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ABSTRACT

Land can be defined as an area of ground with defined boundaries, including minerals or resources below the surface and anything growing on or attached to the surface. Land can also be said to include any building and any other thing attached to the earth or permanently fastened to anything so attached.¹ There are various ways by which land is held in various societies. One of such ways is holding lands according to the customs, usages and practices of the members of a particular community or society. This paper would be examining the system of customary landholding in Oniru, Victoria Island, Lagos.

INTRODUCTION

Land tenure can be defined as the system of landholding in any given society.

In the case of *Owonyin v. Omotosho*², customary law was defined as a mirror of accepted usage and common law of Nigerian people.

Customary land tenure system refers to the system of landholding governed by the customary law of a particular society.

Locality can be said to mean the fact or condition of having a location in space or time. It can also be said to mean a particular place, situation, or location³

CUSTOMARY LAND TENURE SYSTEM IN MY LOCALITY

I reside in Dideolu Estate, Oniru, Victoria Island, situate in Eti-Osa Local Government Area, Lagos State.

¹ Section 18 of the Interpretation Act CAP I23 LFN 2004

² (1961) All NLR 304 at 309

³ <https://www.merriam-webster.com/dictionary/locality> (Accessed on 18th April, 2020)

CREATION: BY ACTS OF THE PARTIES

Dideolu Estate which is situate in Oniru, was created through the acts of the parties. Dideolu Estate is one of the parts of the land of the Oniru family, whose first patriarch, Chief Oniru, was one of the first caps chiefs of Lagos State under King Gabaro, the third Oba of Lagos. During his reign as chief, he settled in present-day Oniru, which was his place of first settlement. The land settled on by Chief Oniru was a sprawling territory along the banks of the meandering lagoon. Some of the villages along the Marina and on Lagos Island were within reach, but several other villages under the Oniru were in such far away places as Ikoyi, Oko Eletu, Igbokusu Olomi now (Oyinkan Abayomi Drive), Ilado Creek. There were other villages in the present Victoria Island extending to the boundary with Ojomu of Ajiran.⁴

OWNERSHIP: FAMILY LAND

In the case of *Lopez v. Lopez*⁵, the term “family” in relation to a family property means a group of persons who are entitled to succeed to the property of a deceased founder of a family. Such persons are usually the children of the deceased founder of the family.

The Oniru family settlement is a family land and its ownership has passed down from the first patriarch, Chief Oniru, to his children and those after them. The Oniru family land was controlled by the late Oba Idowu Abiodun Oniru before his death, and it is currently owned by his successors, which are his children.

MANAGEMENT: MANAGED BY THE FAMILY HEAD

The Oniru family settlement was under the management of the family head, Oba Idowu Abiodun Oniru. Upon his death, Adesegun Oniru, who is the family head of the Oniru family. In the case of *Lewis v Bankole*,⁶ it was held that at the death of a founder of a family, the *Dawodu* or eldest surviving son is the proper person by native law of Lagos to succeed to the headship of the family.

⁴ <http://www.citypeopleonline.com/oniru-family-lost-70-land/> (Accessed on 19th April, 2020)

⁵ (1924) 5 NLR 50

⁶ (1909) 1 NLR 81

DETERMINATION OF FAMILY LAND

The ownership of some parts of the Oniru family land has been determined or terminated by acquisition of the land by colonial powers. About the year 1850, the British acquired an area of land on which now stand the UAC Headquarters building and the Christ Church Cathedral, for their traders and missionaries respectively. Before the acquisition, the Iga Oniru (Oniru Palace) was located on the land. The family was then forced to move their palace further up along the Marina to a location on the Lagos Island end of the Five Cowrie Creek Bridge.⁷ There were also other notable acquisitions by the colonial government.

Also, part of the Oniru family land has been acquired by the Lagos State Government and today, the acquired lands have become sites for hotels, oil companies, diplomatic missions, etc.

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⁷<http://www.citypeopleonline.com/oniru-family-lost-70-land/> (Accessed on 20th April, 2020)