

This court has prepared this opinion in order to extend the admonition to both Clerks of Courts and District Court judges elsewhere than in the Palau District.

It is Ordered that the appeal is dismissed, that the District Court order entered March 25, 1970, is reinstated; that appellant shall have an additional thirty days in which to comply with it and, if appellant fails to comply with the order, the appellee shall file a motion for an order to show cause why appellant should not be punished for contempt, and, in that event, both parties shall be represented by counsel.

RECHELBANG UCHEL and MAD KDES AU, Plaintiffs

v.

OKETOL NGIRACHEBAED, Defendant

Civil Action No. 574

Trial Division of the High Court

Palau District

May 25, 1973

TURNER, Associate Justice

At the time set for hearing plaintiffs' motion for default judgment, the defendant with his counsel, as well as the plaintiffs and their counsel, appeared. Defendant stated he did not claim any interest in the land in question except as a member of his clan, and that he would not contest his right to the land as against plaintiff Mad Kdesau. Defendant requested, and plaintiffs did not object, to a ninety day period within which to remove his house from the land. It is, therefore,

Ordered, adjudged and decreed:—

UCHEL v. NGIRACHEBAED

1. That defendant has no interest, except as a clan member may have, in the land known as Kamerir, described as Lot No. 271(1), comprising 154 tsubo, bounded on the north by the public road, on the east by Kadoi's land, on the south by the ocean and on the west by Delemau's land, in Melekeok Municipality, Palau District.

2. That plaintiff, Mad Kdesau, inherited the land in question from Sumang, and he transferred the land to plaintiff Rechelbang Uchel by deed dated and recorded March 21, 1972, in the office of the Clerk of Courts.