

Name of Land in dispute.....PWAIPWAI.....

Name of Plaintiff: James Honikulu of Kalona village, S/Malaita.....

V.

Name of Defendant: Aphlous Horoiwei of Uara village, South Malaita.....

DECREE

JUDGMENT:

Court finds that Plaintiff James Honikulu and Defendant Aphlous Hroiwei did not trace their generations to show what man on the generation bought the passage Tawauo and Pwaipwai disputed areas.

Court finds that James Honikulu came from Hurihuri tribe and Aphlous Horoiwei came from Manenihenuue tribe. James Honikulu claimed that is his grandfather Pwaisilo bought land from the chief Arariouou and brothers Makipwapwaro and Maki Pware the areas from Manao down to the disputed areas Pwapwai to the sea shore.

Court also finds that James claimed the disputed area Pwapwai his tribal piece of land because his men of Hurihuri buried the three men Heaikuto, Horohanue and Hiruwala of Weluiola/Kamalai tribe murdered by Manenihenuue tribe (belongs to Aphlous Horoiwei's tribe).

Court finds that buying of Tawauo passage and killing of the three men of the six (6) people of Weluiola/Kamalai tribe that the disputed area is situated on the Ehuimenuli/Manao tribal land. Court also finds that James claimed the disputed area Pwapwai land because his grandfather Pwaisiho and Adiato adopting last six people owned Ehuimenuli Manao area like Arariouou, Makipwapwaro, Makipware, Laewatepwaonga, Uheli and Koke. They looking after these men in Hurihurie land then when Arariouou and Koke died they buried them.

Court also finds that in defending side Mr Aphlous Horoiwei did not defence the killing his men of Manenihanue did to Kamalai men but concerned only with the buying his grandfather Houwewe did with 80 strings of red money include Pwapwai land.

- IN CONTRAST -

Court finds that both plaintiff and defendant agreed with the buying of Tawauo passage which runs between Kamalai and Manao tribal lands. Court finds that Aphlouse claimed Pwapasai area included with the payment for the passage but it is on the Ehuimenuli Manao area not on Kamalai land where it boundaried with Heuho river. That his customary land Manenihenuue to the west.

Court also finds that Aphlous Horoiwei new cultural identity of boundary setting seems invading and dominating Ehuimenuli/Manao and Kamalai boundaries that he claimed his land Manenihenu bordered with Uenuusuhunu tribe under leadership of Alahasango. This is against small Malaita cultural setting of tribal lands (Iola).

Court finds that PW 1 - 2 denied the buying of Pwapwai areas but only the payment for the passage Tawauo. PW 3 & 4 - Heard the killing Manenihenu men did in Kamalai and DW4 - said that they worked the land Pwapwai under leadership or direction of James Honikulu & clan.

Court finds that Harry Teuhou DW 1 of Roone village came from Pelirapeine gave land Pwapwai disputed to Aphlous Horoiwei Court very much doubted that you Harry of Pelirapeine tribe (Iola) outside of Ehuimenuli/Manao tribal land in Weluiola customary land. DW 2 George Makimane of Kalona talked about buying of the Ainarawa tree for the mast. The tree may be taken from Pwapwai land permission from Houwewe but before there was no property dispute. The tobacco was divided by Houwewe to both people of Manenihanue and Weluiola people.

Court finds that the buying of Tawauo passage (Su'u) and arranging of market place was done before Kamalai people swore to Awalosi people that they murdered three (3) men Heaikato, Horohanue and Hiruwala of Kamalai tribe. Court finds that James Honikulu and people have many properties on Pwapwai.

DECISION

Mr James Honikulu and clan the primary ownership of PWAPWAI land disputed area under TEENINGELI goes west to Holokali river goes east to Lamanirade river and sea coast areas.

Mr Aphlous Horoiwei ownership of the Tawauo passage (Su'u) his great grandfather Honiwewe bought.

Right of Appeal Explained within 90 days or 3 months.

Official Members Signed:	M. Nitoga	Acting Vice President
	John Houniheku	Court Member
	I. Houmawai	" "
	Lucian Kebai	Court Clerk