this land case held in 1964 between him and Maefonia. The he against Patrick in chiefs settlement committee on 23/9/89.

15. Court finds that PW4 Joshua Maekira Jack's uncle said that Jack has no right to talk about Oterade the disputed land because it belongs to Patrick Maekiria and clan not belongs to neither Jack nor him. Both descendants of Nafinimae of Saefanoa land.

They had one custom priest called FATABU GWARI.

16. Court also finds DW1 stated that Jack came from Saefanua to Malasata area in Rofa land elder sons devil Keteigao asked Konadue for his daughter name Masito (f) to marry his son NIUKETEDUE. After the mix marriage took place trouble happened between their tribes that Ketedue, Idudue and Keteigao had talked together and decided to separate from Rofa land because of Fiunია's promised challenge of the bunch beetle nut. Because of good deeds his devil was offered a price of land called Feraluluka but Elson failed to show his land in court surbey whether outside or inside the disputed areas.

17. Court finds that DW2 G. Lusumani was strongly supporting Jack but failed to show what part of the tambu site were these things used to keep protection in Oterade areas.

18. Court finds that Jack stated that all his custom tambu's and modes of prayers were removed to Uula tambu site from Oterade. When court visit Uula he showed one big oven for feasting (maoma) and 4 small oven with two cone shells. Jack missed other two cooking oven but court recorded it during the land survey of Uula tambu site.

19. Court finds defendant's witness John Lafisi refused Patrick not go to show his custom tambus in Sabena and Ngalifau tambu sites.

In completing this case court now offer the following decree.

DECISION: Patrick Maekiria and clan have the right of OTERADE land disputed areas down to Sulufou tambu site.

Jack and clan may own Uula areas with others whom he lived with and have custom tambus in Uula tambu site.

Any existing properties before this case may remain the properties of the owners but any new projects after this case may solely seeking permission from Patrick Maekiria the genuine man of Oterade land.

Right of Appeal Explained

Signatures	S. Saokwai	AVP
	J. Taega	CM
	Tofe	"
	Lucian Kebai	CC (N)

Dated this the 29th day of March 1990 within 90 days 29/3/90 - 29/6/90

NB. Boundary lines shown on the map enclose Patrick Maekiria's land Oterade are starting from Tafukoe on the high lands goes East side corner at Kwagau goes down North direction following Kwainasure ST. down to Bio river to river mouth then goes South direction along the beach to FAIBORAIGAO goes FAUSABENA ORANI ST. and valley passing DARIFAUBABA ST. across Oteage ST. goes Southeast KOATA ST. back to the headlines TAFUKOE to the East.