

BETWEEN:	<b>TAPTUMOL FAMILY</b> - Original Claimant
And:	<b>FAMILY TURA</b> - Counter-Claimant No.1
AND:	<b>LOYROR LIN</b> - Counter-Claimant No.2
AND:	<b>FAMILY KAVEN</b> - Counter Claimant No.3
AND:	<b>FAMILY URI WARAWARA &amp; FAMILY VARAVARA</b> - Counter Claimant No.4

**JUDGMENT**

Corum: Nesbeth Wilson  
Senior Magistrate

Justices: Chief Sam Vula  
Chief Vira Mele  
Chief James Nisa

Clerk: Kolan Nicolas

**NEM BLONG LAND CLAIM : TAMBOTAL/SEVUA, BELERU AND  
BELIMOL/LAMBUE**

Bifor kot isitaon blong harem kes ibin kat short conference wetem ol parties long kes. Long taem ia kot iaskem ol parties sipos oli kat any objection long composition blong kot mo ol parties oli bin object long wan Justice, Justice Sam Fula. After Kot iharem every party kot imekem decision olsem: -



*“Counter Claimant No.2 Family Loyror Lin hemi object long Justice Sam Vula long reasons se:*

*Justice Sam Vula hemi hemi family wetem Counter Calaimant No.3.*

*Olgeta narafala parties oli no object long Justice Sam Fula.*

*After kot hemi ktarem Counter Clemen no. 2 mo olgeta narafa parties kot hemi satisfy se Justice Sam Vula hemi no wan close family wetem Family Moltanomaute mo hemi no gat any interest nating long land we istap befor long kot naoi a.*

*Kot ifaenem aot tu se out long three fala justice we oli appointed Justice Sam Vula nao hemi knowledgeable wetem custom long ples ia, therefore kot hemi refusem application blong objection.*

*Kot itherfore decide se Mr Justice Sam Vula bae hemi sit down olsem Justice long Kes ia we istpa befor long kot today.*

***DATEM long Luganville long 8 dei blong March 2010.”***

Mo tu ol parties oli bin object long Justice Vira Mele mo kot iharem every party then hemi mekem decision olsem: -

*“Counter Claimant No.3 Family Moltamaute hemi object long Justice Vira Mele long reasons se:*

*Justice Vira Mele hemi bin stap involve long wan land kes long South Santo we Family Maltamaute oli bin part long hem mo oli stap talem se kes ia ibin ko kasem Supreme Court be oli neva sortem out yet. Oli no wantem se bae hemi sitaon blong harem kes ia.*

*Olgeta narafala parties oli no object long Justice Vira Mele.*

*After kot hemi luklu long olgeta reasons we party ia igivem Kot iluk se application ia imas fail. Land kes we Family Moltamaute oli tok abaot hemi wan different land, hemi different kot mo tu hemi different time. Kot ifaenem tu se kes we oli stap tok about ino kat any record long hem tu mekem se Kot ino satisfy se Justice Vira Mele hemi bin sit daon long wan kes long South Santo.*

*Kot itherfore decide se Mr Justice Vira Mele bae hemi sit down olsem Justice long Kes ia we istpa befor long kot today*

***DATEM long Luganville long 8 dei blong March 2010”***

Ikat two nara application hemi blong joint olsem party long kes. Wan hemi application we Kaven Jimmy imekem blong Family Moltamaute ijoint olsem party long kes mo nara wan hemi Uri Warawara. Hem tui apply blong Family Warawara

mo Varavaea ikam join olsem party long kes. After kot iharem ol party every wan ol decision we kot imekem oli go olsem: -

Blong Jimmy Kaven: -

*"Hemia hemi was application blong joint olsem wan party. Mr Jimmy Keven hemi mekem was application blong Family Moltamaute i joint olsem wan new party long Land Kes No. 4 of 1992.*

*Afta Kot I considerem application ia mo tu Kot is considerem olgeta toktok blong ol nara partis Kot hemi findem mo satisfy se bae Principal blong Raupepe imas privele, usum common sence also Natural Justice must tekem ples mekem se Kot idecide se Family Moltamaute imas include olsem wan new party long Kes No. 4 blong 1992,*

*Kot ifaenem tu se ol nara parties oli no bin faelem every documents blong olgeta long kot.*

*Kot imekem ol orders olsem:*

- 1. Family Moltamaute ikam Counter Clemen No.3 long Kes No 4 blong 1992;*
- 2. Party ia imas filem every documents blong hem long Kot befo 4.00 pm long tedei;*
- 3. Original Claimen, Counter Klemen No.1 mo Counter Klemen No.2 tu oli mas filem every documents blong olgeta mo servem long every nara party bifo 4.00 pm long tedei tu.*

***DATEM long Luganville long 8 dei blong March 2010."***

Long saed blong Uri Warawara: -

*"Hemia hemi was application blong joint olsem wan party. Mr Uri Warawara hemi mekem was application blong Family Warawara mo Family Varavara i joint olsem new party long Land Kes No. 4 of 1992.*

*Afta Kot I considerem application mo tu Kot is considerem olgeta toktok blong ol nara parti Kot hemi findem mo satisfy se bae Principal blong Raupepe imas privele, usum common sence also Natural Justice must tekem ples mekem se Kot idecide se Family Warawara mo Family Varavara imas include olsem wan new party long Kes No. 4 blong 1992,*

*Kot imekem ol orders olsem:*

- 1. Family Warawara mo Family Varavara ikam Counter Clemen No.4 long Kes No 4 blong 1992;*
- 2. Party ia imas filem every documents blong hem long Kot befo 4.00 pm long tedei;*



3. *Ol nara parties oli mas givem copies blong ol documents blong olgeta long Family Warawara mo Family Varavara by end of day tede tu.*

*DATEM long Luganville long 11 dei blong March 2010."*

### **Kastom blong usim blong harem land kes ia**

Kot ibin lukluk long kastom we bae kot ifolem long kes ia. Kastom we olgeta patis oli kat mo oli agri blong folem hemi man or bladlaen (patrilaenal) be ino woman (Matrilaenal), tribe mo boundry blong claimem kastom ownaship blong land ia. Mo storian we bae ol parties oli talem long kot blong pruvum se who nao iracet kastom owna blong land ia bae i kam aot nomo long kastom blong yumi long South East Santo.

### **Komposision blong Kot**

Long Amendment Act No.35 blong 1989, Parliament i bin pasem se anda long seksen 2 blong Aelan Kot Act, CAP 167, taem we Aelan Kot isitaon blong harem dispiut long land bae wan Magistret i mas sitaon wetem trifala Aelan Kot Jastisis. Anda long seksen 2(a) blong Act ia, wan Magistret olsem bae ino save sitaon sapos Jif Jastis ino kivim authoriti long hem. Folem hemia Kot i wandem talem long ol patis se olgeta we oli deal wetem kes blong Tambotal, Sevoa, Beleru mo Belimol land oli qualifae evri wan.

Kot ibin askem sipos any parti oli wantem object long any long mifal we bae mifala isitaon mo harem kes, ol partis oli bin object long 2 Justices. After long ol objections kot hemi harem tingting blong everi parti after kot hemi mekem ol ruling long ol application ia then hemi continue blong harem matter ia. (Kot imekem ruling mo givin copy blong decision long everi party).

### **Brief history blong kes ia:**



Samtaem long 1992 family Taftumol oli filem land case mo pem fees blong olgeta long Kot long long saed blong land ia Tambotal/Sevua, Beleru mo Belimol.

Island Kot Clerk hemi publishim notice blong land ia long wan manis according long law blong Island Kot CAP 167 long Order 6 Rule 8 mo 9. After publishment blong notice Family Tura mo Loyror Lini oli filem olgeta claims blong olgeta olsem oli counter claimem land ia mo oli faelem kes blong olgeta mo pem fees.

Bifo kot iharem substance blong case kot ibin explain gud long ol patis se land case hemi important long laef blong wanwan man we iting se ikat raet blong onem land ia mekem se ol patis oli mas andastand se hemi impotent se olpatis oli mas helpem kot blong kot ihelpem olgeta.

Sanma Island Kot ibin harem kes ia mo givim decision long 1995. Family Tura oli appealim decision blong Sanma Island Court mo long 2002 Supreme Court wetem ol lawyers blong ol parties imekem wan Consent Order mo sendem back kes ikam long Sanma Island.

Kot ia istatem blong harem kes ia bakeken long 8 March 2010.

**History blong land we Representative blong family Taftumol ipresentem:**

Family Taftumol hemi represented by Victor Moltures. Long opening toktok blong hem Mr Moltures hemi talem se bae hemi mekem 2 presentation. Fes wan bae hemi mekem presentation long saed blong Sevua we istap insaed long land ia Tambotal mo taem hemi mekem kes blong Sevua ifinisim presentation bae hemi singaotem ol witness blong hem blong witnessem Tambotal then bae hemi presentem kes blong Belimol.



Long presentation blong hem Chief Moltures italem se Taftumol hemi bigfala jif blong Tambotal mo hemi gat two woman. Fes woman blong hem nem blong hem Vobel mo nara woman blong hem nem blong hem Votarai mo taem hemi baptaes oli kolem hem Mari-Louise. Taftumol emi kat 1 pikinini wetem fes woman blong em (Vombel) emi kat wan boy nem blong hem Andre Nititao, mo Andre Nitatao emi kat wan boy Joseph Andre Nititao mo 2 gels. Emia emi fes woman.

Lo presentation blong Taftumol lo No.2 woman we nem blon em Votaraia emi kat 4 pikinini, 3 boy mo 1 gel. Fes bon emi wan gel nem blong em (Votaresta) namba 2 mi wan boy nem blong em Mahanmbi Paul, namba 3 emi wan boy nem blong hem Ancelo Jean, mo Ancelo Jean hemi kat boy nem blong em Jean Paul mo 2 gels, namba 4 emi wan boy nem blong hem Vatu Pierre. Vatu Peirre emi gat 4 pikinini 3 boy mo wan gel.

Tampotal emi bikfala nem blong kraon, Sevua emi wan station nomo we jif Molsus emi big jif long stesen ia Sevua.

Moltailong mo Botailang we Molsus papa blong tufala Taurerua iman Tambotal. Taem Taurerua ided Vosangnal igo maretem big jif blong Beleru Molmataak nao ibonem Votaraia, Mari-Louise mo Vororo Marie – Madeline. Votaraia Marie-Louise nao ikam maretem big jif blong Tambotal we emi Taftumol nao ibonem ol pupu blong mifala, Boitailang Molsus itekem Votove woman Elemdaru we ikat pikinini ia we emi Vorombo Jose. Taem Molsus ided, brata blong em Moltailang itekem woman ia Votove nao ilukaoem pikinini ia Josephine Vorombo kasem taem emi bigwan. Fes man we ipem Josephine vorombo emi Varnatomol emi man Belvos mo ipem woman ia Vorombo iko long Andre Nititao wetem wan pig we value blong em 12 paon. Taem Varnatomol emi ded Leon Pehilus emi blong Tempo emi givim bak mani blong Varnatamol we emi 12 paon mo emi tekem Vorombo.

Folem kastom Vorombo Josephine emi mo kat raet nating lo kraon ia, from oli pem hem 3 times mo from hemi no stret blood blong uncle blong pupu blong mifala Moltanlang mo Molsus.

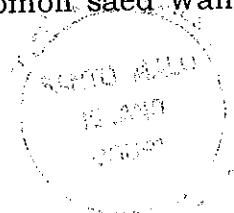
Emia storian blong family Taftumol long saed blong Muvmen blong olgeta. Long saed blong ol Nasara ples blong kilim pig, mo gref blong Taftumol emi stap insaed long Tambotal custom kraon, mo follem storian ia woman we ikam long Beleru emi

nomo kat man istap mekem se Pierre Vatu emi adopted ikam insaed long Beleru. Insaed long Beleru. Ikat wan navota ples blong kilim pig mo ikat nasara long em.

Follem presentation blong witness blong Taftumol, jif Jean Patice emi witnessim family tree blong Taftumol mo Josephine Vorombo abaot land ia Sevua mo Tampotal we pikinini blong Lanlankjar, Domlei, mo Malpert, From 3fla brata ia nao oli stap tekem mama blong Vorombo, be olgeta oli sem from oli brata nomo. Nao Votom emi kam long Potailang Molsus after ibonem gel blong em we emi Vorombo, be Vorombo emi blad blong Lanlankar wetem tufala brata blong em, we olgeta iman Batar mo Bodailang-Molsus emi no pem Voton mama blong Vorombo from Voton emi no stap kwaet wetem wan man. Molsus ided nao Voton igo luk Ruja Moltailang Voton ironwe long em Moltailand isingaot nephew blong em Andre Netgitao emi ko mekem mared blong Vorombo. Follem presentesen blong nara witness we emi Andre Nititao, emi talem Sevou kraon emi wan staion nomo insaed long Tambotal mo emi stap witnesem se Molsus mo Moltanlang ia tufala i papa blong Vorombo Josephine. Mi wantem talem aot long kotse Josephine Vorombo emi cousine blong Andre Nititao, from taem oli pem em iko long papa blong mi olsem long custom papa blong mi emi olsem rop blong pig blong em. Mo mi wantem talem aot se Josephine Vorombo emi mared 3 times finis. Iminim se long kastom blong Santo emi lusum every rael finis.

### History blong land we Representative blong family Tura ipresentem:

Long presentation blong Family Tura oli talem se Tura emi putum leaf Namele long main rod we ol man hill istap ko dapm long solwota, rod iclose kasem taem Moltures ikam fae from emi mekem blad iron long difrenkraon (Bellmol) bifo long kastom taem yu kilim man yum as jensem wetem blad line blong yu blong kam mo karem pikinini. Be yu no save jensem wetem wan animal olsem pig. Kastom ia nao Tura emi talem long Moltures follem problem ia nao gel blong Moltures ikam daon. Afta nao Tura emi tekeaot leaf namele longrod, mo rod emi open bakeken. Tura emi tekem Votaresta kel blong Moltures mo putum long Tarokol blong Tura. Jif Tarkol taem emi kilim pig wetem jif Tura iputum nem blong hem Karae sus, hemi blong Pelomoli saed Wampu



reva. Tarkol emi blong peyrol plantation white man ironem hem lo yisa 1903 Tarkol emi aot long solwot iko stap long Mambe Kalaru. After Tura emi tekem hem mo putumem long Natunsaowa iminim se Tarokol emi stap unda long Authorisation blong Pierre Vatu from ol reasons ia:

- Votaresta emi kam from faen
- Votaresta emi no kat pikinini
- Brata ino save folem rod blong sist
- Votaresta emi maret 2 times long 2 man Belmol.

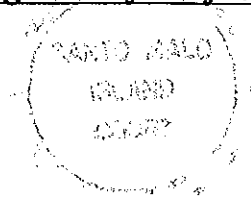
Taem ikat tribal faet ikat peace ceremony, from wan Boundarimak emi separetem two nasara.

Tarkol mo Kamewa tufala istap unda long Authority blong Tura mo Tura emi pem mo kilim woman blong brata blong em mo Tura emi kivim nem ia Molalul lo Kamevua olsem custom nem rang blong brata blong hem.

Long presentation blong family Tura long saed blong muvment emi Bellmol ikat ol nasara mo igat long ol ples ia. Ikat bere graon we istap insaed long Belebut mo follem storian blong family Tura, Tarkol emi aot long solwota iko stap long bush. Ikat ol tapu ples mo ples blong kilim pig.

Olsem presentation blong witness blong family Tura, jif Varasmala Tarkol emi talem se emi last blood line blong Tura hemi stap witnessim boundary mak blong Tambotal mo Belimol mo hemi talem se emi stap witnessim kastom boundasry mak long agrimen mo toktok wetem French District Agent FDA enu bin witnessim miting ia, mo emi talem se long 1995, Franis company mo Franis kampany emi reconisem kastom boundary mak, mo kampany emi kivim 2 taetel kraon.

**History blong land we Representative blong family Loyror Lin ipresentem:**





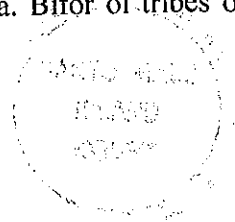
Long presentation blong family Loyror Lin, emi talem se Sevua edmi kraon blong em mo emi birth right olsem adopted pikinini blong Josephine Vorombo, emi bin adopted pikinini emi aot long stret mama blong em Veatmol mo stret papa blong em emi Romta. Mo taem emi bon istap wetem mama blong em 50 days mo Josephine Vorombo emi kam long fasin blong kastom blong adoptaqtion long pikinini emi mekem ol samting ia. Hemi karem wan banana tri blong Loyror Lin mo planem mo singaotem nem ia nao Loyror Lon mo kivim #20.00 igo long papa mo mama blong em mo igo stp wetem Josephine Vorombo kasem taem Loyror Lin emi maret. Taem ia nao Josephine Vorombo emi tekem Loyror Lin emi stasp folem boundary mak blo Sevua .

Emia storian blong family Voromb0 long sae blong muvment folem muvment blong Vorombo long sae blong muvment emi stap muv from emi maretem 3 man.

Follem presentation blong witness blong Loyror Lin we emi Roy Hary emi stap witnessim boundary mak blong Sevua we emi se emi luk long ae blong hem mo hemi tlem long maot blong hem, mo harem long sora blong hem.

**History blong land we Representative blong family Moltanoaute ipresentem:**

Long presentation blong Family Moltanote emi kat 2 brata nem blong tufala ikat "Toco, mo Vutiapu oli stret natives blong ples ia Lambue follem stret toktok blong pupu Melelivo follem kastom blong Santo. Mifala istret blong claim tru long blad line blong pua Moltanoute mo stret mama blong mi Veajuju we emi kasem kastom rael ia blong toktok from kraon is. Follem principal ia nao family Moltanoute istanap strong mo claim strong mo claim se kastom kraon ia Bellome mo Lambue emi blong stret blad line blong family Moltanoute moindigenous generations kam kasem mifala tudei. Family Moltanoute iclaim follem stret blood line blong Moltano mo trifala sons blong Moltano iaMoltanoute, Toco, mo Futicabu. Tufala sons blong Moltano ia Toco mo Futicabu ino kat pikinini mo tufala ided. Moltanoute emi maretem Veririmo tufala igat wan pikinini girl nomo we emi Veajuju namba 2 mo ino kat brata. So customary land right ia nao ilaef long ples ia ikam kasem mifala tedei. Follem custom blong yumi long Santo Veajuju mo generation blong em oli save claim kastom right ia long ownaship blong kastom kraon ia ?Bellom mo Lambea. Bifor ol tribes oli kam stap



askem long stret pupu blong mi Moltanoute blong oli pass tru long Bellomulle mo Lambea mo tekem solwota or kam blong swim mo long 1883 taem franis kampani we i base long New Caledonia oli iksem blong negotiate blong tekem kastom kraon blong "Bellomulle mo Lambaea oli kam 3 times bifo pua Moltanoute ikivim kraon kraon long olgeta.

Long saed blong muvment blong olgeta emi stap muv follem ol trade long kastom mo ol activities we istap tekem ples insaed long Belimol long fasin blong kastom activities. Emi stap muv long nasara mo stap ko long ol basis mo stap mekem bisnis blong trade wetem ol narafala nasara mo aelan long saed blong kastom trade. Bifo kastom trade emi stap continue long Santo, Malo mo Aoba, ikam kasem 1900s long taem blong colonization.

Follem presentation blong witness Peter Ngwele blong Ambae emi witnessim tru storian blong ol stret pupu blong em, jif Aru Hangavul mo emi witnessim se stret pupu blong em istap mekem custom trading long pig, mat, between Aoba mo Santo mo Malo long year 1800s. Jif Aru Hangavul long kastom ceremony emi kivim wan pig, 1 kastom mat blong Ambae mo sam Aelan kaekae long Moltanaote blong save allowem em blong kam soa long Vewa basis bifo oli kam soa. Mo Peter Ngwele emi talem se ol stret pupu blong em oli kam long Santo oli stap lukim jif Moltanoute be ino mo kat nara fala jif, stat long wailaman reva ikasem Ailaiman reva witness emi se tae mol pupu blong em Jif Aru Hangavul oli putum nem ia Tutumpa, imin se yumi stanap mo spel fes taem, or rest after long fala trip we oli paddle lo kanoe long Aoba ikam long Santo mo Malo. Witness emi se taem we ol pupu blong em oli stap kam long Santo mo Malo oli putum man blong Aelan ia Aore Island tedei oli collem Taure iminim se yumi pull round island we tedei yumi collem Aore.

Witness emi tale mol man blong pupu blong em jif Aru Hangavul oli stap mekem kastom trading long pig long Malo Island nao ol man Malo oli kilim ded wan man blong jif "Aru Hangavul mo oli fasem tufala man long rop mo tufala man ia we oli fasem tufala oli takemaot rop bakeken mo tufala iron we wetem ded body blong fren blong tufaala ia mo pul ikam shore long wan smol Aelan mo tufala iberem ded body ia long smol aelan ia. After we tufala man oli berenm ded body blong fren blong tufala, mo tufala iaot mo kam shore long Vewa basis mo pua Moltanaute isendem tufala iko bak long Aoba long jif Aru Hangavul, mo kolosap 10 days nao oli ko long smol aelan mo sere mol kaekae long smol aelan ia. Long taem ia nao pupu jif Aru

Hangavul emi putum nem blong smol aelan ia se Ratua we iminim se yumi ol brata yumi wan nomo, yumi kam blong tingabaot wan long yumi we ided.

Provement emi shoem se long befor 1700s mo 1800 yumi save witnessim se itru trfala aelan ia Aoba, Malo mo Santo ol pipol blong em oli stap mekem bisnis blong kastom trading tru long exchange long ol kastom items we ikat bigfala value long kastom tradings mo fasin mo ways blong living blong bifo. Ol traditional value items olsem pig, narave, mat mo pitpit emia emi follem wetem common language long language emi se poie, chicken common language emi "toa" blong yumi common language se "mai" emi prugum se language communication mo easy mo iprufum istap blong Santo long South Area nomo follem ol aelan trading patner ia.

Follem last witness blong family Moltanaute emi present police sergeant Edward Kalura (EK) mo emi wan main witness we hemi witnessem mo declarem se family tree blong Moltamoate emi tru mo igat ova seven generations kasem pua Moltano mo wife blong hem Vehajuju [no.1].

Main witness EK emi witnessem mo declarem tru kastom boundary blong Belimol kastom lan mo Lanbue kastom lan folliw description blong kastom land boundary mak. Main witness EK emi talem se straight pua blong hem nao talem long hem long year 1978 long taem ia igatg nine years old. Witness ia italem aot se bifo ikam inogat any man liong /belimol mo Lanbus kastom kraon mo ol stret pupu blong hem Moltanoaute wetem tufala brfothers blong hem Toco mo Futicabu nao oli stap long kastom kraon ia Bellmol mo Lanbua. Taem long date ia 1 September 1883 nao ol white traders oli kam blong pem kraon long hem blong France Government [CFNH] mo Colonization nao oli pem Belmol mo Lanbuea kastom kraon long Montanoaute wetem tufala stret bratas blong hem Toco mo Futicapu mo olgeta ideclarrem kastom kraon blong olgeta follem kastom mak boundary follem Wailaman riva mo west direction hemi Wampu reva taem iko long northen direction first bigfala creek befor Nimpel mo Nampahuk villij tedei mo kastom boundary blong Bellmol kastom kraon ifinis ia nao mo Lanbuea kastom kraon istat long bigfala creed ia mo iko long wan narafala bigfala creek we i boundary wetem Pakas kastom kraon. Lanboea kastom kraon long West saed istill boundary wetem Wampu reva mo creek kasem north side boundary wetem Pakas kastom kraon mo ifinis ia nao.



Ol white traders ia oli kam three times mo long number three time mo survey long Bellmol mo Lanbuea kastom kron mo long number three times ia nao oli just pem kastom kraon ia Bellmol mo Lanboea long Moltanoaute, Toco mo Fucicabu. Ibin gat wan sale statements ibin tekem ples between olgeta white traders ia long taem ia 1 September 1883 mo Moltaqnoaute, Toco mo Fucicabu oli saenem sale statement ia.

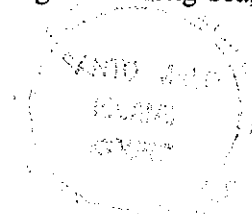
Follem family tree blong Moltano mo trifala boys blong hem Moltanoaute nomo maretem Veriri mo tufala igat wan pikinini nomo we hei Vehajuju [no.2] Toco mo Fucicabu ided mo no gat pikinini. Kastom right ia blong ownem kastom kraon ia Bellmol mo Lanboea istap long Vehajuju no.2 taem Moltanoaute, Toco mo Fucicabu mo samfala man mo oman bakeken oli ded. Be taem ia Vehajuju no.2 imaretem Hajuju blong Venaus finis mo even Langiloso hemi born finis mo taem oli harem nius mo ten days ipas oli kam long Bellmol be olgeta family ia isting finis. Follem toktok ia Vehajuju no.2 italem long pua Melelivo italem long main witness EK.

Pruvment ishoem se CFNH or ol white traders ia after long everi samting ia we ihappen ol white trader ia oli mekem wan kaikai mo taem olgeta oli kaikai mo drink wota mo wine nao oli ded everywan from ikat poison long wine mo wota we oli drink. Document dated 1 September 1883 pruvment ishoem se CFNH hemi alienator hemi subdividem Bellmol kastom kaon yumi lukim igat three properties we istap insaed half part coastal part blong Bellmol kastom kraon. Three registered property ia igat Hagan property, Mission Saint Michel mo Saint Louis property.

Pruvment ishoem se igat three legal property ia igat Joint Court New Hebrides Judgment over long ol property ia. Ol boundries blong ol legal properties ia oli stap insaed long Bellmol kastom kraon.

Pruvment ishoem se CFNH ipem Bellmol mo Lanboea kastom kraon long ol stret blad line apu blong mi Moltanoaute, Toco mo Fucicabu.

Pruvment ishoem se smol aelan emi stap insaed long legal property blong saint Louis mo ismol aelan blong stret pupu blong mi Moltanoaute. Aelan ia istap insaed long area blong tapu ples blong Moltanoaute mo ikastom property blong Moltanoaute we istap usum blong exercisem black magic blonghem we iwan special magic blong area ia Bellmol kastom kraon. Magic ia oli stap usum blong travellong wan long fala distance kibgsea, lan mo air long wan different form blong shark long sea, animal



long land mo pigeon long air. Ol language blong Bellmol oli colem "Habaleva" we iminim se samting ipas untanit long solwota, kraon mo air.

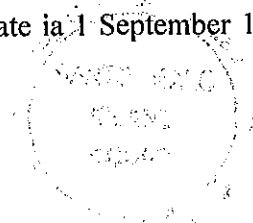
Pruvment ishoem se Habaleva kastom magic spirit ia hemi change ikam shark ia emi follem ol stret blood line blong hem nomo follem Bellmol kastom kraon mo stap kaikai ol stret blood blong Moltanoaute we ispirit ia blong blad line ia nomo mo long South Sanoto area Shark istap kaikai nomo blood line blong Moltanoaute we istret kast magic blong Bellmol kastom kraon.

Pruvment ishoem se Habaleva or shark ia istap kaikai stret blood line blong Moltanoaute nomo from first person ikaikai hemi Veriri long yia 1900s, second blong shark ikaikai iJames Langi we shark ikaikai hem long South Santo long 1973 mo lastly and lately hemi Monica long yia 2006 we olgeta three ia shark ia ikaikai olgeta mo oli stret blood line blong Moltanoaute. Kastomary magic ia iblong kraon ia Bellmol kastom kraon mo Lanbuea kastom kraon mo everi wan long South Santo olisave who olgeta iblood line long shark ia.

Family Moltanoaute iwantem explainem kastom boundary blong Bellmol mo Lanbuea kastom kraon. Fes Bellmol kastom kraon hem istart long Wailaman reva long eastern saed iwan creek we iboundary wetem Lanbuea kastom kraon mo Lanbuea kastom kraon hemi boundary long north wetem one bigfala creek wetem Pakas kastom kraon.

South Santo language: Sarakatas iminim se reva ikasem ples long solwot. Sara iminim ples k iminim iko tass iminim solwota. Sarakatas ismol part nomo we ikam kasem solwota mo bridge mo ko kasem magic aelan we reva iron araon we iblong Malanosute. Wailaman reva iminim man reva. Mo Wampu iminim womsan reva. Head blong Wsmpu reva istap long Tasn met kasstom kraon west saed long Bellmol mo Lanbuea kastom kraon. True storian blong oli se wan woman igo stap dickim wild yasm mo womn ia emi sek wota ikam aot long hed blong wild yam ia mo woman ia iron wei mo wota ia iron folem woman ia koko ikarem woman mo tekem ikam daon long solwota we tedei hemi Wampu reva.

Pruvment ishoem se CFNH Franis Company emi mekem wan sale statement we iwan legal document we stret pua Moltanoaute, Toco, Futicabu oli salem mo givim ol kastom kraon Bellmol mo Lanbuea iko longCFNH. Folem date ia 1 September 1883



ino gat any kot iestablish yet long taem ia mo Joint Administration Government blong Franis mo British Government iestablish later date.

Pruvment ishoem tu se inomo gat any otgher person istap long ?Bellmol mo Lanbuea kastom kraon long taem ia. Ol narafala claimers oli just muv ikam afta long 1920s to 1950s nomo. Mò during long taem ia France "Government istablissem administration blong hem long Saint Michel property blong Belmol kasom kraon blong Moltanoaute.

Pruvment ishoem se wan documentary evidence we ishoem sale statement ishoem stret surveyed boundaries blong Belmol mo Lsnbueas kastom kraon dated 1 September 1883.

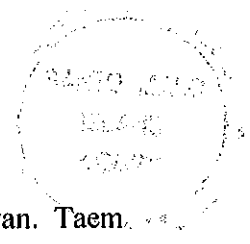
**History blong land we Representative blong family Uri Warawara ipresentem:**

Long presentation blong Uri Warawara hemi no kam blong presentem history, be hemi kam blong devendem boundary mak blong em. Hemia long Belvos custom kraon we hemi presentem declared customsry owna blong Belvos by Council of Jifs blong Sanma Province. Ol Declaration mo decision blong Sanma Council of Jifs mo Island I declarem iklia Boundary mak blong Belimol mo Belvos. Tufala neva' ova lap mo Belimol nevas kam insaed long Boundary mak blong Belvos.

Storian blong muvment blong Uri Warawara mo Pio Varavara emi stap move insaed long kraon ia Belvos mo burial site blong Bio Varavara emi stap insaed long kraon Belvos mo ol olfala ples blong Aos mo Basis.

**Wokabaot long graon**

Long taem blong visit long kraon everiwan iagree mo wokabaot wanwan. Taem blong walkabaot itek ples long 5 days. Walkabaot hemi wetem Original Claimant.



Everywan imt long Bambaoo Motel wetem kot then oli go together mo statem luklul blong olgeta long Belta area. Parti ia oli toktok smol then every wan ijum long truck mo oliko long nara area. Oli usuk truck blong wokabaot long ol boundary mak long northern side long road

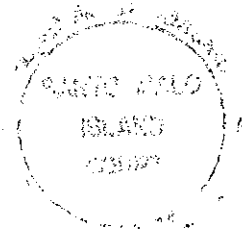
Visit wetem famfly Tura Counteclaiment No.1 Family Tura imit wetem kot long Bamboo motel then oli go together start wokabaot long south east side blong boiundary mor ifolem thick bush i go kasem end blong boundary mo ifolem kasen end blong rod long north side boundary claim blong olgeta. Oli stop long sam area blong explainem long kot long hisory events blong olgeta.

Visit wetem family family Loyror Lin counterclaimant No.2. Paty ia imit wetem kot long "Bawmboo mottel then oli go together wetem kot stret long nambaok vilij long Nlrthb side long bojundary wetem truck. Everywan iwokabaot together long long bush iko Ksem North Eas side mo kam back long rod blong truck, mo ko back long North West side long rod long truck, mo ko bak long north West side long boundary. Wokabaoti continue ikam daon folem bush ikam kasem solwota long Southern boundary long Sangaria riva. Hemia itekem kolosap ful day blong woikabaot together wetem partie ia. Start long 8.00 oclok mo finis long 6.00 pm.

Visit wetem family Molitanomaeto counter clsaimsnt No. 3. Party ia ikam wetem truck mo mitim kot lomg Bamboo Motel. Then oli ko together mo statem toktok long South East eria long boundary mak. Oli usum truck olsem sam nara perty imekem, everywan iko finis long roid istap long navel mo kam daon bakeken long taon. Wokbaot ia itekem half dei nomo.

Visit blong Warawarar counter claimant no. 4. Party ia tu ikam long Bamboo Motel blong mitim komo ko startem wokabaot together long PB Born station mo folem rod blong truck blong soem overlap long kraon on boundary mark blong hem. Wokabaot iko finis longend blong olgala airport then back long end blongolfala air port then kam, back long town bakeken wetem kot.

#### **FINDINGS MO OBSERVATIONS BLONG KOT**



After ol samting we mifala italem hemia below olgeta findings mo observations blong mifala. Kot emi wantem talemaot se bae hemi base nomo long ketch map blong original claimant. mo kot emi wantem talem aot se kraon Belvos emi no dispute mo emi nio stap insaed long oiriginal claim blong Taftumol we hemi original claimant; mekem se bae mifala ino save declarem Belvos be wanem mifala imekem migfal i declarem ol nara land mo livim Belvos istap. Party we iclem overlap mifala iwantem talem long kot ia se inokat ova lap boundary blong Belvos istap olsem we different koi ibin declarem mo wanem we mifala iharem hemia nao mifala ideclarem. Hemia iolsem se Belvos istap olsem we nara kot ibin declarem mo mifala ideclaraem land mo nem we original Claimant ibin putum long claim blong hem nomo. After long ol finding mo ol tingting olsem: -

### **Findings**

1. **Long saed blong Family Taftumol** kot emi faenemaot se Taftumol emi stret man Tambotal from nasara blong em istap insaed long kraon long Tambotal.
2. Kot emi faenem se Taftumol emi bigfala jif blong Tambotal;
3. Kot ifaenemaot se emi maretem 2 woman, namba wan woman blong em emi Vombel, we emi pikinini blong em nao emi Andre Nititao;
4. Kot ifaenemaot se Taftumol emi maretem namba 2 woman we nem blong hem Votaraia, mo emi kat 4 pikinini, 3 boy mo 1 gel. Fes bon emi wan gel nem blong em Votaresta Anna, namba 2 emi wan boe nem blong hem Mahambi Paul, namba 3 emi wan boy nem blongem Angelo Jean. Angelo Jean emi kat 1 boy we nem blong em Jean Paul mo 2 gels namba 4 emi wan boy nem blong hem Vatu Pierre. Mo Vatu pierre emi kat 4 pikinini, 3 boy mo 1 gel
5. Kot ifaenemaot se Sevua emi no wan part blong Tambotal, be emi wan custom kraon from ikat nasara blong em.
6. Kot ifaenemaot se Molsus emi wan hae jif blong Sevua.
7. Kot ifaenemaot se Tabotal emi seperetem Sevoa we kastom wudi identifiaem olsem creek, namele, nagaria mo kokonas we ol family Taftumol oli katem;



8. **Long saed blong family Tura**, kot ifaenemaot se emi man Pentecost;
9. Kot ifaenemaot se family Tura emi stap presentem 3 different family tree. Wan blong Rombo Rombo, wan blong Malnasang mo wan blong Tarcot;
10. Kot ifaenemaot se family Tura emi stap klem long 2 ples; igat Bellomulle mo Belvos;
11. Kot ifaenemaot se Tarcot emi kam long solwota mo emi jes ko antap long bush;
12. Kot ifaenemaot se family Tura emi stap talem se Rutza emi brata blong Rombo Rombo;
13. Kot emi faenemaot se Family Tura oli soem gref blong Rutza, mo amily Loyror Lin tu oli soem gre blong Rutza, so which wan nao itru. Wan long Sevua mo wan long Nasundu. Kot ifaenemaot se Rutza emi stap stret long Sevua kastom kraon, from ikat gref blong em long Sevua mo nasara;
14. Kot emi faenemaot se Rutza kastom brata Rombo Rombo follem wanem kastom ino klia follem kastom blong Santo;
15. Kot emi faenemaot se ineva kat wan kraon long bush iko kasem solwora;
16. Kot ifaenemaot se man isave pem rod blong em blong ko long solwota, be in oblong karem kraon follem practice blong Santo long bifo long saed blong kastom trading;
17. Kot ifaenemaot se ibin kat sam man oli spokesman blong nara pati, afta long sam taem oli faenemaot history blong ples then oli claim againsem man we oli stap follem fes taem;
18. **Long saed blong family Loyror Lin**, kot hemi faenem se Loyror Lin emi wan dopted son blong Vorombo Josephine;
19. Kot ifaenemaot se Loyror Lin oli bin adoptem follem fasin blong kastom.

20. Josephine Vorombo emi ded mo oli berem em long Sevua kastom kron;
21. Kot hemi faenemaot se Vorombo Josephine emi soem boundary mak long Loyror Lin taem emi stap wetem hem;
22. Kot emi faenemaot se Sevua ei wan kastom land from emi kat boundary mak long em, mo nasara tu istap long hem. Nasara blong 3fala jif insaed long Sevua land;
23. Kot ifaenemaot se adoption blong Loyror Lin emi stret long kastom mo tu ikat wan will we iexist istap long saed ia;
24. **Long saed blong family Moltanoaute** Kot emi finemaot se Moltanoaute emi wan bigfala Jif insaed lo Lambue custom kraon.
25. Kot emi finemaot se I tru bifo 1800's ikat custom trading between Aoba, Malo mo Santo;
26. Kot emi finemaot se nasara blo bigfala Jif Moltanoaute we istap insaed lo Belimoli custom kraon;
27. Kot emi finemaot se ples long solwota emi wan anlined land, bifo, be kam kasem 1980 taem kraon emi kambak long indegiones land ona;
28. Kot emi finemaot se family tree blo Moltanoaute emi stret mo itru;
29. Kot emi finemaot se kam lo solwota, kat 3fala brata oli bin salem mo sanem statement we istap. I kat Moltanoaute, Fucicapu, Toco we istap insaed lo family tree blo Jimmy Moltanoaute, Fucicapu, Toco we istap insaed lo family tree bol Jimmy Moltanoaute sales lo 2fala ples ikat Lambue Belmoli;
30. Kot emi finemaot se ikat ol custom ples we ol activities blo Moltanoaute emi stap tekem ples lo em;

31. Kot emi finemaot se the only last blood line we istap lo belmoli emi Moltanoaute;
32. Long saed blong family Uri Warawara Kot ifaenemaot se Family Uri Warawara wetem Bio Varavara iwan family nomo;
33. Kot ifaenemaot se Family Uri Warawara wetem Bio Varavara tufala Ikam long Kot blong defendem boundary mak;
34. Kot ifaenemaot se witness blong em Salerani emi kam blong defendem boundary mak we olgeta ibin kivim long Family Warawara mo Varavara.
35. Kot ifaenemaot se even Claimant oli confirmem se Belvos emi kraon blong Varavara mo Warawara befo kam kasem tudei;

#### **OBSERVATIONS**

Long beginning blong hearing blong kes ia kot imekem iclear long ol parties se each party imas helpem kot blong kot isave helpem olgeta. Kot iexplain long olgeta se land hemi important long life blong ol man ples.

Wanem we mifala ikam up blong mekem deecision long kes ia hemi base long wanem ikam aot long kot mo tu long taem blong wokabaot. Ol witnesses blong ol party oli stap conirmem ol toktok blong ol spokes persons blong olgeta. Taem olgeta questions oli go long witnesses oli seem to lus out long kes. Hemia ishoem se oli no save gud history blong party we oli wantem witesim.

Long observation blong kot, kot iluk se ol parties oli tokbaot plante long saed long solwota we isoem se oli save gud history blong land long solwota be taem igo antap long bush kot iluk olsem oli no save gud. Oli tokbaot ol samting we oli believe se oli stap antap long bush be long taem blong wokabaot oli no save soem stret wanem we oli talem long kot.

Ol parties oli talem wan someting long lanwis after oli talem mining blong ol toktok ia oli different long each other. Long lukluk blong kot spokesman Jimmy iluk olsem

hemi save wanem hemi talem long langwis we hemi stap present long hem long kot. Sam parties oli tok about wan samting oli explainem gud long kot be sam parties oli talem wan samting be oli no explen gud long kot wanem oli stap tok abaot. Kot i harem tu long kot mo lukluk se ikat 3 Rutza, wan we Tura itok abaot, wan we Tatumol itokabaot mo wan we Loyror lin itokabaot. Long lukluk taem long wok abaot Tura ishoem plec blong haos blong hem mo Loyror Lin ishoem gref blong hem be ples blong haos mo gref i longlong wei long tuala. Taftumol ino shoem any ples blong Rutza be itok abaot nomo long kot.

Long saed blong nem blong land mifala iluk se Tambotal hemi wan land, Sevua hemi wan land, Beleru hemi wan land, Bellmol hemi wan land mo tu Lambue hemi wan land oli no stesens or villages.

### DECLARATION

Follem ol toktok mo ol tingting we kot iputum tugeta antap Kot ia iwantem Declare olsem: -

- A. Family Taftumol hemi Custom Land Owner blong land ia Tambotal.
- B. Family Loyror Lin hemi Custom Land Owner blong land ia Sevua.
- C. Family Tura hemi Custom Land Owner blong land ia Beleru
- D. Family Moltanoaute hemi Custom Lsnd Owner blong land ia Bellmol/Lanbuea
- E. Kot ino save touchem Belvos from se hemi wan different land mo hemi no wan long olgeta land we hemi disputed befor long kot ia. Kot ia hemi declarem olgeta land ia nomo we hemi been disputed before long kot ia.
1. Family Taftumol emi stap declareinsaed long kraon Tambotal. Emi raet full ona insaed long land ia Tambotal long boundry mak blong em emi stat long North emi boundry wetem Serouva custom land aeintenarif East emi boundry

wetem Sevoua custom land emia long wan stampa blong nangai we Vorombo wetem Andre Nititao tufala I planem emi long wan creek long Belnza mo iron iko west emi boundry wetem long reva wampu.

2. Family Loyror Lin or Vorombo emi stap Declare insaed long kastom kraon Sevoa. Emi kat ful raet insaed Sevua land. Sevua kastom boundary mak ipas long area long North mo long West Toraen Tovas ifolem ikam long Tapu bamboo mo ifollem ientemap boundary wetem Tambotal mo ifolem boundary wetem Tambotal long East mo finis long nangai mo kam smol long kokonus we oli katem long swam mo iko bak daon long Sarakata reva mo iko bak antap long Aievoke mo Sarakata we tufala ijoin wan ples.
3. Family Tura kot emi stap declarem insaed long kraon Beleru emi stap declare olsem kastom owna blong land ia. Kastom boundary mak long creed Belnza follem creek kasem Sarakata reva long East mo long South boundary wetem family Moltanoaute long wan Creek Maltet Tavan creek mo long West emi boundary long wampu reva emi long West saed.
4. Family Moltanoaute emi stap declare land owna long Bellmol kraon.. Family Moltanoaute emi raet fulwan blong Bellmol mo Lanbuea kastom kraon. Boundary mak long North emi boundary wetem family Tura long Creek Maltat Tavun creek iko kasem Sarakata reva iron ikam daon long East saed wetem smol Aelan kasem South solwota long mouth blong reva ifollem solwota South iko kasem PB Bond long stampa blong natavoa mo ifolem iko antap kasem saed Airport long end blong aiport mo follem ikam daon long reva wampu emia long West.

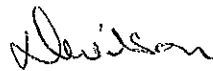
## ORDERS

After long ol declaration ia Kot iwantemmekem ol orders olsem:

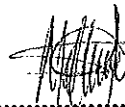
1. Sipos any man iwantem go insaed long land ia Tambotal we family Taftumol ikastomari owner blong hem, oli mas toktok wetem familie ia fastaem;
2. Yu we yu stap wok or wokabaot finis long area blong Tambotal we family Taftumo i kastomari owna long hem, yu mas toktok wetem family Taftumol siopos yu watem continue blong stap long hem;

3. Sipos any man iwantem go insaed long land ia Sevua we family Loyror Lin ikastomari owner blong hem, oli mas toktok wetem familie ia fastaem;
4. Yu we yu stap wok or wokabaot finis long area blong Sevuall we family Loyror Lin i kastomari owna long hem, yum as toktok wetem family Loyror Lin siopos yu watem continue blong stap long hem;
5. Sipos any man iwantem go insaed long land ioa Beleru we family Tura ikastomari owner blong hem, oli mas toktok wetem familie ia fastaem;
6. Yu we yu stap wok or wokabaot finis long area blong Beleru we family Tura i kastomari owna long hem, yum as toktok wetem family Tura sopus yu watem continue blong stap long hem;
7. Sipos any man iwantem go insaed long land ia Bellmol/Lanbuea we family Moltanoaute ikastomari owner blong hem, oli mas toktok wetem familie ia fastaem;
8. Yu we yu stap wok or wokabaot finis long area blong Belmoll/Lanbuea we family Taftumo i kastomari owna long hem, yum as toktok wetem family Moltanoaute siopos yu watem continue blong stap long hem.
9. Judgment ia hemi subject long appeal. Period blong appeal hemi 30 days.

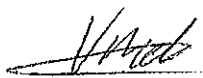
**Dated Long Luganville long day ia 26 long August 2011.**



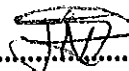
.....  
**Nesbeth Wilson**  
**Presiding Magistrate**



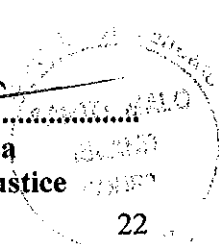
.....  
**Justice Sam Fula**  
**Island /Court Justice**



.....  
**Vira Mele**  
**Island Court Justice**



.....  
**James Ngesa**  
**Island Court Justice**



TAMBOTAL / SEVUA, BELERU / BELMOLI  
 AUL, LAMBUE / BELMOLI

BOUNDARY MARK DECLERESSEN OF MARCH 2010

