

# MARIANAS VARIETY NEWS & VIEWS

Published Weekly Every Thursday

P.O. Box 231, Saipan, M.I. 96950

MAY 4, 1973

VOL. 59

PRICE: 10¢

BILL NABORS  
TALKS  
ABOUT  
WAR CLAIMS  
*See page 8*

POWER TO  
THE PEOPLE --  
SOMETIMES  
*See page 2*

## NEW SAIPAN HARBOR PLAN UNVEILED

*For the new and the old views of the harbor, see page 6.*

The first phase of a major redevelopment plan that could significantly change the face of Saipan's harbor area was approved by the District Administrator this week.

Before any of the changes indicated on the Tanapag Harbor Development Plan begin to take effect, however, the proposal must be approved by the U.S.

Defense Department. The area involved is military retention land.

It is expected that the development plan will be an important topic when the next sessions in the Marianas - U.S. political status negotiations resume. If the U.S. wants to maintain a foothold on Saipan, it may determine that it is politically ad-

vantageous to approve the use proposed for this land.

The first phase of the harbor plan could take about five years to complete, at a cost of around \$1 million. If approved soon, some work could begin with general fiscal 1974 funds.

The major impetus behind expanding Saipan's present

dock facilities is the expectation--or at least the hope -- that Saipan will some day become the trans-  
*Continued on page 6*

## MARIANAS STATUS TALKS SET

The second round of formal negotiations between the Marianas Political Status Commission and the U.S. begin on Saipan on Tuesday, May 15.

Commission members will meet in informal work sessions with representatives of the U.S. delegation during the preceding week, said Senator Edward DLG. Pangelinan, Chairman of the Commission.

Commission members are meeting this week to review reports of consultants and to prepare specific proposals to present to the U.S. delegation.

The Marianas Political Status Commission was created by the District Legislature last year and instructed to "negotiate a close political relationship with the U.S."

Any results of these negotiations will be submitted to the District Legislature and to the people of the Marianas for their approval.

The first round of negotiations was held last December on Saipan.

## ST. PIERRE COMES HOME

Two high Trust Territory officials returned to Saipan this week after conducting important business in Washington, D.C.

One slipped in quietly on Monday.

The other arrived on Tuesday to an airport welcome by Marianas political leaders, colleagues and other attorneys, high school students and just plain people. (Rumors that TT employees would be given administrative leave to join the welcoming party proved to be grossly exaggerated.)

All available space at the airport was pasted with home-made posters. Trees and signposts along Beach Road up to Marianas High School were tacked with more posters. "St. Pierre--Our Legal Guardian." "Reinstate St. Pierre, or Else!" "To Hell With Coleman," they read.

Roger St. Pierre has re-



*St. Pierre is greeted at the airport by District Legislature President Vicente Santos and Congress Senators Lazarus Sali, Edward Pangelinan and Olympia Borja.*

turned to the scene of the crime.

While in Washington he retained an attorney to appeal the TT Administra-

tion's April 18 decision to remove him as the TT's Chief Public Defender. A Civil Service employee,

*Continued on page 12*

# Power to the People-- sometimes

In case you were wondering why the lights went out on Saipan Monday afternoon ... the Department of Public Works was, as a preventive measure, cutting branches away from high tension lines when damage to a combination fuse and lightning arrester caused a short circuit in the lines that tripped the entire island's power.

No island-wide power outage had been intended, Public Works Director Antonio C. Tenorio told us this week. But, because the department has not received vital components ordered for the new power plant as long ago as last fall, a problem such as Monday's will cause the entire system to shut off.

The parts are needed to divide the island into three power areas, with separate feeder lines hooked up to the main line. When they are installed, said Tenorio, a line problem in one area will affect only that area and not bring an island-wide power outage.

"The new power plant is so sensitive," Tenorio explained, "that it will shut off to prevent damage if there is any problem on the line distribution."

What has happened to the needed parts?

"We've sent tracers, made phone calls to the suppliers in the States, sent a representative to talk to the manufacturers'

agents on Guam, gone through the TT's liaison officer in San Francisco."

The department has been told that the delay stems from factory backlogs, high demands and the fact that the parts are not mass produced.

"Maybe part of the problem is that we have to go through so-called 'proper channels.' From an efficiency point of view, we would prefer to go direct, to get to the source the shortest possible way."

Even when these parts arrive, island residents can still expect occasional blackouts in isolated areas. As happened on April 1 near Dr. Torres Hospital and on April 2 along Beach Road in Garapan, lightning arrestors attached to the transformers burn out and cause a power outage.

The porcelain arrestors "arrest worse damage," said Tenorio. Electrical storms can easily cause one to burn out. It generally takes at least two hours to locate the problem, replace the arrester and restore the power.

Other power outages that occurred during April included a seven-hour one on April 7, which was a planned outage in an attempt to divide the island into two areas (it didn't work); on April 13, caused by undetermined trouble outside the power plant; on April 15, caused by a

transformer defect at the Kagman Samoan houses; on April 26, another island-wide power failure; and this Monday's on April 30. (The blinking that occurred late Sunday evening was only a reaction in the system to an increased power load.)

All these failures, stressed Tenorio, are problems in the distribution lines -- not breakdowns in Saipan's new power plant.

"The radio is asked to announce any planned outages as frequently as possible," he said. But sometimes there is no time for more advance notice, added Tenorio.

On Monday, he explained, he was told shortly before lunchtime that overhanging tree branches might soon cause an emergency on a line. "Don't wait," Teno-

rio told the linemen. Before the lights went out, there was time for only one announcement over the radio, and most people seem to have missed it.

"We're getting fed up with island-wide outages, too," said Tenorio. "It's us and our crews who feel frustrated. We have to work night and day.

"It isn't because we like it. We'd prefer to be in bed at 2 o'clock in the morning.

"But it's our job." (Ironically, just as this story was being written -- on an electric typewriter -- the power died this Wednesday morning. Being without power again leaves us without words....)

## Notice of Public Hearing

Notice is hereby given that in accordance with Section 16d of the Airport and Airway Development Act of 1970, a Public Hearing for the purpose of considering the economic, social and environmental effects of the development and rehabilitation of Truk District Airport and its consistency with the goals and objectives of existing urban planning for the community is hereby authorized by the Trust Territory of the Pacific Islands.

The development of the Truk District Airport will consist of rehabilitation of the existing Runway 7L-22R and lengthening to 6,900 feet.

The Public Hearing will be held at 9:00 a.m. on May 18, 1973, at the Moen Municipal Office. All interested persons are invited to submit data, views, comments or arguments for the Trust Territory of the Pacific Islands government's consideration of the project at the date, time and place specified above. Written statements will also be accepted by the District Administrator, Truk District until May 28, 1973.

The proposed Airport Layout Plan for Truk District Airport will be available for public inspection and review at any time during normal business hours at the Office of the District Administrator, Truk District. The Preliminary Draft of the Environmental Impact Statement is available for review at the Office of the District Administrator, the Library of the Congress of Micronesia and Headquarters Office of Transportation and Communications Department. In addition, copies of the Preliminary Draft are available by request from the Office of the District Administrator, Moen Island, Truk District 96942.



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# trial set in womans death

A May 29 trial has been set for the two men charged with last week's shooting death of a Palauan woman in San Antonio Village. Jose M. Torres and Vicente M. Taitano, both of Saipan, were charged with first degree murder in the death of Komiko Ngirmekur, 28. The two were denied bail last Friday and are now in jail awaiting trial. If convicted, they could be sentenced to life imprisonment.

Details uncovered since Mrs. Ngirmekur was shot Wednesday night, April 25, appear to confirm original indications that the shooting may have been an act of revenge. One of the accused worked at the Continental Hotel site, where a fight between some Palauans and Saipanese took place earlier in the evening. Palauans involved in the fracas live in San Antonio, and one of these men may have been the intended victim. The police have learned that Torres and Taitano borrowed a carbine and .22 rifle Wednesday evening. Both guns were unregistered. The two men later drove to San Antonio with two other friends, got out of their car, positioned themselves at two points beyond the house where Mrs. Ngirmekur was watching a card game, and began shooting. They first aimed at the gas tank of a Datson parked beside the house, evidently in an attempt to cause an explosion. Witnesses say each man fired three shots, one of which hit Mrs. Ngirmekur in the head. Doctors believe that it was the .22 that killed her. Evidence has been sent to the FBI for further tests.

# lizama given 5 years

Joaquin R. Lizama has been sentenced to five years' imprisonment for burglarizing a Garapan home "with intent to commit rape or other felony." This sentence was handed down on Friday, April 27, by TT Chief Justice Harold Burnett. Lizama could have received up to 10 years in prison.

Calling the case a "bizarre happening," Justice Burnett recommended that Lizama be given a psychiatric examination. The normal procedure for this, District Attorney William S. Amsbary told us this week, would be to have a U.S. Navy psychiatrist from Guam come to Saipan to examine Lizama. The psychiatrist would then put his evaluations and recommendations in a report to the court.

Investigation into other similar burglaries, and several rapes, is continuing. It was learned this week that the 25-year-old Lizama has been convicted of seven other crimes; for one felony, he was freed after payment of a \$40 fine.

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# TINIAN FIESTA SPECIAL

## SATURDAY MAY 5, 73

### Flight 1666

LEAVING SAIPAN 4:00 P.M.  
 ARRIVING TINIAN 4:10 P.M.

### Flight 1651

LEAVING TINIAN 4:30 P.M.  
 ARRIVING SAIPAN 4:40 P.M.

### Flight 1652

LEAVING SAIPAN 5:45 P.M.  
 ARRIVING TINIAN 5:55 P.M.

## SUNDAY MAY 6, 73

### Flight 1640

LEAVING SAIPAN 5:45 P.M.  
 ARRIVING TINIAN 5:55 P.M.

### Flight 1641

LEAVING TINIAN 6:15 P.M.  
 ARRIVING SAIPAN 6:25 P.M.

## MONDAY MAY 7, 73

### Flight 1649

LEAVING TINIAN 6:15 A.M. ARRIVING SAIPAN 6:25 A.M.

CONTACT AIR MICRONESIA FOR RESERVATIONS AND INFORMATION-TEL. 6492, 6493, 6495

# LETTERS TO THE EDITOR

## MICRONESIAN CREWMEN: PRISONERS OR NOT?

Dear Editor:

As this is written, the Micronesian crewmen aboard the Grethe Reith are on their way to Germany. They may be flown home when they arrive there or they may be kept on the ship for another 9 or 10 months, or more, depending on their contracts. None of the 9 crewmen on the ship want to go to Germany. Seven of them were forcibly restrained from leaving the ship when it was in San Francisco.

We have not called these Micronesian crewmen "prisoners," although that, in effect, is that they are. Your columnist, Jon Anderson, has not talked to any of these men nor has his employer--the United States Government--ever been noted for its compassion for subject people. Yet, he flippantly dismisses the charges concerning the seamen as "unfounded."

Our dealing with these men, and our investigation of the situation (as reported in the Micronitor and in the Friends of Micronesia Newsletter) have convinced us that the Micronesians aboard the Orion Company ships are being held against their will on the basis of flimsy contracts and overt threats. Anderson ought to get out of his government cocoon once in a while, escape from the world of corporate intrigue and see how Micronesians really have to live.

ROGER W. GALE  
West Coast Director  
Friends of Micronesia

ST. PIERRE IS IN A DILEMMA  
Dear Editor:

All over Micronesia everyone, so it seems, is very much concerned about the unexpected removal of Roger St. Pierre from his position as Trust Territory Public Defender. St. Pierre has held the post as Public Defender for about 11 years. He is considered by both Micronesians and Americans as one of the outstanding American employees in Micronesia. Several resolutions commending his services have been passed during the last few years by the District governments and the Congress of Micronesia.

What really happened to St. Pierre is everybody's guess. It does not really make sense for a person with his record of public service to be removed. What does make sense is this: A man with St. Pierre's status

Continued on page 5

## LOW-DOWN ON THE DEVELOPMENT LOW-DOWN

Dear Editor:

The Marianas Variety of April 27, 1973, carried a newsstory (?) "Japan low-down on Saipan's development" [sic], which I found very intriguing and hard to believe for several reasons.

First of all, it was stated that the story originally appeared on April 18 in "Japan's Nihon Economic Newspaper." Attached is a list [see letter below] of all of the daily, weekly and periodical newspapers published in Japan (over 180 by my count) and as you can see "Japan's Nihon Economic Newspaper" is not among them. I have contacted the Japan Press Association (Shiseikaikan Bldg., Hibiya Park, Chiyoda-ku, Tokyo) to find out more about the existence of this paper.

Admittedly, I am a stickler for facts and honesty and, therefore, I had difficulty making much sense out of the story. Possibly, it may be the fault of the "translators" who may not have had much experience with either business language and figures.

For instance, in paragraph 7 Furukawa Company is mentioned. I am assuming that this is Furukawa Electric. But Furukawa Electric has assets of over \$380 million and not \$1,666,666.67 -- by the way, a pretty odd figure to appear in a financial statement.

In reading on further, there are more odd figures and more astounding information. I have a distinct feeling that there is more missing than a few decimal points. Let's have more believable "translations" in our newspapers!

ELFRIEDE CRADDOCK

Dear Editor:

This is with reference to my letter to the editor of yesterday's editor concerning the Japanese newspaper.

I noticed that I had failed to enclose the list of Japanese papers. Enclosed is subject list.

ELFRIEDE CRADDOCK

### Editor's Note:

For confirmation of the essential details presented in last week's story (headlined, for those who are sticklers for facts, "Japan paper: low-down on Saipan's development?"), we refer our readers to the Pacific Daily News of May 1, 1973, page 15, "Japanese Plan Big Resort on Saipan," and May 2, page 19, "Saipan Hotel Plans Confirmed."

We appreciate having Ms. Craddock's list, however, because on the very first page we saw -- although to be honest, we do not read Japanese well -- a listing for "Nihon Keizai Shimbun," which was described, in English, as a publisher of "economic news."

It is most interesting to learn that there are business men and women on Saipan who are so well informed about Japanese companies and their overseas development plans, even their total assets.

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## LETTERS TO THE EDITOR...

cannot just step down and say, "OK fellows, I am quitting for personal reasons," without any response from the public. If he does abandon his position on his own at this time when Micronesia is still searching for her political status, his 11-year outstanding record in Micronesia will be smeared with suspicion and criticism by the public and the Congress of Micronesia. St. Pierre does not want this. He perhaps prefers to invite charges from the Executive Branch of the Trust Territory Government.

It is just tough luck for him. With the undecided future of Micronesia, one in his position would always find himself in a dilemma. One can no longer play a double role in Micronesia. In other words, St. Pierre cannot satisfy the public (private citizens and the Congress of Micronesia) and at the same time please the Executive Branch of the Trust Territory Government (United States). The Congress of Micronesia and the Executive Branch are two opposing things, at least at this stage of political development in Micronesia.

Whatever the reason may seem to be for St. Pierre's removal, Micronesians will always remember his outstanding service. It is sad to believe that the time has come for St. Pierre to make a run. The cock has just sounded the third signal. The double roles played by this man during the past 11 years can no longer be possible for one in his position to perform at this time in Micronesia.

SUDA

### "WHO BENEFITS FROM CONTINENTAL HOTEL?"

Dear Editor:

This letter is in response to the April 13 letter from Mr. Quitugua. Mr. Quitugua is one of the few Saipanese students attending the University of Guam who is concerned about the decision-making of land use on Saipan. I fully agree with Mr. Quitugua's statement that any decisions regarding the use of public land should be made by the people and that they be consulted first and that they should be the ones to make the final decision, not Mr. Congress nor Mr. High Commissioner.

The other point he made is regarding the construction of the Continental Hotel in Micro Beach. It is vague as far as economic development is concerned. He believes that everybody will benefit from this foreign firm. Mr. Quitugua, how many of us benefited from the recent foreign firms and will benefit from the existing ones? Yes, you might be right when you say everybody will benefit from this hotel, but only if you are referring to the rich people.

If you are including the poor people as "everybody," then I think you are wrong! How many of us know the names of the share owners or have shares in the existing foreign firms on Saipan, excluding the ones that passed away already leaving pollution to our land and sea? I wish I could provide you with the type of pollution they left us, but unfortunately the specialists on pollution make only two copies. One copy for his file and the other for his boss's file for his annual report to the Secretary of the Interior and the United Nations Trusteeship Council, leaving none for publication or the public interest.

The only source I could provide you is some fishermen nowadays don't dive much to catch fish any longer because they know that fish isn't abundant as it used to

be. Instead, they use net and dynamite (chain-life-cycle). On land, we used to have a variety of birds flying around. Now it is very hard to see them. Either they are being polluted or afraid of the air we have in the village. Also it is very hard to find the plants for local medicine. I wonder if our soil is only good for "hotels" now!

He also stated that jobs will be available and the remarkable unemployment problem will be decreased. How many Saipanese will be hired and what kind of jobs will they be given? We can all see that the menial jobs are handled by Saipanese and very limited in the managerial and supervisory positions compared with foreigners. I believe we all want progress, but let us first find solutions to the critical problems we are facing now such as: land, future political status, and equal pay for the same qualification, to name but a few.

Examine carefully and see who is blocking Saipan from progress, whether it's Saipanese, the foreigner or the present administering authority. When are we going to stop progressing if we were given a chance to progress? What kind of progress do we anticipate to attain? The more we get, the greater we demand. I would like to see the Continental Hotel on Saipan provided:

1. It is distant from the beaches and villages.
2. Pollution is under control.
3. Both rich and poor have shares (public is benefited).
4. Equal pay for equal qualification and work regardless of race, sex, etc.
5. Job priority to Micronesians as a Trust Territory rule.
6. The gross profits are made public each month.
7. All the workers comprise a council that has full policy-making and decision-making powers for the operation.
8. The wage system be abolished because this system operates under the assumption that there is a master-slave relationship. Therefore, a cooperative nature of ownership would be more beneficial to the community.

DINO JONES

# foremost



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# SAIPAN HARBOR...

Continued from page 1

shipment point for all goods brought into Micronesia.

"An efficient container harbor dock will ultimately cut shipping costs," said District Planning Officer Tom Sheehan.

Larger dock facilities ment of Public Works.

The plan was prepared by the Marianas District Planning Office in consultation with the Division of Marine Resources of the TT Department of Resources and Development, the TT Department of Transportation and Communications and the District Department

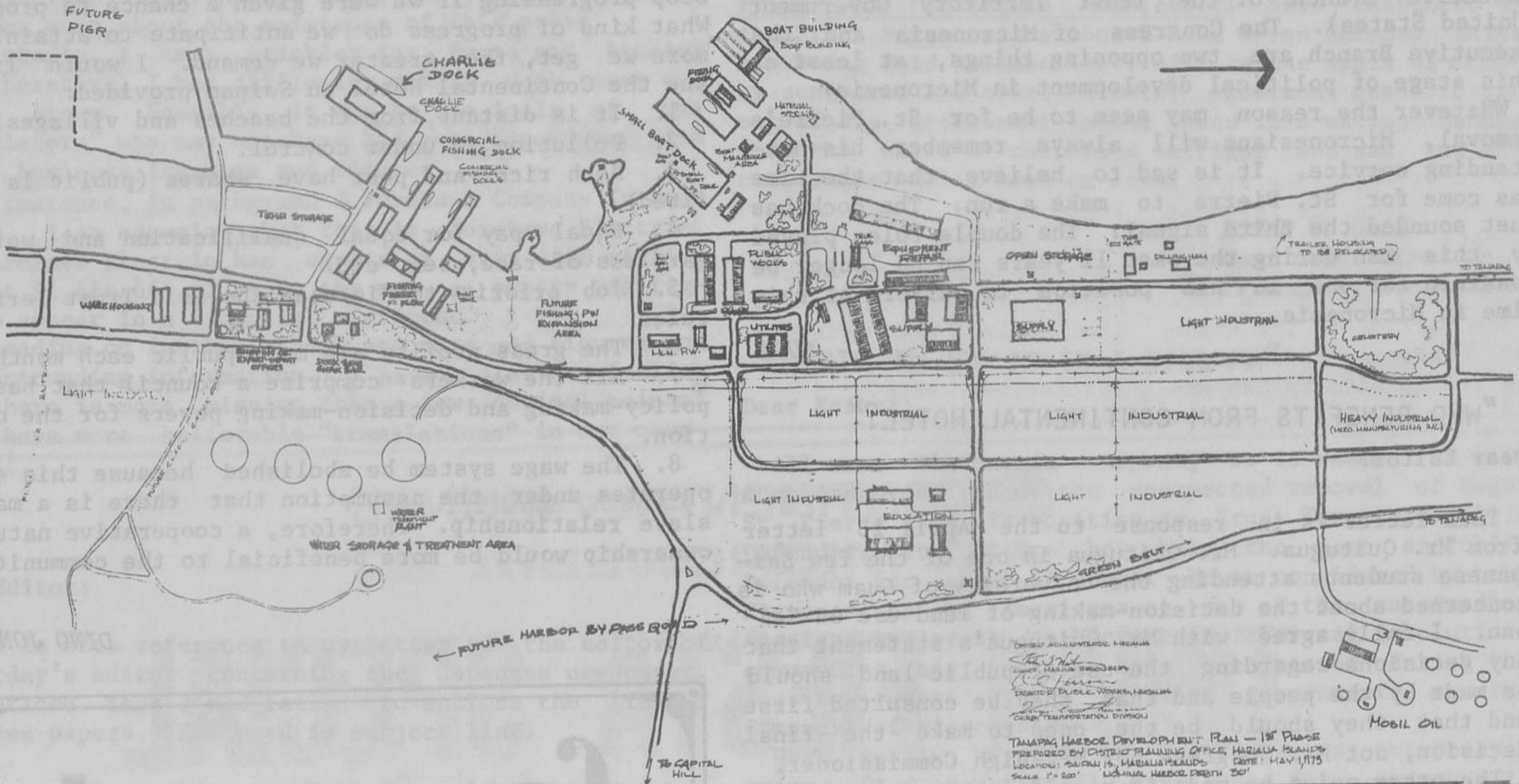
also will help support economically important industries such as fishing and boat-building. They also are expected to attract new industries to the area around the present dock, which is zoned industrial. Private boat marinas also are included in the development plan.

DRAWINGS BELOW:

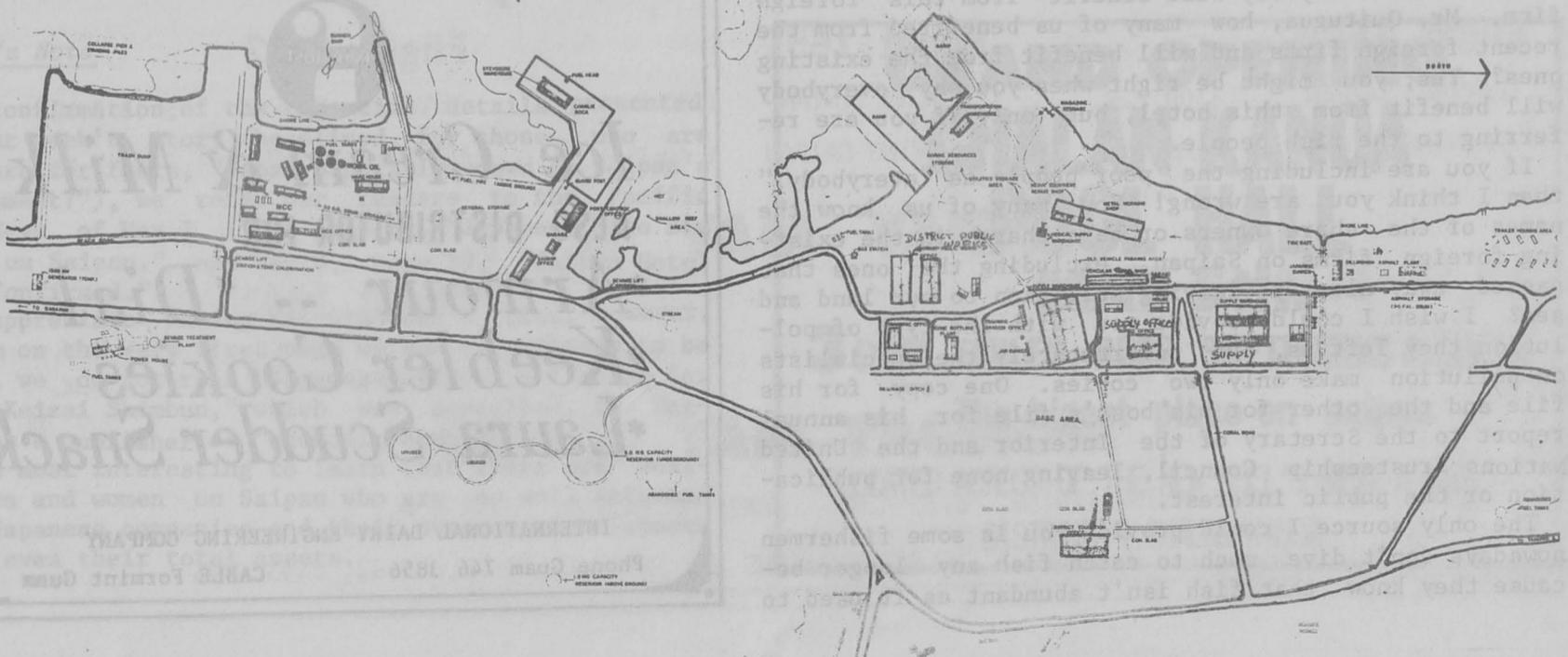
Top--How Saipan's harbor could look under the first phase of the development plan.

Bottom--How the harbor looks today.

## TANAPAG HARBOR DEVELOPMENT PLAN FIRST PHASE



## TANAPAG HARBOR AS TODAY



# INOUYE pledges CAA help

U.S. Senator Daniel K. Inouye of Hawaii said last week "I will do what I can" to find some way of continuing support for anti-poverty and community action programs in the Trust Territory.

His assurance came in a letter to Saipan Mayor Vicente D. Sablan. The Mayor had written to Sena-

tor Inouye and other members of Congress on April 16 to see what they could do about the threatened closing of the OEO community action agencies (see Marianas Variety, April 20).

Senator Inouye explained that his efforts could include any legislative actions necessary to save these programs.

# BECK leaving Air Mike

Donald L. Beck of Continental Airlines has been promoted out of Micronesia. On July 1 he will leave his position as Regional Vice President for Micronesian Operations to become Vice President for Sales and Service for Continental in Los Angeles.

Continental Field Vice President Barrie Duggan arrives June 1 to replace Beck, who has been on Saipan only a year. He had

expected to stay three years.

"I love it here. I don't want to go, but duty calls," he said.

As significant accomplishments by Air Mike during the past year, Beck pointed to the purchase of the new jet as "meaningful to all the districts," and to the airline's Micronesian station manager program, which is training and placing Micronesians in middle-management positions in every district.

"I'm so proud of our people," added Beck.

"They've captured the spirit of Air Mike, the pioneering spirit."

Beck also disclosed that he expects word from the CAB "sometime in May" on which airline will get the Tokyo-Saipan air route.

# A Personal View

By: JON A. ANDERSON

THOUGHTS WHILE SHAVING---I wonder how many other Jon Andersons around the world were congratulated on their "victory" in the Boston Marathon? I must have heard it ten times. I couldn't even finish a 26-mile race, much less win it.

....Wouldn't it be appropriate for Micronesia to achieve her independence, or at least some form of self-government, during 1976--the 200th anniversary of America's own independence?

....The new bowling alley is a terrific addition to Saipan, and judging by the crowds during the first week, it's appreciated. I just hope they can keep that new equipment in good condition, and the premises clean and inviting.

....Whatever happened to the Congress of Micronesia dress contest?

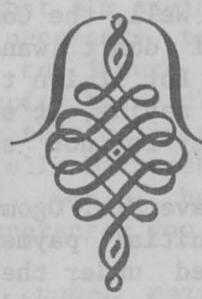
....It may not make you feel any better about Saipan's high prices, but here is what they pay for things in Nome, Alaska: ten pounds of flour, \$2.54; hamburger, \$1.04 a pound; standard-size can of tuna fish, \$.84; butter, \$1.29 a pound; fresh eggs, \$.97 a dozen; lettuce, \$.72 a pound; sugar, ten pounds for \$2.69; and coffee, three pounds for \$4.23. And on top of that, they've got to put up with all that snow.

....How about some thoughts about shaving? Like, the average man has 24,000 hairs on his face, and in his lifetime will shave something like 20 square miles of skin. Makes my arm tired just thinking about it.

....A lot of people will be sorry to see Don Beck depart Saipan. He is a genuinely nice guy in a tough, competitive business, and it would be nice if he could stay around Micronesia for awhile. But I guess his new job is a promotion, so congratulations are in order.

....And finally, for Joe Murphy and all you other snail fans, this week's obscure, trivial snail fact: It takes a snail 14 days to travel one mile. Who knows, maybe I'll make Pipe Dreams again. See you next week.

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# BILL NABORS TALKS ABOUT WAR CLAIMS

Saipan attorney William B. Nabors has long been an outspoken critic of the United States' settlement of Micronesia's war claims. Since 1965 he has represented, by his estimate, upwards of 3,600 claimants. As a war claims adviser to the Marianas and Palau District Legislatures, Nabors has traveled to Washington, D.C., on numerous occasions to lobby for war claims funds and broader coverages.

With the first decisions now being made by the Micro-

How do you feel about the first death claim decision issued by the Micronesian Claims Commission, the one awarding a Marshalls family \$4,400 and setting a scale for payment of death claims?

represent the greater number of deaths.

NABORS: Let me say categorically that it was my hope that the U.S. government would be able to do one thing right during its stewardship of Micronesia.

Why do you think the Commission set 21 as the peak age of a person's life?

NABORS: In my opinion they selected that age because that was the lowest number of deaths. Someone's peak earning capacity would be, say, between 35 and 40.

But when I read this decision, it indicated clearly to me that they have simply taken the statics that we (the Legislatures' war claims committees) got. And took those and devised a formula, the curve of which eliminates the largest body of deaths. Going through all my affidavits, I perhaps have about nine claims in both the Marianas and Palau, for people who were 21 years old when they died. They were young, agile; they could dodge; they could go for days without food. But it's the older people who suffered the most and whp

Did these Marshalls claimants submit any evidence about the decedent's earning capacity that would have enabled the Commission to make its decision based on something other than just age? Should the Commission consider earnings statements, etc.?

NABORS: I thought that this was a good way to go at it. Because this normally is the value of a man's life--what is his earning capacity?

What should claimants do if they don't have such evidence? Or if they didn't hold paying jobs?

nesian Claims Commission, the Marianas Variety interviewed Nabors to obtain his viewpoint on how the program is progressing. (The one-hour interview has been shortened and edited for space.) Next week we will present an interview with Claims Commission officials.

Nabors opened his law office here in 1964, 14 months after coming from Washington, D.C., to join the TT Attorney General's Office. To date, says Nabors, his is the only private law practice in the Trust Territory.

NABORS: I suppose get a certified statement of people who worked with them, who made a comparable amount or who know of their earnings.

Then you would prefer to see, rather than an across-the-board scale based on age, claims decided case-by-case, based on evidence submitted?

NABORS: I think that would be more equitable. On the decision number 1, the Commission says, well, it's good to have all this information (on the claims form) -- date of birth, how much they earned, what type of work they did -- but "this information is not readily available in Micronesia, so therefore they don't need it." They pay the same for a 21-year-old man who was married as they do for a man who was not married.

A Saipan woman received a \$5,000 award, the maximum being given for deaths. Do you have any comments on this?

NABORS: Well, the Commission... I don't want to accuse. But it isn't what they are saying, it's just that they're not saying enough.

They gave Mrs. Ogomuro a \$1,000 initial payment as is allowed under the law. But they just said the award was "for \$5,000." They didn't say that the lady had received only \$1,000 now. So as far as all the Saipanese are concerned in their minds, the lady got \$5,000.

But that's not really

the issue. The press release in the Guam paper said: "... subject to available funds, the balance of \$4,000 will be paid." Now, the Commission in my estimation is not being honest because it's not telling the full story. They are going to pro rate (divide proportionally) those claims under Title I. The lady got \$1,000 now. She got a \$5,000 "award," but only \$1,000 in cash. And at the end of the program, in 1976, if there are \$20 million in claims against Title I (for damages during the war) and only \$10 million in the fund, she's only going to get \$2,500 more, if that much, not \$4,000.

Nobody can accuse the Commission of making mis-statements in their press releases. But I accuse them of not going far enough, because they know full well if they go far enough, the people are going to be dissatisfied.

But how can the Commission get around the fact that the claims may be pro rated? The Commission does not appropriate the money. The claims fund comes from the U.S. Congress through the Interior Department's request, doesn't it? How is the Commission at fault here?

NABORS: True, the Commission isn't at fault in terms of the amount of money. I think principally the United States government is at fault because in my opinion they should have taken the

Continued on page 9

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# NABORS...

*Continued from page 8*

claims much earlier. They shouldn't have waited until 1969, when they had the Mutual Security treaty coming up for ratification in 1970. And not wanting to offend the Japanese government, knowing of the Okinawa reversion. ... So I feel that the U.S. either vacillated too long and then got involved in international politics to the extent that the Micronesians had to accept a \$10 million agreement (for Title I) or that it simply did not negotiate in good faith or aggressively enough in the interests of the Micronesians.

So it's unfortunate that these people now feel so compelled to take what they can get because they feel that they're going to die and get nothing. They waited too long for this money, and I don't blame them. This guy says, "Well, I hope they don't go out and get new cars." Well, the hell with you! You work 30 years under the Japanese, you learn and graduate from school, you work and build a house, and all of a sudden the war comes and squashes it out. Then you wait 30 years to get paid for it. I say, go buy your new car, go drink and get drunk if you want to. You've got every right.

And another thing that disturbs me no end, I heard that this lady who received this \$1,000 was required to sign a release.

*A release from what?*

NABORS: I'm not sure. My guess is that it's a release of the Japanese and the United States for the death of her husband. Without the balance being paid? Or any guarantee that the balance is forthcoming?

At the same time, in the same manner, it doesn't surprise me that no claims have been adjudicated yet where there was any lawyer involved. Because they

know very well they're not going to get away with it.

*So none of your claims have been adjudicated?*

NABORS: We sent close to 400 from the Marianas. And I have over 500 for Palau to re-submit, so far. But, no, none of my claims have been adjudicated yet. And that's why I didn't want this decision to go on record without my knowing if my claims would be affected by this decision, and if it did, I wanted the right to appeal it.

In reply to a letter I sent the Commission, they're going to set up a hearing for me on the 16th of May. Since their April 9 reply, however, they've given another award, which leads me to believe that they are going to give me a hearing purely as a perfunctory thing, out of courtesy.

And, I want to state for the record that if I am not satisfied with the decision from the hearing, I'm going to court.

*What court? Why?*

NABORS: Let's leave it at that, because I'm not clear in my own mind as to which court has jurisdiction. Because this is a creature of the U.S. Congress and it may be construed to be an activity of the U.S. government rather than the TT government, so I don't know.

But what I'm saying is if it's necessary to go to court to insure justice and equity to my clients-- and in this category I include all Micronesians -- then I won't hesitate. I'll guarantee you that.

*Would your reason be basically the death claim decision?*

NABORS: Well, this is the only decision they've made. They haven't made any decision yet on property.

And, why couldn't this

decision have been rendered in September? We complained that the Commission will not tell the people what values they will assign to various categories of properties. They say, "Just file the claims and after we get the claims, then we will tell you the values. It escapes me what the number of losses has to do with their value, unless they intentionally want to fix a curve to make the claims fit the amount of money.

You know, we Americans are always thinking in terms of dollars and cents. So it's unfair for us to come along now and say, "How much did you pay for this house, etc." It's of a different society, so we're going to have lots of problems with these claims.

*What do you do about supportive evidence? Is much solid evidence left, after the war, after 30 years?*

NABORS: This is one problem that we have had and are going to continue to have. The Commission's Rules and Regulations state that they are not going to determine ownerships. They are going to follow the official records, the land records. For years we've advocated the establishment of a land court here. But this has been rejected because "the Micronesian Claims Commission is going to solve these problems." And now, they are not going to solve any land disputes.

*Well, then, how should the values of property or land be estimated?*

NABORS: There are formulas that we developed after extensive hearings, questioning elderly people who had knowledge of Japanese before the war, and we told the U.S. Congress the basis we had used. Yet we asked the Commission, "What basis are you going to use?" They said, oh,

*Continued on page 10*

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# NABORS...

we don't know. Yet they've had 20 years of experience in adjudicating claims, for Hungary, Bulgaria, all over Europe, yet they don't know what value they're going to give for a cow. They adjudicated claims for Okinawa, for the Philippines. What did they pay the Filipinos for a cow? So I think that their consistent refusal to tell what values they're going to use is by design.

*Do you think that this is in any way related to the amount of dollars in the claims fund?*

NABORS: Yes, I think it's directly related. But I think it's wrongly related because this should be the least of their worries. It's not their responsibility. Let the Secretary of the Interior worry about that in 1976.

*So you think the Commission should just go ahead and accept or adjudicate the claims on the basis of the dollar or Yen amount that the claimant gives?*

NABORS: Not the amount that the claimant gives. I think the Commission should do the same thing that we did: Conduct extensive hearings and question the people. Ask the people who know. We estimated 50 cents for a chicken. If that's too much, okay, say 25 cents, say 10 cents. I don't care, but say something! So if someone claims five chickens they're going to get so much money. But they don't want to do that. They want all the claims in, they want to feed them into the computer, be sure the claims don't exceed the amount.

*So, on your claims, you've gone ahead and submitted them with substantial evidence?*

NABORS: That's correct. I've followed the same

*Continued from page 9*

procedures I had before.

*Is part of the problem that you, as a private attorney, know where to look for evidence and who to talk to in order to help your clients submit more evidence?*

NABORS: The Commission's got almost a half a million dollar a year budget.

*Do you think the Commission should hire investigators? Or is this more clearly in the realm of a private attorney?*

NABORS: Well, the one percent allowed for attorneys' fees under the act is the lowest in the history of any claims program. I would choose to think that it is that low because the Commission is going to do most of the work.

*Do you think that the one percent limit on attorneys' fees was based on the ability of the Micronesian people to pay?*

NABORS: I have my own theory. Number one is that the bill for Title I had the one percent in it, because this was a treaty between the government of Japan and the U.S. Then the one percent just stayed in the whole bill when Title II was added.

But Bill Nabors caused them so much consternation along the way that they wanted to make darn sure that I got the bare minimum. That's my own personal opinion, because Okinawa in 1965 -- and, I don't suppose it necessarily makes any difference, but the attorneys involved there were Caucasian -- got 6 percent. In the Philippines they got 20 percent in 1948, but of course, there was a scandal involved in that.

The question now, I'm willing to give them as much documentation as is necessary for them to evaluate and adjudicate my

claims. Notwithstanding the fact that I have a letter from (former Assistant Secretary of the Interior) Loesch that says that the one percent under the bill I will receive anyway for all those people who filed with me in 1966. I will get one percent on every person who filed a claim with me originally and who was in the book list that I submitted.

I'm not working for the one percent anymore. I'm working to protect the integrity of my work. Because I've got so much time involved and I'd just hate to see the Micronesians get the short end of the stick again.

But I think that I could sit down now and get paid and not do anything else.

So all those people now who are going directly to

the Commission think they're saving one percent -- but they're not. They are going to lose because the Commission will only take down the information that the claimants give them.

Because you see, under the act, they've got to report to the Congress once a year, and if they disallow a claim, if they get a claim for \$10,000 and they only allow \$50, they've got to explain to the U.S. Congress why they disallowed it, why they cut down that much. But if they take the claims themselves then they can take the items, very limited, and then they can assign the values they want.

But if the claimants go through an attorney, an attorney in my estimation

*Continued on page 11*

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# NABORS...

*Continued from page 10*

is going to try to get the people to try to put down everything that they lost. I don't think that's dishonest, or anything else. I think the people should claim what they lost.

*What were the figures you submitted to the U.S. Congress for the projected value of losses in the Marianas and Palau?*

**NABORS:** For the Marianas, we estimated we needed \$23 million for both Title I and Title II, about \$9 million for Title I and the balance for Title II. In Palau we estimated that we needed \$22 million for Title I and about \$27 or \$28 million for Title II.

*How many claims have come in from the Marianas so far? A few hundred?*

**NABORS:** Yes. Well, you see, this is another problem. The Commission says that under the language of the act we've got to require re-filing on their forms. These forms are very complicated and I find it difficult to understand fully some of the questions myself. I think re-filing is a discouraging tactic. The people don't want to be bothered. But it costs us, it costs me.

*Do you think that your claims will have any effect on the other claims that are submitted without an attorney's representation?*

**NABORS:** I think the Commission is going to give a great deal of thought and exercise a great deal of caution in issuing decisions affecting property values because they know that I'm not going to sit down for any monkey business.

But I also do think that they're going to play politics and they're going to pay off those people who did not file with me first. I just hope that the people whom I represent will understand

what's going on. Mrs. Ogomuro now--I don't understand why she was selected out of all the other people in Saipan. But they've got to go one by one, I guess.

*Do you have any advice for people who haven't yet filed their claims?*

**NABORS:** Because of the complexity of filing claims you're always better off with an attorney. But all the rumors that

have gone around the villages since October have sought to encourage the people to go directly to the Commission and not to Bill Nabors, or not to an attorney. It seems to me the Commission ought to at least say you may go through an attorney (but a Guam attorney wouldn't touch it, it's just peanuts), or our trial assistants or the Micronesian Legal Services Corporation or the Public Defender -- just so long as those claims eventually get to the Commission. If they

don't get to the Commission, they cannot be considered.

This is the only chance the average Micronesian has to get his hands on this money. The claims program is something to which the people are entitled as a right. It's not a gratuitous thing.

Whether they're represented by me or someone else, I couldn't care less.

I just hope to leave Micronesia a little better place than when I came.



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# St. Pierre....

Continued from page 1

St. Pierre is entitled by law to contest an arbitrary dismissal.

Authorization for the firing, said St. Pierre, came from Stanley S. Carpenter, Deputy Assistant Secretary of the Interior for Territorial Affairs, upon the recommendation of TT officials in Majuro and at Headquarters, including the High Commissioner.

Specific details on the appeal have yet to be worked out, St. Pierre told us on Wednesday. But he will request a full hearing before a U.S. Civil Service Commission examiner, he said, and will insist that the hearing be held on Saipan.

"The fight is not for me alone," said St. Pierre. "I have sitting on my shoulder the ghosts of all the others who have been terminated without cause."

St. Pierre's attorney, Lawrence Speiser, was highly recommended to him as an expert in Civil Service and government personnel procedures and laws. Speiser was formerly an officer of the American Civil Liberties Union.

On his return St. Pierre asked for and was granted an extension until June 1 of the time in which he has to answer the charges made against him in the TT's removal action.

These charges include the allegation that St. Pierre improperly "charged a fee or accepted a gift" from a woman client in the Marshalls in 1969, and that he "lacks proper supervision" over his employees in the Public Defender's Office.

The TT also told St. Pierre that July 1 would be the new date for terminating his employment, in order to give him time to research and prepare his defense.

St. Pierre plans to leave for Majuro on Saturday to take affidavits and gather other supporting documentation against the charges.



The MHS delegation rests before the plane lands.

## ON FEES FOR PUBLIC DEFENDERS...

At the opening of the High Court here in 1963, Chief Justice Furber made the following remarks about the acceptance of fees by the Public Defenders in civil cases:

"...Both of these government employed defense counsel (Chief Public Defender St. Pierre and his assistant, Jose A. Tenorio) are also available to assist persons in handling civil actions where the government is a party on the opposite side and in drafting of legal papers in other civil actions, but are not expected ordinarily as part of their employment to actually appear in court in other matters. *Any such appearance in other civil matters should be on a fee basis to be paid by the party for whom they act.*" (italics added)

In response to the TT's charges that he improperly accepted a fee, St. Pierre and his supporters cite the remarks made by Chief Justice Furber in 1963 (see box.)

Said St. Pierre on Wednesday, "The High Court, then as now, has sole jurisdiction over standards of practice for attorneys in the Trust Territory, and Justice Furber's ruling has never been superseded."

"The TT also claimed my conduct tends to destroy the confidence of the Micronesians in their government," he added.

"I think it was destroyed long ago."

During the termination process, St. Pierre remains technically assigned to the High Commissioner's Office, and Assistant Public Defender Leo McShane continues as Acting Chief Public Defender.

If or when the TT comes to throw him out of his house on Capital Hill, said St. Pierre, "I'll pitch a tent somewhere."

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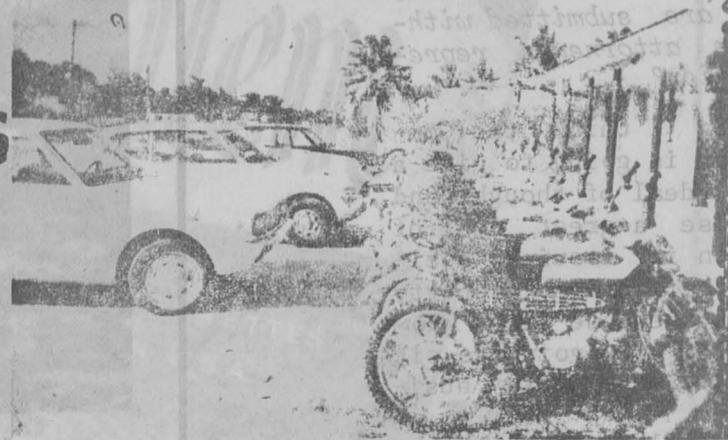
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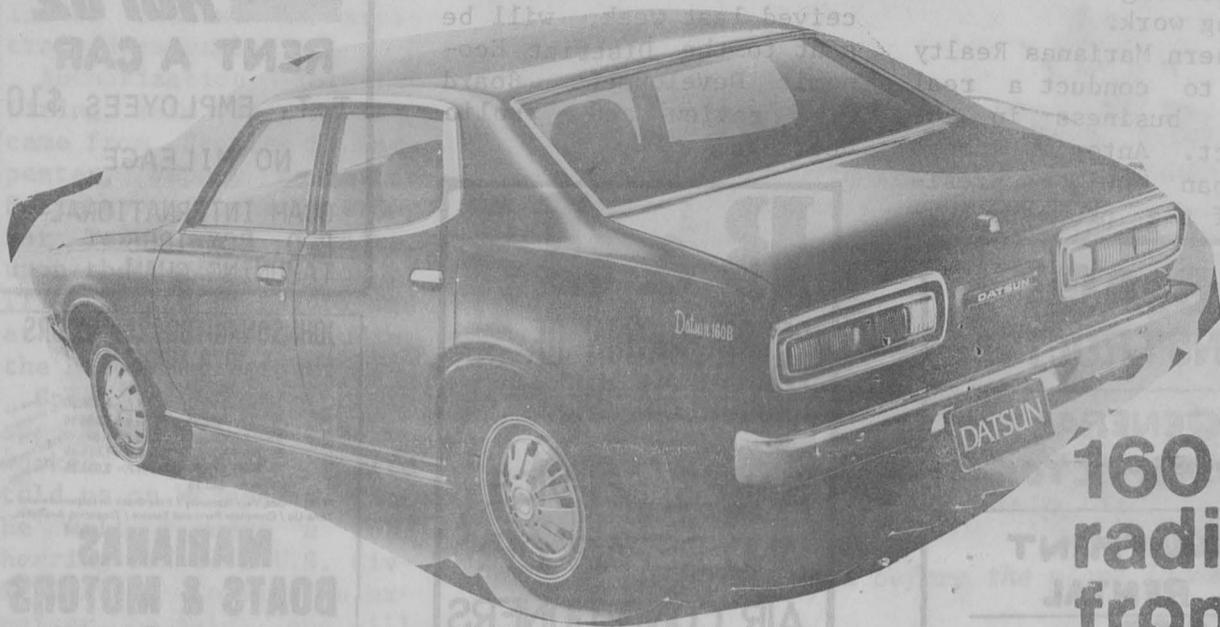
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