

**IN THE MALEKULA ISLAND COURT
HELD AT LAKATORO/ MALEKULA**

Civil Case No. 43 of 2011

(Civil Jurisdiction)

BETWEEN: JOHNSON FREZHER
(Original Claimant)
AND: MAKLIN MALBURY
(1ST Counter Claimant)
AND: LEKUM JAPETH
(2nd Counter Claimant)

**MATTER: DISPUTE OVER LONG JIFLY TAETOL BLONG POTUN
NASARA**

Jastices: Jastis Lorna Bong
Jastis Endie Shem
Jastis Wesly Tawi

Clerk: Joel Jacob

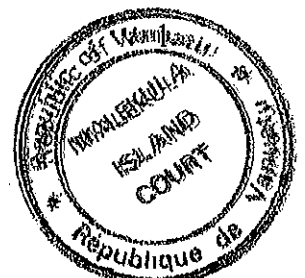
JUDGMENT

Brief backgraon blong case:

Civil Case # 43/2011 hemi wan customary matter concernem dispute long Jifly taetol blong Potun Nasara, hemia long Uripiv Island centrol Malekula. Court hemi bin arem case ia folem ol 7 poens ia we Magistrate ibing riferem ikam pak blong Island court imas lukluk kud pakeken long hem.

Issue:

- Hemi tru se oli bing adoptem original claimant aot long Potun nasara?
- Leta we ikamaot long institution blong Malvatumauri hemi tru, se original claimant hemi paramount chief blong Uripiv island?
- Hemi tru se original claimant hemi clemem ol pik task mo hemi mas pruvum long kot?
- Hemi tru blong every pati imas mensenem ol iven mo ol circumstances blong oneone man we oli bing nemem long famli tri blong olketa?
- Hemi tru se 1st counter claimant nao hemi stret man blong klemem paramount bladlaen mo ino original claimant?



- Hemi tru se anda long kastomari lou, wan paramount jiv isave muv aot mo kam in long wan nasara or paramount chief hemi mas stap long nasara ia nomo we hemi onem?
- Hemi tru se anda long kastomari lou, wan paramount jiv isave klemem paramount raet witaot pefomem eni namangi?

Smol Histri blong case:

Original Claimant – Bifo original claimant hemi tokbaot ol stetmen blong hem, hemi statem wetem one introduction mo endem wetem concluseon.

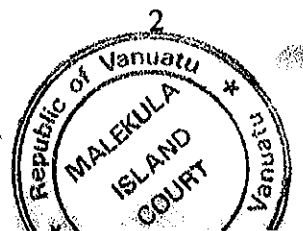
Hemi talemaot se bae kot ia hemi mas base long order blong July mo ol information long las minit blong island kot from bae inokat eni niu items ikam in pakeken. Hemi notem taon tu, ol date mo time laen blong ol kot hearing ikam kasem tete we hemi still drakem case from hemi save se hemi kat full raet long Potun nasara. Bifo hemi ko long ol findings blong hem, hemi talemaot se ikat sam jenjes long family tri blong tufala counter claimant mo hemi no sud olsemia.

Hemi talemaot se ol famili Lekum oli provaetem ol false stetment blong olketa from ikat some new nems istap insaet wael long fes kot, inokat ol nems ia. Also sam samting we istap insaet long stetmen blong tufala counter claimant naia, inokat long stetment blong fes kot therefore, hemi kam blong talemaot long kot ia se stetment blong tufala paties oli no tru.

Original claimant hemi poentem aot stret se long fes kot, fes witnis blong Lekum Japeth (William) hemi talemaot se Taun hemi no wan nasara mo hemi no save se who nao hemi jiv blong family Lekum long Potun nasara.

Long findings blong Maklin Malbury, original claimant hemi talemaot se ol stetment blong hem oli no tru. Risen from se long fes minit blong kot, hemi talem se hemi no save nems blong ol man be today, hemi putum nems blong ol man mo ol kastom ceremony we oli pefomem. Hemi talemaot tu se bae kot imas klia long ol issue ia from oli soem wan pikja long kot se, oli stap kiaman.

- Adopsen**. Original claimant hemi talemaot long kot ia se Malwijiri hemi neva adopted out from Potun nasara. Hemi mekem ol kastom ceremony insaet mo hemi ded insaet long Potun nasara. Also ol nara people tu we hemi mensesem insaet long family tri blong hem oli kreif insaet long Potun nasara. Malwijiri hemi fes bon mo Malbury hemi seken bon so long kastom bilif, fes bon nao hemi sud litim ol pipol insaet long wan nasara. Hemi konteniu mo talemaot se jif Wilson Maset nao hemi mekem false stetmen ia from inokat eni dikleresen mo inokat evidens se hemi onem Emilperiv nasara.
- Malvatumauri**. Original claimant hemi talem se leta blong malvatumauri ia hemi kamaot long ol hed of jifs long Vanuatu folem nomo wan daereksen leta we ikamaot long registry blong supreme kot. Hemi komperem one leta we ijies kam nomo long ovis blong Malmetenvanu long 25/03/2013 wetem leta we ikam long

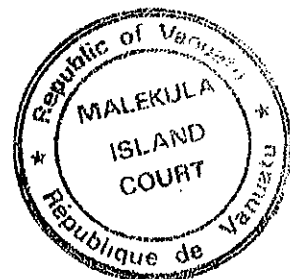


Malvatumauri mo talemaot se, ating ikat some problem long wok blong tufala institusen ia. Apat long hemia, hemi talemaot se toktok blong Malvatumauri nao hemi mo evi comperem wetem Malmetenvanu.

- C) Pig Task. Original claimant hemi talemaot se ikat evidence long family Freezer from task blong pig ia hemi blong olketa nomo ino blong ol nara man pakeken. Hemi riferem iko pak long las minit blong kot mo talem se pig task ia hemi blong Maltete papa blong Malwijri kam kasem today oli still kipim insaet long Potun nasara.
- D) Iven mo circumstances. Long poen ia, hemi se kastom identity hemi impoten long blood-laen mo ol rank or paoa insaet long Potun nasara. Hemi se family Freezer nao hemi kat every pruf long fes minit blong kot from hemi korectly stetem wota ia insaet long Potun nasara.
- E) Long poent ia hemi talemaot se, hemi olwes fes applicant mo Maklen Malbury hemi olwes seken applicant. Fes bon Malwijiri mo seken bon Malbury we tufala ikam long wan nasara nomo. Hemi stap ripitim hem pakeken se fes bon nao hemi lida blong one nasara/Potun. Mo tu stetmen blong Malbury hemi putum iklia se Malwijri nao hemi fes bon blong Maltete.
- F) Original claimant hemi riferem poen ia iko pak long las minit blong kot se, ol family Frezher nao oli still mentenem that, Potun hemi wan paramount nasara. Also hemi se olketa nao oli liv, wok mo laef insaet long Potun nasara wetem ol grave blong family Frezher insaet long family tree blong olketa.
- G) Long poen ia, original claimant hemi se family Frezher nao oli bilif strong long blood-laen mo oli exsasaesem ol paoa mo kastom aktiviti insaet long Potun nasara.

Out long ol poens ia, original claimant hemi konkludum pakeken mo talem se bae ol stetmen blong tufala parties imas base long dicisen blong Magistrate kot. Also, minit blong fes kot isave identifiaem se original claimant ikat full raet blong klemem paramount chief blong Potun nasara.

Long ol kros examination kwistin we ikam long fes mo seken counter claimant, original claimant hemi ansa olsemia:
Every kwistin mo toktok blong tufala parties abaot adoption blong Malwijri iko long Emilperef hemi no tru. Hemi riverem iko pak long las minit blong kot mo talemaot se, Potun hemi minim hed blong ples insaet long nasara mo hemi no save talem mining blong Seltera from hemi aot long ol seven poens ia. Hemi kohed blong talem pakeken se leta blong Malvatumauri hemi made tru long daereksen blong supreme kot be, hemi no one order blong talem se Johnsen Frezher hemi paramount jif blong Uripiv island. Fulap kwistin ibing reis about leta blong Malvatumauri be original claimant hemi no bing manage blong ansarem olketa. Hemi talemaot se Maltete hemi kilim 600 pigs mo aot long ol killings ia, hemi serem iko long ol smolsmol nasara. Ol pigs ia oli kill long divren taems,divren ceremonies mo hemi kipim ol valuebol tut nomo istap long nasara blong hem. Hemi mekem 6 namangi out long 600 pigs ia. Family Frezher nao hemi ae jif komperem wetem ol nara jifs blong Uripiv island mo traeb blong hem nomo istap insaet long Potun nasara. Taem Nialmel ided, woman blong hem hemi maretem Ulosits mo hemi stap insaet long family tree blong Japeth Lekum. Long wan cross examination Q,



Original claimant hemi ansa olsemia se hemi no save se (1)Ulosits ided wea, (2)Ulosits ilukaotem Maltete, (3) Maltete hemi pikinini blong seken counter claimant, mo tu, hemi no save se (4)Potun nasara hemi tek control bae family Lekum. Hemi talemaot nomo se Potun hemi wan nasara be Taun hemi no wan nasara from inokat tambtamb mo setelmen insaet long long hem. Lastly hemi talemaot se naia Waet Frezher hemi no wok insaet long kraon blong Malbury from wan paramount jif ino save aot mo in long one nasara.

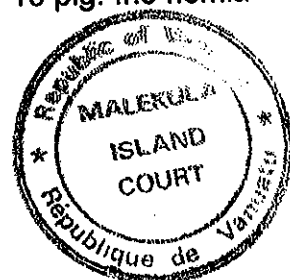
Witniss Willie hemi talemaot se witaot any autoriti, you no save mekem any samting insaet long wan nasara. Fes witnis blong original claimant hemi no save who nao hemi pikinini blong Maklen Malbury mo hemi konfinim se Teilaela nao hemi lukaotem ol apu blong Malsits pikinini blong Waet Frezher (Teilaela). Hemi no save se family Frezher ikilim amas pik. Hemi talemaot nomo se Ninkileberi hemi blong Potun nasara mo hemi wan bikfala jif. Hemi arem nomo se family Frezher nao hemi fes jif, mekem se ikam blong bilivim. Lastly, Lesly Willie hemi talemaot se ol ceremony mo ol aktiviti oli kam long blood laen or ansestas blong family Frezher istap tete mekem se oli still rspectem olketa.

Seken witniss (Urban Mulian) hemi talemaot se papa blong Maklen hemi Jimmy mo oli no adoptem Malwijiri from se oli perem insaet long Potun nasara. Hemi no save long ded blong Malwijiri be hemi save nomo se Malwijiri hemi Paramount jif. Hemi talemaot pekeken se ol family Frezher nao oli stap insaet long nasara Potun be out long ol parti ia, family Lekum inokat part insaet long nasara ia. Hemi talem long las toktok blong hem se family Frezher hemi flatem every rank blong jif. Fulap man oli save se hemi jif mekem se hemi kam blong bilivim toktok blong olketa.

Las witniss Jonah Muramur. Witniss ia hemi kam long Emilperiv mo hemi talem se Bankara ino adoptem Malwijiri. Hemi talemaot se hem nao ikam fastaem long Emilperiv ino Bankara mo Bankara ino wan jif long Emilperiv nasara. Also hemi no save se Bankara mo Maltete tufala i maretem 2 sista. Hemi save nomo se pikinini blong Malbury hemi Maklen. Hemi mekem las toktok blong hem mo talemaot se toktok blong adopsen ia hemi no tru from one bikfala jif ino save letem wan fes bon san blong hem iko long wan nara man blong hemi adoptem hem.

1st counter claimant – Fes counter claimant hemi talemaot long court ia se, Frezher (Malwijiri) oli adoptem hem iko long Emilperiv mo ikat some traeb blong Emilperiv we oli laef yet tete oli save kud abaot adopsen ia. Naia hemi lukaotem Potun nasara. Hemi poentem-aot tu se Maklen hemi no pikinini blong Jimmy, hemi pikinini blong Malbury.

Long ol kros examination questions we ikam long tufala parties, hemi talemaot se; One paramount jiv hemi mas folem blood laen ino adoption. Hemi konfinim long kot ia se Malwijiri nao hemi fes bon mo Malbury hemi seken bon. Malsets hemi liv long Tautu tete mo hemi talemaot se wan paramount jif ino save ronwe long wan nasara blong hem. Hem nao bae hemi kam biae long Malwijiri. Hemi talemaot se hemi bing kilim pig wetem ol generesen blong hem we hemi stetem insaet long family tree. Maltete nao hemi kilim ol pigs ia. Hem nao ikarem highest rank mo hemi kilim 10 pig. Ino hemia



nomo be, hemi ikilim tamtam tu wetem namangi insaet long Potun nasara. Hemi nemem ol namangi ia mo hemi se ol nems ia oli stap insaet long minit blong fes kot. Hemi se Mal nao oli stap usum long nem blong one jif mo ikat fulap Mal long family tree blong hem. Hemi talemaot se kreiv blong Malwijiri istap aotsaet long Potun nasara, ino stap insaet tu. Malbury hemi mekem wan namangi nomo mo naia ikat fulap kastom ston long Potun nasara. Hemi komperem 600 pigs we Malwijiri hemi kilim mo 10 pigs we Malbury hemi kilim mo talemaot se, 10 pigs nao hemi tru vika. Najuningre hemi fes stone we hemi kilim 10 pigs folem wetem Tovowir 5 pigs, Merenent 4 pigs mo Malmermer wetem 3 pigs. Hemi se Malwijiri wetem Lekum istap long taem ia we Malbury hemi kilim namangi. Also hemi talemaot se Taun hemi wan nasara mo ikat ol ceremony mo ol kastom ston oli stap long hem tete, be, hemi no wan oldest nasara.

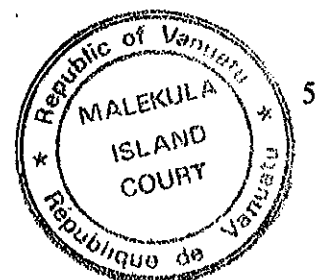
Hemi konteniu mo talemaot se, bae isave kat fulap nasara nomo insaet long wan baondri blong wan jif. Insaet long Potun ikat fulap traeb mo long toktok blong hem, hemi talemaot se wan jiv ino save kivim pikinini long stret kel blong hem (hemi stap refer long Malwijiri). Hemi se Malbury nao hemi kilim las pig bifo kristientiti hemi jes kam mo ol ceremony we family Frezher hemi talem oli false everyone. Hemi talemaot se Potun hemi stret language blong hem mo hemi minim "hed blong island". Also hemi talemaot se hemi no save ol smolsmol faea blong hem from ol man ia oli ded finis. Hemi talemaot pakeken se one paramount jif ino save letem one fes bon pikinini blong hem blong wan nara men hemi adoptem hem. Lastly hemi talemaot se ikat ol smolsmol jifs oli stap insaet long nasara ia from baondry blong Potun hemi bikwan tumas.

Note

Nathan Maisei mo Wilson Maisei tufala long strike aot long kot olsem ol witness from tufala stret brae nomo be tufala witness blong 2 party abaot adoption nomo there one kot hemi mekem ruling blong hem se bae ino save tekem eni infomesen aot long ol toktok ol long stermen blong tufala. Nathan Maisei hemi witness blong 1st counter claimant mo Wilson Maisei hemi witness blong 2nd counter claimant. Kot hemi sakemaot applikesen blong tufala mo hemi ko stret long ol narawan nomo.

2nd counter claimant. Lekum Japeth hemi statem storian blong hem mo talemaot se Ino nid, blong Family Frezher I taj long minit blong las kot pakeken from oli pas finis. After long toktok blong hem ia, hemi ko stret long ol 7 poens ia;

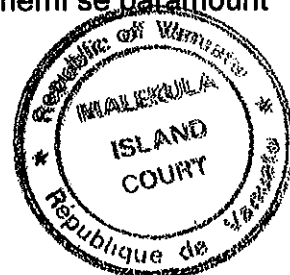
- A) Adopsen. Hemi poentem aot long ples ia se Bankara nao hemi adoptem original claimant iko long Emilperiv tru long pig mo kakae we hemi folem kastom blong Uripiv mo centrol Malekula.
- B) Malvatumauri leta. Hemi talemaot long ples ia se leta we original claimant hemi stap tokbaot hemi false, hemi nokat mining mo ino kat eni pruf blong sapotem. Hemi taj long one leta blong Malvatumauri dated 20th March 2013 mo talemaot se, ol parties oli mas sikim advaes long island kot mo long Malvatumauri fastaem bifo oli mekem one issue olsemia. Lastly hemi talemaot se since we malvatumauri hemi stap 25 years nao, hemi no iven ricivim eni leta se Original claimant hemi jiv.



- C) Pig Task. Hemi talemaot se Original claimant ikilim 10 pigs nomo be ino 600 olsem we stetmen blong hem italem. Also hemi mensenem se original claimant inokat pig task blong hemi identifiaem long poen ia.
- D) Long poen ia, seken counter claimant hemi difaenem Rereal se wan paramount jiv we hemi lukaotem kud ol pipol blong hem mo long taem ia, Rereal hemi kilim 200 pigs. Hemi serem iko long Potondar, Balaso, Potonderr, Melmesmes, Lemerek, Tenmeliv mo Naur. Hemi mekem olsemia from se olketa nao oli sapotem hem taem we hemi mekem namangi blong hem. Hemi talemaot mining blong Purinmal se wan jiv we hemi paoaful pitim ol narafala jivs. Hemi kilim wan pikinini blong hem wetem wan pig we tut blong hem ifas mo hemi serem iko long ol sem nasara pakeken. Mulonbel hemi paramount jiv insaet long nasara blem mo hemi kilim 100 pigs. Nubeltasi hemi minim Gian mo ikilim 8 pigs mo hemi serem iko long ol 7 nasara blong Uripiv. Mastarr hemi minim paramount jiv we hemi high and hemi kilim 12 pigs mo iserem iko long ol 7 nasara pakeken. Memes hemi minim paramount jiv we istap long taem finis bifo ol man Uripiv oli jes kam in. Hemi muf aot iko long nasara Taun mo hemi ko setemap Potun nasara. After we hemi muf in, hemi kilim 10 pigs mo iserem iko long ol divren traebbs we oli stap wetem hem. Lekum hemi minim se wan man we inokat paoa mo autoriti blong mekem dicesen and hemi kilim 3 pigs. Lastly hemi talemaot se Natunmal nao hemi las ansestas blong olketa mo hemi kilim las namangi long 3 pigs ia bifo kristieniti hemi kam. Natunmal Hemi min se pikinini blong chief blong Potun nasara.
- E) Lekum Japeth iaetentifaem long poen ia se, fes counter claimant hemi no kat raet blong klemem blood laen ia, blong chief.
- F) Hemi talemaot tu se wan kastom jiv isave muf in an aot long nasara blong hem from se Uripiv island emi wan baondry mo hemi rule wetem one paramount jiv nomo.
- G) Long las poen ia, hemi talemaot se paramount jiv ino save kam paramount witaot pefomem eni namangi be, sipos hemi blood-laen blong jiv, hemi save kam paramount stret away.

Bifo ol kros examination question iko spokesman blong original claimant hemi mekem komen olsemia case ia hemi no wan niufala case. Risen from se ol stetmen wetem kam nala ol mo stap insaet long stetmen blong 3 fala fes kot mo hemi ik wetem ol astres blong ol mas lukluk long infomesen blong fes kot from today. people isave producm ol made up story mo tu ol men mo namba blong ol pigs ia mo stap insaetu long stetmen blong fes kot.

Ol kros examination question long taem ia ibing ko mo ol ansas blong seken counter claimant hemi olsemia; Ulosits hemi minim se paramount jiv we hemi muv or hemi ronwe from raorao mo papa blong Ulosits hemi Memes. Also hemi identifiaem se blood laen blong jiv hemi no folem adopsen be hemi folem bloodline. Hemi talemaot se Malwijri hemi fes bon mo Malbury hemi seken bon blong Maltete be hemi no save identifiaem weaples nao oli perem Malwijri from hemi se iaot long stetmen. Pakeken hemi talemaot se Maklen hemi boe blong Jimmy mo hemi ansarem original claimant se hemi no kat evidens long stetmen blong hem from A to C. Also hemi se paramount



nasara blong hem hemi Taun mo wan paramount jiv ino save related long wan nasara nomo.

Long family tree blong hem, hemi se ino save papa blong Rereal from se oli stat long Rereal ia nao mo hemi no save se Rereal ikam olsem wanem. Hemi talemaot se Rereal hemi mekem 2 namangi nomo. Hemi liv long Putnambea mo family Frezher istap long Potun nasara. Also hemi se hemi mekem 2 namangi tru long Puringmal and nem blong tufala namangi ia hemi Maki mo Nato. Hemi no save talemaot every nems blong every namangi mo ol pipol we oli mekem ap Taun nasara. Hemi talemaot nomo se Potun hemi smol nasara blong hem from hemi kilim 3 pigs mo oli kreivem every man long family tree blong hem insaet long Potun nasara. Hemi talemaot pakeken se fes bon nao isud tekem jifly taetel mo Johnsen Frezher nao hemi blood laen blong Malwijiri we hemi fes bon.

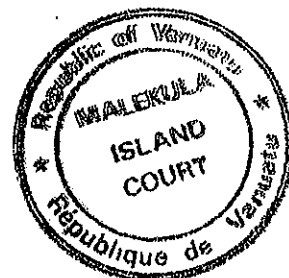
Hemi ansarem sam kwistin we kot hemi askem long hem and hemi ansa olsemia;

- Pikinini we oli adoptem hem finis inomo save kopak long family blong hem. Also taem oli adoptem fes bon blong wan jif, hemi no save kampak blong tekempak raet blong hem. Bankara nao hemi mekem adopsen ia iko long nasara blong hem Emilperiv mo ikat ol stone blong hem istap.
- Taem Malwijiri ikampak long Potun hemi no kilim eni pig.
- Mining blong Malwijiri hemi raorao oltaem.
- Hemi se adopsen ia hemi wan tru adopsen mo naia ikat fulap traeb istap insaet long Potun nasara.
- Wan paramount jiv isave muf iko long wan nasara mo stap long wan nara nasara pakeken.
- Stret ples blong perem one big jif hemi long saet blong nasara blong hem
- Mi kilim 3 pig bifo mi tekem nem ia Mal mo bae imas kat nem ia Mal long ending blong wan nem blong wan big jif. Ankel blong jif nao isave putum nem ia iko long jif ia. Natunmal nao ikilim las pig.

1st witness (Kalfau Sukon). Hemi talemaot se hemi wan komuniti lida. Taun hemi wan oldest nasara long Uripiv island mo ol fes man blong Uripiv nao oli liv long Taun nasara. Hemi talem olsemia from ikat ol kastom identity istap yet naia long Taun. Toasal nao hemi buildim Taon mo hemi blong Ambrym island. Hemi no save talemaot se who nao bae hemi stret right man blong klemem nasara ia.

Oi kros examination ibing kam be hemi no save talemaot fulap samting about Taun nasara, hemi save nomo se Malwijiri hemi fes bon blong Malbury mo oli perem hem long Potun nasara. Hemi talemaot se long Taun hemi save abaot Toasal nomo mo Lekum nao hemi blood laen blong Toasal. Hemi no save se Toasal ikam olsem wanem mo amas jiv nao istap long Taun since taem Toasal hemi kam long Taun nasara. Long ol kwistin abaot adopsen hemi talemaot se inokat eni idea nomo long poen ia.

2nd Witness (Mark Natunmal). Mark Natunmal hemi talemaot se oli muf aot long Potun nasara from se oli ko blong lukaotem olfala woman ia Leranglerang Velo (Jessy). Nem



blong man blong hem hemi Malmeme. Pupu blong hem nao I talem storian ia long hem. Oli folem woman ia mo hemi se araon long 50 years nao hemi stap long Potnambe.

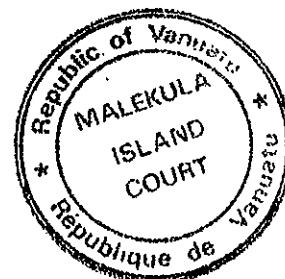
Oli stap long Potnambe be original ples blong olketa hemi Potun. Fulap kwistin ibing kam be hemi no save ansarem olketa from hemi se oli aot long stetmen blong hem. Hemi ripitim long kot pakeken se Malwijiri nao hemi fes bon mo Malbury hemi seken bon and aot long hemia Johnsen nao hemi stret bloodlaen blong Malwijiri.

Afta long toktok blong every parties, kot hemi kam long olketa findings ia folem ol issue we istap;

- Long poen A, kot hemi faenemaot se oli no adoptem Malwijiri from se hemi silip insaet long Potun nasara mo witniss blong fes counter claimant nao emi konfemem.
- Kot hemi faenemaot se ol family Frezher oli still liv insaet long Potun nasara.
- Kot hemi faenemaot se kreiv blong Malwijiri wetem ol man ia insaet long family tree blong hem istap insaet long Potun nasara.
- Long poen B, kot hemi faenemaot se family Frezher ino kat eni stret evidence long Malmetenvanu mo Malvatumauri blong talemaot se family Frezher nao hemi paramount jiv blong Uripiv island.
- Long poen C, kot hemi faenemaot se ikat tut blong pig be seken counter claimant hemi no akri from hemi mas pas tru long wan DNA test.
- Long poen D, kot hemi faenem aot se family jeneresen blong Frezher oli pefomem ol kastom ceremony insaet long Potun nasara.
- Ikat ol kastom identity blong family Frezher insaet long Potun nasara.
- Family Frezher I kasem ol ae rank blong kastom ceremony we oli mekem insaet long Potun nasara.
- Long poen E, kot hemi faenemaot se fes counter claimant (Maklen Malbury) hemi pikinini blong Jimmy.
- Malburry hemi kreif aotsaet long Potun nasara mo fes counter claimant hemi no save kud se hamas namangi ikill long Potun nasara.
- Kot ifaenemaot se original claimant ino save kud ol kastom identities insaet long Potun nasara mo, fes counter claimant tu, hemi part insaet long ol kastom aktivitis long Potun nasara.
- Long poen F, kot hemi faenemaot se family Frezher (original claimant) hemi neva muv aot mo oli liv insaet long Potun nasara kasem tete.
- Long las poen, kot hemi faenemaot se original claimant hemi blood-laen blong bikfala jiv blong Potun nasara from oli perem every family Frezher insaet long Potun nasara.

Law we Court I applaem:

CAP 167 (s.10) – Application of customary law



Subject to the provisions of this Act, an island court shall administer the customary law prevailing within the territorial jurisdiction of the court so far as the same is not in conflict with any written law and is not contrary to justice, morality and good order.

Translate:

CAP 167 (s.10) – Kot hemi mas applaem kastom

Subject long seksen blong Act ia, aelan kot hemi mas applaem kastom we istap insaed long eria mo paoa blong hem, spos oli no gat conflict wetem eni loa we oli stap raetem, mo no gat konflik tu wetem jastis, morality mo gudfala orda.

Apply Law igo long fact:

Court emi tekem decision follem customary system blong titlelism long each eria customary way.

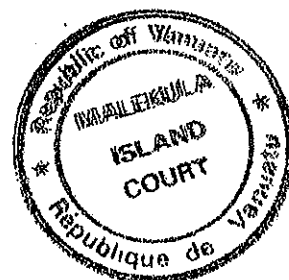
Long this fala case Court ifinem se eria in dispute blong Jifly taetol emi base long customary bladline system, hemi minim se taetol blong Jif emi inherited tru long laef blad.

Decision:

Wetem every toktok mo ol findings blong kot, kot hemi rule se;


1. Johnson Frezher (family Frezher) hemi kam Jiv blong Potun Nasara nomo.
2. Family Lekum hemi smol Faea blong family Frezher insaet long Potun Nasara.
3. Maklin Malbury (family Maklin) hemi Strak aot olsem wan pati blong klemem Potun nasara.

Anyone we ino akri long dicisen ia, hemi kat 30 deis blong Apil stat from tudei 28th dei blong March 2013.




Dated at Lakatoro this 28th day of March 2013.

BY THE COURT



.....
Justice Lorna Bong



.....
Justice Endie Shem



.....
Justice Wesly Tawi

