

1978), insisting that the money with which she bought the land was hers from her father.

The funds were indeed provided by one of her sister sisters, who were based in the United States.

Hence, Josephine (the, now deceased), held the land in a representative capacity and in trust for all the Ibu sisters, considering that each of them made contributions towards erecting the said structure.

On June 20, 2011, the land's master Alimabola, issued a receipt in respect of the land in favour of the late Josephine, following which he executed a Deed of Assignment in her favour still.

The Documents of Title in respect of the land, which could be traced to one Siru Akintola, to whom the land was first conveyed in 1978 by the Oke Ogbere Family of Isolo, down to Alimabola, and finally to Josephine (the, now deceased), were later left in the custody of the youngest of the siblings, Ann Ibu.

As earlier hinted, between 2005 and 2015, the siblings contributed varying sums towards the development of the land.

But in between the period, Josephine who held the legal title to the land in trust for and in joint tenancy with his sister siblings, had contracted a first marriage under the Act on May 1st, 2004, at the St. Cyril Catholic Church, Okota, Isolo, Lagos, with one Anthony Ozoro.

The union however ended sometime in 2007 without a proper judicial dissolution, meaning, of course, that in the eye of the law the marriage subsisted, although the couple had informally separated.

Subsequently, Josephine allegedly contracted a customary

marriage with one Linos Biakoro the same year, 2007, when she separated from Ozoro.

The alleged marriage lasted till 2015, as Josephine in that year died intestate, leaving behind an impressive estate.

Her employer at the time of her demise, the DPR, also paid her death benefits into a Zenith Bank Plc account, which she held jointly with her last supposed husband, Biakoro (another incident of joint tenancy involving the deceased).

And Biakoro, who began to parade himself as her widower, commenced hurried burial rights for her without so much as notifying her sisters or any of her immediate family members.

By happenstance, however, the family got wind of the development and obtained an ex parte order from an Abia State High Court, Uturu, restraining Biakoro from proceeding with the burial rites.

The ex parte order also froze the account into which her death benefits were paid, thereby restraining him from dealing with the death benefit.

However, Biakoro managed to gain access to the money and dealt it to the mortification of Josephine's family members, who claimed he was never married to their sister, insisting he was an impostor

and gold-digger.

Before long, Biakoro also began to process Letters of Administration in respect of the deceased's estate whereupon he applied to the Probate Registry of the Lagos High Court for grant of same.

He was pretty close to obtaining the Letter when the deceased's sisters entered a caveat restraining the Court's Probate Registrar from granting the Letters.

#### The Suit

In the statement of claim on oath deposed to by Ann Ibu, the said youngest of the Ibu sisters, it was stated that Biakoro, in order to appropriate and convert the deceased's estate, subjected her to untold domestic violence despite that she was a sickle cell patient.

According to Ann's averment, Biakoro initially began to employ ceaseless menacing threats and violence to harass the deceased into handing over to him the original Documents of Title to the said land on which the shopping plaza in Okota was built.

Fearing for her life, she moved in with her younger sister Ann, who then was living in Gbagada, for two months whereupon the deceased handed over to her the title docu-

ments for safe-keeping.

She however met her death just few days after returning to the home she shared as residence with her alleged husband Biakoro.

Suffice it to note that the major argument being pushed by the deceased family is that granted that Biakoro and the deceased did cohabit until her demise, she however was never married to him despite his claim to the contrary.

Thus, he is an impostor and a gold-digger, who the law must stop for being a desperate fraud as he, from circumstantial evidence, was complicit in her orchestrated death, the deceased's sisters, who brought the suit, contend.

According to them, to the extent that the first union between the deceased and Ozoro was never properly dissolved, the alleged formalization of a customary marriage between the deceased and Biakoro was void.

Hence Biakoro is a total stranger to the deceased's estate, her surviving siblings further contended.

They averred that while they did witness her wedding/marriage to Anthony Ozoro, no member of her family witnessed

Being nothing more than the contractor of the project, and having made no financial contribution whatsoever towards the construction of the shopping plaza, it amounted to fraudulent misrepresentation that Biakoro was parading himself as owner/joint owner of the Plaza

Courtyard in a Lagos High Court, Igbokore

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