

IN THE TRADITIONAL RIGHTS COURT
REPUBLIC OF THE MARSHALL ISLANDS

RITOK H. JACK,

Plaintiff,

vs.

TOKIKO HISAIAH
and DAVID HISAIAH,

Defendants.

CIVIL ACTION NO. 1999-250

LEMNAK IM UWAK

Traditional Rights Court ear ronjake High Court Civil Action No. 1999-250 ilo October 23 - 30 ran, 2000, ilo courthouse eo ilo Uliga, Majuro Atoll, Republic of the Marshall Islands. Ro uwan panel eo rar Associate Judge Biliet Edmond, Associate Judge Iroi j Bwillej Jibas, im Associate Judge Berson Joseph, eo ear presiding judge ilo case in.

Case in ear itok non Traditional Rights Courts non an etale, ekkar non manit, won wot ian party kein ruo (2) ejimwe im tellok in bwe en jolete maron ko jimor an Alab im Dri-jerbal ilo Wojalik Ean Weto ilo Arrak, Majuro Atoll. Case in ej juon case eo elab an lab im kaburomojmoj kinke ejelet nejin nae jinen im ro jet jein im jatin. Elab kinke ej kab kein kajuon an case rot in itok iman court in. Case in ej ikijien weto eo etan Wojalik Ean eo "leo balele" ear wiaiki kin juon pickup truck, money, im bareinwot kin mona im mweiuk.

Traditional Rights Court in ej kile ke case in ekanuij in aurok non trial assistant im attorney ro non aer naj cite jene ilo case ko aer rainin im bareinwot ilo naj ko rej itok wot. Court in ej bareinwot kile bwe elab ijo kunan manit non komeleleik abnono ko ilo case in.

MANIT EO:

1. **EBAL UM EO:** Ej melelen bwe elane Wojalik Ean Weto ear baj Imon Bwij im ear imon Andrew Hisaiah eo ear eliktata ilo bwij eo an ak emij jene, won eo ekkar bwe en joleti maron ko ion weto in? Manit eo ikijien naan in ej jiron kij ke kora eo kar ibben ejamin wor an

1 maron ion kain bwidej rot in non jidik. Kora eo enaj jeblaaklok non ibben ro nukin im mour
2 ibbeir. Ekkar non manit, ro rej jolet ilo bwidej rot in ej ajiri ro wot nejin Andrew Hisaiah, ro
3 jet jein im jatin.

4 ABNONO EO:

5 1. Kajitok eo Jakemantak: Ekkar non party kein, won eo ejimwe im ekkar bwe en
6 kabjer maron, title, im interest ko an Alab im Dri-jerbal ilo Wojalik Ean Weto ilo Arrak elikin
7 an mij Andrew Hisaiah eo ear wiaik aoleb maron kein ion Weto in?

8 2. Lemnak im Uwak eo non Kajitok in: Tokiko Hisaiah im David Hisaiah.

9 3. Melele ko ilo Tu Kadu im Lemnak im Uwak eo ej Bedbed ion:

10 a) Weto in konono kake ej jab Imon Bwij ak ej juon eo im jej kile ke kar
11 wiaiki. Andrew Hisaiah ear wiaik weto in jen Tarkein Inok. Elab ad melele im jela bwe
12 Andrew Hisaiah ear jab wiaik weto in non e make ak ear wiaik non e kab kora eo ibben, kab
13 non aoleben ajiri ro nejierro, ekoba Gloria Kani, eo im ej nejin Andrew Hisaiah make im ej
14 bed ilo Saipan rainin. Tokiko Hisaiah ej kora eo kar iben Andrew Hisaiah im Andrew Hisaiah
15 ear mij im ilok jene im ownership eo an Wojalik Ean Weto ej bed ibben rainin.

16 Ejelok kajitok ke balele eo an kar Andrew Hisaiah iben Tokiko Hisaiah ear juon
17 balele eo ear kanuij in emon jen jinoin non ke ej mij Andrew. Kio ke emoj an mij Andrew
18 Hisaiah, ekkar bwe Tokiko Hisaiah en bok jikin, im elikin ro nejierro renaj bok jikin jinier, im
19 er kajojo rejela won eo iman iaer. Ej manit eo in im jejela kake im elab an emon non aoleb.

20 Naan in Ebal Um Eo ej jab jerbal ilo aoleb kain weto ko wia kaki. Court in ej
21 erra ilo naan in, "Men ko an leo rej bareinwot an lieo," im ear walok ilo naan in kamol ko
22 ikijien dri-jumae abnono rein. Elane Andrew im Tokiko Hisaiah renaj kar jebel, innem enaj
23 kar juon wot ne kajitok.

24 b) Aoleb dri-kamol ro an Defendant, ijellokin wot Kaname Yamamura, rej
25 nukin Andrew Hisaiah im rar mour im jerbal ibben, jibane ilo aoleb aikuij ko an im jela kin
26

1 plan im karok ko non bamle eo an. Ilo naan in kamol ko aer rar jirontok Court in ke weto kein
2 ruo, Wojalik Ean im Anmarut, Andrew Hisaiah ear wiaiki non bamle eo an, im melemen bwe
3 ear non Tokiko Hisaiah im aoleb ajiri ro nejierro ilo ejelok kalijeklok. Renaj amnak im "**lale**
4 **dron**" ion weto kein. Court in ej tomak bwe ilo lemank im kolmenlokijen eo an Andrew
5 Hisaiah, **AK** jabrewot "emmaan," ej kora eo mokta, innem ajiri ro nejin. Emol ej manit eo in
6 im ej jermal non men ko mweien Andrew Hisaiah make.

7 c) Kein Kamol Number 3 an Dri-Abnono (Plaintiff's Exhibit Number 3) -

8 Kamol Maron ion Bwidej: Eddo eo non kamol non Court in ebed ion aeran Dri-abnono eo.
9 Court in ej kile bwe kamol eo elabtata im Dri-abnono ej bedbed ion im likit an kejatrikrik ion
10 non kamol melele eo an ej Kein Kamol Number 3 eo an make kinke Court in ear lo bwe
11 enanin wor ronoul (20) alen an council eo jakemantak im konono kake einwot juon aer menin
12 kottobar. Ilo mol eo, pepa in ej jab juon eo im jemaron kojerbale non un ko jet, ekoba kamole
13 claim eo an Dri-abnono, ijellokin wot un ko ikijien jermal ko an obij eo an Farmers Home im
14 pepa in ear jebar jene. Ilo naan in kamol ko an Loibwij Kabua make, kar Administrator eo
15 mokta, ear kwalok ke pepa in konono kake ej mottan wot wawein ko im rej aikuij koman ilo
16 an juon kajitok jaan in jiban ikijien ekkal. Ej wawein jermal eo in tok wot non rainin. Ear
17 wonmanlok wot im kwalok ke Dri-Abnono Ritok H. Hisaiah ear aikuiji pepa in bwe en maron
18 kar tobrak kajitok eo an non obij in ba kake. Court in ej jab kabod Ritok H. Jack ilo an kar
19 jain ikijien Senior Dri-jermal kinke bwidej in ej bareinwot an einwot juon ian ro nejin Andrew
20 Hisaiah im kinke e eo ear aikuij in ekkal imon em ear wonmanlok wot im jain. Wawein in ej
21 bareinwot mol non ajiri ro jet nejin Andrew Hisaiah. Ijo wot ke, elane Ritok H. Jack ear jain
22 kinke ej bok lemnak in ke "imon wot," inem ebod. Elane Andrew Hisaiah ear lelok maron in
23 non Ritok H. Jack bwe en jain einwot Senior Dri-jermal im lelok bwe en imon wot Wojalik
24 Ean Weto, innem ej juon wawein eo elab an kakure mantin Marshall. Ebed ia Tokiko Hisaiah,
25 David Hisaiah, im ajiri ro jet nejierro? Ilo bellokin naan in kamol ko an Dri-abnono, Court in
26

1 ebin an tomak bwe Andrew Hisaiah ear komane oktak lablab in. Elane emol ke ear komane
2 oktak in, innem ilo lemnak eo an Court in, ej jab ekkar im jejjet ilo manit bwe en kile im
3 kautieje kinke ekakure manit. Ilo manit, aoleb ro ilo juon bamle rej aikuij in jela kin jabrewot.
4 Manit eo in im jej aikuij kile im kautieje.

5 d) Kar Alab im Dri-jerbal eo Mokta: Tarkein Inok ej ba bwe mene emoj an kar
6 wia kake Wojalik Ean Weto non Andrew Hisaiah ak ej wor wot an maron in kwalok ta konan
7 eo an ikijien weto in einwot an kar make kwalok ilo naan in kamol ko an, im an kalikar ilo
8 Kein Kamol ko an Dri-abnono Numba 4, 5, im 6. Court in ej kab naj lo im ej jab lukun jela
9 kain wia kake rot in. Ilo juon wawein, Court in emaron ba bwe Tarkein Inok elab an jeramon
10 kin kain wia kake in ear komane. Ijo wot ke, Court in ej jab rejan bwe ro jet ren koman kain
11 wia kake in. Ilo an Court in lemnak kake ej juon wawein eo elab an bod im kin menin ej jab
12 juon eo im Court emaron watoke ke ej kamol melele eo an Dri-abnono.

13 ETAN DRI-KAMOL IM JIKIN JOKWE:

14 NON DRI-ABNONO:

- 15 1. Tarkein Inok, Laura Village, Majuro, Marshall Islands
- 16 2. Ritok H. Jack, Wojalik Ean Weto, Arrak Village, Majuro, Marshall Islands

17 NON DRI-JUMAE ABNONO:

- 18 1. Loibwij Kabua, Honolulu, Hawaii, USA
- 19 2. Tatashi Hisaiah, United States of America
- 20 3. Aini Clement, Rita Village, Majuro, Marshall Islands
- 21 4. Bilimon Andrew, Rita Village, Majuro, Marshall Islands
- 22 5. Kaname Yamamura, Rita Village, Majuro, Marshall Islands
- 23 6. Mekwa Clement, Rita Village, Majuro, Marshall Islands
- 24 7. Kinen Lajuan, Ajeltake Village, Majuro, Marshall Islands
- 25 8. Drike Erakdrik, Rairok Village, Majuro, Marshall Islands

1 9. David Hisaiah, Rita Village, Majuro, Marshall Islands

2 10. Tokiko Hisaiah, Rita Village, Majuro, Marshall Islands

3 PEPA IN KAMOL:

4 AN DRI-ABNONO:

5 1. Lease Agreement

6 2. Lease Agreement

7 3. Kamol Maron ion Bwidej

8 4. Pepa in Ukot Kalimur ko ion Wojalik Ean Weto, Arrak, Majuro

9 5. Kamol in Wia kin Wojalik Ean

10 6. Pepa in Jumae Lease eo an Wojalik Ean, Arrak, Majuro

11 AN DRI-JUMAE ABNONO:

12 1. Challenge

13 MELELE KO EMOJ TOBARI JEN RONJAKE EO CASE IN:

14 1. Tokiko Hisaiah ej kora eo kar ibben Andrew Hisaiah im ear mij im ilok jene im ej
15 tellokin bwe en kejbaroki aoleb men ko mweien kar Andrew Hisaiah non e im aoleb ajiri ro
16 nejierro. Ilo aoleb naan in kamol ko an Tokiko Hisaiah ear kwalok iman Court in ke elab an
17 yokwe ledrik in nejin, Ritok H. Jack. Court in ej kwalok an nebare kin an ejelok kalijeklok
18 ibben ilo an yokwe kajojo ajiri ro nejin. Court in ej lo bwe elab an kaurok im kautiej naan in,
19 "Jined ilo Kobo," im elab an Court in tomak ke enaj eindrein an yokwe manlok wot ledrik in
20 nejin im jamin "kaliaki."

21 2. Tarkein Inok ejelok an maron non jidik ilo Wojalik Ean Weto, jinotok jen kar ran eo
22 ear dredredlok im moj an bok wonen weto jen Andrew Hisaiah non rainin.

23 3. Ilo ran in kamol ko an Ritok H. Jack iman Court in, ear kwalok an yokwe jinen.
24 Emol menin in elukun jerata wot eo ejelok jinen. Court in ej bareinwot kile bwe mene Wojalik
25 Ean Weto ej aer jimor ak kinke Ritok H. Jack eo ej bed im lale im kejbaroke ilo etaer woj
26

1 aoleb innem jejjet eo in bwe ajiri ro jet ren kwalok aer kile, kamolol, im kautieje ilo aer mokta
2 ilok im kojelaiki kin aikuij im konan ko aer, ej jab non bok melim ak ilo wot **JITBON KILE**,
3 kautiej, kamolol, im elabtata yokwe. Jen wawein in enaj walok inemmon im jela kautiej im
4 lale dron. Wawein in ej jab nana im juon eo ej jamin naj bin an ajiri rein lore.

5 **OBSERVATION:**

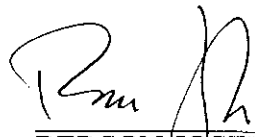
6 Court in ej kile ke Counsel Hemos A. Jack en kar jab bok case in im konono ilo etan
7 Dri-abnono eo. Wawein an konono im makitkit jimor rar einwot ne e eo ej lukun dri-abnono
8 ilo case in.


9 **LEMNAK:**

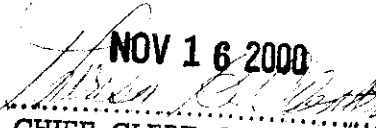
10 **KIO, KIN MENIN**, bedbed ion aoleb melele kein ilon, **ENIN EJ LEMNAK EO** an
11 aoleb rein uwan panel in ke Wojalik Ean Weto ej kio imon Tokiko Hisaiah im aoleb ajiri ro
12 nejierro Andrew Hisaiah, ekoba Gloria Kani eo im ej nejin Andrew Hisaiah im ej jokwe ilo
13 Saipan, Commonwealth of the Northern Mariana Islands, im ajiri ro nejin Tokiko Hisaiah
14 make ian jen bed eo an mokta.


15 Court in ej bareinwot lemnak im tomak bwe **IUMIN MANIT**, aet, ewor an maron in
16 ukot jabrewot wawein ak ekkar ko **EJ LO** ke rejumae mantin Marshall.

17 Ran: November 16th, 2000.

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20 _____
BERSON JOSEPH
Associate Judge, TRC

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22 
23 _____
IROIJ BWILLEJIBAS
Associate Judge, TRC

24 **FILED**
25 **NOV 16 2000**
26 
CHIEF CLERK OF COURTS
REPUBLIC OF MARSHALL ISLANDS

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28 _____
BILIET EDMOND
Associate Judge, TRC