

**IN THE MATTER OF:** CUSTOM OWNERSHIP BLONG CHIEFLY  
TITLE NAME "MANLAEWIA" BLONG  
MALASALIU CUSTOMARY  
GOVERNANCE.

**AND**

**IN THE MATTER OF:** SECTION 10 BLONG AELAN KOT ACT  
CAP. [167] MO ARTICLE 95 (3) LONG  
KONSTITUSEN BLONG VANUATU BLONG  
YEAR 1980.

**BETWEEN:** ERNEST KALORIS AND DESCENDANTS  
**Claimants**

**AND:** HENRY CYREL KALSURAI AND FAMILY  
**First Defendants**

**AND:** VAMELE FAMILY  
Represented by Kaltonga Kalorong  
**Second Defendant**

**AND:** MATOVA TOATAU AND DESCENDANTS  
Represented by Kennedy Kalfau  
**Third Defendants**

**Date of Hearing:** 23/04/2019 to 20/05/2019  
**Date of Judgement:** Friday 31<sup>st</sup> day of May, 2019 – Time : 3:00 pm  
**Venue:** Efate Island Court – Court-Room, Joint-Court Ontop, Port-Vila  
**Before:** Justice Metoloa Silou POILAPA (Presiding Justice)  
Justice Roy TINING (Member)  
Justice Lutu SAKITA (Member)

**Island Court Clerk:** Alida ALAIN

**In Presence:** All Parties

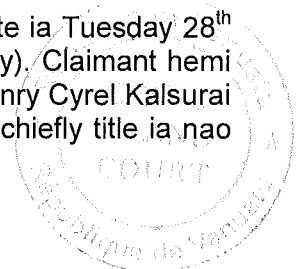
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## JUDGMENT

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Ernest Kaloris hemi filem wan chiefly title claim i kam long Efate Island Court long date ia Tuesday 28<sup>th</sup> March 2006 from Chiefly Title ia "Manlaewia" blong Malasaliu Namarakiana (boundary). Claimant hemi claim se chiefly title ia hemi wan smol title nomo be ie no wan bigfala title osem we Henry Cyrel Kalsurai i stap confusim ol pipol long hem mo stap abusim. Chiefly title Manlaewia hemi sem chiefly title ia nao



we first defendant Henry Cyrel hemi bin ordain long hem long year 1996 mo hemi holem i stap wetem hem naioa.

Ernest Kaloris mo olgeta descendants blong hem long case ia oli claimem chiefly title Manlaewia follem bilief blong olgeta long history mo prehistory we ol forefathers blong olgeta i passem i kam kasem generations blong olgeta today. Claim ia hemi go againsem Henry Cyrel Kalsurai mo Family (1<sup>st</sup> Defendants), Vamele Family (2<sup>nd</sup> Defendant) mo Matova Toatau mo Descendants (3<sup>rd</sup> Defendants).

Olgeta claimants oli claim se chiefly title Manlaewia hemi property blong olgeta mo oli askem court blong hemi mekem wan decision long matter ia mo givim back chiefly title Manlaewia i go back long olgeta follem custom blong Efate.

## **APPLIKESAN BLONG LOA:**

**KONSTITUSEN BLONG RIPABLIK BLONG VANUATU – Japta 8 - Article 52 ‘OI Vilij Kot mo Aelan Kot:** Palemen bambae i mekem ol loa blong stanemap ol velej kot mo aelan kot we bambae oli gat paoa blong jajem ol keis long saed blong kastom wetem sam narafala keis tu mo bambae Palemen i mekem rod blong ol jif oli wok long ol kot ia tu.

**ISLAND COURT ACT CAP [167]: Section 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.

Island Court hemi gat power blong administerem ol matter blong custom follem Section 10 blong Island Court Act Cap 167 mo Article 95(3) long Constitution blong year 1980 hemi talem se ‘Long dei we Republik blong Vanuatu i kam independen, ol loa blong kastom bambae oli gohed blong gat paoa mo bambae oli kam pat blong loa blong Ripablik blong Vanuatu.’

Long matter blong Section 10 blong Efate Island Court ACT [CAP 167] mo hemi matter blong kastom declaration blong true custom ownership blong Chiefly Title Manlaewia blong Malasaliu Namarakiana (boundary), North-Efaté, Shefa Province.

## **BRIEF BACKGROUND BLONG COURT SITTING LONG CASE IA BEFORE ACTUAL HEARING**

Long date ia 13/09/2011, Efate Island Court i bin sitaon blong harem claim we i stap. Every parties i mekem application blong adjournem matter ia i go long Monday 19/09/2011 follem some preliminary issues we court hemi need blong considerem before hearing. Court i grandem application mo adjournem hearing i go long 19/09/2011.

Long date ia 19/09/2011, Efate Island Court i sitaon mo deal wetem claim we i stap but follem limitation long budget, court hemi nomo manage blong completem court sitting ia therefore, matter hemi still pending long Efate Island Court kasem taem we bae island court clerk hemi allocatem enough funds blong continue long hearing ia.

Long date ia 27/02/2019, i bin gat wan court conference wetem every parties mo since we case hemi pending longtaem, ol parties oli informem court se i gat some people we i involve directly long case ia olsem witness mo spokeman oli lusum life blong olgeta finis, mo too some oli olfala tumas mo nomo physically fit blong kam long court since after long last hearing blong 19/09/2011. Follem situation ia, court hemi allowem ol parties blong oli withdrawemaot any filed witness statements blong olgeta people we oli ded mo olgeta we oli incapable blong attendem court. Also, court hemi allowem too every parties



blong oli filem additional sworn statements mo new witness statements blong olgeta before 4:30 pm long date ia 13/03/2019.

Long date ia 01/04/2019, court i bin sitaon blong harem full claim over long full dispute blong custom ownership blong chiefly title Manlaewia. Taem we court i callem ol parties; claimant, first defendant mo third defendant nomo oli attendem court hearing follem summons we oli receivim from Island Court Clerk. Court i notisim se i nogat appearance blong representative blong olgeta second defendant we hemi "Kalorong Kaltonga" long time ia.

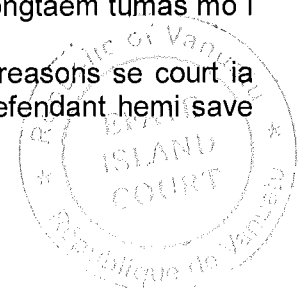
- Claimant hemi informem court verbally aboutem death blong second defendant. Hemi confirmem long court ia se second defendant hemi pass-away long Friday 29th March, 2019 mo burial blong hem long Saturday 30th March, 2019 which claimant too hemi attendem. Claimant hemi talemaot long court ia se hemi sympathise wetem ol family blong late Kalorong Kaltonga therefore, hemi stap askem court ia through long wan verbal application blong adjournem court long wan period blong wan manis start from 01/04/2019 blong allowem ol representative or family blong second defendant wan reasonable period of time blong oli mourn.
- First defendant hemi informem court ia about some narafala issues we every parties long case ia oli gat long Magistrate Court mo Supreme Court we ol issue ia i related nomo long matter we i stap long Efate Island Court today. Hemi confirmem too death blong second defendant mo hemi objectem application blong claimant concernem adjournment blong wan manis start from 01/04/2019 long reasons se case ia, oli dragem longtime tumas mo too from death i save happen long anyone long any parties long case ia at any time.
- Third defendant i confirmem long court se yes, hemi true second defendant i pass-away long Friday 29th March 2019. Hemi continue blong talemaot long court se hem nao hemi first man blong passem message i go long ol family blong second defendant about death ia. Third defendant too hemi sympathise wetem ol family blong second defendant mo hemi respectem death ia, but hemi disagree long oral application we claimant hemi mekem concernem wan manis adjournment from case ia i wan longtaem issue. Third defendant hemi askem court sapos court i save sitaon bageken long wan weeks' time blong deal wetem matter ia.

Court hemi hearem concerns mo ol verbal applications blong wanwan parties we i present long date ia 01/04/2019, mo after we court hemi analysem ol thinkthink blong trifala parties we oli present, court hemi decide se matter ia bae i adjourn blong two weeks' time start from today 01/04/2019 mo bae i resume bageken long date ia 15/04/2019, time hemi 8:30 am.

Court hemi orderem ol family or representative blong second defendant blong oli must filem copy blong death certificate blong late Kalorong Kaltonga i kam long office blong Efate Island Court anytime before next hearing (15/04/2019) mo semtaem oli must informem court long name blong niufala representative blong second defendant.

Long date ia 15/04/2019, every parties oli attendem court follem direction order blong court long date ia 01/04/2019. Court i tekem note se niufala representative blong Vamele Family (2<sup>nd</sup> defendant) hemi pikinini boy blong late Kalorong Kaltonga we name blong hem Kaltonga Kalorong. Court i faenemaot too se majorities blong ol parties oli nogat ol original documents blong year 2006 blong ol narafala parties taem clerk i cross-checkem ol documents wetem wanwan long olgeta. Court i harem too wan verbal application we second defendant hemi mekem blong adjournem hearing long matter ia i go long wan manis time start long 15/04/2019 folem reasons se late Kalorong Kaltonga we hemi pass-away long 29<sup>th</sup> March, 2019. Wan manis adjournement ia bae i allowem Vamele Family blong preparem ol documents we bae i save helpem olgeta long court. Before court hemi mekem decision long application ia, court i askem ol narafala parties blong givim tinktink blong olgeta:

- Original claimant hemi agree wetem application we i stap
- First defendant hemi objectem application ia wetem reasons se case i stap longtaem tumas mo i no need blong mekem excuses.
- Third defendant hemi objectem application blong second defendant wetem reasons se court ia hemi bin givim two weeks finis olsem wan sufficient period blong second defendant hemi save



preparem hem blong kam long court, mo too, hemi askem court blong no delayem case ia but bae i givim wan reasonable time period we hemi wan week long application we i stap. After we court i hearem mo considerem application we i stap mo after we hemi harem olgeta toktok blong ol narafala parties, court hemi decide blong adjournem matter ia i go long Tuesday 23<sup>rd</sup> April, 2019 at 8:30 am – Venue: Efate Island Court-Court Room. Sentaem, court hemi directem every parties blong oli save go pem copies blong ol missing documents blong ol olgeta long registry blong court ia before next hearing.

**A) CLAIM STATEMENT BLONG OLGETA CLAIMANTS “ERNEST KALORIS  
MO DESCENDANTS”**

Long claim blong Ernest Kaloris mo olgeta descendants blong hem, olgeta claimants oli claim se chiefly title ia Manlaewia hemi wan smol title blong chief nomo we i stap work under long custom governance blong Paramount Chief ia Manavilalu blong Malasaliu.

Follem bilief blong claimants long history mo prehistory we ol forefathers blong olgeta i passem i kam long olgeta, oli claim se Chief Lakelowia i gat wan stret brother nomo through long blood we hemi Chief Manlaewia. Chief Manlaewia i nogat pikinini be hemi through long ol pikinini blong Chief Lakelowia nomo nao we ol generation blong olgeta oli stap kam kasem today.

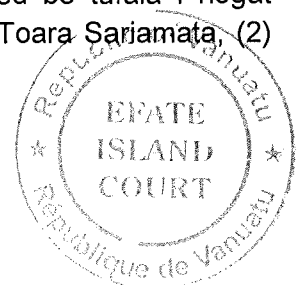
Wan long ol descendants blong Chief Lakelowia ia nao hemi Ernest Kaloris, claimant long case ia. Ernest Kaloris hemi bin ordained olsem wan custom chief long name ia Lakelowia sometimes long April 1996 blong maintenem chiefly title ia i laef i stap kasem today.

Claimant hemi claim se chiefly title Manlaewia hemi bin stap before Yopa Kalsurai we hemi bigfala brother blong Solomon Kalsurai we hemi papa blong mama blong Henry Cyrel; first defendant long case ia.

Ernest Kaloris mo olgeta descendants blong hem, oli claim se since ordination blong Henry Cyrel long manis April 1996, rulling blong hem ino bin turn aot long expectation blong ol people blong Paunagisu. Ruling blong hem hemi negative long plante samting, i mekem se people oli suffer mo hemia nao samfala samting we olgeta claimants oli no happy blong luk we Henry Cyrel hemi mekem, i mekem se olgeta claimants i lukim se hemi no qualify blong continue olsem chief blong rullum village blong Paunagisu, mo claimants i luk se i gud chiefly title ia kamaot long hem mo kamback long olgeta from hemi mis-usum plante, mo bae olgeta claimants i save kivim long wan man we oli think se hemi stret blong tekem chiefly title ia.

Ol claimants oli claim se follem custom blong Efate sapos you kivim wan chiefly title i go, mo man concern i no walkabaot stret follem custom blong hem, you olsem original owner blong chiefly title ia i gat every right follem custom blong karem back title ia.

Based long history blong claimants, hemi claim se Chief Manavilalu hemi nogat pikinini be hemi gat wan sister blong hem we name blong hem Leitalie, wife blong Chief Lakelowia. Chief Lakelowia i gat wan brother nomo we hemi Chief Manlaewia mo nakamal blong tufala brother ia hemi *Varea Natalie-Saipiri* inside long Malasaliu. Wife blong Chief Manlaewia hemi Leimaire, tufala i mared be tufala i nogat pikinini. Chief Lakelowia hemi maredem Leitalie mo tufala i gat three pikinini: (1) Toara Sariamata, (2) Talieta mo (3) Toaralessa.



Olgeta claimants oli explainem long claim blong olgeta how nao chiefly title ia i kasem ol man Tareangi, wan ples long middle bush blong North-Efate. Claimants i presentem long claim blong hem se long year 1870 Gospel ie kasem area blong North-Efate. Long 1883-1884 ol people blong interior village olsem Tareangi, Romoso, Malawota, Ravenga mo Suasu oli kam daon long Malasaliu. Long taem ia i gat wan woman Romoso too i kam wetem olgeta mo name blong hem Leintasi. Leintasi hemi *nakainaga* (clan) blong yam we hemi same clan blong Chief Lakelowia mo brother blong hem Chief Manlaewia. Through long connection ia i mekem se Leintasi mo trifala pikinini blong Chief Lakelowia we name blong olgeta; Toara Sariamata, Talieta mo Toaralessa oli save gud olgeta mo gat wan gudfala relationship mekem se oli givimaot chiefly title ia "Manlaewia" long Leintasi we hemi native blong Romoso. Leintasi i maredem wan native blong Tareangi we name blong hem Kalsurai be Kalsurai hemi no wan chief.

Toara Sariamata mo Toaralessa nao i kivim name ia Manlaewia long Leintasi be tufala i no givim name ia from kraon, be blong maintenem relationship blong olgeta nomo. After Leintasi i tekem name ia mo givim long bigfala pikinini boy blong hem, name blong hem Yoba. Long taem we Yoba hemi holem title ia Manlaewia, hemi no rulum village blong Paunagisu from wan narafala chief i rulum village ia and from Manlaewia hemi no wan paramount olsem we Henry Cyrel Kalsurai, first defendant long case i stap claimem.

Follem statement blong claimant, hemi talem se chiefly title ia i kamaot long ol pikinini blong Chief Lakelowia i go fastaem long Leintasi, after hemi givim long pikinini blong hem Yoba, after Yoba i kam long Solomon, after i kam long pikinini blong hem Thomas, mo after i kam long nephew blong Thomas, Henry Cyrel Kalsurai hemia sometimes long manis April 1996.

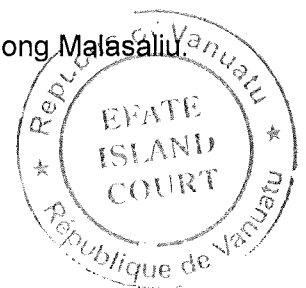
Follem bilief blong ol claimants long pre-history mo history blong olgeta long Malasaliu, oli claimem se oli gat faef (5) nakamals:

- (1) **Varea Woramala** we hemi supreme nakamal blong **Chief Manavilalu** mo **Chief Marvatutipua**
- (2) **Varea Natalie-Saipiri** hemi nakamal blong **Chief Lakelowia** mo **Chief Manlaewia**
- (3) **Pangtamate** hemi nakamal blong **Chief Manlaerana**
- (4) **Varea Sepati** hemi nakamal blong **Chief Pakoa-maau**
- (5) **Varea Silimanu** hemi nakamal blong **Chief Tokaimakau**

Ernest Kaloris mo olgeta descendants blong hem oli claim se oli save good custom governance blong olgeta mo meaning, wetem wanwan responsibilities blong ol chiefs we custom governance ia i governem olgeta :

- (1) **Chief Manavilalu**, meaning blong hem se taem hemi mekem *naleoana* (feast) ol samting i pitim mak mo oli stap waste nomo, hemi semak too long Malasaliu (Dancing Ground). We hemi meanim se taem oli mekem feast, plante kakai oli stap waste nomo. **Chief Marvatutipua** hemi (*Namatapua go Mataisau*), Chief we hemi responsible long varea or nakamal Woramala blong Chief Manavilalu, mo every samting we oli stap long nakamal ia mo dancing graon.
- (2) **Chief Lakelowia** hemi gat two responsibilities, *Sierau* mo *Aurea* we hemi responsible blong sharing blong ol samting blong Malasaliu mo organisem danis long taem blong *naleoana* (feast). **Chief Manlaewia** ol ofala oli save olsem Manlaewia-rongrongo hemi responsible blong passem ol toktok, message or news blong Chief Manavilalu. Chief Laekelowia mo Chief Manlaewia, nakamal blong tufala hemi Varea Natalie-Saipiri.
- (3) **Chief Manlaerana** i blong Varea Pangtamate. Ol responsibilities blong hem samtaem bigfala chief i no available hemi act long behalf blong hem. Name ia Manlaerana hemi signifyem duty blong hem.
- (4) **Chief Tokaimakau**, hemi wan warrior we Varea blong hem hemi Silimanu.
- (5) **Chief Pakoa-maau**, hemi too hemi wan warrior we Varea blong hem emi Sepati.

Tufala warriors ia, Varea blong tufala i stap long tufala end blong boundary blong Malasaliu.



Claimants hemi claim se today, chiefly custom governance system blong olgeta i exist i stap mo nogat wan man i disputem. Olgeta man we oli holem ol chiefly title ia naoia emi:

- Silas Wallace hemi stap olsem Chief Manavilalu
- Solomon Kalmar hemi stap olsem Chief Marvatutipua
- Ernest Kaloris hemi stap olsem Chief Lakeleowia
- Kalnagis Wallace hemi stap olsem Chief Manlaerana
- Nattie Wayn hemi stap olsem Pakoa-maau
- Name we i no gat man i ordain long hem i stap kasem today hemi Tokaimakau.

Based long claim blong ol claimants, oli claim se chiefly title "Manlaewia" ia nao ol apu blong olgeta oli bin givimaot mo today Henry Cyrel Kalsurai hemi tekem mo hemi part long family blong olgeta, but hemi no save custom blong hem mo no save respectem custom blong hem. From reasons ia, olgeta claimant i luk se Henry Cyrel Kalsurai hemi abuse custom blong olgeta from nomo hemi karem name ia. Chief Silas Wallace Manavilalu wetem assistance blong uncle blong hem, Chief Raymond Marongoe tufala nao i ordainem Henry Cyrel Kalsurai long year 1996 mo Chief Silas Wallace Manavilalu nao i givim right long Henry Cyrel Kalsurai blong lukaotem, mo walkabaot mo shoem hem long boundary blong Malasaliu.

Long year 1968, taem oli ordainem Solomon Kalsurai i kam Manlaewia ino bin gat wokbaot long boundary blong Malasaliu i semak taem oli ordainem Thomas Manlaewia long 29<sup>th</sup> November 1988 i nogat wokbaot long boundary too, from Paramount Chief blong Malasaliu we hemi Manavilalu hemi no ordainem olgeta. Hemia i semak long ol previous chiefs we oli bin lukaotem village blong Paunagisu before olsem Simon Mantaura mo George Napuku. Ernest Kaloris mo Descendants, oli claim mo talemaot se chiefly title Manlaewia hemi blong Malasaliu mo hemi property blong olgeta claimants.

Claimants i statem long claim blong hem se long ordination blong Henry Cyrel Kalsurai i kam Manlaewia long 1996, Paramount Chief Silas Wallace Manavilalu mo Chief Raymond Marongoe blong Emua nao i ordainem hem, mo Chief Manavilalu, Chief Lakelowia mo Descendants oli bin agree blong tekem hem i wokbaot long boundary blong Malasaliu, wetem thinkthink se bae hemi respectem custom blong Malasaliu mo bae hemi kam wan good leader.

Olgeta claimants oli stap claimem superiority blong chieftainship through long patrilineal mo matrilineal bloodline blong Chief Manavilalu, Chief Lakelowia mo Chief Manlaewia, mo claimem chiefly title Manlaewia olsem original property blong ol forefathers blong olgeta long Malasaliu, *Varea Woromala* mo *Natalie-Saipiri*.

Ernest Kaloris mo Descendants blong hem oli claim se follem custom blong Efate sapos you kivim wan chiefly title i go, mo man concern i no walkabaot stret follem custom blong hem, you olsem original owner blong chiefly title ia i gat every right follem custom blong karem back title ia.

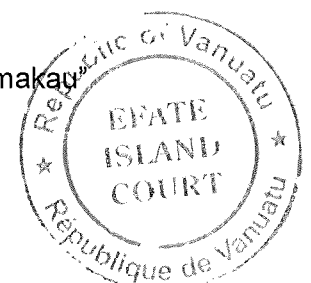
Claimants i askem court blong lukim save customary rights blong olgeta follem custom blong North-Efate, mo mekem wan declaration se Chiefly Title ia Manlaewia hemi wan custom property blong ol forefathers blong olgeta mo title ia hemi stap under long custom governance blong Chief Manavilalu blong Malasaliu.

#### **"KALMAIRE KALMAR" – WITNESS BLONG CLAIMANTS**

1. Witness Kalmaire Kalmar hemi sapotem strong every claim blong ol claimants mo talem se Chiefly Title Manlaewia hemi property blong ol fore-fathers blong olgeta long Malasaliu. Witness i sapotem claim ia follem patrilineal bloodline blong hem.



2. Kalmaire Kalmar hemi great-grand-son blong Toaralessa we hemi brother blong Toarasariamata, great-grand father blong Edward Kaloris, sista blong tufala hemi Talieta we hemi great-grand-mother blong Chief Raymond. Witness i talem se papa blong ol apu blong olgeta ia hemi Chief Lakelowia we hemi stret brata blong Chief Manlaewia. Witness ia i talem se Chief Manlaewia hemi maret be hemi nogat pikinini. Ol forefathers blong olgeta ia nao i givim name ia Manlaewia ia ko long Leintasi. Kalmaire Kalmar i talem se hem too i related long Leintasi long side blong mama blong hem. Leintasi hemi mama blong Yoba, Talieta, Polei, Emily mo Solomon. Emily hemi stret grand-mother blong mama blong witness Kalmaire Kalmar we name blong hem Dorah. Witness i talemaot se Leintasi hemi woman Romoso, husband blong hem Kalsurai hemi blong Tareangi. Title Manlaewia emi name blong Malasaliu be emi no chiefly title blong Tareangi. Witness i talem se ol forefathers blong olgeta taem oli kivimaot name ia, emi from relationship purpose nomo, be oli no kivim wetem birth-right olsem land (graon). Therefore, follem custom blong olgeta, ol descendants blong Tareangi oli should respectem ol descendants blong Malasaliu.
3. Witness i talem too se hemi nakainaga (clan) blong yam, be ino mean se, chiefly title ia Manlaewia ino property blong nakainaga, chiefly title hemi follem bloodline follem custom blong Efate mo witness i talem se follem pre-history mo history blong olgeta long Malasaliu, olgeta oli gat 5 nakamal.
  - (1) Bigfala nakamal blong Malasaliu emi Varea Woramala we hemi nakama blong Chief Manavilalu mo Chief Marvatutipua
  - (2) Varea Natalie-Saipiri emi nakamal blong Chief Lakelowia mo Chief Manlaewia
  - (3) Pangtamate emi nakamal blong Chief Manlaewia
  - (4) Varea Sepati emi nakamal blong Chief Pakoa-Maau
  - (5) Varea Silimanu emi nakamal blong Chief Tokaimakau.
4. Witness i confirmem long court se hemi save good ol name blong chief mo ol ples blong ol nakamal blong olgeta long Malasaliu.
  - (1) **Chief Manavilalu**, meaning blong emi se taem hemi mekem *naleoana* (feast) ol samting i pitim mak mo oli stap waste nomo, hemi semak too Malasaliu (Dancing Ground). We hemi meanim se taem oli mekem feast, plante kakai oli stap waste nomo. **Chief Marvatutipua** hemi (*Namatapua go Mateisau*), Chief we hemi responsible long varea or nakamal Woramala blong Chief Manavilalu, mo every samting we oli stap long nakamal ia mo dancing graon.
  - (2) **Chief Lakelowia** hemi gat two responsibilities, *Sierau* mo *Aurea* we hemi responsible blong sharing blong ol samting blong Malasaliu mo organisem danis long taem blong *naleoana* (feast). **Chief Manlaewia** ol olfala oli save olsem Manlaewia-rongrongo hemi responsible blong passem ol toktok, message or news blong Chief Manavilalu. Chief Laekelowia mo Chief Manlaewia, nakamal blong tufala hemi Varea Natalie-Saipiri.
  - (3) **Chief Manlaerana** i blong Varea Pangtamate. Ol responsibilities blong hem samtaem bigfala chief i no available hemi act long behalf blong hem. Name ia Manlaerana hemi signifyem duty blong hem.
  - (4) **Chief Tokaimakau**, hemi wan warrior we Varea blong hem hemi Silimanu.
  - (5) **Chief Pakoa-maau**, hem too hemi wan warrior we Varea blong hem Sepati.
5. Kalmaire Kalmar hemi sapotem full claim we i stap mo talem se olgeta claimants oli holem ol chiefly title i stap kasem today mo i nogat wan man Paunagisu i disputem olgeta long hem. Olgeta ia we oli holem ol chiefly title ia i gat:
  - (1) Silas Wallace we hemi holem chiefly title "Manavilalu"
  - (2) Solomon Kalmar we hemi holem chiefly title "Marvatutipua"
  - (3) Ernest Kaloris we hemi holem chiefly title "Lakelelowia"
  - (4) Natie Wayne we hemi holem chiefly title "Pakoa-Maau"
  - (5) Mo name we nogat wan man ie holem yet hemi chiefly title "Tokaimakau"



6. Witness i talem se chiefly title "Manlaewia" ia nao we ol apu oli givimaot but today Henry Cyrel i tekem and hemi part blong family blong olgeta claimant, but hemi no save custom blong hem mo no save respectem custom blong hem therefore olgeta claimants oli lukim se hemi abusim custom blong olgeta from nomo we hemi karem name ia.
7. Witness i talem too se chief Manavilalu Silas Wallace we hemi paramount chief blong Malasaliu mo Chief Raymond Marongoe, tufala nao i ordainem Henry Cyrel i kam "Manlaewia" (*Rongorongong*) long year 1996 mo givim hem right blong lukaotem *namarakiana* blong Malaaliu or Paunagisu today.
8. Witness i talem too se chief Manavilalu sista blong hem nao hemi Leitalie, chief Manavilalu i nogat pikinini mekem se sista blong hem Leitalie i hollem name olsem **tukurau** mo passem name i go down long Toara-sariamata bageken, after hemi passem name ia bageken long Leinasei we hemi grand-mother blong chief Raymond Marongoe. Then Leinasei i passem chiefly title ie go long wan olfala, Silas i kam Manavilalu.
9. Silas Manavilalu nao i givim name ia Silas, long Silas blong today mo givim back name ia long Silas i kam chief Manavilalu today.
10. Witness i talemaot too se long year 1883-1884, taem Christianity i kasem North-Efate district, ol chiefly title ia oli been foldaon i stap taem Toarasariamata, Toaralessa, mo Talieta i move i go ong Kakula, mo long Kakula long taem ia inogat fulap chief mekem se, missionary long taem ia i bin assist blong oli putum wan chief long Kakula Island mekem se ol chief blong Nguna oli ordainem Charley Luisui i kam "Masoemankon" hemia long year 1900.
11. Witness i talem se taem ol pipol oli kam back long Efate mo startem settlement long Paunagisu, chief George Napuk i kam chief mo lukaotem village. After long chief Napuk, chief Mantaoura Simeon bageken i lukaotem ol pipol long Paunagisu. Taem chief Mantaoura hemi chief, Apu Stephen Kaloris i kam Atav-Taura (Assistant-Chief) blong hem.
12. Witness Kalmaire Kalmar i confirmem long witness statement blong hem se long ordination blong chief Simeon Mantaoura long year 1922, chief Taripoaliu Suasavi nao i ordainem hem, be bifo hemi mekem ordination, hemi bin toktok long olgeta claimants mo askem wan pis graon blong oli givim long hem, blong mekem se taem hemi mekem ordination, bae hemi save declarem graon ia blong hemi stap kakae long em. So olgeta claimants oli agree mo givim wan pis land long chief Taripoaliu bifo hemi mekem ordination blong Simeon i kam Mantaoura. Mo from reason ia too nao i mekem se papa Stephen Kaloris hemi Atav (Assistant-Chief) blong chief Mantaoura, from hemi wan descendant blong Manavilalu/Lakelowia mo blood-line blong ol forefathers blong olgeta claimants we oli native blong Malasaliu Customary Governance.
13. Long statement blong witness Kalmaire Kalmar, hemi talem se long ordination blong chief Solomon i kam Manlaewia long 1968, i no bin gat wokabaot long boundary blong Malasaliu from chief Mantaoura nao i wantem hemi kam chief. Long ordination blong Thomas Manlaewia long date ia 29<sup>th</sup> November 1988, i no bin gat wokabaot long boundary blong Malasaliu customary land from taem ia dispute i start finis long Paunagisu.
14. Long ordination blong Henry Cyrel i kam Manlaewia long year 1996, taem Paramount Chief Silas Manavilalu blong Malasaliu mo chief Raymond Marongoe blong Emua i ordainem hem, *Manavilalu/Lakelowia & Descendants* i bin agree blong tekem hem i wokaboat long boundary blong Malasaliu. Wetem thinkthink se bae hemi respektem custom blong Malasaliu mo bae hemi kam wan good chief but since ordination blong hem (Henry Cyrel) long 1996 ia, ruling blong hem i no bin turn-out long expectation blong olgeta pipol blong Paunagisu, ruling blong hem hemi negative i mekem se pipol oli suffer. Hemia nao samfala something we i mekem se olgeta claimants i no happy blong luk we Henry Cyrel olsem chief hemi bin mekem se olgeta claimants oli lukim se hemi no qualifyem hem blong continue blong reign olsem wan chief, mo luk se hemi gud blong chiefly title ia "Manlaewia" i kamback long olgeta claimants from first defendant hemi





mis-yusum plante, mo bae olgeta claimants i just givim i go long wan man we oli think se hemi stret blong tekem chiefly title ia.

15. Witness Kalmaire Kalmar i endem toktok blong hem strongly blong talem se chief Manavilalu hemi paramount chief blong Malasaliu (Paunagisu) follem custom blong olgeta, mo chief Manlaewia hemi wan smol chief nomo, mo olgeta claimants nao oli stret patrilineal mo matrilineal bloodline blong chiefly title ia Manlaewia mo oli gat every rights blong inheritem chiefly title ia.
16. Witness Kalmaire Kalmar hemi sapatem full claim.

### **“SILAS WALLACE FRANK” – WITNESS BLONG CLAIMANTS**

1. Silas Wallace Frank hemi born long year 1957, hemi pikinini boy long Frank Wallace mo Erina, mo great-grand-mother blong hem hemi Leinasei we hemi pikinini blong Talieta we hemi sister blong Toarasariamata mo Toaralesa. Silas Wallace hemi ordained long chiefly title ia Manavilalu long year 1975.
2. Witness ia hemi talem se chief Manavilalu nao hemi bigfala title blong chief we i governem Malasaliu customary Governance long taem finis ikam bifo missionary or chirstianity i kam long area blong North Efate long year 1870.
3. Between 1883-1884 taem ol pipol blong Malasaliu wetem ol native blong ol area antap long bush olsem Tareangi, Romoso, Tanmiala, Malawota, Ravenga, Lumo mo Suasu oli bin ko long Kakula blong lanem tok blong God.
4. Long taem ia chief Toara Sariamata Manavilalu, brata blong hem Toaralessa mo sister blong tufala Talieta wetem ol pikinini blong olgeta mo ol family blong olgeta too oli go long Kakula. Taem oli stap long Kakula missionary Peter Milne wetem help blong chief Tarpoaliu blong Nguna tufala i putum wan native blong Tareangi we name blong hem Charley Luisiu i kam chief Masemankona blong lukaotem ol pipol ia long kakula.
5. Taem chief Toarasariamata Manavilalu i ded great-grand-mother blong witness Silas Wallace Frank nao we name blong hem Leinasei, hemi holem chiefly title Manavilalu i stap olsem Tukurau (care taker). Reason why Leinasei hemi care taker long chiefly title ia from bifo ol chiefly title oli follem naflak system. Samtaem i pass Leinasei i passem chiefly title Manavilalu ia i ko long olfala Silas blong Emua, mo taem hemi ded long 1975, chief Tangarasilasa i ordainem witness Silas Wallace Frank i kam chief Manavilalu.
6. Nambatu witness blong claimant hemi talem se long year 1996, hem olsem bigfala chief blong Malasaliu wetem assistance blong uncle blong hem we hemi chief Raymond Marongoe blong Emua, tufala i bin ordainem first defendant long case ia; Henry Cyrel i kam Manlaewia mo givim raet long hem blong lukaotem namarakiana (custom governance) blong Malasaliu mo sem taem wakabaot mo showem hem boundary ples we i stat long hem mo finis long hem, walkabaot ia, Manavilalu/Lakelowia & descendants too oli part long hem mo oli witnessem.
7. Witness Silas Wallace Frank i talemaot mo confirmem se chief Henry Cyrel Manlaewia nomo hemi the only chief we Manavilalu/Lakelowia & Descendants i tekem hem blong walkabaot mo showem hem boundary blong Malasaliu reason from se hemi klia nomo se chief Manavilalu we hemi head blong Malasaliu Customary Boundary we hemi currently hemi witness Silas Wallace Frank we i stap today mo hem nao i ordainem chief Henry Cyrel i kam Manlaewia.
8. Silas Wallace Frank hemi statem too long statement blong hem mo talemaot long court se ol narafala chiefs we oli bin lukaotem village blong Paunagisu olsem; Thomas Manlaewia, Solomon Manlaewia, Simeon Mantaura, George Napuk mo Charley Luisui Masemankona, olgeta



everywan ia, Manavilalu/Lakelowia & Descendants nao oli no showem mo oli no wokbaot wetem olgeta long boundary blong Malasaliu, from chief Manavilalu i no ordainem anywan long olgeta.

9. Witness ia i confirmem mo talemaot long court se custom governance blong Malasaliu hemi olsem :

(1) Varea Woramala hemi bigfala nakamal we hemi blong chief Manavilalu mo Marvatutipua, Varea Natalie Saipiri hemi blong nakamal blong chief Lakeleowia mo chief Manlaewia, Varea Pangtamate hemi nakamal blong chief Manlaerana, Varea Silimanu hemi nakamal blong warrior Tokaimakau mo Varea Sepati hemi blong warrior Pakoa-maau .

(2) Long saet blong olgeta responsibilities blong olgeta chief ia, witness hemi talem se :

- i. Chief Marvatutipua hemi (namatapua mo mataisau) chief we i responsible long nakamal Woramala blong chief Manavilalu, mo every samting we i tekem ples long nakamal mo dancing graon;
- ii. Chief Lakeleowia hemi gat 2 responsibilities : Sierau mo Aurea, we tufala hemi responsible blong sharing blong ol samting blong Malasaliu mo organizem ol danis long taem blong naleoana (feast)
- iii. Chief Manlaewia, ol olfala oli save olsem Manlaewia-rongorongo wok blong hem i blong passem any news or messages (narongoroana) blong Chief Manavilalu;
- iv. Chief Manlaerana duty blong hem samtaem taem bigfala chief ino availbale blong mekem work blong hem, then hem nao i mekem work long behalf blong hem. Name ia i stap signifyem duty blong hem;
- v. Tufala maau (warriors) Tokaimakau mo Pakoa-maau wok blong tufala i blong karemaot ol instructions blong Chief Manavilalu mo long sem taem protectem boundary blong Malasaliu mo tufala i live long tufala end blong boundary long east-ward mo west-ward;

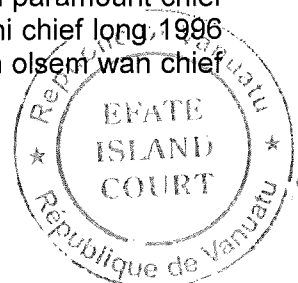
10. Witness i talem too se custom blong North-Efate ol bigfala chiefs nomo oli ordainem ol small chiefs mo confirmem too se chiefly title ia Manlaewia hemi wan small title blong chief nomo blong Malasaliu Customary Governance. Hemi reason why first defendant long case; Henry Cyrel hemi kam chief Manlaewia long 1996 blong lukaotem village.

11. Witness i talem se ol family blong Kalsurai nao oli decidem se Henry Cyrel bae tekem ples blong uncle blong hem Thomas Manlaewia bifo hem (Thomas) i ted. Taem ol tingting ia i kam antap, olgeta claimants ino gat any objections be go along wetem tingting blong olgeta nomo, from Henry Cyrel hemi family blong olgeta claimants too.

12. Silas Wallace Frank i continue blong talem reason why title ia i stap long court tedei emi from, after long ordination blong Henry Cyrel long year 1996 olsem Chief blong lukaotem namarakiana, hemi mekem plante krukuk fasin. Wan long ol worst wan nao emi hem wetem wife blong hem Fanny i stealim part blong Manua Centre School Land mo salem iko long wan white man, we ol olfala blong olgeta claimants oli bin givimaot graon ia i go long school emia long year 1974.

13. Follem understanding blong witness ia, hemi confirmem long court se from we white man ia ie bin holem title blong land ia finis, advice we school i kasem long lawyer, se sapos school i wandem continue wetem case ia bae i fight wetem white man ia nomo long court be ino mo Henry Cyrel mo wife blong hem Fanny. Witness hemi sorry we case ia iko olsem be school i decide blong no moa continue wetem case from bae i costem school plante money from nothing nomo.

14. Silas Wallace Frank i talem se spos wan chief i stap act olsem hemi showem clear se hemi no save custom mo fasin blong lukaotem ol property blong ol narafala man we oli stap under long custody blong hem mo emi wan bigfala shame. Witness ia i talem se hem olsem paramount chief blong Malasaliu, hemi wandem talemaot long court ia se since Henry Cyrel hemi chief long 1996 kasem today hemi fail blong karemaot ol duties mo ol responsibilities blong hem olsem wan chief we i save lukaotem ol pipol long community blong hem.



15. Long end statement blong witness Silas Wallace Frank, hemi talem se Chiefly Title Manlaewia hemi wan smol chief nomo mo Manavilalu/Lakelowia Descendants nao oli stret patrilineal mo matrilineal bloodline blong hem, mo oli kat every customary rights blong inheritem chiefly title ia Manlaewia.

### **“EDWARD KALORIS” – WITNESS BLONG CLAIMANTS**

1. Edward Kaloris hemi stret papa blong Ernes Kaloris, claimant long case ia.
2. Edward Kaloris hemi bon long 20 August 1934 long Vila, mo hemi work olsem wan pastor long Paunagisu Village, ples we hemi live permently long hem.
3. Witness i putum witness statement blong hem i kam long court mo askem court blong i mas lukim save two samting mo mekem ruling long hem:
  - a. Se Chief Manavilalu nao hemi paramount chief blong Malasaliu be ino Chief Manlaewia;
  - b. Chief Manlaewia hemi original property blong Manavilalu/Lakelowia Descendants;
4. Follem custom blong Efate sapos you givim wan chiefly title iko, mo man concern ino walkbaot stret follem custom blong hem, you olsem original owner blong chiefly title ia yu gat right folem Toarasariamata hemi papa blong grand-mother blong witness E.Kaloris, Toumanu. Toaralesa hemi papa blong Tom Kalmar we hemi grand-father blong Kalmaire Kalmar. Talieta hemi grand-mother blong Flora, mama blong chief Raymond Marongoe. Witness i talem se papa blong hem sista blong hem nao Leisau we hemi mama blong late Thomas Manlaewia we hemi papa blong Appie Thomas. Witness ia i talem se everywan ia, i bloodline blong Chief Manavilalu, Chief Lakeleowia mo Chief Manlaewia.
5. Chief Manavilua, taem hemi ded, name i been pass i go long Toara Sariamata, then igo long Leinasei olsem Tukurau, after Leinasei i passem long wan olfala blong Emua we name blong hem Silas, then after Silas i passem i ko long yangfala Silas we today hemi Chief Manavilalu.
6. Chief Tagarasilasa blong Sake-Tasiriki, Pele, i gat connection wetem bigfala chief blong Malasaliu, chief Manavilalu. Chief Tagarasilasa nao i stap ordainem chief Manavilalu, mo chief Manavilalu nao i stap ordainem chief Tagarasilasa, system ia i stap bifo finis i kam kasem today.
7. Taem Chief Tagarilasa i wantem kakai human flesh, chief Manavilalu i providem blong hem mo putum long *Nagisu Ni Piriwosa* (Paunagisu Point), after hemi stap kam pikimap human-body long wan canoe blong hem we hemi singaotem Tagaru-Napau.
8. History connection blong chief Tagarsilasa mo chief Manavilalu, hemi stap signifyem superiority blong chief Manavilalu blong Malasaliu olsem wan paramount chief.
9. Chief Manlaewia, Lakelowia, Manlaerana, Marvatutipua, Pakoa-Maau mo Tokaimakau oli smolsmol chief nomo blong bigfala chief ia Manavilalu.
10. Witness hemi explainem how nao chiefly title Manlaewia i go kasem ol man Tareangi we today oli stap mekem problem long Malasaliu, storian blong hem i olsem. Long taem we gospel i kasem area blong North-Efate long 1883-1884, i mekem se ol pipol blong interior villages olsem Tareangi, Romoso, Malawota, Ravenga mo Suasu oli kam daon long Malasaliu, long taem ia too i gat wan woman we name blong hem Leintasi we i blong Romoso i stap wetem olgeta.
11. Leintasi hemi nakainaga (clan) blong yam, we hemi semak clan blong chief Lakelowia mo brata blong hem Manlaewia. From rod ia nao oli kivim name ia long woman Romoso ia Leintasi, we hemi just marretem Kalsurai we hemi stret native blong Tareangi be Kalsurai hemi no wan chief.

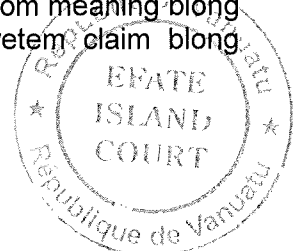


12. Witness i talem se Toarasariamata mo Toaralessa nao i givim name ia Manlaewia long Leintasi, be tufala ino givim name ia from graon, be blong maintenem relationship nomo. After we Leintasi i tekem name mo givim long pikinini boy blong hem Yoba, long taem we Yoba hemi Manlaewia, be hemi no rullum village from i gat wan narafala chief nao i rullum village, from Manlaewia hemi no wan bigfala chief or paramount olsem we sam man oli stap claimem.
13. Witness i talem se title ia i stap wetem Leintasi, after i givim long ol pikinini blong hem, Yoba after i kam long Solomon, then i kam long Thomas we hemi papa blong Appie Thomas, after we Thomas i ded, then long 1996 Henry Cyrel i just tekem.
14. Witness i talem se olgeta claimant oli stap claimem superiority long chieftenship through patrilineal mo matrilineal bloodline blong chief Manavilalu, chief Lakelowia mo chief Manlaewia mo claimem chiefly title Manlaewia olsem original property blong ol fore-fathers blong olgeta long Malasaliu, varea Woramala, mo Natalie-Saipiri.
15. Witness Edward Kaloris hemi agree fulwan se bigfala nakamal blong Malasaliu hemi Varea Woramala we hemi nakamal blong Chief Manavilalu mo Chief Marvatutipua; Varea Natalie-Saipiri hemi nakamal blong chief Lakelowia mo Chief Manlaewia; Pangtamate hemi nakamal blong Chief Manlaerana; Varea Sepati hemi nakamal blong Chief Pakoa-Maau; Varea Silimanu hemi nakamal blong Chief Tokaimakau olsem we i stap long statement blong olgeta claimants.
16. Witness i statem too olgeta responsibilities blong olgeta ia: Chief Marvatutipua, chief Lakeleowia, chief Manlaewia, Chief Manlaerana, mo tufala Maau (warriors) hemia Tokaimakau mo Pakoa-maau , olgeta wok we olgeta chiefs ia i stap mekem mo olgeta varea mo custom area governance blong olgeta wanwan chiefs we oli stap rule long hem olsem we claimant hemi stap claimem long claim blong hem.
17. Witness i talem se today, olgeta claimants mo descendants blong ol, oli holem ol chiefly title i stap mo ino gat wan man Paunagisu i disputim long olgeta from ol chiefly title ia. Olgeta we oli holem ol chiefly title ia i gat: Silas Wallace we hemi holem chiefly title Manavilalu, Solomon Kalmar we hemi holem chiefly title Marvatutipua, Ernest Kaloris we hemi holem chiefly title Lakeleowia, Natie Wayne we hemi holem chiefly title name ia Pakoa-Maau mo name we i nogat man i ordain long hem yet we i stap hemi Tokaimakau.
18. Witness i talem se Manlaewia nao hemi name we ol apu i bin givimaot, but today Henry Cyrel i tekem and hemi part blong family blong olgeta but hemi no save custom blong hem mo no save respectem custom blong hem therefore olgeta claimants oli lukim se Henry Cyrel hemi stap abusim custom blong olgeta from nomo we hemi karem name ia.
19. Witness i confirmem se chief Manavilalu Silas Wallace we hemi paramount chief blong Malasaliu mo chief Raymond Marongoe, tufala nao i ordainem Henry Cyrel i kam Manlaewia long year 1996 mo givim hem right blong i lukoatem *namarakiana* blong Malasaliu or Paunagisu today.
20. Witness ia i talem se chief Manavilalu sista blong hem nao Leitalie, chief Manavilalu ino gat pikinini mekem se sista blong hem Leitalie i hollem name olsem Tukurau mo passem name igo down long Toarasariamata bageken, after hemi passem name ia bageken long Leinasei we hemi grand-mother blong Chief Raymond Marongoe. Then Leinase i pasem chiefly title i go long wan olfala, Silas i kam Manavilalu.
21. Silas Manavilalu nao i givim name ia Silas, long Silas blong today mo givim back name ia long Silas i kam Chief Manavilalu.
22. Long 1883-1884 taem Christianity i kasem North-Efate district, ol chiefly title ia oli bin foldaon i stap kasem Toarasariamata, Toaralessa, mo Talieta i mov i go long smol aelan blong Kakula mo long Kakula long taem ia i inogat fulap chief mekem se Missionary long taem ia i bin assist blong oli putumap wan chief blong Kakula mekem se ol chief blong Nguna oli ordainem Charley Luisiu i



kam Masoemankona hemia long year 1900. Taem ol pipol oli kamback long Efate mo startem settlement long Paunagisu, Chief George Napuk i kam chief mo lukaotem village. After long Chief Napuk, Chief Mantaure Simeon bageken i lukaotem ol pipol long Paunagisu. Taem Chief Mantaure hemi chief, papa blong witness Edward Kaloris we name blong hem Stephen Kaloris i kam *Atav-Taura* (Assistant-chief) blong hem, mekem se everywan i save gud olsem wanem Mantaure i work.

23. Witness Edward Kaloris i talem se long ordination blong chief Simeon Mantaure long year 1922, chief Taripoaliu Suasavi nao i ordainem hem be bifo hemi mekem ordination i bin gat toktok long olgeta long olgeta descendants blong Manavilalu mo Lakeleowia, mo askem wan pis kraon blong oli givim long hem, blong mekem se taem hemi mekem ordination, bae hemi save declarem graon ia blong hemi stap kakai long hem so oli agree, mo givim wan pis land long chief Taripoaliu bifo hemi mekem ordination blong Simeon i kam Mantaure mo from reason ia too nao i mekem se Stephen Kaloris hemi kam *Atav* (Assistant-chief) blong chief Mantaure from hemi descendant blong Manavilalu mo Lakeleowia.
24. Taem Chief Mantaure i kam olfala, Stephen Kaloris hemi *Atav-Taura*, tufala i stap tokabaot blong chief Manavilalu i take-over leadership be from chiefly title ia i stap wetem olfala Chief Silas Manavilalu we hemi blong Emua, mekem se tufala i decide blong ordination blong Solomon i kam Manlaewia mo bae i lukaotem village.
25. Witness Edward Kaloris i continue blong addem long statement blong hem mo talem se taem *Atav-Taura* i approachem tawian blong hem we hemi Solomon aboutem tinktink ia, Aunty Leisau i bin rao long Stephen Kaloris from idea ia mo talem se "Mi no agree se Solomon i chief be yufala i wantem, i oraet bae i spoilem namarakiana". Today oli lukim se toktok blong Aunty Leisau we hemi aunty blong witness Ernest Kaloris i kam reality.
26. Long ordination blong Chief Solomon blong kam Manlaewia long year 1968, ino bin gat wokbaot long boundary blong Malasaliu from chief Mantaure nao i wandem hemi kam chief.
27. Long ordination blong Thomas blong kam Manlaewia long 29<sup>th</sup> November 1988, ino bin gat wokbaot too long boundary blong Malasaliu from taem ia, dispute i start finis long Paunagisu.
28. Long ordination blong Henry Cyrel blong hemi kam Manlaewia long year 1996, taem Paramount Chief Silas Manavilalu blong Malasaliu mo Chief Raymond Marongoe blong Emua i ordainem hem, olgeta descendants blong Manavilalu mo Lakeleowia i bin agree blong tekem hem i wokbaot long boundary blong Malasaliu wetem tinktink se bae hemi respectem custom blong Malasaliu mo bae i kam wan good chief blong lukaotem gud pipol but since ordination blong hem (Henry Cyrel), ruling blong hem i no bin turn-out long expectation blong ol pipol blong Paunagisu, ruling blong hem hemi negative, i mekem se pipol oli suffer, hemia nao samfala samting we olgeta claimants wetem witness Edward Kaloris oli no happy blong lukim we Henry Cyrel olsem chief hemi bin mekem, we i mekem se oli lukim se hemi no qualifaem hemwan blong continue olsem chief i mekem se olgeta claimants oli think se hemi good blong chiefly title Manlaewia i kamback long olgeta claimants from Henry Cyrel i mis-usum plante, mo once title ia i kamback bambae oli save givim long wan man we oli think se hemi stret blong tekem chiefly title ia.
29. Folem custom blong Efate, sapos yu givim wan chiefly title i go, mo man concern ino walkbaot stret folem custom blong hem, yu olsem original owner blong chiefly title ia i gat right folem custom blong karem-back.
30. Witness Edward Kaloris long closing witness statement blong hem, hemi tokbaot storian blong Tokaimakau we hemi wan chief mo semtaem wan warrior mo hemi stap long area blong Malasaliu long eastern-side long Varea (nakamal) blong hem Silimanu we custom meaning blong hem hemi 'accommodatem thousand) mo hemi relatem story ia i kam wetem claim blong Manlaewia.



31. Witness Edward Kaloris hemi endem toktok blong hem blong strongly talem long se chief Manavilalu hemi paramount chief blong Malasaliu (Paunagisu) follem custom blong olgeta, chief Manlaewia hemi wan smol chief nomo, and olgeta claimants nao oli stret patrilineal mo matrilineal blood-line blong hem mo ikat every customary rights blong inheritem chiefly title ia, Manlaewia.

### **“THOMPSON TITUS” – WITNESS BLONG CLAIMANTS**

1. Thompson Titus blong Nguna Island mo chiefly title blong hem hemi Takaitagele.
2. Witness Thompson Titus hemi confirmem long court through long witness sworn statement blong hem se chiefly title Manlaewia hemi title blong wan smol chief nomo blong Malasaliu we hemi stap under long paramount chief Manavilalu.
3. Witness ia i talem se hemi save good storian blong Tokaimakau we varea (nakamal) blong hem hemi Silimanu.

### **B) DEFENSE STATEMENT BLONG FIRST DEFENDANT “HENRY CYREL MO FAMILY”**

Long defense statement blong Henry Cyrel hemi tokbaot mainly ol information we bae i applae plante long bloodline blong family blong Chief Manlaewia Matua no. 1 long ol information ia, mo too bai i applae long ol narafala toktok we bai i stresem klia olsem wanem first defendant i save gat right ia today blong usum chiefly title name ia ‘Manlaewia’.

Henry Cyrel hemi statem klia long defense statement blong hem se hemi save gud se ownership blong chiefly title long custom blong Efate man i no save discussem without graon especially olgeta paramount chiefs. History we first defendant i providem long court hemi stap olsem wan guideline we hemi detailem history blong olgeta pupu blong hem we oli passem i kam long hem mo history ia, hemi kam from olgeta great-great grandfather blong hem we hemi Marik Manlaewia no. 1.

#### **1. Taim blong Tudak**

Henry Cyrel hemi talem se bifo ol missionary oli kam kasem long late 1700’s ol pupu blong hem oli stap finis long ol custom village blong olgeta. During long oltaem ia olgeta original village blong ol pupu blong first defendant oli stap finis. I gat nakamal, dancing graon, Tembol (Toko), blong ordination mo tabu ples.

During long taem ia, population blong olgeta oli smol nomo mo igat wan chief nomo lukaotem mo rulem ol pipol. Sam village we oli gat moa pipol oli gat wan chief mo wan assistant chief.

Every chiefly structures imas gat wan or two warriors. Defendant ia i talem se sam practices we sam village oli stap mekem today we yumi luk se igat plante chief long wan village be evidence we yumi save some long case ia hemi wannem we missionary i tokbaot long ol traditional governing system.

#### **2. First Kristian village**



Henry hemi talem se long early 1800's i bin gat negotiation bitwin Marik Manlaewia Matua mo missionary blong relocatem olgeta pipol blong ol different villages inland mo sam coastal areas blong oli save mov i go stap long hem blong missionary i save startem work blong hem without any disturbance long olgeta custom practices.

During long taem ia negotiation i bin go gud mo jusum ples we 1<sup>st</sup> defendan i stap live long hem mo reside long hem today, long semtaem ia tu Marik Manlaewia i givim wan narafala ples bageken blong bildim wan worship centre long hem but long taem ia missionary ino faenem easy taem from sam long olgeta pipol blong Marik Maripopongi oli stap ko long original villages blong olgeta blong continue wetem ol activities blong custom practises. Long semtaem tu i gat fasin blong adultery mo killing i continue.

Long taem ia chief Maripopongi i bin authorisem ol warriors blong hem blong oli kilim Marik Manlaewia Matua, reason from hemi bin mekem trabol wetem wan long ol woman blong hem.

Taem missionary i luk se situation i hard tumas blong hemi kontiniu long Christian work long ples ia so hemi decide blong movumaot olgeta pipol ia i go long Kakula island wetem sapot blong olgeta pikinini blong Chief Manlaewia Matua mo woman blong hem.

### **3. Migration i go long Kakula smol Island – Year 1884**

Henry Cyrel hemi confirmem long court se i gat 2 reasons nomo blong migrate i go long Kakula smol island: First reason hemi from continuity blong ol custom practices mo second reason hemi from ol pipol oli stap ded from sick blong malaria. Kakula, smol island i stap inside long custom jurisdiction blong custom village blong olgeta pupu blong defendan Henry Cyrel mo hemi stap inside long Malasa customary land.

During long migration after we ol pipol oli settle gud long Kakula small island, Charly Soso or Luisui hemi bin go long Queensland mo work long sugarcane plantation after we hemi return from Queensland, hemi kam wan teacher long Pele Island mo maretem sista blong Chief Maserei.

During long taem ia, ol family Manlaewia oli settle long wan area we oli kolem *Elau ni Worakovika* or *Sumani Worakovika*. Ol family Manlaewia oli gat wan pasis we oli kolem *Elau ni Malasa*. During christian community long Kakula island oli bin decide se bae Charly Luisui bae hemi kam ordain olsem chief blong olgeta.

### **4. Chiefly Structure**

Henry hemi talem se Chief Manlaewia Matua or Marik Manlaewia Matua hemi stap live mo reside long Malasa mo custom village blong hem during 1800's killed by Maripopongi warrior after christian community long Malasa long year 1883.

### **5. First ordination blong ol christian chiefs – year 1900**

Long Friday May 11, 1900 first son blong Chief Manlaewia Matua no. 1 we hemi Charly Luisui hemi ordain long chiefly title ia Masoe-Mankona blong Kakula small island.

### **6. Second Ordination – Year 1922**

Henry Cyrel hemi talem se during after long migration long Kakula ol pipol oli stap mov i goback long Efate mainland mo family Manlaewia oli go stap finis long Paunangisu, oli bildim first christian church blong olgeta after we olgeta narafala pipol blong ol narafala villages long mainland oli mov wetem olgeta. Oli bin decidem se bae Yoba we hemi first bon son blong Kalsurai bae hemi ordain i kam chief Manlaewia II, mo Solomon hemi ordain i kam chief Tuapuletari mo ordination i tekem ples stret long taem we oli openem



first christian church long Paunangisu hemia long year 1922 mo long semtaem i bin gat induction blong Pastor Tom Kalmar. Chief Yoba Kalsurai Manlaewia hemi bin mekem work 5 year mo hemi pas away.

Paunangisu village i bin stap without wan chief another 5 years taem Suasavi Taripoaliu hemi ordainem Simeon Mantaurea blong hemi caretaker chief blong Paunangisu. Title ia Mantaurea, chief Suasavi Taripoaliu nomo i decidem chiefly title ia, inogat ples blong hem long Efate or Malasa Paunangisu.

During long taem ia i gat smol brata blong Yoba, Solomon Tuapuletari i stap work long ship during period we Simeon Mantaurea i stap mekem work long Paunangisu olgeta olfala oli faenemaot se Simeon Mantaurea wetem uncle blong hem, George Napuk tufala i stap kivimaot plante graon blong Paunangisu (Malasa) i stap go long ol diffrent pipol blong olgeta narafala island mo sam blong ol village inland.

During long taem ia olgeta olfala oli decidem se i gud ol stret man ples oli mas tekem back chiefly title blong olgeta blong mekem sure se oli holem tait ol graon blong olgeta. Long taem ia ol olfala oli planem wan narafala ordination blong oli putum stret ol chief long ol stret ples blong olgeta.

#### **7. Third Ordination – Year 1968**

Henry hemi talem se during taem ia Chief Kalosike Taripoamata mo Chief Raymond Marongoe i ordainem trifala (3) bigfala chiefs mo declarem olgeta boundary mark blong olgeta. Olgeta trifala chief ia i gat Chief Solomon Tuapuletari Manlaewia, Chief Peter Maripopongi mo Chief Dick Kalmer hemi ordained i kam Tangaraipokasi mo Kalfau Johnson hemi ordain i kam Atavirua.

#### **8. Fourth Ordination – Year 1996**

Henry hemi talem se during taem ia, emi 29<sup>th</sup> November 1988 i bin gat opening blong new Presbyterian church building long Paunangisu. Chief Solomon Tuapuletari hemi olfala, so ol family oli decide se pikinini blong hem Thomas bae hemi ordain long chiefly title ia Manlaewia. Chief Thomas Manlaewia IV hemi mekem work olsem wan chief blong wan period blong six years nomo after hemi ted.

#### **9. Fifth Ordination – Year 1996**

Henry hemi se during mo before long taem ia i bin gat sam interesting issue i kamap:

1. Long year 1976 late chief Solomon Tuapuletari Manlaewia hemi bin kolem wan miting long house blong sista blong hem Taliet Morrison mo declarem appointment blong hem se hemi awardem chiefly title Manlaewia i go long Henry Cyrel we hemi grandson blong hem. Long taem ia Thomas Solomon olsem stret pikinini blong chief Solomon Tuapuletari Manlaewia, hem tu istap long family miting ia.
2. After long appointment ia, Edward Kaloris we hemi stret papa blong claimant long case ia, hemi bin stearemap ol family mo i mekem se olgeta stret family blong Chief Solomon Manlaewia oli divide after i mekem se hemi hard tumas blong Henry Cyrel i karemaot work we apu blong hem i awardem long hem.
3. During long taem ia, Henry Cyrel i willingly decidem blong step daon mo give-hand long uncle blong hem Thomas Solomon blong hemi ordain long chiefly title ia





Manlaewia without help blong Edward Kaloris mo family blong hem. Henry Cyrel olsem stret nephew blong Thomas Solomon, hemi tekem wan pig, ol mat mo olgeta kakae blong hem without help blong family Malu mo Lakeleowia descendants' mo family Vamele.

4. During long olgeta taem ia long June 1993, late Chief Solomon Manlaewia i pass away. Before funeral blong hem, stret pikinini blong hem Chief Thomas Manlaewia i decidem blong first defendant Henry Cyrel bae i pass andanit long kovin blong late chief Solomon Manlaewia long first reason se bae defendant Henry Cyrel bai i take-over chiefly title Tuapuletari mo second reason we hemi (Chief Thomas Manlaewia) talem se bae hemi no save pas andanit long kovin from se late Chief Solomon Tuapuletari Manlaewia we hemi papa blong hem i no bin awardem hem (Chief Thomas Manlaewia) long chiefly title ia Manlaewia.
5. Long July 1994 Thomas Solomon Manlaewia hemi pass-away long Vila Central Hospital. During suffering blong hem, olgeta second defendant long case ia we hemi Family Vamele oli bin go lukim hem long hospital blong askem hem blong hemi kivim long olgeta chiefly title ia Manlaewia.

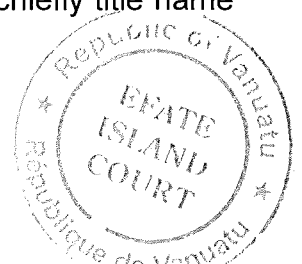
Long last day bifo pasing away blong Thomas Solomon Manlaewia IV, hemi kolem first defendant tru long woman blong hem Martha se hemi wantem lukim Henry Cyrel mo ol sista blong hem mo ol pikinini blong hem.

During long taem ia Thomas Solomon Manlaewia IV i bin talem aot long olgeta everywan we hemi singaotem olgeta i kam long hospital se family Vamele oli bin wantem luk hem concernem chiefly title Manlaewia be hemi decidem blong i no toktok long olgeta. Hemi continue blong toktok mo talem se hemi stap harem se sick ia bai i winim hem mo sapos i olsem bae every samthing i stap long hand blong yu Henry Cyrel olsem we apu blong yu Solomon Tuapuletari Manlaewia i talem finis mo bae yu no forgetem ol pikinini blong mi (Thomas Solomon Manlaewia). After short toktok ia, Thomas Solomon i pass-away.

6. During long next day long funeral blong hem, olgeta chief blong area council Marakinavata oli karem body blong hem i go inside long Nakamal mo oli putum first defendant Henry Cyrel long saet blong kovin blong late Thomas Solomon mo oli announsem long public se "as of today chief Henry Cyrel Tuapuletari bae hemi acting Chief Manlaewia kasem taem we family oli decidem date blong ordination blong hem.
7. Long August 1996, Henry Cyrel Tuabuletari i ordain long chiefly title Manlaewia V blong lukaotem ol pipol blong Paunagisu village.

## 10. Chiefly Title Dispute

Henry Cyrel hemi talem aot long court ia se long taem ia Kalorong Kaltonga hemi mekem disturbance long village mo createm mo dividem village long two (2) groups mo hemi plan blong karemaot wan ordination blong hem blong hemi ordain long chiefly title name ia Manlaewia.



During long time ia defendant Henry Cyrel mo ol narafala wan oli bin toktok long chairman blong Marakinavata area council blong olgeta chiefs, Chief Raymong Marongoe blong hemi kolem vaturisu executive blong kam long Paunangisu blong deal wetem case ia. During long taem ia Vaturisu Commission i bin sitaon long varea blong Paunangisu long 17 mo 25 April 1996.

**Sworn Statement blong Henry C. Solomon Kalsurai Manlaewia (V) blong sapotem Defence Statement blong hem olsem first defendant.**

Henry Cyrel Solomon Kalsurai Manlaewia (V) blong Paunangisu Village North Efate, hemi confirmem long court ia se hem nao first defendant long case ia mo semtaem hemi paramount chief blong Paunagisu Village hemia long Norht-Efate. Henry Cyrel i confirmem through long sworn statement blong hem se hemi inheritem chiefly hem olsem Manlaewia (V) through long birth right mo follem bloodline blong hem we i pass through long pupu blong hem mo uncle blong hem hemia long saet blong mama. Blong sapotem defence we i stap, Defendant Henry Cyrel i annexem mo markem 'HM1' wan true copy blong Efate customary law we hemi briefly outlinem how nao wan man i save kam wan custom chief.

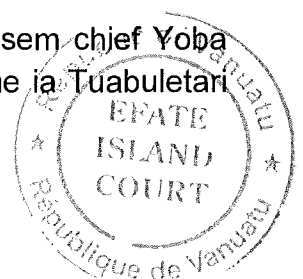
Long year 1700's bifo ol missionary oli kasem North-Efate, Chief Manlaewia Matua no. 1 i stap reside mo live long village closap long ples we Paunangisu i stap long hem today. Chief Manlaewia Matua no. 1 hemi bin rul finis bifo missionary oli kasem North-Efate, varea blong hem or Malala (dancing graon) hemi ples ia nao we 1<sup>st</sup> Defendant i bin ordain long hem long year 1996. Olfala well blong wota, fanis blong pig mo grave mo ples we first Christian church i bin stap long hem before oli mov i go long Kakula long 1884 (hemi ples we 1<sup>st</sup> defendant hemi stap live mo reside long hem today). Village blong Manlaewia Matua no. 1 name blong hem *suamni-sai-piri*. Ol objects or land mark blong olgeta oli stap nomo. Chief Manlaewia Matua no. 1 mo woman blong hem, tufala i gat three (3) surviving pikinini olsem we i structure blong first defendant: Charley Luisui we samtaem oli stap kolem hem Charley Soso; Kalserei mo Kalsurai. Chief Manlaewia Matua no.1 i bin ded samtaem long 1883 bifo migration long Kakula Island long 1884.

Eldest son blong hem Charley Luisui or Soso i bin go long Brisbane Australia bifo papa blong olgeta i ded.

Third brata blong Charlie Luisui Masoe Mankona we name blong hem kalsurai hemi bin tekem name ia Manlaewia be from we ol missionaries oli no wantem influence blong custom long work blong olgeta, mekem oli jusum bigfala brata blong Kalsurai we hemi Charlie Luisui blong hemi kam chief blong Kakula small island from se hem i jas kam back long Queensland Australia. Charley Luisui or Soso, i ordain olsem 'Chief Masoe-Mankona of Kakula' long year 1900.

After Kakula, ol pipol oli start blong go back long ol original places blong olgeta mo Kalsurai hemi fes man blong rebuildim home blong hem mo family blong hem long Piri-wosa we today yumi kolem Paunagisu village i stap today. Kalsurai mo woman blong hem Leintas tufala i gat five (5) surviving pikinini: (1) Yoba hemi wan boy, (2) Bolei hemi wan girl, (3) Solomon hemi wan boy, (4) Emely hemi wan girl mo (5) Taliet hemi wan girl.

Long year 1922 first bon son blong Kalsurai mo Leintas, Yoba hemi ordain olsem chief Yoba Manlaewia (II) mo brata blong hem Solomon hemi ordain long chiefly title name ia Tuabuletari



we hemi assistant blong Savaki village. Yoba hemi nogat pikinini. Yoba hemi rul 5 years nomo after hemi ted.

Bolei we hemi wan sister blong Yoba, hemi mared i go long wan man Tanomiala.

Taem Yoba Manlaewia II i ded, brata blong hem Solomon we hemi tekem chiefly title blong Tuabuletari olsem assistant chief blong Savaki village, hemi stap work long ship, mo George Nabuk blong Suasu village, from we hemi tekem woman blong Yoba bageken mekem se hemi stap salemaot ol graon blong Manlaewia. Taem Geroge Nabuk i ded uncle blong hem chief Simeon Mantaura blong Suasu village i Care-Taker bageken mo i stap salemaot ol graon blong Manlaewia long ol man olbaot. Taem ol olfala oli luk ol fasin ia we tufala olfala blong suasu village oli stap salemaot graon blong Manlaewia long ol different man, oli mekem toktok blong Solomon Tuabuletari i mas kam bak long Paunangisu blong tekemap taetol bong chief mo protectem ol graon blong olgeta. Chief Solomon Tuabuletari i kam long village mo stap work along wetem chief Simeon Mantaura blong preparem hem long work blong hem olsem wan paramount chief.

Long year 1968 January 16<sup>th</sup>, Solomon we hemi smol brother blong Yoba, hemi ordain long chiefly title Manlaewia III. Solomon wetem woman blong hem Leisau, tufala i gat four (4) surviving pikinini: (1) Anne we hemi girl mo hemi gat 11 surviving pikinini, (2) Elsie we hemi wan girl mo hemi gat 6 surviving pikinini, (3) Ratchel we hemi wan girl mo hemi gat 4 surviving pikinini, (4) Thomas hemi wan boy mo hemi gat 6 surviving pikinini.

Taem Chief Solomon Tuabuletari Manlaewia III i harem save se paoa blong hem i stap go daon, hemi organaesem wan family gathering long house blong sister blong hem Taliet Morrison mo awardem Henry Cyrel blong tekemap chiefly responsibility ia bageken.

- (1) Emely we hemi wan sister blong tufala brother ia Yoba mo Solomon, hemi mared i go long Tongoa;
- (2) Talieta we hemi last bon pikinini girl blong Kalsurai mo Leintas, hemi mared i go long Emua mo re-mared bageken i go long Malekula.

Long year 1976 hemia long manis February, Chief Solomon Manlaewia III i organaesem wan gathering blong family Manlaewia mo declarem Birthright blong chiefly title ia Manlaewia mo chiefly title Tuapuletari i go long grandson blong hem mo semtaem adoptem hem. Wan incident i bin tekem ples after long taem ia we Edward Kaloris nao i kosem mo forcem Thomas we hemi last bon blong Solomon Manlaewia III blong tekem chiefly title Manlaewia from hemi no wandem se Henry Cyrel i tekem mo problem ia i creep i kam kasem today.

Long year 1988 Thomas Manlaewia IV hemi ordained.

Long year 1993 Solomon Manlaewia III hemi ded mo long ded blong hem boe blong hem we emi Chief Thomas Solomon Manlaewia IV i bin givim right long Henry Cyrel blong pas andanit kovin blong late chief Tuabuletari Manlaewia III blong tekem taetol ia Tuabuletari.

Long year 1994 Thomas Manlaewia IV i ded mo Henry Cyrel Tuapuletari i stanap long saet blong kovin blong hem, mo senior Chief Raymond Marangoe i announsem se Henry Tuapuletari nao i tekemap title Manlaewia bageken.



Long year 1996, Henry Cyrel hemi ordained long chiefly title Manlaewia. Long sem morning we ordination bae i tekem ples, Edward Kaloris we hemi papa blong claimant long proceedings ia, hemi sendem tufala man blong hem i kam wetem tufala chiefly title names blong Henry Cyrel Manlaewia i ordainem boy blong hem Ernest long name ia Lakeleowia mo wan cousin blong hem long name ia Manlaerana. Taem woman blong Henry Cyrel i questionem tufala man ia se who i givim ol names ia from ino fasin blong custom mo too Henry Cyrel wetem ol chieives blong Vaturisu oli stap dress up finis blong go long *Toko* blong ordainem Chief Henry Cyrel, nao tufala man ia i go back mo talem long Edward Kaloris mo hemi sendem tufala i kamback mo talem se Edward Kaloris i talem se olgeta ia oli ol smol chief we bae oli helpem Chief Manlaewia long ol work blong village.

Follem fasin blong ordination, olgeta we oli save helpem work blong bigfala chief we oli kolem *Atavi* mo sam narafala names bageken, oli ordain long fasin we oli sidaon long mat mo oli nogat *Toko*.

Kalorong Kaltonga i mekem attempts blong claimem chiefly title Manlaewia be i no succeed. Taem we Kalorong Kaltonga i no save succeed long chiefly title Manlaewia mo hemi harem se Vaturisu Council blong olgeta chieives oli mekem plan blong first defendant i mas completem process blong ordination blong hem mo putum wan date blong ordination, Kalorong Kaltonga i go tekem wan chief blong Emau mo chief blong Mangaliliu mo mekem wan illegal ordination blong chiefly title Maripongi we i no follem custom fasin blong North-Efate blong kam wan custom chief.

First defendant hemi attachem family tree blong hem too blong sapotem olgeta defence statement blong hem long proceeding ia.

Long defence statement blong Henry Cyrel, hemi explainem too how nao wan man i save kam wan custom chief follem custom blong North Efate, blong wan man i save entitle or gat right blong inheritem wan chiefly title blong kam wan custom chief, man ia i mas gat:

1. Blood connection blong wan custom chief;
2. Wan custom chief i awardem hem tru long WILL mo BIRTHRIGHT
3. Sapos i gat sudden ded long wan custom chief be ino disaed blong wan family member blong hem blong tekemap taetol ia, automatically chiefly title ia stap long care blong woman blong hem we oli kolem TUKURAU;
4. Tukurau ia i mas kolem ol klos family blong chief ia, blong oli disaed blong who nao i stret blong tekemap chiefly title ia bageken;
5. I mas go tru long ol process blong ordination blong wan custom chief olsem;
  - a. Stap long mat or sidaon long kovin;
  - b. Workabaot andanit long kovin blong ded chief;
  - c. Ordination performance we wan paramount chief or neighbour paramount chief i save layem hand long hed blong niufala chief
  - d. Bifo last performance blong process ia, TUKURAU blong chiefly title ia i mas mekem wan custom ceremeony blong clearem spirit blong chiefly title long house blong hem mo mekem se spirit blong chiefly title ia mo power blong hem i mas out long house ia blong widow ia i free. Defendant hemi annexem true copy blong Efate Customary Law blong sapotem statement ia.



- e. Long defence statement blong 1<sup>st</sup> defendant, hemi produsim long court ol pictures blong ol custom ordination we i bin happen long chiefly title name ia Manlaewia blong sapotem statement blong hem olsem 1<sup>st</sup> defendant long case.

Henry Cyrel i confirmem long statement blong hem se according long history, Chief Manlaewia hemi no wan smol chief olsem we i stap long statement blong ol narafala parties long procceding ia therefore, hem olsem first defendant long case ia hemi stanap strong blong protectem chiefly title Manlaewia from hemi right blong hem.

#### **“FANNY CYREL” – WITNESS BLONG 1<sup>ST</sup> DEFENDANT**

Long witness statement blong 1<sup>st</sup> Defendant’s witness we hemi Fanny Cyrel i explainem moa long details background chiefly title ia Manlaewia from we hemi save good history blong ol events we i stap happen long chiefly title ia Manalewia:

1. Birthright blong chiefly titles Manlaewia mo Tuapuletari – (February 1976)
2. Incident we i happen after long taem ia by Edward Kaloris
3. Ordinesen blong Chief Thomas Manlaewia IV – 1988
4. Dead blong Chief Solomon Manlaewia III long 1993 (we Henry i mas pas under long kovin be ino Thomas).
5. Dead blong Chief Thomas Manlaewia IV long 1994
6. Ordinesen blong current Chief Manlaewia “V” 1996
7. Matova Toatao i bon long 2006

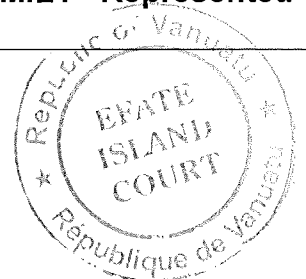
#### **“KALO THOMAS” – WITNESS BLONG 1<sup>ST</sup> DEFENDANT**

Kalo Thomas hemi confirmem long court ia se hemi save se chiefly title Manlaewia hemi blong olgeta first defendant. Hemi se hemi never harem name ia Lakeleowia mo Matova Toatao. Hemi talem tu se hemi jes harem tufala name ia naoia nomo.

#### **“ALBERT MANLAESINU” – WITNESS BLONG 1<sup>ST</sup> DEFENDANT**

Albert Manlaesinu hemi confirmem long court ia se hemi paramount chief blong Emua Village N. Efate. Hemi talem tu se hemi kam blong sapotem claim blong Chief Henry C. Solomon Kalsurai long chiefly title Manlaewia. So hemi wantem mekem i kliia long honourable court ia se name ia Matova ToaTau emi name blong ancestor blong mi mo mi no wantem blong eni paty long case ia bai iusum from ino name blong olgeta. Albert Manlaesinu hemi presentem tu wan family tree blong Chief Manlaesinu mo extended family i kam lo court ia blong sapotem olgeta toktok blong hem.

**C) DEFENSE STATEMENT BLONG 2<sup>ND</sup> DEFENDANT “VAMELE FAMILY” Represented by Kaltonga Kalorong**



Kaltonga Kalorong we hemi pikinini boy blong late Kalorong Kaltonga, hem nao representative blong Vamele Family, second defendant long case ia.

Olgeta 2<sup>nd</sup> defendant oli presentem defence statement blong olgeta long dispute blong chiefly title Manlaewia follem custom blong olgeta Vamele Family long North-Efate. Vamele Family i confirmem long court se chiefly title Manlaewia hemi title blong wan smol chief nomo blong Tanomiala boundary we Vamele Family nao i stret bloodline mo stret pikinini blong Tanomiala.

Olgeta 2<sup>nd</sup> defendant oli talem se bifo ol missionary oli kam, ol olfala blong olgeta nomo i stap long Tanomiala mo olgeta *naflak Nawi (yam)* mo title ya Manlaewia hemi naflak blong yam. Defendant i confirmem long court se long custom blong olgeta blong pasem title blong chief, hemi pass from papa i go long pikinini boy blong hem (father to son) we hemi *naflak Nawi (yam)*, be sapos papa we i no gat wan pikinini boy, bambae sista we i kat boy bae i tekem chiefly title ia.

Kaltonga hemi talemaot long court too se taem ol missionary i kam oli tekemaot ol olfala long custom village long bush i kam daon long solwora blong mekem prea mo save God. Hemi talem too se Kalsurai, papa blong hem hemi blong Romoso, wan olfala village long bush antap long hill. Hemi se grave blong papa blong kalsurai i stap tete long Romoso. Hemi talemaot se olgeta oli luk mo save ples we i stap mo oli save soem long kot wea ples i stap long hem.

Kaltonga hemi talem se folem family kalsurai we hemi *naflak Nawi (yam)*, hemi blong blong Romoso be i no Tanomiala. Hemi se long custom, man we i wan *naflak Nawi (yam)* be hemi bong narafala village oli ol brata or wan family nomo. Hemi talem too se Kalsurai woman blong hem Leintas, tufala i kat five pikinini, two boy mo three girl, tufala boy blong hem hemi Yoba mo Solomon mo ol girl i gat Taliet, Polei mo Emely olgeta oli family yam mekem se ol man Romoso oli kam daon mo oli stap wetem ol family blong olgeta long Paunangisu we custom village emi Tanomiala.

Kaltonga hemi talemaot too se taem ol olfala oli kamback long Kakula smol Island long year 1911 mo 1912 oli mekem village we Paunagisu i stap long hem today, custom name blong hem i *Nagisu ni Piriwosa*, long 1911 oli singaotem Paunagisu meaning blong hem hemi *Napau Ni Nagisu* we hemi head blong point. 2<sup>nd</sup> defendant i talem se after we oli putum up tufala chief ia Manavilalu mo Manlaewia, tufala man we i karem title ia wan hemi Willie Susere mo Yoba. Willie Susere i tekem Manavilalu mo Yoba tekem Manlaewia. Hemi se taem Yoba i ded George Napuk hemi lukaotem pipol nomo be hemi no ordain mo taem hemi ded Kalnagis blong Suasu we chiefly title blong hem hemi Mantaura, hem nao i lukaotem ol pipol bageken mo hemi pass-away long year 1970.

Kaltonga hemi confirm too se long year 1968 oli ordainem Chief Solomon long chiefly title name Manlaewia, Solomon hemi brata blong Yoba mo hemi lukaotem ol pipol blong Paunagisu long year 1968 kasem taem we hemi olfala mo i nomo save mekem work. Hemi se long taem ia nao hemi talemaot long olgeta ol family se name ia Manlaewia i mas kobak long stret family blong Tanomiala we oli family yam. Hemi talem too se long namba 27 November 1988 Chief Solomon i laef yet mo i mekem custom ia blong karemaot chiefly title name Manlaewia folem fasin blong olgeta, mo oli mas karemaot chiefly title name ia bageken long custom so papa blong representative blong olgeta 2<sup>nd</sup> defendant we hemi Kalorong Kaltonga hemi karem 1 pig, 5 mat, 4 calico, 1 stamba kava, 5000vt mo kakai. Late Kalorong Kaltonga hemi confirmem through long written statement blong hem we representative blong olgeta Vamele Family i presentem long court se hemi tekemaot chiefly title name ia Malanewia finis mo Solomon Kalsurai we hemi former Manlaewia hemi promise se name ia i mas go back long Family blong Tanomiala.

2<sup>nd</sup> defendant hemi talem se taem oli karemaot chiefly title name ia finis, family yam oli decide blong givim name ia i go long Thomas Solomon we hemi pikinini blong Solomon Kalsurai blong i karem name



ia bageken. Long namba 29<sup>th</sup> November 1988 Thomas Solomon hemi ordained olsem chief Manlaewia III.

Kaltonga Kalorong we hemi representative blong olgeta second defendant, hemi talem too se long namba 16 June 1994. Chief Thomas Manlaewia III hemi ded. So olgeta family *Nawi (yam)* i gat wan meeting blong decidem who ia next man blong tekem chiefly title name ia Manlaewia, hemi se olgeta we oli stap long miting ia i gat late Kalorong Kaltonga, Tanearu Mansanga, Charly Morrison, Pastor David Kalsaruru, Peniel Obed, Keith Kalmara, Samuel Kalsaruru, Pastor David Kaltapiri, Elder Johnson, Kalsa Desnie, James Marcel, Kerk Kalmaire mo Henry Cyrel.

Kaltonga i talem too se after long meeting, olgeta long family nomo oli go long nakamal (*varea*) taem body blong late Thomas Manlaewia i laydaon i stap inside long nakamal, taem ia nao Chief Raymond Marongoe blong Emua hemi declarem se bai late Kalorong Kaltonga mo Henry Cyrel bambae tufala i lukaotem ol pipol fastaem kasem taem family yam i meeting bageken blong decidem se who nao next man blong karem chiefly title name Manlaewia. Hemi se reason from late Thomas Solomon i ready blong oli mekem funeral blong hem. 2<sup>nd</sup> defendant i talem se lo taem ia late Kalorong Kaltonga mo Henry Cyrel i stap wok tugeta be ino long taem nomo Henry Cyrel, first defendant long case ia i stap akensem hem (late Kalorong Kaltonga) from chiefly title ia Manlaewia.

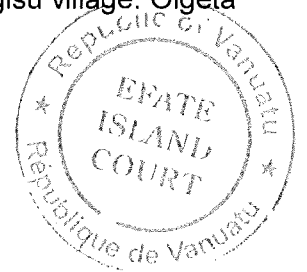
Vamele Family i confirmem too se long year 1996 oli bin raorao from chiefly title blong Manlaewia mo Henry Cyrel i ronemaot Vamele Family mo ol family yam mo ol narafala family we oli sapotem Vamele Family. Henry Cyrel, first defendant long proceeding ia i talem long olgeta se bae oli muvaot mo oli go live long ol different communities long Efate so i bin happen olsem we Henry Cyrel i talem mo samfala pipol oli even go live long ol offshore islands blong Efate. Henry Cyrel hemi usum ol man Tongoa blong oli ronemaot Vamele Family mo ol pipol we oli stap follem Vamele Family mo ol family yam.

After we Henry Cyrel i ronemaot olgeta finis, hemi self-ordained long namba 15 August 1996 mo afta long illegal ordination blong hem, long date ia 16 September 1996 just after 29 days we hemi ordained, first defendant wetem ol outside force blong hem we oli blong Tongoa oli illegally burnem daon 17 houses, fulap houses oli brokbrok mo damage mo oli stealim plante samting blong ol pipol olsem faol, pig, mattress, plates, spoons, cups etc.. Reason behind long ol action ya hemi from we first defendant hemi no wantem ol family yam blong kambak mo tokbaot chiefly title name ia bageken from hemi save se chiefly title name ia Manlaewia i no blong hem. Henry Cyrel hemi no blood blong chiefly title Manlaewia mo hemi no line blong yam be hemi line blong fish tru long apu woman blong hem we name blong apu woman hemi Dorothy blong Tikilaso, blong Nguna Island. Grandfather blong Henry Cyrel hemi Mindo Makoe, hemi wan pure man Norfolk Island. Mindo Makoe hemi wan trader (business man) before long Nguna Island.

Long taem ia i gat wan olfala woman Tikilaso we name blong hem Dorothy i stap house girl blong hem koko after man Norfolk ia i givim pikinini long hem. Name blong pikinini ia hemi Cyrel Makoe. Cyrel Makoe wetem papa blong hem Mindo Makoe mo pikinini blong hem Henry Cyrel trifala ia oli pure man Norfolk, oli no stret man ples.

Second defendant hemi talem too se custom we hemi karemaot long late Solomon Manlaewia mo givim long boy blong late Thomas Solomon, custom ia i laef nomo i stap mo taem we Thomas Solomon Manlaewia III i ded, custom ia i kambak long 2<sup>nd</sup> defendant from hemi smol chief blong Tanomiala.

Vamele Family i questionem leadership blong Henry Cyrel mo talem se spos hemi true se Henry Cyrel hemi wan high chief follem stret line blong chief, bae i gat peace mo unity long Paunagisu village. Olgeta pipol oli no laekem hem from we hemi presentem ol custom storian we oli no stret.



Hemi talem tu se Henry Cyrel we hemi stap acting long name ia Manlaewia naoia, hemi usum leadership blong hem blong mekem samting blong winim benefit blong hem nomo be i no blong goodness blong ol pipol blong community blong Paunangisu village. Kraon blong ol pikinini we ol bubu oli givim long ol pikinini long Manua skul Henry Cyrel i salem bigfala half blong kraon ia i go long foreigner mo tedei population blong ol pikinini hemi increase long 500 moa be i nomo gat inaf ples blong buildim ol classroom long hem.

Long defence blong second defendant, hemi talem se follem custom blong Tanomiala olsem Paunangisu village today, hemi tapu blong usum custom name ia *Tukurao*. Follem custom, *Tukurao* hemi girl blong chief, hemi olsem wan princess. Follem custom, custom name ia *Tukurao*, girl blong chief nomo i allow blong tekem mo i gat evidence long custom name ia *Tukurao* we ol pikinini blong *Tukurao* oli exist today we oli born out long ol stret pikinini blong chief mo oli stap olbaot long Paunangisu mo Emua village, hemia nao hemi stret custom mo true record long custom blong Tanomiala mo Paunangisu village today.

2<sup>nd</sup> defendant hemi presentem wan structure blong tribe i kam long honourable court ia we i kavaremap boundary blong Tanomiala mo wan family tree blong Maripongi we hemi ol man blong Tanomiala.

Base long statement blong 2<sup>nd</sup> defendant, hemi talem long court ia se chairman blong Vamele Family wetem olgeta chiefs blong olgeta hemia Chief Kalorong Kaltonga, Chief M. Manlaitoa, Chief J. Namali, Chief T. Mansanga, Chief Mansarape, Chief T. Masemanti mo Chief Masemantalo se olgeta nao oli ol stret family line blong name ia.

Manlaewia mo name ia hemi name blong wan long ol smol chief blong Tanomiala be ol olfala blong olgeta oli bin givim long wan olfala we name blong hem Yoba. Name ia i just pass on i go long brata blong hem, Solomon we hemi apu man blong Henry Cyrel then i kam long Thomas mo naoia i stap wetem Henry be naoia ol stret family i wantem blong name ia oli mas karem back folem wan stret fasin.

Tufala family group ia Malu mo Henry Cyrel tufala i no stret family blong name ia. Tufala i bin tekem name ia Manlaewia long wan krukut fasin we i mekem se naoia Henry Cyrel i holem name ia i stap. Oli talem tu se hemi stap usum Chiefly Title ia naoia long ol personal interest nomo we i mekem se today plante community membas oli stap kam victim long hem.

Second defendant i confirmem too se oli bin putum i clear finis se Chief Manlaewia hemi smol chief blong Maripongi long statement blong claim blong Vamele family long Efate Island Court case No. 10/84 blong Kakula Island.

Vamele Family olsem second defendant long case ia, hemi stanap strong blong defendant chiefly title Manlaewia mo hemi wandem se name ia Manlaewia i mas kamback long olgeta stret family blong name ia.

### **“CHARLEY MORSEN” – WITNESS BLONG 2<sup>ND</sup> DEFENDANT**

Charley Morsen we hemi gat 73 years old mo hemi stap live long Paunangisu. Hemi confirmem long court through long verbal witness statement blong hem se hemi kam blong talem wan toktok we i kamaot long mouth blong Thomas Manlaewia. Thomas Manlaewia IV hemi harem save se bae sick i winim hem afta hemi talem se name ia bae i go back long family mo bae ol pikinini blong hem bae oli stap long hand blong Henry Cyrel. Toktok ia hemi talem long presence blong Henry Cyrel wetem wife blong hem Fanny Cyrel, wife blong Thomas we hemi Martha, Kalserei Pether, Pierre Kaloris mo Kalsa Desney. After we Thomas Manlaewia IV i talem toktok ia, two days later, hemi pass-away. Witness ia hemi confirmem long court nomo wanem we hemi witnessem i happen long hospital folem wanem we hemi rememberem.





### **“KALSA DESNEY” – WITNESS BLONG 2<sup>ND</sup> DEFENDANT**

Kalsa Desney hemi kam long court mo witessem nomo wanem we hemi bin witessem long hospital. Witness ia i talem se Thomas Manlaewia IV, taem hemi stap long sick bed blong hem long hospital, hemi talem se “bae name ia i go back long Family Yam” mo while hemi stap toktok, eye contact blong hem i stap adressem witness Kalsa Desney. Witness i continue blong talem se long time ia, i no hem hemwan long hospital wetem Thomas, be i gat ol narafala wan too we Thomas i bin sendem toktok from olgeta blong oli kam mo olgeta ia i gat ol pikinini blong Thomas, woman blong Thomas, Henry Cyrel wetem wife blong hem, mo long semtaem, Thomas i toktok long Henry Cyrel blong bae Henry Cyrel i lukaotem good ol pikinini blong hem (Thomas). Emia nomo ol witness statement blong witness Kalsa Desney.

### **“ALICK DESNEY” – WITNESS BLONG 2<sup>ND</sup> DEFENDANT**

Papa blong Alick Desnie hemi Desnie mo mama blong hem hemi Raela mo olgeta oli family Nawi (yam). Late Chief Solomon Manlaewia hemi apu blong witness Alick Desney mo olgeta oli family Nawi (yam). Long save blong witness ia, hemi stap confirmem long court se olgeta family Nawi oli save good se Chief Solomon Manlaewia i talem long olgeta se chiefly title Manlaewia i mas kam back. Family Nawi i save good se Kalorong hem i bin tekemaot chiefly title name ia Manlaewia long late olfala Solomon Manlaewia mo givim i go long Thomas blong i tekem name ia bageken. Taem Thomas hemi ded, family i meeting mo talem se name ia bae i stap fastaem mo bae nogat man i tekem from bae oli just decidem after. Be i no longtaem Henry Cyrel i stap faet from long year 1996 mo i ronemaot every family yam mo ol narafala chief oli ordainem hem. Taem ia nao i nogat peace kasem today so witness hemi look forward blong court ia i mas decidem matter ia blong Paunagisu i save gat peace mo unity.

### **“TANEARU KALSEI” – WITNESS BLONG 2<sup>ND</sup> DEFENDANT**

Witness Tanearu Kalsei hemi wan smol chief blong Tanomiala we chiefly title blong hem hemi Mansanga. Name blong papa blong hem hemi late Mansanga Kalsei mo mama blong hem hemi Sesi mo olgeta i family *Nawi (Yam)* mo late Chief Solomon Manlaewia hemi wan papa blong hem mo hemi family *Nawi (Yam)* mo oli save gud se late Chief Solomon Manlaewia i talem long olgeta se chiefly title ia Manlaewia i mas go back long ol stret family blong hem emia family *Nawi (yam)* mo chiefly title ia emi wan smol chief long Tanomiala nomo.

Witness ia hemi confirmem long court se Chief Solomon Manlaewia hemi talem long olgeta family se name ia Manlaewia i mas go back long ol stret family from name ia Manlaewia mo Mansanga tufala i smol chief blong Tanomiala nomo. Oli talem se name ia Manlaewia i kambak long olgeta blong i gat peace mo unity long Paunagisu from since 1996 kam kasem long yia ia 2019 i mekem 23 years we i nogat peace long Paunangisu.

### **“TOARA KALORIB” – WITNESS BLONG 2<sup>ND</sup> DEFENDANT**

Toara Kalorib we hemi gat 67 years old mo hemi stap live long Emua village mo hemi chairman blong Vamele Family mo sem taem hemi stret man Tanomiala. Witness ia i confirmem long court se name ia Manlaewia hemi name blong ol man Tanomiala. Hemi se folem saed blong Naflak or Nakainanga name ia emi blong line blong *Nawi (yam)*.

Witness ia se taem Solomon Manlaewia i laef i stap, hemi stap talemaot long olgeta se name ia Manlaewia i mas kam back long olgeta ol family blong *Nawi (yam)*.



Toara Kalorib i talem too se taem Chief Solomon Manlaewia hemi laef yet, hemi bin talem finis se Kalorong hemi bin karemaot name ia long custom finis mo witness hemi wantem sipos court ia i save mekem wan decision long matter ia so that bae Paunagisu i save gat peace mo unity long hem.

Witness i confirmem se Henry Cyrel, first defendant long case ia mo semtaem hemi holem chiefly title ia i stap wetem hem naoia, hemi mekem tumas problem wetem mo spoilem name ia mekem se olgeta ol stret line blong name ia oli stap harem nogud long hem mo hemi se today i gat divisen i stap long Paunangisu since 1996 kasem long 2019, i mekem 23 yia we i nogat pis long Paunangisu.

**D) DEFENSE STATEMENT BLONG 3<sup>RD</sup> DEFENDANT "MATOVA TOATAU & DESCENDANTS"  
Represented by Kenedy Kalfau**

Long defence statement blong 3<sup>rd</sup> defendant, oli talem se Family blong Matova Toatau nomo ikat longfala save long history blong past mo present cultural mo traditional practices blong Malasa Customary Governance:

1. Family blong Matova Toatau hemi entitled long Chiefly Title "MANLAEWIA", Sub-Ordinate Chief blong Tanomiala Custom Dominion or Namarakiana we Malasa Customary Land istap insaed;
2. Ol descendants blong Matova Toatau Manlaewia nomo i gat right blong kam Chief Manlaewia;
3. Chief Mari-popongi, Paramount Chief blong Tanomiala nao ibin kivim o allocatem Malasa Customary Land iko long Matova Toatau Manlaewia I, first Chief Manlaewia, Sub-ordinate Chief blong Chief Mari-popongi;
4. Chief Manlaewia nao hemi custom owner blong Malasa Customary Land today;
5. 3<sup>rd</sup> defendant i also entitled blong appointem ol narafala Assistants Chiefs blong Tanomiala Customary governance we Malasa Customary Land istap insaed.

3<sup>rd</sup> defendant hemi presentem Family-Tree blong Manlaewia's custom properties igo olsem:

- 1)
  - 1<sup>st</sup> Manlaewia we ol forefathers blong 3<sup>rd</sup> defendant i save name blong hem hemi "MATOVA TOATAU".
  - Matova Toatau hemi wan man.
  - Matova Toatau hemi nakainaga smol "Yam".
  - Custom name blong kaen yam ia hemi "Megeve"
  - Matova Toatau hemi first known subordinate chief we i ownem Malasa Customary Land we ol ancestors blong mi kasem mifala i save name blong em.
  - Woman blong Matova Toatau, name blong hem Marsaria
  - Rev. Peter Milne hemi stap singaotem Marsaria long wan narafala name bageken se "Leisaria"
  - "Matova Toatau" imaretem "Marsaria" (Leisaria) mo tufala i bonem wan girl nomo name blong hem "Nara'saipiri"
  - Matova Toatau ided long Kakula Isand
- 2)
  - 2<sup>nd</sup> Manlaewia name blong hem "GEORGE NABUK"
  - George Nabuk hemi no kamaot long patrilineal or matrilineal bloodline blong Matova Toatau



- George Nabuk imaretem MARSARIA (LEISARIA), widow blong Matova Toatau taem Matova Toatau i ded be tufala inokat pikinini
  - George Nabuk hemi native blong Luma Customary Land long interior blong North East Efate
  - George Nabuk inokat patrilineal or matrilineal bloodline blong Matova Toatau
  - George Nabuk hemi rule between about 1890 kasem 1922
  - Therefore, George Nabuk hemi CARETAKER or OLIOLI MANLAEWIA I
- 3)
- 3<sup>rd</sup> Manlaewia name blong hem "Yوبا KALSURAI"
  - Yoba Kalsurai hemi no kamaot long patrilineal or matrilineal bloodline blong Matova Toatau
  - Yoba Kalsurai i maretem MINI, only girl blong NARA'SAIPIRI mo SAKONA mo tufala i maret long August 1922 be tufala inokat pikinini
  - Papa blong Yoba name blong hem Kalsurai mo mama blong hem name blong hem Leintasi
  - Kalsurai mo Leintasi tufala stret native blong Tareangi Customary Governance long interior blong North East Efate
  - Yoba Kalsurai inokat patrilineal or matrilineal bloodline blong Matova Toatau
  - Yoba Kalsurai hemi clan smol yam blong Tareangi Customary Land
  - Yoba Kalsurai hemi ordain long August 1922 taem we hemi maretem Mini mo i ded long 1929.
  - Yoba Kalsurai hemi ordain long August 1922 folem paoa blong woman blong hem Mini
  - Therefore, Yoba Kalsurai hemi CARETAKER or OLIOLI MANLAEWIA II nomo.
- 4)
- 4<sup>th</sup> Manlaewia name blong hem "SOLOMON KALSURAI"
  - Solomon Kalsurai hemi no kamaot long patrilineal or matrilineal bloodline blong Matova Toatau blong ownem Malasa Customary Land
  - Solomon Kalsurai emi maretem LEISAU
  - Leisau hemi sister blong Kalorisu, pupu blong Claimant – Ernest Lakeleowia long case ia
  - Solomon Kalsurai inokat bloodline blong Matova Toatau
  - Kalsurai hemi native blong Tareangi, therefore pikinini blong hem Solomon Kalsurai hemi native blong Tareangi Customary Land long interior blong North East Efate
  - Ol descendants blong Solomon Kalsurai oli custom owner blong Tareang Customary Land tudei
  - Taem we KALSURAI i ded, Chief Johnny Tuapulewota, paramount chief blong Savaki Customary Land istap wetem woman blong hem LEINTASI bakeken
  - Folem relationship ia, Chief Johnny Tuapulewota ikivim Solomon Kalsurai chiefly title ia Tuapuletari mo oli ordainem ikam TUAPULETARI, assistant chief blong Savaki Customary Governance long August 1922
  - Solomon Kalsurai hemi ordain ikam Manlaewia long 16 January 1968, folem fasin blong steal after 39 year we brata blong hem Yoba Kalsurai i ded long 1929
  - Solomon Kalsurai hemi clan smol yam blong Tareangi Customary Land
  - Bifo Solomon Kalsurai i ded, hemi talem long family blong hem blong kivim Chiefly Title name MANLAEWIA iko bak long stret bloodline mo tribe blong Matova Toatau
  - Therefore, Solomon Kalsurai hemi CARETAKER or OLIOLI MANLAEWIA III nomo
- 5)
- 5<sup>th</sup> Manlaewia name blong hem "THOMAS KALSURAI"
  - Thomas Kalsurai hemi no kamaot long patrilineal or matrilineal bloodline blong Matova Toatau
  - Thomas Kalsurai i maretem MARTHA
  - Thomas Kalsurai hemi kamaot long patrilineal or matrilineal bloodline blong Kalsurai mo Leintasi
  - Thomas Kalsurai hemi native blong Tareangi Customary Land long interior blong North East Efate



- Ol descendants blong Thomas Kalsurai oli custom owner blong Tareangi Customary Land tudei
- Thomas Kalsurai hemi clan "FISH"
- Bifo Thomas Kalsurai i ded, hemi talem long family blong hem blong kivim Chiefly Title name MANLAEWIA iko bak long stret bloodline mo tribe blong Matova Toatau
- Therefore, Thomas Kalsurai hemi CARETAKER or OLIOLI MANLAEWIA IV nomo

6)

- 6<sup>th</sup> Manlaewia name blong hem "HENRY KALSURAI"
- Henry Kalsurai hemi no kamaot long patrilineal o matrilineal bloodline blong Matova Toatau
- Papa blong Henry Kalsurai hemi Cyrel
- Papa blong Cyrel hemi Mintho MaCoy, wan white man blong Norfolk Island
- Henry Kalsurai i maretem FANNY blong Banks Island
- Henry Kalsurai hemi adopted by Solomon Kalsurai
- Henry Kalsurai hemi native blong Tareangi Customary Land long interior blong North East Efate
- Henry Kalsurai hemi clan "FISH"
- Henry Kalsurai hemi custom owner blong Tareangi Customary Land tudei
- Henry Kalsurai istap usum Chiefly Title ia TUAPULETARI, assistant chief blong Savaki Customary Land
- Henry Kalsurai hemi declared custom owner blong Malasa Customary Land
- Therefore, Henry Kalsurai hemi CARETAKER or OLIOLI MANLAEWIA

Question istap se i possible blong wan man i karem name blong two chiefs blong two different customary land, Malasa mo Savaki? HENRY KALSURAI i usum name ia HENRY TUAPULETARI olsem custom owner blong Savaki Customary Land. Hemi possible long custom or no? History, bloodline mo family tree blong MANLAEWIA MATUA I kasem HENRY KALSURAI ino qualifyem Henry Kalsurai blong kam Chief Manlaewia mo ownem Malasa Customary Land today.

Question istap se hu ia stret custom name blong MANLAEWIA MATUA I. Long language blong North Efate MANLAEWIA MATUA I iminim OLFALA MANLAEWIA I.

From rison ia stampa blong family tree blong Henry Kalsurai hemi no reliable mo hemi cannot be believed. Family tree blong Henry Kalsurai i stat nomo long Kalsurai, wan native blong Tareangi Customary Land. Kalsurai i neva ordain ikam Chief Manlaewia. Hao nao i possible long custom blong MANLAEWIA MATUA I we name blong hem inokat i pasem chiefly title ia Manlaewia iko long Yoba Kalsurai be ino ko long papa blong hem Kalsurai. MANLAEWIA MATUA I long language blong North Efate iminim OLFALA MANLAEWIA I hemi wan fictitious o made-up name nomo we Henry Kalsurai i mekem ap. MANLAEWIA MATUA I we hemi stampa blong family tree blong Henry Kalsurai hemi questionable, nokat bloodline, thus hemi deem to collapse. Henry Kalsurai i mekap wan family tree we i soem se MANLAEWIA MATUA I i maretem LEISARIA. In fact, MATOVA TOATAU MANLAEWIA nao imaretem MARSARIA o LEISARIA mo tufala ikat one and only pikinini gel, name blong hem NARAS'SAIPIRI. Chief Manlaewia hemi subordinate Chief blong Mari-popongi. Chief Mari-popongi nao i kivim Malasa Customary Land long Chief Manlaewia. I minim se MANLAEWIA hemi stap anda custom GOVERNANCE strakja blong MARI-POPONGI olsem wan sub-ordinate chief o long custom blong North Efate mifala i kolem "NAWOTA KOKONA" o sapoting chief. Mifala i believe se chiefly GOVERNANCE structure emi important long wan custom GOVERNANCE mo emi play wan very important pat long saet blong chiefly GOVERNANCE system, mo tu hemi indicatem paramount status blong wan chiefly title. Chiefly structure hemi wan immemorial custom hierarchy system blong indicatem wan ancient custom kingdom. Chiefly GOVERNANCE structure hemi playem wan important function long saet blong custom respect long paramount chief, sub-ordinate chief mo assistant chiefly roles, duties mo respect igo long



paramount o hed long commanding office long GOVERNANCE structure mo custom chain blong command hemi always prevail at all times.

Long North Efate, 1<sup>st</sup> Missionary Rev. Peter Milne ikam wetem Christian Teaching mo wetem consent blong olketa Paramount Chiefs long olketa villages long Nguna, Pele mo Kakula Island we emi part blong kastom governance blong Paunagisu Village tudei long early 1900 oli jenisim chiefly inheritance qualification system ia from matrilineal bloodline (nakainaga o naflak) igo long patrilineal bloodline long custom blong olketa 3<sup>rd</sup> defendant oli kalem "Nanatu" long 11 May 1900 blong avoidem nomo bigfala custom preparation we custom blong Nakainaga o Naflak istap involve long em.

Long 11 May 1900, system blong chiefly title inheritance long North Efate hemi change folem new patrilineal chiefly blood inheritance we majority blong olgeta chiefs blong Nguna, Pele mo North Efate oli stap practisim kasem tudei.

Rev. Peter Milne i kivim detail ordination ceremony ia long Page 270 mo 271 long Diary blong Peter Milne of Nguna Missionary to Nguna, New Hebrides 1870 to 1924 long the Presbyterian Church of New Zealand by Alexander Don, mo mifala i quote:

*"Twelve New Chiefs Made on Nguna: First Head Chief.*

*[The first ordination of Christian chiefs took place on the island of Emae, September 17, 1895.]*

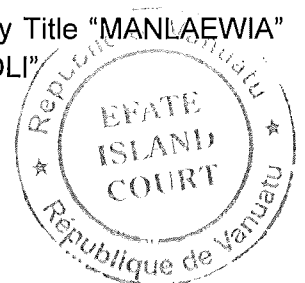
*One of the largest gatherings on Nguna was at Taloa on Friday, May 11, 1900 when twelve new chiefs were ordained, viz.:-*

- 1. Suasavi, ordained Taripoaliu, chief of Tanoropo (now Malaliu) and Head-chief over all Nguna, Pele, and Kakula, also Siviri village, Efate.]*
- 2. Tapanga-sike, ordained Masoe-tavako, chief of Mere*
- 3. Atavi-masoe, ordained Masoe-tapare, chief of Rewoka*
- 4. Malikau, ordained Mari-visa-molimata, chief of Rewoka II*
- 5. Marivatu, ordained Mari-welukina, chief of Raetoa*
- 6. Tom Tau, ordained Matakoro-maramata, chief of Emoï*
- 7. Mari-pakae, ordained Matokai-naruru, chief of Komali kasua*
- 8. Mariwota, ordained Atugia-pati, chief of Fanua-tapu*
- 9. Mari-vurai, ordained Masoe-napau, chief of Farea-lapa*
- 10. Charlie Luisui, ordained Masoe-manu-kokona, chief of Kakula Island***
- 11. Tari-nuamatua, ordained Matagararasi, chief of Sake-tasi-riki*
- 12. Manutotoa, ordained Tariliu, chief of Worearu, Pele Island*

*..... By this particular ordination, Nguna sealed its emergence from the disintegration of a tribality into the cohesion of a community. Mr. W. V. Milne says that nowadays the chief is chosen by popular election. If the deceased chief has a suitable son-good and well; if not, someone else may be elected. An elected chief, if he proves incompetent, may be deposed.*

Long custom blong Tanomiala Custom Dominion or Namarakiana wea Malasa Customary Land istap insaed, chiefs custom properties hemi olgeta samting we "Mari-popongi" i putum daon istap blong hemi exercisem custom GOVERNANCE mo otoriti blong hem long hem, sapos ino stap, then "Manlaewia", Lower Ofis or Rank blong hem wea hemi Sub-ordinate Chief i tekem place blong hem, be ino man olbaot we i nokat bloodline blong Mari-popongi mo Manlaewia.

Sapos bloodline blong Manlaewia ino stap, then narafala man isave tekem Chiefly Title "MANLAEWIA" be hemi kam olsem wan "CARETAKER" nomo or long custom mifala i kalem "OLIOLI"



QUALIFICATION BLONG KAM CARETAKER (OLIOLI) CHIEF MANLAEWIA MO OWNEM MALASA CUSTOMARY LAND LONG NORTH EFATE AFTER ORDINATION OF 11 MAY 1900

After 11 May 1900 long custom blong Tanomiala Custom Dominion or Namarakiana wea Malasa Customary Land istap insaed, qualification blong kam Chief Manlaewia hemi involvem BLOODLINE nomo, whether patrilineal or matrilineal bloodline mifala i kolem NANATU.

Sapos bloodline blong "MANLAEWIA" ino survive or ikat woman nomo, then narafala man isave tekem Chiefly Title "MANLAEWIA" olsem wan Caretaker nomo or long custom mifala i kolem "OLIOLI" isave tekem chiefly title ia "MANLAEWIA" kasem stret bloodline blong "MANLAEWIA" i grow ikam big man blong save tekem custom roles mo responsibilities blong chief ia.

Man we i nokat bloodline blong "MANLAEWIA" ino save appointed ikam "CHIEF MANLAEWIA" from we Chiefly Title "MANLAEWIA" imas folem bloodline blong Matova Toatau we hemi indigenous chief custom owner blong Malasa Customary Land.

Mo folem custom, customary land tenure system blong North Efate hemi folem patrilineal system, sapos inokat surviving patrilineal bloodline, then matrilineal bloodline blong inheritim chiefly title mo graon blong Malasa Customary Land.

Blong inokat confusion long ownership long chiefly custom properties mo Malasa Customary Land, bloodline nomo hemi save qualifyem wan man blong kam chief. Long absence blong patrilineal o matrilineal bloodline, man ikam "CARETAKER" blong Chiefly Title "MANLAEWIA" long custom, mifala i kolem "OLIOLI".

Sapos man inokat patrilineal or matrilineal bloodline blong graon, then man we i holem title blong chief hemi authomatically kam "CARETAKER" or "OLIOLI" nomo kasem taem wea stret bloodline blong chief "MANLAEWIA" hemi identified mo hemi mature enough blong tekem ova chiefly title ia mo responsibility blong lukaotem Paunagisu village mo Malasa Customary Land.

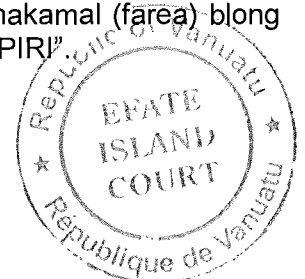
CARETAKER MANLAEWIA o long custom OLIOLI MANLAEWIA names blong olketa ikat:

1. Olioli George Nabuk Manlaewia I
2. Olioli Yoba Kalsurai Manlaewia II
3. Olioli Solomon Kalsurai Manlaewia III
4. Olioli Thomas Kalsurai Manlaewia IV
5. Olioli Henry Kalsurai Manlaewia V

Bloodline blong MATOVA TOATAU, 1<sup>ST</sup> MANLAEWIA we family blong hem i save name blong em, mo ikat patrilineal o matrilineal bloodline mo ikat raet long ownership blong Malasa Customary Land. Man o woman we ikat patrilineal o matrilineal bloodline mo direct descendants blong Matova Toatau, 1<sup>ST</sup> Manlaewia nomo ikat right blong ownem Malasa Customary Land.

3<sup>rd</sup> defendant i confirmem long court se :

- MATOVA TOATAU MANLAEWIA hem nao hemi native mo fes indigenous chief blong Malasa Customary Land, North Efate.
- MATOVA TOATAU MANLAEWIA i maretem MARSARIA mo tufala i bonem wan pikinini nomo, name blong hem NARAS'SAIPIRI. Naras'saipiri hemi karem name blong nakamal (farea) blong papa blong hem MATOVA TOATAU MANLAEWIA I we emi "FAREA NI SAIPIRI"



- Evidence i soem long toktok blong ELDER SILAS MANAVILALU se widow o Tukurau blong MATOVA TOATAU MANLAEWIA I, name blong hem MARSARIA, be Missionary Rev. Peter Milne i singaotem em, LEISARIA.
- MATOVA TOATAU MANLAEWIA I ided long Kakula Island after long 3 January 1884.
- So folem custom blong North Efate, woman blong chief we name blong hem MARSARIA (LEISARIA) hemi kam TUKURAU MANLAEWIA.
- Rev. Peter Milne (Misi-Matua) i talem long Page 235 long Diary blong hem "Peter Milne of Nguna" se about twenty (20) pipol nao oli mov iko long Kakula Island long 3 January 1884.
- Ol pipol we oli mov iko long Kalula Island long 3 January 1884 oli kamaot long olketa nakamals mo customary land long mainland North Efate olsem, MALASA, TANOMIALA, SUASU, TAREANG, LUMA mo RAVENGA.
- Emia nao names blong olketa pipol we oli migrate iko long Kakula Island long 3 January 1884:

MALASA

1. Matova Toatau Manlaewia I
2. Marsaria (Leisaria)
3. Naras'saipiri – Only pikinini blong Matova Toatau Manlaewia mo Marsaria

TANOMIALA

4. Matarimau Mari-popongi
5. Marelagai – Woman blong Matarimau Mari-popongi
6. Turita – Sister blong Matarimau Mari-popongi
7. Taliemaire Tukurau Nearu– Ony daughter blong Matarimau Mari-popongi

SUASU

8. Kalnagis Tapangtamate
9. Taliasaria (Leisara) – Wife blong Kalnagis Tapangtamate
10. Simeon Kalnagis – Only son blong Kalnagis Tapangtamate moTaliasar

TAREANG

11. Kalsurai
12. Leintass – Wife blong Kalsurai
13. Charlie Luisui – Brata blong Kalsurai
14. Namale
15. Erewo – Wife blong Namele

LUMA

16. George Nabuk
17. Naras'liu – Sister blong George Nabuk

EMUA

18. Jack Toara Lesa
19. Jimmy Toara Sariamata

ROMOSO

20. Posen

- Taem oli stap long Kakula Island, Matova Toatau Manlaewia i ded mo oli berem ded body blong hem smol cemetery long Kakula Island.
- After Matova Toatau Manlaewia ided long Kakula Island, George Nabuk, wan native tribe blong Luma Customary Land long interior North Efate i maretem widow blong hem Marsaria (Leisaria) Tukurau Manlaewia I bakeken.

First group blong kam back long mainland, North Efate:



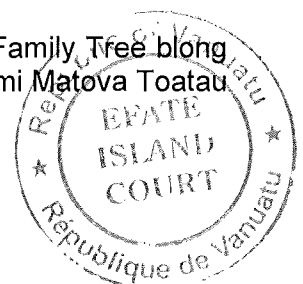
- About 1906, GEORGE NABUK CARETAKER MANLAEWIA I MO MARSARIA (LEISARIA) TUKURAU MANLAEWIA, tufala i muv ikam bak long graon blong Marsaria (Leisaria) Tukurau Manlaewia long Mele- Kiki, long ples we Kalfau Johnson imekem haus blong hem long Paunagisu Village long mainland Efate tudei.
- Stat long taem ia George Nabuk istat exercisem custom paoa mo otoriti blong woman blong em, Marsaria (Leisaria) Tukurau Manlaewia olsem Caretaker (Olioli) Manlaewia.
- Long period ia George Nabuk istap hemi stap witnessem sam sale blong land long North Efate mo 3<sup>rd</sup> defendant hemi providem copy blong agreement of Takara land sale dated 12 January 1918 we George Nabuk i signem olsem chief blong Paunagisu Village.  
Nambatu group blong kam back long mainland, North Efate
- Nambatu grup we oli muv ikam back long North Efate mainland hemi SAKONA mo woman blong hem NARAS'SAIPIRI mo pikinini blong tufala MINI.  
NARAS'SAIPIRI hemi only gel blong MATOVA TOATAU MANLAEWIA I mo MARSARIA (LEISARIA).
- SAKONA hemi wan native blong Malo Island, Sanma Province.
- SAKONA imaretem NARAS'SAIPIRI long Kakula Isand mo tufala i bonem MINI long Kakula Island.  
Nambatu group ia we oli muv ikam bak long Efate mainland oli mekem haus blong olketa long Piriwosa, emi longfala point blong Paunagisu Village. Long Page 235 long Peter Milne of Nguna by Alexander Don hemi recordem se, quote:

*“After 1900 Kakula became a sanctuary for people from other island.....Milne married woman to husbands who settle there from Tanna and Malekula, and he mentions the death of a Malo man, who left a wife and four children. Kakula must have welcomed such people.*

SAKONA i maretem NARAS'SAIPIRI mo tufala ikat four (4) pikinini we name blong olketa:

1. Leinafao
  2. Kalfau
  3. Raella
  4. Mini
- Leinavao, Kalvau mo Raella oli ded. Mini nomo i laev.

- Long 1930, Mini i maretem Willie Johnson Kala blong Wiana, Emau Island bakeken mo tufala i bonem Varlet, Kalfau mo Henry.
- Matova Toatau Manlaewia I kasem Kalfau Johnson ikat Four (4) generation mo Matova Toatau Manlaewia I hemi first chief mo custom ona blong Malasa Customary Lands long darkness taem before migration blong olketa pipol iko long Kakula Island.
- Sem woman ia LEISARIA we ia appear long Family Tree blong 3<sup>rd</sup> Defendant i appear tu long Family Tree blong 1<sup>st</sup> Defendant (Henry Kalsurai Family).
  - Evidence blong Family Tree blong 1<sup>st</sup> Defendant (Henry Kalsurai Family) i soem se Chief Manlaewia Matua No. 1 hemi Clan – Small Yam mo hemi liv long Mid 1700 – 1883 mo Chief Mari-popongi mo pipol blong hem oli kilim hem between July and November 1883 before ol pipol oli move iko long Kakula Island long 3 January 1884.
  - Long Family Tree blong 1<sup>st</sup> Defendant (Henry Kalsurai Family) ino talem stret name blong Manlaewia Matua No. 1 be long custom mo language blong North Efate “MANLAEWIA MATUA” iminim “OLFALA MANLAEWIA” we iminim se 1<sup>st</sup> Defendant (Henry Kalsurai Family) ino save pruvum custom name blong Manlaewia Matua No. 1, therefore claim blong Henry Kalsurai Family emi fictitious and fabricated.
  - 3<sup>rd</sup> Defendant i pruvum se Manlaewia Matua No. 1 we istap long Family Tree blong 1<sup>st</sup> Defendant (Henry Kalsurai & Family), stret name blong hem hemi Matova Toatau





Manlaewia I we istap long Family Tree blong 3<sup>rd</sup> Defendant mo hemi 1<sup>st</sup> Manlaewia we Matova Toatau i save name blong hem.

Third mo last group blong kam bak long mainland, North Efate :

- Nambatri mo last grup we oli muv ikam bak long North Efate mainland long 1930s hemi Simeon Mantaure Tapangtamate, paramount chief blong Suasu Customary Land mo woman blong em, Taliemaire Tukurau Nearu Mari-popongi, paramount chief blong Tanomiala Customary Land.

HISTORY BLONG MATOVA TOATAU MANLAEWIA, SUB-ORDINATE CHIEF BLONG TANOMIALA CUSTOM DOMINION MO CUSTOM OWNER BLONG CUSTOMARY LAND, NORTH EFATE

Olgeta events we i relate long Marik Matova Toatau Manlaewia I, Sub-ordinate Chief blong Tanomiala Custom Dominion (Namarakiana) we hemi custom owner blong Malasa Customary Land

1) 1700 – 1883 long Darkness Taem

Chief Mari-popongi hemi aloketem Malasa Customary Land iko long Matova Toatau Manlaewia I blong nakamal "Farea ni Saipiri" we hemi custom ona blong Malasa Customary Land. Matova Toatau Manlaewia I imaretem Marsaria (Leisaria) mo tufala ikat one pikinini kel nomo, name blong hem Naras'saipiri.

2) 3 January 1884 – Migration iko long Kakula Island

Matova Toatau Manlaewia I, woman blong hem Marsaria (Leisaria) mo gel blong tufala Naras'saipiri oli muv wetem ol natives blong ol narafala areas long mainland North Efate oli ko long Kakula Island.

3) 5 February 1884 – Settement blong first teacher, Masongmapula long Worearu Village, Pele Isand long Kakula Island

Abaut one month after migration iko long Kakula Island, ol pipol blong Kakula Island oli kolem Masongmapula long Pele Island i kam teacher blong olketa. Rev. Milne i talem se, quote:

*"Though there were only about **twenty people** at the beginning, they made a cask (211lb) of arrowroot toward the new church at Taloa. The first Christian village was a joy to the eye and the heard"*

4) Matova Toatau i ded long Kakula Island before 1900.

5) After Matova Toatau i ded long Kakula Island, George Nabuk, wan native blong Luma Customary Land i maretem Marsaria (Leisaria) Tukurau Manlaewia I.

6) 1906 – Nambawan Group oli kam bak long Efate mainland

About 1906, George Nabuk Caretaker Manlaewia II, Marsaria (Leisaria) Tukurau Manlaewia I, tufala i muv ikam bak long graon blong Matova Toatau long Mele-Kiki we istap insaed Malasa Customary Land mo haus blong tufala istap kolosap long haus blong Kalfau Johnson long Paunagisu Village long mainland Efate.

7) 1910 - 1911 – Nambatu Group oli kam bak long Efate mainland

About 1910 – 1911, ibin kat wan agreement between George Nabuk Caretaker (Olioli) Manlaewia I we istap act olsem caretaker blong Marsaria (Leisaria) Tukurau Manlaewia I olsem Caretaker Manlaewia I mo Chief Marikpong blong Unakap Customary Land long Nguna Island we Chief Marikpong i pemaot wan kaon (debt) blong George Nabuk Caretaker Manlaewia II.

Long 1911 Chief Marikpong igo luk George Nabuk Caretaker (Olioli) Manlaewia I mo George Nabuk Caretaker Manlaewia I wetem paoa blong woman blong hem Marsaria (Leisaria) Tukurau Manlaewia I, tufala i markem mo aloketem wan bikfala graon mo kivim long Chief Marikpong



- 8) Yoba Caretaker (Olioli) Manlaewia hemi pikinini blong Kalsurai mo woman blong hem Leintass tufala ia natives blong Tareang Customary Land long interior blong North Efate.
- 9) Long 14 August 1922 Yoba Kalsurai Caretaker (Olioli) Manlaewia II i maretem Mini.
- 10) Yoba Kalsurai Caretaker (Olioli) Manlaewia ided long 1927.
- 11) Long 1930 Willie Kala Johnson blong Wiana Village, Emau Island i maretem Mini bakeken mo tufala i bonem Varlet, Kalfau mo Henry.

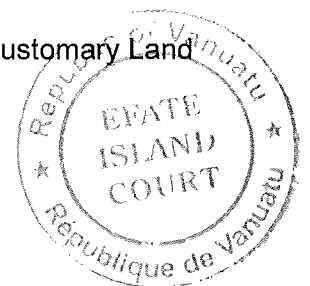
CHIEFLY CUSTOM GOVERNANCE STRUCTURE BLONG CHIEFLY TITLE "MANLAEWIA", SUB-ORDINATE CHIEF BLONG MALASA CUSTOMARY JURISDICTION

Family-Tree blong Matova Toatau Manlaewia mo Descendants iko olsem:

- Matova Toatau Manlaewia I imaretem Marsaria (Leisaria) mo tufala igat wan (1) pikinini nomo, name blong hem Naras'saipiri.
- Marsaria (Leisaria) hemi pikinini gel blong Maremata Mari-popongi, Paramount Chief blong Tanomiala Customary Land mo wife blong hem Leiebu.
- Taem Matova Toatau Manlaewia I i ded, widow blong hem ikam Tukurau Marsaria (Leisaria) Manlaewia.
- George Nabuk blong Luma Custom Dominion o Namarakiana i maretem Tukurau Marsaria (Leisaria) Manlaewia i bakeken. George Nabuk Tukurau Marsaria (Leisaria) Manlaewia i tufala inokat pikinini
- Sakona i maretem Naras'saipiri mo tufala tu ikat wan (1) pikinini gel nomo i survive, name blong hem Mini.
- Johnson Willie Kala blong Wiana Village, Emau Island i maretem Mini long 1930 mo tufala i bonem Varlet, Kalvau mo Henry.
- Papa blong Kennedy Kalfau hemi Kalvau Johnson i maretem Leitonga mo tufala i bonem Marcelyn, Kennedy, Merry mo John. Family-Tree blong hem, Kennedy Kalfau Kalfau mo Descendants blong hem emi self-explanatory mo i kat two parts long em.
- First wan hemi explainem ownership transfer blong chief's custom properties, from wan generation blong chief igo long next generation, folem custom blong Tanomiala Custom Dominion or Namarakiana we Malasa Customary Land istap insaed long North Efate.
- Second family tree hemi explainem ownership transfer blong individual custom land owner from wan generation igo long next generation folem custom blong Tanomiala Custom Dominion o Namarakiana we Malasa Customary Land istap insaed long North Efate.
- Custom properties ownership hemi inherited through patrilineal o matrilineal blood nomo, whether hemi chief's custom property o individual custom property.

FAMILY-TREE O GENEOLOGICAL HISTORY BLONG MARIKI MATOVA TOATAU MANLAEWIA MO DESCENDANTS:

- 1)
  - 1<sup>st</sup> Manlaewia, name blong hem "MATOVA TOATAU MANLAEWIA".
  - Marik Matova Toatau hemi wan man.
  - Marik Matova Toatau i maretem Marsaria (Leisaria) mo tufala i bonem Naras'saipiri
  - Marik Matova Toatau hemi naflak "Megeve" o smol yam
  - Marik Matova Toatau hemi first known chief blong Malasa Customary Land we ol ancestors blong hem oli save hem by name
  - Marik Matova Toatau hemi naflak "Megeve" (smol yam) blong Malasa Customary Land
- 2)
  - 2<sup>nd</sup> Manlaewia name blong hem "GEORGE NABUK"
  - George Nabuk hemi wan man



- After we Matova Toatau i ded, Marsaria (Leisaria) ikam Tukurau Manlaewia
- George Nabuk i maretem Marsaria (Leisaria) be tufala inokat pikinini
- George Nabuk hemi no bloodline blong Marik Matova Toatau
- George Nabuk hemi Caretaker (Olioli) Manlaewia
- George Nabuk hemi native blong Luma Customary Land long interior blong North Efate
- Folem paoa blong Marsaria (Leisaria), George Nabuk i exasaesem custom paoa mo otoriti blong Manlaewia olsem Caretaker (Olioli) Manlaewia
- Taem Marsaria (Leisaria) Tukurau Manlaewia ided, pikinini blong hem Naras'saipiri ikam Tukurau Manlaewia bakeken.

3)

- 3<sup>rd</sup> Manlaewia name blong hem "Yوبا KALSURAI"
- Yoba Kalsurai hemi wan man
- Yoba Kalsurai hemi no bloodline blong George Nabuk mo Matova Toatau
- Yoba Kalsurai hemi 2<sup>nd</sup> Caretaker (Olioli) Manlaewia
- Yoba Kalsurai hemi native blong Tareang Customary Land long interior blong North Efate
- Papa blong Yoba hemi Kalsurai mo mama blong hem hemi Leintasi mo tufala i natives blong Tareang Customary Land long interior blong North Efate
- Yoba Kalsurai hemi naflak " Smol Yam" blong Tareang Customary Land
- Mini hemi matrilineal bloodline blong Nara'saipiri
- Mini hemi Tukurau Manlaewia
- Yoba Kalsurai hemi maretem Mini
- Folem paoa blong Mini, Yoba Kalsurai i exasaesem custom paoa mo otoriti blong Manlaewia olsem Caretaker (Olioli) Manlaewia
- Taem Yoba Kalsurai ided long 1929, Willie Kala i maretem Mini after 1930

4)

- 4<sup>th</sup> Manlaewia name blong hem "KALFAU KALA JOHNSON"
- Kalfau Johnson hemi wan man
- Kalfau Johnson hemi fes bon boy blong Mini
- Kalfau Johnson hemi bloodline blong Mini, Naras'saipiri mo Matova Toatau
- Kalfau Johnson hemi stret bloodline blong ordain ikam "Manlaewia" long 1968
- Kalfau Johnson i maretem Leitonga mo tufala i bonem Marcelyn, Kennedy, Merry mo John

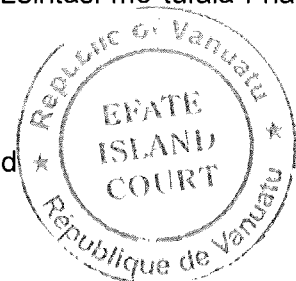
**FAMILY-TREE BLONG 1<sup>ST</sup> DEFENDANT (HENRY KALSURAI) BLONG TAREANG CUSTOMARY GOVERNANCE IKO OLSEM:**

1)

- 2<sup>nd</sup> Caretaker (Olioli) Manlaewia name blong hem "Yوبا KALSURAI"
- Yoba Kalsurai hemi wan man
- Yoba Kalsurai hemi no bloodline blong George Nabuk mo Matova Toatau
- Yoba Kalsurai hemi native blong Tareang Customary Land long interior blong North Efate
- Papa blong Yoba hemi Kalsurai mo mama blong hem hemi Leintasi mo tufala i natives blong Tareang Customary Land long interior blong North Efate
- Solomon hemi naflak " Smol Yam" blong Tareang Customary Land
- Yoba Kalsuarai i lukaotem Paunagisu Village stat long 1922 kasem 1927 taem hemi ded
- Yoba Kalsurai hemi maretem Mini long 1922

2)

- 3<sup>rd</sup> Caretaker (Olioli) Manlaewia name blong hem "SOLOMON KALSURAI"
- Solomon hemi wan man
- Solomon Kalsurai hemi no bloodline blong George Nabuk mo Matova Toatau
- Papa blong Solomon hemi Kalsurai mo mama blong hem hemi Leintasi mo tufala i natives blong Tareang Customary Land long interior blong North Efate
- Solomon Kalsuarai hemi smol brata blong Yoba Kalsurai.
- Solomon Kalsuarai i lukaotem Paunagisu Village stat long 1968
- Solomon Kalsuarai i maretem Leisau
- Solomon hemi naflak " Smol Yam" blong Tareang Customary Land



- 3)
- 4<sup>th</sup> Caretaker (Olioli) Manlaewia name blong hem "THOMAS KALSURAI"
  - Thomas hemi wan man
  - Thomas hemi no bloodline blong George Nabuk mo Matova Toatau
  - Thomas hemi pikinini blong Solomon Kalsurai mo Leisau
  - Thomas Solomon i maretem Martha
  - Thomas hemi naflak "Fish"
- 4)
- 5<sup>th</sup> Caretaker (Olioli) Manlaewia name blong hem "HENRY KALSURAI"
  - Henry Kalsurai hemi wan man
  - Henry Kalsurai hemi no bloodline blong George Nabuk mo Matova Toatau
  - Henry Kalsurai hemi nephew blong Thomas Manlaewia
  - Henry Kalsurai i maretem Fanny blong Banks Island
  - Henry Kalsurai hemi naflak "Fish"

3<sup>rd</sup> defendant hemi providem long defence statement blong hem copy blong wan letter Letter blong Edward Kaloris dated 7<sup>th</sup> August 2011 we i representem Claimant iko long Kalfau Johnson we i representem 3<sup>rd</sup> Defendant, mo subject blong letter ia i read olsem "*Handing ova title Manlaewia*"; content blong letter i read olsem : "*Mi Edward Kaloris, mi act long behalf blong Manavilalu/Lekeleowia & descendnats. Long understanding mo knowledge blong mifala, mifala i save gud se title ia Manlaewia hemi stap iet long kastody blong yu. From se title ia hemi blong Manavilalu/Lakeleowia descendants, mifala istap requestem ikam long yu blong save handem ova title ia ikam back long mifala, blong mifala i save ordainem wan memba blong MLD. Thank yu long understanding blong yufala. Respectfully , Edward Kaloris.*"

Leta ia hemi pruvum se CHIEF ERNEST LAKELEOWIA & DESCENDANTS istap confirmem se Kalfau Johnson hemi tru bloodline blong Chiefly Title ia MANLAEWIA we hemi descendants blong Matova Toatau.

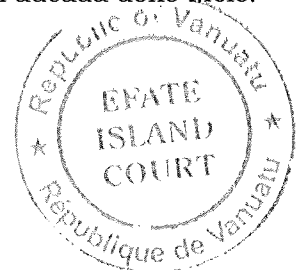
Matova Toatau Family mo descendants i confirmem long court se olgeta nomo ikat custom right long Chiefly Title ia "MANLAEWIA" we hemi Sub-ordinate Chief blong Tanomiala Custom Dominion or Namarakiana mo olgeta nomo oli gat custom right blong lukaotem olgeta custom properties mo ol pipol blong Paunagisu mo Malasa customary governance.

Kenedy Kalfau i hemi prodium wan olfala diary blong papa blong hem we i recordem toktok blong ol olfala blong Paunagisu village, Emua village mo Siviri village long Norht-Efate we oli sapotem claim blong Matova Toatau and Descendants over long chiefly title ia "Manlaewia".

- 1) *Toktok blong Elder Silas Manavilalu blong Emua Village long North Efate language as recorded by Kalfau Johnson, quote:*

"Kalfau ku punusi natokoana ni Paunagisu rahi waina tea ni Kakula maga teu sori Kakula dua tea tare asa, olfala seara anigo teu pea liliu umai paki Efate doko dae tokora ni nasuma adeada.

Nawota Manlae George Nabuk' epei tea vea mau ki tea laapa epirangi anagoroi Leisaria (Marsaria) ero liliu umai po lawo ki natokoana kiki adeada doko-Mele. (Tokoraia adoko asa).



Tagona kerua ni tea maga waina eu moro umai paki Efate emo moro pei Taata anigo maga e pirangi anawota tero moro dausi Teete aneana. Nara ero moro lawok nasuma a deada nagisu varau.

Tagona ketolu waina eu moro dausi te vea dua epei Teete anigo (Mini) ma Mariki aneana (Yoba) pilake family mamau ki Yoba. Eu dausi Yoba umai paki Vate po mari nasuma adeada nagisu varau. Ragi waina tea laapa ni Kakula eu punusi namelu ana maga to do kasua, wanogoena emari tea ni naure maga teu po do liliu paki kiada maga”

**Bislama translation**

*“Kalfau yu luk village blong Paunagisu taem we ol man Kakula oli salem Kakula iko long white man, sam long ol olfala blong yu oli kam bak long Efate mo klinim ples blong haus blong olketa.*

*Jif Manlae George Nabuk emi fes man mo woman blong em Leisaria (Marsaria) tufala ikam bak mo mekem haus blong tufala long smol village blong tufala long Mele. (Ples we mi stap long em).*

*Nambatu grup wea oli kam bak long Efate emi grand mother blong yu wetem man blong em. Tufala i folem mama blong em Leisaria (Marsaria). Tufala i mekem haus blong tufala long longfala point.*

*‘Nambatri grup emi mama blong yu Mini wetem man blong em Yoba mo full family blong man blong em. Olketa oli mekem haus blong olketa long longfala point. Taem we ol pipol blong Kakula oli luk we oli stap muv, olketa oli just muv iko bak long ples blong olketa”*

1. **Toktok blong Chief Kalosike Taripoamata blong Siviri Village long North Efate language as recorded by Kalfau Johnson, quote:**

Taripoamata: “Paunagisu kinau ma adoko asa ragi kiki adoko asa papa natureai. Ragi wa adoko Paunagisu natokoana eda parua dapala masoso. Ragi wanogoe ado noae nasuma eu pisa moli. Epei Taliet, Polei go Teete animu ma Farlete (Mini) go olfala ni Santo seara. Teete anigo epea laki goren Polei ma Talieti nagisana epei Yoba. Nara ero pea ova nagisa Manlae ma nagisa eda pei adeada ma epei agi Tata anigo natuni Manlaewia Nawota ni Saipiri.

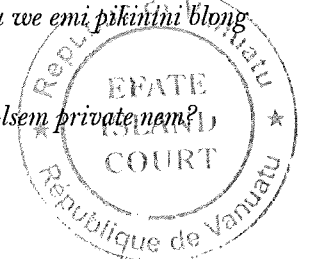
Kalfau: Ma Manlaewia epei nagisa ni naveinawotana ma eda moro peani nagisa moli sikai waina epei aneana lomau dapala private nagisa?

Taripoamata: Io epei lomau ku atae tea matua maga eu do peani nagisa dua dua. Dapala aginawo mama nae ma epeani aneana nagisa edua. Nagisa ni navei nawotaana aneana waina edo maramara asa dapau natokoana kirikiri maga asa pae tava. Eu so sosoe asa ki Masemantonga. Ma nagisa waina epei aneana makoto epei Marikosopu. Dapala ku pususu ki agi Manlaewia Tata animu ragi waina enaga ega sosoe eda sosoe Manlae. Ma esosoe ki mama Mariki Toatau”

**Bislama translation**

*Taripoamata: “Mi stap long Paunagisu taem mi smol kasem mi youngfala man. Taem mi stap long Paunagisu Village ino pikwan olsem tudei. Inokat plante haus. Ikat haus blong Taliet, Polei, mama blong yu mo Farlete (Mini). Ikat sam olfala blong Santo tu. Mama blong yu i maretem brata blong Polei mo Taliet we nem blong em Yoba. Emi bin tekem-nem ia Manlae be nem in blong olketa be emi blong grand mother blong yu we emi pikinini blong chief blong Farea ni Saipiri.*

Kalfau: MANLAE emi title nem blong chief be inokat wan narafala nem olsem private nem?



*Taripoamata: I tru bifo ol olfala oli kat two (2) o tri (3) nem. Olsem papa blong mi emi kat nem blong chief mo narafala we emi kat blong lukaotem ol smolsmol village we istap long bush oli stap singaotem hem se Masemantonga, be private nem blong em emi Mariksoapu. Olsem we yu askem narafala nem blong Manlaewia mi harem taem tata blong yufala i wandem singaotem Manlae emi stap sigaot olsem Papa Mariktoatau.*

2. **Toktok blong Chief Simeon Kalnagis Mantaura Tapangtamate blong Suasu Village long North Efate language as recorded by Kalfau Johnson, quote:**

“Pua Simeon Mantaura: Io takana nogo. Olfala sikai a sosoe ki wawa. Nae epei teani (Luma) nae emoro piragi tai animu MARSARIA ma Misi maga eu do sosoe ki LEISARIA. Ragi waina anawota MANLAEWIA te mate go nata pota sikai emarisa dapea. Nagisa edoko papa olfala wanogoe teu moro do sosoe ki NAWOTA MANLAE ma nagisa eda pei aneana ma epei egi tai animu nalakena pae Mariki aneana MARIKI TOATAU, wawa George Nabuk e ova nagisa wanogoe doko papa natau seara”

**Bislama translation**

*“Pupu Simeon Mantaura, Yes, i olsem nao. Olsem ikat wan olfala mi singaotem Uncle. Emi kamaot long Luma. Emi maretem Marsaria be Misi emi stap singaotem LEISARIA. Taem ia man blong em ided mo narafala man ino save tekem nem ia. Nem ia istap koko ol olfala oli singaotem Chief Manlae bekeken bea nem ino blong em bea nem emi blong great grand mother blong yufala from wea man blong em emi Marik Toatau, uncle George Nabuk emi holem nem ia koko sam yia i pass”*

**“ROBERT TASARURU TATALELE” – WITNESS BLONG 3<sup>RD</sup> DEFENDANT “MATOVA TOATAU MO DECENDANTS”**

Witness Robert Tasaruru Tatalele i bon long 11 November 1960 mo mi kat 58 year. William Kerry Ameara-liu, Paramount Chief blong Takara Customary Land i appointem hem kam Chief Ameara-ra, Sub-ordinate Chief blong Takara, North East Efate long 26 September 2013. Witness ia kam long tisfala Court blong witesem custom way blong kam chief mo ownem graon long North Efate bifo arrival blong Missionary Rev. Peter Milne long 19 July 1870

Bifo arrival blong olketa missionaries mo traders, especially Rev. Peter Milne long 19 July 1870 we ikam settle long Taloa Mission Station long Nguna Island, North Efate, long custom blong North Efate, qualification blong kam paramount chief mo ownem graon emi involvem tufala samting ia: 1 – Bloodline mo 2 – Matri-clan (*Nakainanga o Naflak*).

Man we i kam paramount chief mo ownem graon, *emi mas kat blood blong chief ia mo emi mas kat nakainaga o naflak blong chief ia*. Rison ia nao i mekem se bifo arrival blong olketa missionaries straight pikinini blong paramount chief, ino save kam paramount chief from emi NO qualify long conditions 1 mo 2 we istap antap. Man we emi qualify blong kam paramount chief, *emi pikinini blong sista blong chief o nephew blong chief*, from we emi qualify long condition we istap antap. Folem custom blong Tanomiala Customary Land we Malasa Customary Land istap insaed, Paramount Chief Mari-popongi nomo i save appointem olketa Sub-ordinate Chiefs blong em we wan long olketa nao emi *Manlaewia* through governing structure blong em mo folem bloodline nomo tudei.

Suppose inogat bloodline blong *Manlaewia*, then narafala man we ikat sem naflak blong *Manlaewia* we emi *Smol Yam* long custom mifala i kolek “Megeve” long sem nakamal isave tekem title nem ia *Manlaewia*, BUT long wan condition se, emi mas pem long wan custom price, we i folem custom rank blong *Manlaewia* we emi “Fifty Pigs”. Rison why man we emi naflak blong chief i mas pem title nem



blong chief from title nem iko wetem o attach long custom properties blong chief olsem farea (nakamal) mo boundary landmarks mo graon we oli custom properties blong *Manlaewia* we oli gat value long custom.

Long custom blong Tanomiala Customary Land we Malasa Customary Land istap insaed long North Efate, inherited custom property i folem nomo bloodline, whether emi patrilineal o matrilineal blood lineage. Oltaem patrilineal bloodline emi nearest of kin blong tekem ova inheritance. Be sapos ino moa kat patrilineal bloodline, then matrilineal bloodline emi next-of-kin blong tekem inheritance long wan chiefly title. Emia emi pruvum se ordination blong *Yoba Kalsurai* ikam *Manlaewia* long August 1922, ordination blong *Solomon Kalsurai* ikam *Manlaewia* long 16 January 1968, ordination blong *Thomas Kalsurai* ikam *Manlaewia* mo ordination blong *Henry Kalsurai* ikam *Manlaewia* long 1996 ino folem custom from family Kalsurai oli nokat bloodline blong *Manlaewia* blong Malasa Customary Land long North Efate.

Therefore stat long *George Nabuk Manlaewia blong Luma Customary Land, Yoba Kalsurai Manlaewia, Solomon Kalsurai, Thomas Kalsurai* mo *Henry Kalsurai* we oli natives blong *Tareang Customary Land* every wan oli "*Caretaker*" or "*Olioli*" *Manlaewia*" nomo blong lukaotem Paunagisu Village stat long early 1900 kasem tudei.

Rison we ol man ia oli kam "*Caretaker*" or "*Olioli*" *Manlaewia*" emi from we taem *Matova Toatau* i ded long Kakula Island, inokat male descendants oli laev long period blong *Marsaria, Naras'saipiri* mo *Mini kasem Kalfau i bon long 1937*.

Bifo arrival blong Rev. Peter Milne, custom way blong chiefly title inheritance long North Efate emi folem matrilineal bloodline we naflak emi involve, so custom payment inogat.

*"Nakainaga o Naflak emi olsem identity nomo se who man i save kam chief, o who man emi tribe blong chief long wan Nakamal"*

Nambatu rison why bifo ordination we Rev. Peter Milne imekem long 11 May 1900, chiefly inheritance blong North Efate hemi folem matrilineal bloodline or clan from we chief ino save personalisem olgeta custom properties blong chief ia from man we ikam chief, personal properties blong em i folem patrilineal bloodline blong hem nomo.

Ples ia nao yumi save pruvum se long Tanomiala Custom Dominion or Namarakiana wea Malasa Customary Land istap insaed, ownership long custom property or graon i folem patrilineal bloodline, sapos inokat then matrilineal nomo be ino folem nakainaga o naflak.

### **"BROWN KORIKALO" – WITNESS BLONG 3<sup>RD</sup> DEFENDANT "MATOVA TOATAU MO DECENDANTS"**

Witness Brown Korikalo i bon long 1954 mo hemi gat 64 years old. Name blong papa blong hem Meto Korikalo mo mama blong hem name blong hem Varlet. Witness ia i talem se Tukurau Taliemaire i pemaot Papa blong mi, Meto long custom blong North Efate long taem blong maret Papa mo Mama long 1952 long Paunagisu Village long North Efate.

Brown Korikalo i confirmed se *Matova Toatau Manlaewia* i maretem *Marsaria* we Rev. Peter Milne i singaotem em *Leisaria* mo tufala ikat wan offspring nomo mo emi wan gel nem blong em *Naras'saipiri*.

Sakona i maretem *Naras'saipiri* mo tufala i bonem *Leinavao, Kalvau* mo *Raela: Leinavao, Kalvau* mo *Raela* oli ded. *Mini* nomo i laev.



Mini i maretem Willie Johnson Kala mo tufala i bonem Varlet, Kalfau mo Henry. Tukurau Taliemaire, paramount chief blong Tanomiala i mekem custom mo pemaot Meto Korikalo long taem blong maret blong hem wetem Varlet long Paunagisu Village long 1952.

Meto Korikalo mo Varlet tufala i bonem Brown Korikalo, witness long case ia.

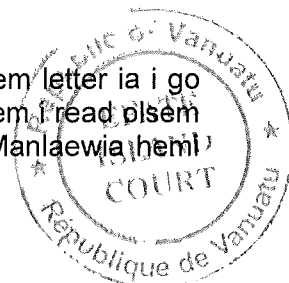
I minim se folem custom blong Efate, Brown Korikalo nao i kat raet long Chiefly Title blong "TAGARASPOKASI" blong Savaki Customary Governance mo brata blong hem Amos Korikalo ikat raet long Chiefly Title "MANLAEWIA" blong Malasa Customary Governance.

## **COURT FINDINGS:**

Afta we court i **readim**, **harem** mo **considerem** every statement mo ol documents blong ol parties mo every witness blong olketa;

Mo bageken, afta we court i cross-examinem every parties mo every witness blong olketa, findings blong court hemi olsem:

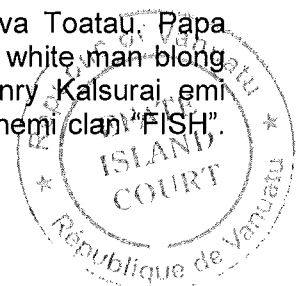
1. Manlaewia hemi wan chiefly title name blong wan smol chief;
2. Chiefly title name Manlaewia hemi stap wetem Henry Cyrel since year 1996 taem we hemi ordained kasem today we i dispute i stap long court;
3. Henry Cyrel hemi continue blong usum chiefly title name ia Manlaewia since we dispute blong title ia i register long Efate Island Court long year 2006 kasem naoia ;
4. Henry Cyrel hemi stret bloodline blong Mintho McCoy we hemi wan man Norfolk Island;
5. Follem custom blong North-Efate, bloodline blong Henry Cyrel blong inheritem chiefly title Manlaewia hemi no save succeed;
6. Mama blong Henry Cyrel Kalsurai hemi Anne wea hemi pikinini girl blong Solomon Manlaewia mo papa blong hem Cyrel we hemi pikinini boy blong wan white man we name blong hem Mintho McCoy blong Norfolk Isand. Mintho McCoy i abandonem papa blong hem Cyrel wetem mama blong hem Dorothy mo Pastor Kalmara i maretem Dorothy, mama blong Cyrel;
7. Woman blong Manlaewia Matua name blong hem Leisaria we istap long stampa blong Family-Tree blong Henry Cyrel Kalsurai hemi no soem long Family- Tree we Henry Cyrel Kalsurai i faelem long 2006. Leisaria i just appear nomo long document we Henry Cyrel Kalsurai i faelem long this year 2019. Therefore, stampa blong Family-Tree blong Henry Cyrel Kalsurai hemi "cannot be believed", "fictitious" mo "fabricated" blong "Defeat the Course of Justice blong Court ia i faenem aot rightful owner blong Chiefly Title Manlaewia blong Malasa Customary Governance.
8. Chief Solomon Manlaewia III, i organaesem wan gathering blong family Manlaewia mo declarem Birthright blong chiefly title ia Manlaewia mo taetol Tuapuletari igo long grandson blong hem mo semtaem adopted pikinini blong hem current Chief Henry C. Tuapuletari. (February 1976). Folem custom ino possible blong wan man olsem Henry C. Tuapuletari i save holem title ia Manlaewia long wan Family- Tree.
9. Court hemi faenem se Henry Cyrel hemi wan caretaker chief nomo long chiefly title ia Manlaewia be hemi no save ownem title ia Manlaewia follem custom mo patrilineal bloodline;
10. Ibin kat wan letter blong Edward Kaloris, papa blong claimant we hemi addressem letter ia i go long Kalfau John we i representem 3<sup>rd</sup> defendant. Long letter ia, subject blong hem, i read olsem "Long understanding mo knowledge blong mifala, mifala i save gud se title ia Manlaewia hemi





stap iet long kastody blong yu". Court i faenemaot se letter ia hemi pruvum se Edward Kaloris we hemi papa blong Ernest Kaloris & Descendants – Claimant istap confirmem se Kalfau Johnson (Papa blong Kennedy Kalfau) hemi tru bloodline blong Chiefly Title ia Manlaewia we hemi descendants blong Matova Toatau blong Malasa.

11. Witness blong claimant we name blong hem Edward Kaloris olsem oldest person long court mo long village blong Paunagisu we hemi gat 83 years old, hemi admittim mo confirmem long court se chiefly title Manlaewia i still stap yet wetem Tukurau Mini long house blong hem wetem ol pikinini blong hem mo nogat wan man i performem wan custom ceremony blong karemaot title ia long Tukurau Mini since husband blong hem Yoba i ded kasem today. Therefore, folem custom blong Efate, start long Solomon Kalsurai i kam long Thomas Kalsurai mo kam daon long Henry Kalsurai, every ordination mo ol custom ceremony we oli stap performem long business blong chiefly title Manlaewia, everywan oli null and void and oli nogat any stand blong olgeta long custom blong Efate mo too folem custom law blong Vaturisu.
12. 1<sup>st</sup> Manlaewia, name blong hem "MATOVA TOATAU MANLAEWIA I" we hemi wan man mo hemi maret long woman ia Marsaria we narafala name blong hem we ol Missionary stap callem hem Leisaria. Matova Toatau Manlaewia I wetem Leisaria/Marsaria, tufala ikat two (2) pikinini mo tufala i naflak yam. First born blong tufala hemi wan boy we i no maret after hemi ded, second born name blong hem Nara'saipiri, hemi wan girl we hemi maretem Sakona blong Santo/Malo mo tufala i kat wan pikinini girl we name blong hem Mini.
13. Yoba Kalsurai i maretem Mini, only surviving girl blong Nara'Saipiri mo Sakona mo tufala i maret long 14 August 1922 be tufala i nogat pikinini. Yoba Kalsurai hemi ordain folem power blong woman blong hem Mini long same date tufala i maret olsem caretaker or olioli Manlaewia II. Yoba hemi ded long year 1927, five years nomo after we hemi maret mo ordained.
14. Papa blong Yoba name blong hem Kalsurai mo mama blong hem name blong hem Leintas. Kalsurai mo Leintas tufala i stret native blong Tareang customary land hemia long interior blong North-East Efate. Yoba Kalsurai hemi nogat patrilineal or matrilineal bloodline blong Matova Toatau. Yoba Kalsurai hemi clan smol yam blong Tareang Customary Governance.
15. Solomon Kalsurai i maretem LEISAU we hemi sister blong Kaloristu, pupu blong Claimant – Ernest Kaloris long case ia. Solomon Kalsurai i no bloodline blong Matova Toatau. Kalsurai hemi native blong Tareang, therefore pikinini blong hem Solomon Kalsurai hemi native blong Tareang, interior part blong Northeast Efate.
16. Taem we KALSURAI i ded, Chief Johnny Tuapulewota, paramount chief blong Savaki istap wetem woman blong hem LEINTASI bakeken mo folem relationship ia, Chief Johnny Tuapulewota i kivim Solomon Kalsurai chiefly title ia Tuapuletari mo oli ordainem ikam TUAPULETARI, assistant chief blong Savaki Customary Governance long August 1922. Solomon Kalsurai hemi ordain ikam Manlaewia long 16 January 1968, folem wan process we emi no stret folem custom practice mo rules blong Efate mo customary law blong Vaturisu afta 39 years we brata blong hem Yoba Kalsurai i ded long 1929.
17. Solomon Kalsurai emi clan smol yam blong Tareang. Bifo Solomon Kalsurai i ded, hemi talem long family blong em blong kivim Chiefly Title nem MANLAEWIA iko back long stret bloodline mo tribe blong name ia.
18. Thomas Kalsurai hemi no patrilineal o matrilineal bloodline blong Matova Toatau. Thomas hemi maretem Martha mo hemi patrilineal or matrilineal bloodline blong Kalsurai mo Leintasi. Thomas Kalsurai hemi native blong Tareang. Thomas Kalsurai emi clan "FISH".
19. "HENRY KALSURAI" hemi no patrilineal or matrilineal bloodline blong Matova Toatau. Papa blong Henry Kalsurai hemi Cyrel. Papa blong Cyrel hemi Mintho McCoy, wan white man blong Norfolk Island. Henry Kalsurai i maretem FANNY blong Banks Island. Henry Kalsurai emi adopted by Solomon Kalsurai. Henry Kalsurai hemi native blong Tareang mo hemi clan "FISH".



Henry Kalsurai istap usum Chiefly Title ia TUAPULETARI, assistant chief blong Savaki therefore, Henry Kalsurai emi CARETAKER or OLIOLI MANLAEWIA.

20. Chief Kaltonga Kalorong Mari-pongi Sworn-On-Oath se adopted papa blong hem name blong hem late Kalorong mo mama blong hem late Ernes blong Moso Island. Papa blong adopted papa blong hem, papa blong hem late Kalorong name blong hem Kaltonga (Apu o Tia blong em). Papa blong late Kaltonga (Apu o Tia blong em), name blong hem hemi Jack Naling we hemi wan native blong Tanna Island.  
Mama blong Kaltonga (Apu or Tia blong em) name blong hem Naras'liu blong Luma Custom Kavanans. Brata blong Naras'liu hemi George Nabuk, 1<sup>st</sup> Caretaker or Ceremonial Chief or Olioli Manlaewia.
21. I gat wan witness blong 1<sup>st</sup> defendant we name blong hem Kalo Thomas, hemi kam stanap mo presentem witness statement blong hem under oath but behind court hemi faenem se witness ia hemi no honest wetem court long ol statements blong hem from we hemi kiaman long name we i stap long ID blong hem. Stret name blong witness Kalo Thomas hemi Amon Esly.
22. Claimant mo 2<sup>nd</sup> defendant i nokat inaf evidence blong pruvum long court se tufala i gat right long chiefly title ia Manlaewia.
23. Court hemi faenemaot long Family-Tree blong Matova Toatau Manlaewia mo Descendants hemi olsem: Matova Toatau Manlaewia I i maretem Marsaria (Leisaria) mo tufala ikat wan (1) pikinini nomo, nem blong em Naras'saipiri.

Taem Matova Toatau Manlaewia i ded long Kakula Island long late 1900, widow blong hem ikam Tukurau Marsaria (Leisaria) Manlaewia.

George Nabuk blong Luma Custom Dominion o Namarakiana i maretem Tukurau Marsaria (Leisaria) Manlaewia i bakeken. George Nabuk Manlaewia mo Tukurau Marsaria (Leisaria) Manlaewia i tufala inokat pikinini. Tufala i lukoatem Naras'saipiri we emi only surviving gel blong Matova Toatau Manlaewia mo Tukurau Marsaria (Leisaria) Manlaewia.

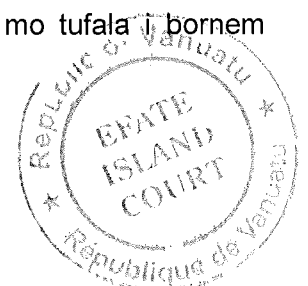
Sakona blong Malo/Santo i maretem Naras'saipiri mo tufala tu ikat wan surviving gel nomo, nem blong em Mini. Mini ikat wan (1) brata, nem blong em Kalfau mo two (2) sistas nem blong tufala Leinafao mo Raela be trifala i ded long Kakula taem oli young nomo.

Mini i maretem Yoba long 14 August 1922 mo sem dei ia Yoba i ordain ikam Chief Manlaewia. Yoba i ded five (5) years later long 1927. Taem Yoba i ded long 1927, Mini ikam Tukurau Manlaewia. Mini i ded long 1941. Long 1941 taem Mini i ded, eldest gel blong em, Varlet ikam Tukurau Manlaewia kasem Thursday 23 May 2019 taem Varlet i pasem Chiefly Title Manlaewia iko long Amos Korikalo blong pasem iko long Peter Henry Kala.

Johnson Willie Kala blong Wiana Village, Emau Island i maretem Mini long 1930 mo tufala i bonem Varlet, Kalvau, Johnson Willie mo Henry Johnson Willie.

Varlet i maretem Meto Korikalo blong Ifira Tenuku long Paungisu Village long 1952 mo tufala i bornem Brown Korikalo, Edmon Korikalo mo Amos Korikalo. Kalvau Johnson Willie i maretem Leitonga mo tufala i bonem Marcelyn, Kennedy, Merry mo John.

Henry Johnson Willie i maretem Leirei blong Nekapa long Nguna Island mo tufala i bornem Peter, Kaltang, Tounarei mo Eunice, Leitangi, Lucy mo Serah.



After we court hemi gartherem every findings blong hem, court i stap mekem declarations mo direction orders blong hem olsem:

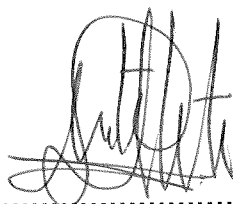
**DECLARATIONS BLONG COURT:**

- 1- Court i declarem se chiefly title Manlaewia hemi title blong wan smol custom chief nomo mo hemi originally blong Malasaliu Customary Governance inside long bigfala custom governance blong Tanomiala, North-Efate;
- 2- Court hemi declarem custom ownership blong chiefly title ia Manlaewia i go long olgeta descendants blong Matova Toatau Manlaewia, 3<sup>rd</sup> Defendants long case ia folem bloodline, rules mo custom practices blong Custom blong Efate.

**DIRECTION ORDERS BLONG COURT:**

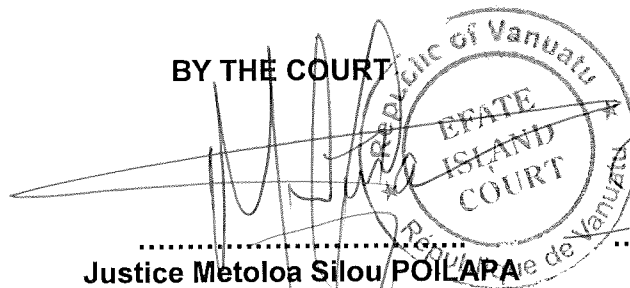
- 1- Efate Island Court i orderem Henry Cyrel Kalsurai, first defendant, blong hemi performem wan bigfala custom reconciliation ceremony between every parties long date ia 4<sup>th</sup> September 2019 mo givim back chiefly title ia Manlaewia i go long Descendants blong Matova Toatau Manlaewia, 3<sup>rd</sup> defendants long case ia.
- 2- Efate Island Court i orderem ol Descendants blong Matova Toatau Manlaewia olsem successful custom ownership blong Chiefly Title Manlaewia blong oli must jusum wan descendant blong Matova Toatau Manlaewia wei hemi permanently reside long Paunagisu blong ordain long Chiefly Title ia Manlaewia long date ia 30<sup>th</sup> September 2019.
- 3- Efate Island Court i orderem every parties mo every people blong olgeta blong oli must stap quiet mo continue blong maintenem peace mo order long community blong Paunagisu.
- 4- Parties i gat right blong appealim decisions ia sapos hemi no happy wetem i go long Magistrate Court within 30 days.
- 5- Sapos successful party long case ia hemi lukim se ol narafala party oli no comply long ol orders long case ia, successful party ikat full raet blong save mekem wan application blong enforcement i go long Supervising Magistrate blong Efate Island Court blong hemi Enforcem olgeta orders ia.
- 6- Inogat order blong cost.

**DATED at Port Vila this 31<sup>st</sup> day of May, 2019.**

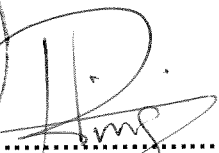


Justice Lutu SAKITA  
(Member)

BY THE COURT



Justice Metoloa Silou POILAPA  
(Presiding Justice)



Justice Roy TINING  
(Member)