

**JEDRKE and BROTHERS, Plaintiffs**

**v.**

**ALIMINA, Defendant**

**Civil Action No. 331**

**Trial Division of the High Court**

**Marshall Islands District**

**October 13, 1970**

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**SHOECRAFT, *Chief Justice***

**OPINION**

This case was heard on April 24, 1970, on Likiep Atoll, by the Honorable Solomon Lenebi, of the Marshall Islands District Court, as Master. The Master's Report was entered on July 21, 1970, and copies were furnished to the parties, along with notice that said Report would be for hearing before the High Court during its September session. Neither party has requested to be heard, nor has any written exception to the Report been taken. However, a written argument was filed by counsel for the plaintiff.

This is an action in which the plaintiff claims that the defendant did not get plaintiff's permission to make copra on Lejouleb *weto*, Emijwa Island, Likiep Atoll, and that the defendant refused to give to the plaintiff the *alab's* share of proceeds from the copra.

After examination of the transcript of the hearing, the court is of the opinion that the Report of the Master is amply supported by the evidence and said Report is hereby approved.

Plaintiff has failed to prove that he is entitled to act as *alab* on said land or to receive a share of the proceeds therefrom. On the contrary, the evidence shows, and the Master's Report so finds, that Drebal, the oldest son of the

former *alab* is the rightful holder of the *alab*'s position. However, Drebal is not a party to this action.

It is ordered, adjudged, and decreed that plaintiff's complaint be and the same is hereby dismissed.