

Land-conveyance. Butanitari.

1. Te tibi-tiba. The ^{and adoption} division of lands by a father still living among the children of his various wives. (3)
2. Te toba (c.p. Samoan toga, love) Land given to a person adopted as a toba by a particular utu. Such a person took the status of adopter's, altho' not necessarily of the utu before adoption.
3. Te tibu-tibu. Land given by an adopter to a person adopted as tibu (grandchild), called te alan tibu subject to a reversion to the eldest descendant in the male line of the giver should the adopter's line become extinct.
4. Te natinati. Land given by an adopter to a person adopted as nuti (son or daughter), called te alan nuti. Subject ... (etc., ardeve)... extinct.
5. Te ba-n-wiri. Land given to an adopter as a reward for adopting a child or adult in one of the three manners above; considered also a help towards the expenses of feeding the adopted. Given by adopted.
6. Te bai-n-aine. A fine paid for an offence against a woman. This penalty was also incurred by one who passed under a woman's wiri, being as a tibu on a tree or house.
7. Te nenebo. A fine paid, by one who killed or severely injured another, to the injured person.
8. Te kuakua. A reward given on recovery from sickness to one who had nursed the sick man.

9. Te Kainikibakiba. Land given as a wedding present to wife by husband. If the wife died without issue, it did not return to the giver's utu, it became the property of the utu of the wife's mother, not her father.

10. Te buwuwirakaraka. Land given as wedding present to husband by wife. It became his property ^{and passed to} together with his father's (not mother's) utu should he die without issue.

11. Te bora. Land given to a young wife (or her husband?) as the price of tinaba.

12. Te Kuo. Land given to a tinaba, not as a price for sexual intercourse, but as a reward for filial piety.

13. Te munita. If not of your bu, a man must give land if you removed his vomit.

14. Te aba-n-au-ki. If a man stood up in a crowd and presented his ki to you, you did him great honour by prodding his ki with the words I take muka-n Batakai (meaning the land). He would give you the land named.

~~Nan~~ Taboria Nan Tearoba ← Rimwimaata's ki was
Nan Tearamana antaki.
Nan Taboria Toakirao (name of land).

① → *Example called by Gulle kaonikibakiba

Succession.

Elders son and descendants. Butaritari.

The eldest son, though not necessarily the eldest child, had preference in rights of succession and inheritance. His descendants inherited such rights in precedence to the descendants of other brothers & sisters. Thus it will happen that the title of unimane of an utu will descend upon a youngster, while members of other branches, his senior in years & experience, will nevertheless give him the right of speech before them in council, and the right of veto to proposals made by them in respect of family lands.

Sometimes the eldest child, even though a girl, would be given precedence to any others whether boys or girls born after her.

Inheritance. Butanitari

A man with several wives would generally arrange long before his death for the division of his land (posthumously) among his progeny. He would allocate specific districts to each wife ~~such as~~ by name. Each wife would then be the guardian of such lands on behalf of her progeny [with the lord]. She would herself acquire no rights over the land save as the mother of her husband's children. These, on attaining maturity would take over the governance of the land, but would be under an obligation of keeping their mother there on.

In such a case, each wife's issue having been provided for separately, the eldest-born child of such a father would have no say in the future disposal of any of his $\frac{1}{2}$ brothers' or sisters' lands. A nako ma aia bai,

Inheritance.

Te buena-muri. Not a division of goods, but a definition of the lands wherein the issue of each wife shall feed.

Te tiba-tiba. A division and separation of lands. A distribution among the issue of various wives.

included in general notes on land conveyance

Land ..

Marriage-gift.

On marriage a Butritari man would often give his wife a piece or two of land as a present. The name of this gift was te Kai-mi-Kiba-Kiba.

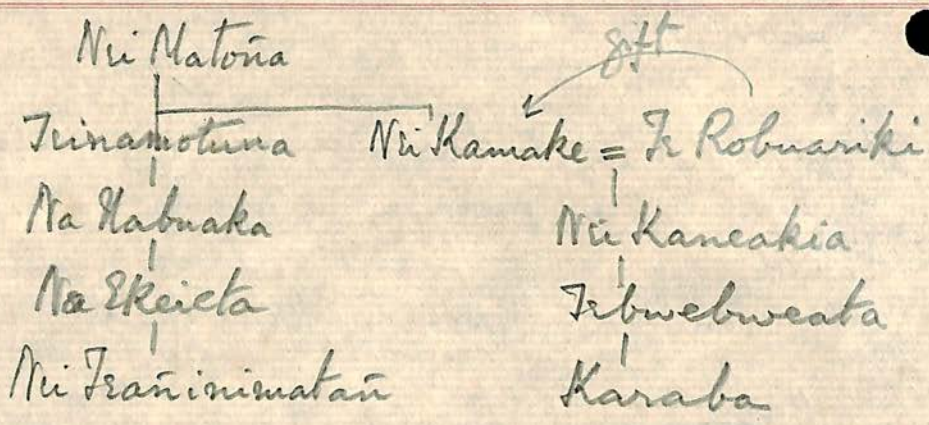
A woman would give her husband a present of land, called te bururu-raka-raka.

Such gifts passed right out of the utu of the giver, into the utu of the receiver, not being subject to return at any time.

But if the wife receiving such a gift died without issue, it would be inherited by her mother's utu, not her father's.

If the man receiving such a gift died without issue, it would be inherited by his father's utu.

Included in general notes on land conveyance



- ① Ekainikibakiba given by Te Robuariki to his wife Nui Kamake.
- ② Nui Matorua, the wife's mother took the land wrongfully; it ought to have gone to Nui Kamake's issue.
- ③ Land remained in Nui Matorua's utu wrongfully until Na Ekeiata gave it back voluntarily to the rightful owner, Karaba.

Land.

Land was generally given in payment for the wet-nursing of a child. Land thus acquired was called *Te aba ni Kamamona* (Land of suckling).

Included in general notes on land everywhere

Land. Butaritari. Bai-n-aine

If one of a chief's workers committed an offence against the wife of another man, it was the chief who had to pay the land-forfeit called bai-n-aine. He would have to pay it, even if the offended party were of the slave-class. In this case it would be taken in chief-right by the chief of the offended-party, while the latter would acquire the right of feeding ^{using} on it + farming it for his chief.

Ueaneita (chief)
Jenneke (worker)
Boiaki (worker)

Ekeramatang (chief)
Itineita (worker)

In the above illustration Ueaneita, ~~committed adultery with the wife of Ekeramatang~~, and forfeited two pieces of land as payment to latter. His worker Jenneke thus lost his hereditary usufruct, which passed to Itineita, the worker of the offended chief.

But then ~~Jenneke~~ Itineita committed adultery with the wife of Jenneke's son. Under the local custom, Ekeramatang the offender's chief had to pay for the offence. The same piece of land was therefore returned, and Ueaneita re-acquired the chiefright, while Boiaki took the usufruct which his father had formerly forfeited.

Inheritance: Banaba

- ① Girls and boys were treated equally in the division of paternal and maternal lands. That is to say, neither sex was more favoured than another by custom. The eldest child, whether girl or boy, generally inherited the greatest share of land; but this again, was not a hard and fast rule, for the parents had the greatest freedom to make favourites and endow them at will to the exclusion of other children.
- ② The communal or family-system of land tenure, so strongly developed in the Gilberts, does not appear on Banaba. Land is, and apparently always has been, the property of the individual. Once given a piece of land, the Banaban is entirely the master of it, and can give it away to an utter stranger, if he will.
- ③ Land was usually divided up among children before death of parents — most usually when the children became old enough to fend for themselves. The formality of apportioning land among children was called te Katanau: it consisted of collecting the various heirs and walking with them round the parental lands, to point out to them the boundaries of their respective allotments. This formality was rarely

gone through in the presence of but one of several children, it was distinctly understood that all had the right to be present, even though all did not get their share at the same meeting. Further, it seems that even a child who was given no share at all in the paternal or maternal estates could demand in justice that he be allowed to attend the partition, at which his brothers and sisters profited to his exclusion.

Generally a husband and wife made their Katautau on the same day, but this was by no means an unbreakable rule.

Again, it was the usual custom that each child should get some of the paternal and some of the maternal lands, but a special arrangement between the parents was often made, by which the children were divided into two groups, one of which inherited the father's and the other the mother's estate.

(4) The Katautau was a final act. Once a child became thereby endowed with land, he was its unconditional master, and could dispose of it entirely as he willed.

(5) Te aba n tara was equivalent to te aba ni Kwakua in Gilberts: given to one who cared for you in sickness. A stranger might thus acquire all your land to exclusion of children.