

IN THE TRADITIONAL RIGHTS COURT
REPUBLIC OF THE MARSHALL ISLANDS

MAJURO, MARSHALL ISLANDS

BILLY PIAMON,)	CIVIL ACTION NO. 1988-146
))	
Plaintiff,)	
))	
-VS-)	<u>ANSWER AND OPINIONS</u>
))	<u>REGARDING THE QUESTIONS</u>
JILLO BULELE/LANTUR,)	<u>CERTIFIED TO THE</u>
))	<u>TRADITIONAL RIGHTS COURT</u>
Defendant.)	
))	

OPINIONS AND ANSWERS

This court after hearing all the testimonies of all the witnesses during the trial of this case, examining all the evidence presented by both the plaintiff and the defendant, and most especially the questions relevant to the jurisdiction of the Traditional Rights Court, now answers and expresses its opinions as follows:

KAJITOK: As between Billy and Jillo who is the alap, under the custom over Nini Island and Orlap, Monturinbol and Ekoen wetos on Kwajalein Island?

ANSWER: Billy Piamon is the proper person, under the custom to have the alabship.

WHY: He is the oldest surviving Lojemmanod in Alab.

ANSWER AND OPINION REGARDING a): This court believes that there was no division of the Eroja lands. As Lotto, the husband of Jillo's younger sister said, for fifty years he has been living in Kwajalein and had never observed or heard of this division. Also

in the testimony of Atirik Maie, he stated that there never was any division of the Eroja lands in the olden days.

As for the term, **bedbed ijin-bedbed ijen**, our understanding of this custom is that with regard to the lands in this dispute it means that all the Eroja lands in Lae, Ebon, Jaluit and Kwajalein are all under one alab. However, it would not be proper to include them all under the **bedbed ijin-bedbed ijen** custom because these lands, with the exception of those on Kwajalein, are **ninnin** lands from the fathers^{of} of the children of the Eroja ladies who **kora mennunak** to Lae, Ebon, and Jaluit. The lands on Kwajalein are **bwij** lands and **kabijuknen** of the Eroja **bwij**.

ANSWER AND OPINION REGARDING b): The saying **bedbed ijin-bedbed ijen, na wot kwe** can only be and is applied only between **bwij to bwij or botoktok to botoktok** and not between **bwij** and **botoktok**.

ANSWER AND OPINION REGARDING c): With regard to the **ire in mejen ninnin** Handle Dribo testified to and stated occurred between Bulele and Binni in their time, this court is of the opinion that even if it's true that such an arrangement did occur it should not, however, be considered as permanent like the arrangement in Plaintiff's Exhibit 3. In that arrangement the family together with Iroiijlablab Lejelan Kabua, after the death of Bulele, decided and agreed that Binni was the proper successor to the alabship based on these families geneology chart, Plaintiff's Exhibit 1 and 2, and that these are Eroja lands inherited down from Luandrike.

ANSWER AND OPINION REGARDING d): In her testimony Jillo stated that a decision had been made by Iroiijlablab Lejelan Kabua

in which Jillo says she is the proper person to succeed to the title previously held by her father. This desire of Jillo is clearly indicated in Defendant's Exhibit 3 which from this court interpretation of this document, Jillo herself had had prepared and not Iroijlablab Lejelan Kabua as she testified. Also during her testimony Jillo stated that Defendant's Exhibit 3 was prepared by Iroijlablab Lejelan and that they signed on the same date. The way this court sees it, the exhibit itself tells us that this statement by Jillo is not true because it's very clear on the said document that Iroijlablab Lejelan Kabua and her signed signed on two separate days. Jillo on 9/19/80 and Lejelan on 9/26/80. Furthermore, this court considers her statement that it was made by Lejelan to be untrue because written on this document itself are these words, "I'm asking again whether Iroijlablab Lejelan Kabua, who is the iroijlablab on Bulele's wetos recognizes I, Jillo Bulele as proper to have the title of my father, Bulele." This court also understand that in all the testimony before it not one witness testified that the signature was not Lejelan's. In fact, they all testified that, yes, it looked like his. But, regardless of all that, whether they signed and whether it was on the same day, or whether this document, D3, was prepared by Lejelan or by Jillo, it is the firm and unanimous opinion of this court that it would be wrong and a violation of the custom for Jillo to have this right because these are bwij lands and the bwij should have been notified and approved this arrangement.

Based on all the foregoing reasons, this court once more states that it is its firm belief that the proper person to have

the alab title and right, is BILLY PIAMON, under the Marshalles custom and practice.

Dated:

4-9-92

Bollong Joklur 4-9-92
BOLLONG JOKLUR Chief Judge
Traditional Rights Court
Republic of the Marshall Islands

Abel Tarilan 4-9-92
ABEL TARILAN, Associate Judge
Traditional Rights Court
Republic of the Marshall Islands

Thaddeus Samson 4-9-92
THADDEUS SAMSON, Associate Judge
Traditional Rights Court
Republic of the Marshall Islands

F I L E D

APR 10 1992
R. Benson
ASST. CLERK OF COURTS
REPUBLIC OF MARSHALL ISLANDS