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CANBERRA

Volume 19

CRS G2
ITEM W21-1
Land Matter, East Carolines
1907 - 1914

Property of
Division of Lands and Surveys
Department of Resources and Development
Trust Territory Government
Saipan, Mariana Islands 96950
LANDANGELEGENHEITEN
OST-KAROLINEN

1907 - 1914

(LAND MATTERS, EAST CAROLINES)

(ALL FOLIOS)

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CANBERRA

1969

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LAND MATTERS: EAST CAROLINES

1907 - 1914

(All Folios)
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<td>Ponape</td>
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<td>Sorangar - Pailepwil</td>
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<td>15</td>
<td>151-159</td>
<td>Capuchin Mission</td>
<td>Toloas - Truk</td>
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</table>
Summarization: The Jaluit Co. has 33 contracts with natives in the Truk Atoll, based on the concession on paragraph 1 of July 2, 1901's letter. The first contract was negotiated on June 7, 1902 with Chief Setin of Nomuin. The contracts concern an area of appr. 550 ha., planted with palm trees for which the Jaluit Co. advanced 3,000 Mk. and now asks for help to obtain repayment.

Neither the natives of Truk nor the contract opponents of the Jaluit Co. have cash means. Even though the islands were not too affected, the typhoon destroyed enough to make the contracts inoperable and to make it difficult for the natives to repay the advance. Furthermore, the company finds competition from Japanese traders.

As Truk is densely populated and has therefore little available arable land, the following measures are recommended:

1. The opposite partners to the contract must be urged continuously to maintain the plantations.

2. Until payment of debt, the natives will have no rights over their land.

   If this is not desirable, the land is to be entered into the land register of Ponape as pledged to the Company in the amount of advance-monies.
3. Produce of the plantation is to be sold exclusively to the Jaluit Co. Request to take position on these proposals.

Copies sent to Truk Jaluit Co., and forwarded to Hamburg and to Imperial District Administration, Ponespe.
From: Secretary of State, Colonial Office
To: Governor, Herbertshoehe
Date: October 28, 1907 (Herbertshoehe, December 1907)
Subject: Copy of report on transfer of land to the Catholic Mission
Island: Ponape

Summarization: July 8, 1907 from Imperial District Administration, Ponape, to Foreign Office, Colonial Division, Berlin: Consent requested to transfer further land property to the Catholic Mission.

Father Praefekt has repeated his request of March, 1904 to construct a new church. The land - 1½ ha. - is without value to the government. It is situated between the real estate of the mission and the former Bishop's land outside the wall. The request to transfer the land without charge is therefore re-submitted.

July 22, 1907 from Berlin to Imperial District Administration, Ponape: Clause for reacquisition of the land by the government is to be included in the land register.

October 23, 1907 from Berlin to Imperial District Administrator, Ponape: The transfer of land to the Catholic Mission must be at current prices and entered into the land register as indicated.
From: Secretary of State, Colonial Office, Berlin
To: Governor, Herbertshoehe
Date: January 30, 1908 (Herbertshoehe, March 17, 1908)
Subject: Jaluit Co.'s claim for repayment of advance monies to natives
Island: Truk

Summarization: Rejects renewed application by Jaluit Co. as well as securing claim by mortgaging natives plantations. The natives are however to be encouraged to sell all produce to the Company.

January 29, 1908 from Jaluit Co., Truk, to the Governor in Herbertshoehe:
Advises of dispatch of case of seed-nuts to the Bureau of Agriculture in Manila. Cost will be submitted to the administration in Ponape.
Copy of letter to Hamburg concerning the advance payments to natives is attached.

January 29, 1908 from Jaluit Co., Truk to Jaluit Co., Hamburg: Submitting copy of Letter of November 21, 1907 from Herbertshoehe. Is in accord with the letter's suggestions:

1. that islanders be urged to work diligently in the plantations with the assistance of government administration.
2. entry of the native plantations into the land register as mortgaged to Jaluit Co.
3. the company's exclusive rights to produce of coconuts.
April 16, 1908 from Governor, Herbertshoehe to Jaluit Co., Truk Islands:
Response to letter of January 29, 1908: the case concerning advance payments for plantation is closed, unless reopened by the District Administration.
Summarization: Father Superius Crescentius has been entered into the land register as owner of real estate in the Government compound of Ponape. The boundaries are:

North: beach

East: land of the German Capuchin Mission

South: the road to Fokoy

West: boundary of another piece of land of the German Capuchin Mission.

Area: Appr. 1 ha. 63 a. 93 sq. mi.
From: Governor, on board the SEESTERN

To: District Administrator, Ponape

Date: May 29, 1908

Subject: Hierarchical rights to land ownership

Island: Ponape

Summarization: The claim for tenure of land by the Uajai of Metalanim gives rise to new regulation of land registration of non-natives and natives.

1. Property rights of non-natives and of the government treasury are to be surveyed and entered into the land register.

2. Differentiation to be established among homelands, arable land, or crownland of the nobility.

3. Free tenures.


5. Private usage of as yet not subjected tribal land.

The organization of authority of the five kings is probably derived from Japan or Korea, and the levels of lineage are well defined.

The survey will determine which public land may be used by the dignitaries and which land is available to the common man—which land is free and available to be used. Once this is established, the land may be developed by the people and not be under the jurisdiction of the nobility. They may willingly pay taxes and make themselves available for public works and road building. The dignitaries will content themselves with part of the
the taxes or a definitive payment. It is to be expected that the application of this proposal will not encounter great opposition. It will have to be applied with knowledge of the natives' language and their legal perception.

To recognize the property rights of Henri Nanpei in Ronkiti would assure the government this man's influence.
Summarization: Colonial Office, Berlin, forwards copy of letter of April 15, 1908 from the Jaluit Co., Hamburg: Agrees with Government's proposal. In addition, suggests that a government station be opened in Truk, financed by taxes of Mk. 5 per native. Penetration of Japanese traders into the area gives this matter a certain urgency.

May 27, 1908 from Secretary of State, Colonial Officer, Berlin to Jaluit Co., Hamburg: Contracts with natives make it impossible to mortgage their land to the extent of advance monies. However the District Administration on Ponape as well as the Governor have been instructed to support the Company's efforts to further cultivation of plantations and to make the Jaluit Co. the exclusive recipient of all produce until the advance monies have been paid off.

Concerning an Imperial station on Truk, this may be considered if the Company will carry a substantial amount of the cost of this station.

June 5, 1908 from Jaluit Co., Hamburg to the Secretary of State, Colonial Office, Berlin: Confirms reception of letter of May 27, 1908. Welcomes support of government, which should include that, at no time, transfer of
native land to a third party could take place until the debt of advanced monies has been paid.

Due to lack of income the Company does not see itself in a position to assume part of the cost of a government station on Truk. This Company is by no means the only establishment needing the government's direction; so do missions and traders. Emphasizing once again the takeover by Japanese traders, from whom they need protection.

July 9, 1908 from the Secretary of State, Colonial Office, Berlin, to Jaluit Co., Hamburg: The Colonial Office cannot agree with the interpretation of the Company that native land may not be sold to third parties as this would be in contradiction with the agreement of January 2, 1902 reached with Chief Setin of Namuin.

Establishment of Government Station on Truk has not yet been decided.
From: Imperial District Administration, Ponape
To: Governor, Herbertshoehe
Date: July 15, 1909
Subject: Three contracts of acquisition, Liebenzeller Mission Island: Ponape

Summarization: Contract has been negotiated between 1) the Imperial District Administrator Fritz, and 2) Preacher Emil Kirrmann, representative of the Liebenzeller Mission, allied with the China Inland Mission Ltd. Co.

The Treasury of the German New Guinea, owner of part of Gewann Ponangenjap in the district of Uone sells this real estate of Appr. 0.1 ha. to the Missions. The land is within the boundary of the old Spanish fortress moat.

The price to be paid: Mk. 1.

At the request of the buyer this land is to be entered into the land register.

At the request of the judge, the land is to be surveyed at the cost of the buyer: a) if a surveyor would find himself within the neighboring district, or b) another purchaser would buy land bordering onto the property. The survey has to be accepted as final by the purchaser who has no claim against the treasury or other claimant, nor a third party.
The land may only be used for mission purposes.

The land will have to be sold to the Nanmarki en Kiti if claim to the land is relinquished. The Nanmarki en Kiti will not have to pay compensation. The purchaser may however remove buildings from this land.

Cost of this contract is to be born by the purchaser.

Concerns contract between land treasury of German New Guinea and Liebenzeller and China Inland Mission of July 15, 1909:

"General Stipulations for Transfer of Land from the Land Treasury of German New Guinea"

(These stipulations follow the same conditions as the contract of July 15, 1909, with addendum:) (See Vol.XIX, Document 7, pp. 40-41).

I. Land sold by the Land Treasury, which has been surveyed according to "stipulations for real estate surveys with missing connection to a land-triangulation". Correct establishment of boundaries on instruction of the Governor.

Should the land not contain the size established by the survey at the time of purchase, the price of acquisition may be diminished accordingly, if no agreement is reached to assign the purchaser an equivalent piece of land. The purchaser has however no right to claim land.
II. The purchaser bears the cost of contract with natives or for acquisition of ownerless land—the survey and marking of the land and the entry into the land register, as well as administrative expense.

III. Rightful claim of third parties remain guaranteed, however not guaranteed by the land treasury.

IV. (Deleted.)

V. The purchaser has no mining rights, nor rights to exploit precious stones, metals, sulphate, coal, rocksalt and other minerals, guano, mineral water, or marble mines which may be found on the bought land. These rights are the exclusive property of the land treasury and are under the jurisdiction of the Governor.

The purchaser is obliged to inform the administration of these soil contents and the Government is entitled at any time to claim the land for exploitation.

VI. The purchaser is under obligation to cede land for public works at cost price.

If land has been claimed for clearing or building, compensation to be made upon submission of authenticated proof.

***
Concerns contract negotiated between:

1. The Imperial District Administrator Fritz, Ponape, and
2. The Preacher Emil Kirrmann.

The contract has been concluded between the Land Treasury of German New Guinea, selling the land, and the Liebenzeller Mission in alliance with the China Inland Mission Ltd. Co. in Liebenzell.

1. The Land Treasury is the owner of the real estate: Taenu on Ponape, entered into the land register. Of this will be sold appr. 2,1484 ha. with boundaries to the North-East on the ocean, and all other boundaries bordering the treasury's land. Conditions:

2. Cost of the land is set at Mk. 5. to be paid immediately.

3. The land is to be entered into the land register at the request of purchaser.

4. The land has to be surveyed by the purchaser at his cost, if and when this can be done without great difficulty and if another person should acquire land bordering onto this real estate. These boundaries must be recognized by the purchaser as final; he cannot make claim if a third party finds deficiency.
5. The real estate may only be used for Mission purposes. In case of sale, the seller has first option of reacquisition. Otherwise the Imperial Governor has to acquiesce to the sale.

6. If the real estate is to be sold, the contract remains binding.

7. The purchaser agrees to an entrance into the register, recognizing paragraph 5, and General Stipulations: #IV section 2, and 3, and #V.

8. Costs of the contract are to be paid by the purchaser.

General Stipulations

(Repeat of Vol.:XIX, Document 7, pages 2 and 3 summarizing un-numbered page, and p. 43.)

***
Concerns contract negotiated between:

1. The Imperial District Administrator Fritz, Ponape, and
2. The Preacher Emil Kirrmann, acting on behalf of the Liebenzeller Mission in alliance with the China Inland Mission Ltd. Co. in Liebenzell.

The Land Treasury of German New Guinea is selling the land to the missions, and declares:

1. The Land Treasury is owner of real estate in the district of Metalanim Japualap, Palienjapnikelik, named Utunjap, of appr. 1 ha. The land is sold to the Missions to enlarge the church of appr. 130 m. from East to West, enclosed appr. 80 m. from North to South, East to the brook, South to the Square Nan Lukap en Tau, North to the Square Poatpoat.

2. The price is Mk. 1.

3. The purchaser agrees to enter the purchase into the land register.

4. 1. The purchaser is obliged to have the land surveyed when convenient and if another person would purchase this land.
2. The owner will have to recognize the survey as final.
3. No claim may be made for original deficiency of the survey.
5. The real estate may only be used for Mission purposes.

6. The real estate will have to be returned without charge to the Nanmarki of Metalanim in case of relinquishing ownership.

7. Cost of contract is paid by the purchaser.

General Stipulations
(Repeat of Vol.XIX, Document: 7, pages 2 and 3 summarizing un-numbered page, and p. 43.).
From: Imperial District Administration, Ponape
To: Imperial Government, Rabaul
Date: February 28, 1911 (Rabaul, March 18, 1911)
Subject: Compensation to natives
Island: Ponape

Summarization: The war was quickly ended due to the help of loyal natives. Annexed as government property were: the whole of Fokoits (?) with Nang Pongmal Inanpohn Mall, Schekere, Palikir, Tomara and the Pakin Islands.
Request for permission to donate small gifts in return for valor; some have requested land.

The question arises how the valuable land is put to best use?

Footnote from Rabaul of April 25, 1911:
1. The islands of Pakin should be leased to the Jaluit Co.
2. Districts and real estate of Fokg (?) should be settled with landless natives from Ponape, and the people of the lower islands, and be used under conditions which will be forwarded.
Subject: Lease of islands to Jaluit Co.

Island: Pakin

Summarization: Supposition:

To the Expenses: A worker costs Mk. 360 per annum. Several small buildings are still needed. Custom duty of Mk. 7,400 has been removed.

To the Result: The harvest of the first years was not as good as assessed. However with the increasing production, the difference is not too large. Disagreement with the Governor's account for further usage and arriving at a smaller assessment. It may be possible to save expenses by employing fewer workers.

Assessment of expenses over income:

The total of the Governor's assessment: Mk. 261,250.-

To this is to be added:

1st year: 60 workers

<table>
<thead>
<tr>
<th>Item</th>
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<tbody>
<tr>
<td>drying shed for copra</td>
<td>300</td>
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<td>1 residence for workers</td>
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2nd year: 40 workers

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3rd year: 30 workers: 9 years

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to 11th

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<td>284,250</td>
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to be omitted: duty

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<td>7,400</td>
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276,850
Total income: Mk. 282,600 less above expenses = net income of Mk. 5,750.—

From the above assessment it is to be seen that the lease conditions are not commensurate with the risk and effort expended; the more so as in 12 years new buildings and boats would be needed.

Conditions for lease now in existence in the West Carolines may be considered for the East Carolines.

The decision will have to be made at headquarters in Hamburg and lease-contract and assessments will be submitted.

Draft of Lease-Contract between: the Land Treasury of the Protectorate of New Guinea—represented in the East Carolines by Counselor Kersting, and the Jaluit Co., Hamburg—represented by the manager of the Ponape agency on Langar, Mr. Petersen.

1.

The Treasury has become owner (through seizure) of the island group Northwest of Ponape, consisting of:

1. Mant appr. 30 ha.
2. Wolomen " 1 ha.
3. Udschetik " 20 ha.
4. Kaeros " 1.5 ha.
5. Sorangar " .5 ha.
6. Pailepwil " 10 ha.
7. Mikelap " 70 ha.

TOTAL 133 ha.
The Treasury leases the islands to the Jaluit Co. under the following conditions:

1. No responsibility is assumed for the area measurements.

2. The lease is for 30 years as of March 1, 1911, and renewable for another 10 years if the lessee has fulfilled conditions of contract.

3. The lessee is obliged to cultivate the total area with coconut palms, which entails: employment of a specialized supervisor, worker, buildings, plantation access, and boats.

4. Planting of trees must be completed by December 31, 1913. Seed-nuts must be imported from Nukuoro or Truk.

5. Lease prise to be paid: Mk. 50.- for each ton of copra. If the price rises beyond Mk. 400.- in Hamburg, another Mk. 5.- is to be paid; if prices drop, the equivalent may be deducted.

6. Calculation for lease-tax is to be established in Langar.

7. If change in production of copra occurs, 6,000 nuts are equal to one ton.

8. Transfer of lease to a third party will require consent of the lease holder.

The lessee agrees to the transfer of these obligations.

The Treasury has the right to cancel the contract in case of nonfulfillment.
of conditions. No claim may be made by the lessee for compensation.

5.

If the lease land will reduce in produce permanently or temporarily, a reduction of lease tax may be granted.

6.

Should the lease-land suffer damages and not produce, the lessee may withdraw from the contract without having claim to compensation.

7.

Land needed for public works may be required, without compensation to the lessee. Destruction of cultivated or other working areas may be considered for compensation claims.

8.

For termination of contract, conditions of B.G. (?) must be followed. Buildings may be removed from the lease-land; it has to be done upon request.

9.

Disputes are to be settled by the Court of Justice in Ponape. Both parties are to designate a member, and if no agreement can be reached on the choice of foreman, the decision will rest with the Imperial District Judge in Rabaul.
Governor's assessment: expenses and income of the lease of Pakin Islands:

Supposition: 9,850 palm trees on 130 ha., related to productivity of one worker, who cultivates and clears 1½ ha. per annum and maintains and harvests 4 ha. on coral islands.

Expenses: Total Mk. 26,250.- (?) for 11 years
Income: Total Mk. 44,750.- (?) for 11 years

July 24 - draft of memo:

Mr. Janssen of the Jaluit Co. draws attention to the high tax per ton of copra. It was explained to him that Pakin can afford more payment of tax because of its favorable situation. He was assured further examination.

Duplicate of lease contract--see page: 58-61.

Memo--that no further proceedings were found.

July 17--: After four months received report from Dr. Kersting on the final result of negotiation with the Jaluit Co. Dispatch of the prepared contract.
Summarization: Tenure replacement and distribution of land as native property has been transacted. The distribution, marking of boundaries lasted from May 24 to July 22. The survey was done by the islanders.

Attached:
1. An example of the new listings of land.
2. Statistics
3. German translation of regulations.

Statistical Results

<table>
<thead>
<tr>
<th>1. Total of Natives</th>
<th>Not 609</th>
<th>U 666</th>
<th>Metalanim 923</th>
<th>Kiti 977</th>
<th>Total 3,175</th>
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<td>203</td>
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<td>634</td>
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<td>238</td>
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<td>Taxpaying Men</td>
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<td>807</td>
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<td>3</td>
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<td>Packed round stones</td>
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<td>Natural rocks</td>
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<tr>
<td>Planted Iron nuts</td>
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<td>274</td>
<td>331</td>
<td>50</td>
<td>1,089</td>
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<td>Markers in old trees</td>
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<td>-</td>
<td>33</td>
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<td>Creek beach</td>
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<td>41</td>
<td>93</td>
<td>226</td>
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<td></td>
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<td></td>
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<tr>
<td>of these have</td>
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<td></td>
</tr>
<tr>
<td>1 Palienjap</td>
<td>76</td>
<td>165</td>
<td>119</td>
<td>160</td>
<td>520</td>
</tr>
<tr>
<td>2 &quot;</td>
<td>10</td>
<td>9</td>
<td>28</td>
<td>55</td>
<td>102</td>
</tr>
<tr>
<td>3 &quot;</td>
<td>2</td>
<td>3</td>
<td>9</td>
<td>14</td>
<td>28</td>
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<td>4 &quot;</td>
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<td>6</td>
<td>5</td>
<td>11</td>
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<td>5 &quot;</td>
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<td>6 &quot;</td>
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<td>10 &quot;</td>
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<td>13 &quot;</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Real estate owners: Nobels</td>
<td>26</td>
<td>51</td>
<td>36</td>
<td>60</td>
<td>173</td>
</tr>
<tr>
<td>Foupaiti</td>
<td>22</td>
<td>39</td>
<td>14</td>
<td>41</td>
<td>116</td>
</tr>
<tr>
<td>Perijo</td>
<td>4</td>
<td>12</td>
<td>22</td>
<td>19</td>
<td>57</td>
</tr>
<tr>
<td>of the people in several tribal lands</td>
<td>62</td>
<td>127</td>
<td>129</td>
<td>176</td>
<td>494</td>
</tr>
<tr>
<td>5. Real estate (Palienjap): Nobels</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&quot; &quot; People</td>
<td>70</td>
<td>129</td>
<td>163</td>
<td>234</td>
<td>596</td>
</tr>
<tr>
<td>&quot; &quot; with owners from other tribal districts</td>
<td>1</td>
<td>3</td>
<td>6</td>
<td>2</td>
<td>12</td>
</tr>
<tr>
<td>6. 1 Real estate (Palienjap): usually residential</td>
<td>5,93</td>
<td>3,36</td>
<td>3,81</td>
<td>2,78</td>
<td>3,55</td>
</tr>
<tr>
<td>7. 100 Real estate owners, compared to men without real estate</td>
<td>127</td>
<td>21</td>
<td>92</td>
<td>35</td>
<td>59</td>
</tr>
<tr>
<td>8. Islands are owned</td>
<td>5</td>
<td>6</td>
<td>118</td>
<td>10</td>
<td>139</td>
</tr>
<tr>
<td>9. Mouth of stream</td>
<td>15</td>
<td>26</td>
<td>32</td>
<td>46</td>
<td>119</td>
</tr>
</tbody>
</table>
Government land in Not, Messenien, and the tribal land of Fokoils which was taken over by the government in 1911 together with subdistricts of Palikit, Tomara and the island group of Paking, have now 537 inhabitants: 37 Ponapeans, 17 Mokil settlers, 69 Pingelap settlers, 373 colored personnel of whites, inclusive of police and workers of the District Administration. 426 persons were banished.

Names of owners of 4 and more real estates (Palienjam):

Kiti
1. Nanei en Kiti 13 besides the Ant Group
2. Nanmarki en Kiti 10
3. Nankrau en Kiti 4
4. Jou Kiti 4
5. Ressilan 4
6. Nancken en Kiti 4
7. Uaschay en Kiti 4
8. Nalik en Lot 4

Metalanim
1. Ettikar 6
2. Naneken 5
3. Uaschay 5
4. Nanamereren 4
5. Nanpeireren 4
6. Nama to en Itet 4
7. Nankiran en Metalanim 4
8. Awiren (?) 4
9. Nanmarki en Metalanim 4

U
1. Noss en U 6

Not
X
Ruling on Execution of Distribution and Marking of Land Ownership on Ponape

1.
Six boundary commissioners are designated for every two to three districts. Tomaj en Kaujap (sub-chief) is the seventh commissioner.

2.
The three men, supplied by every tribal land, will supervise and decide all questions. Everyone can appeal to the District Administrator.

3.
The three men call two meetings at their Nanmarekis at the beginning of the work.

At the first meeting lists of future owners will have to be established for each Kaujap of their tribal land, following rules:

1. Every man who had land in tenure during peace time will obtain it now as property. If this is not possible, decision will be made by the administrator with the help of the Nanmarki.

2. Those who owned old papers will be regarded as per decision of May 15 and 16.

3. The established Pelienjap may be divided only if of large size.
4. A man should not receive more than one Pelienjap as property.

At the second meeting, the three men will submit again the boundary commissions of their tribal land and the execution of the work. They will give each commission the list of real estate, with given boundaries.

1. The commissioner, the Janaj en Kaujap, the future owner of the Pelienjap and his people will tour the Pelienjap and mark the boundaries.
2. The future owner knows that the land was previously in tenure, and not his property. Adjustment of boundaries may be needed. The commissioners may not make large changes without the consent of the administrator and the Nanmarki.
3. Boundaries are: ocean, streams, mountain ridges, roads, or straight lines between markers.
   1. Packed stones.
   2. Natural rocks.
   3. Plated iron-nut palms

4. At all times the three men control the boundary commission on the land. They hear all just claims and reasonable wishes. They inform the District Administrator.

88-90 October 15, 1911 from Rabaul to Mr. Gisbert Drees, Sydney: Order of 2,000 copies of forms to be sent to the Imperial District Administration, Ponape.
and To: Imperial Consul General, Sydney: Requesting cooperation. Bill to be sent to the East Carolines.

To: Imperial District Administration, Ponape: Printing of forms ordered.
(Message incomplete.)

December 15, 1911 Imperial Consulate General, Sydney: Dispatch of forms shipped as ordered.

Shipping conditions (in print).

Shipping bill by Lohmann & Co., Sydney

December 15, 1911 from Carron Stewarts Co., Sydney: Printer's bill.


Title page in Ponapean.

Content of document in German & Ponapean:

1. This document assures permanent ownership, which can only be lost through banishment or death sentence.

2. After death of the owner, each real estate is the hereditary possession of a male relative. Heirs are:

   1. The oldest living son.
   2. The oldest living grandson.
   3. The oldest living brother.
   4. The oldest living nephew (brother's son).
If there are no such relatives, the owner may adopt an heir. The legal confirmation is to be determined by the Nanmarki and the District Administrator.

3. All male relatives, now owning land, and all unmarried females, are entitled together with the owner to live on and use the land.

4. To sell, give, or loan the real estates or parts thereof, consent of the Nanmarki and the District Administrator is required.

5. The land is to be surrendered without charge for public usage.

6. All land against which there is no land ownership document, belongs to the tribe in Ponape, in which boundaries it is situated. It may only be granted by the Nanmarki in conjunction with the District Administrator.

7. Once a year Honor Kamatip tribute should be paid to the Nanmarki by every Kaujap. Food and drink must also be brought by the participants. The Nanmarki may share the Honor Kamatip with the Kaujaps.

8. Small services to the Nanmarki should be rendered without payment.

9. The Nanmarki calls each of his people twice a year to work one day (each time) for him. For this he gives them one Um.

10. The Nanmarki may give orders for the performance of works of public welfare, with the agreement of the District Administrator. Such works include Naj, roads, canals, piers, etc.

11. Disobedience against rightful orders may be punished by the Nanmarki by five days labor for the first offense, or 10 days labor for repeated offense. The third time, the person may be banished, with the consent of
the District Administrator. Insubordinates who will not participate in forced labor will be sent to the District Administrator for punishment.

December 8, from the Secretary of State, Colonial Office, Berlin with copy to the Governor in Rabaul: Request to render information on land distribution.

Filing memo.

Page 95: blank.
Vol.: XIX  
Ref.: CRS G2  
Item: W21-1  
Document: 11  
Page: 103-130  

From: Ebert, on board the S.M.S. CORMORAN, Matupi  
To: His Majesty the Emperor, Berlin  
Date: July 23, 1911  
Subject: Report  

Islands: Matupi - Solomons - East Carolines - Bismarck Archipelago


Military Memorial Service was held in Herbertshoehe for two seamen killed in action in Ponape and returned to Matupi.

Delayed departure for Kieta, with arrival June 23.

Kieta: Good progress made since the establishment of Government station for the Solomon Islands. Plantations have been established by:

a. Hernsheim & Co., which also has a trading station and owns five small stations on Bougainville.

b. The Catholic Mission Station St. Michael on Puanga Peninsula, Maristen Mission. This mission station is best suited for plantations, especially on the East lagoon. The same mission has established a further mission on Koromira-Huk, 35 km. southeast of Kieta. Pater Rausch has begun cultivation of plantations, and also makes a study of native language soon to be published.

c. Plantation of the Bismarck Archipel Co. near Aropa.

d. Plantation of the New Britain Corporation on the Bay of Toiemonapu, 47 km. from Kieta, to which the government coastal road extends. The newly established plantation, under management of the German Peter Hansen, is only accessible for loading outside the reef.
The harbor: three piers have been established with difficulty; the harbor is to be enlarged by fill added to the reef. The station's ship BUKA, built in Hong Kong, is sea worthy.

Ponape: On the sea journey to Ponape a further search for the Matador Islands was made, however once again these could not be found. Changes in itinerary and timing were found to be necessary upon arrival in Ponape. Situation in Ponape: warfare in Ponape is in all probability not to be expected, however opinion amongst the whites varies.

Land distribution: The highest nobility was discontinued years ago under the domain of the Joupeitis. In reality the situation remained the same, as the government had undertaken the survey and measurement of the land. As a resurvey would have taken several more years, the District Administrator decided to leave the survey in the hands of a native commissioner who, with his counsel, supervises the survey. Boundaries are established. The system allowing natives to make decisions seems to prove itself. It flatters their pride, even though in reality the District Administrator decides questions and disputes.

Legislation: Changes in inheritance rights will affect the transition from tenure to ownership: whereas under tenure rights, inheritance took place through the matrilineage, it will now be reversed and follow the patrilineage with the eldest son as heir. New real estate regulations are to be printed on the reverse side of the registration document in Ponapean language.
Regulations should be administered by the Joupeitis, Nanmarki, and the Chiefs of the four provinces. As the Joupeitis will share in part of the taxes, they will be interested in the execution of services. Payment may be accepted in lieu of labor.

Settlement on Government land: Islanders from the low islands should be encouraged, but not obliged, to settle on the high islands. The vacated low islands should become government property and leased to the companies. Boats are to ply between these islands to collect the copra, and allow cultivation of the plantations.

Chiefs from Pingelap, Mokil, and Ngatik have inspected the land on Dschokadsch. Chiefs of low islands agreed to voluntary resettlement of their peoples. Announcement was made at the last meeting that the emigrants would be given 24 hours to participate in the transition.

Road construction on Ponape: A road of 20 km. and 2.25 m. width is under construction. Further roads are not deemed necessary. It would be advisable for military purposes to build one road to encircle the island.

Memorial for Navy personnel.

Transportation of natives: from Pingelap, 77, and 14 from Mokil. There were 28 men, 32 women, and 31 children. They were landed in Ponape, and it is expected that more will follow their example. Their sole duty is to plant 300 coconut palms per annum.

Pingelap Group: Pingelap & Teke: Appr. 800 natives live on the west side
of Pingelap. Drinking water is available only on the main island. Food consists of coconut and taro, pork and fish.

The eye disease prevalent in the South Sea Islands has now affected the younger natives of the island. A Protestant missionary is established on Pingelap, as well as a native trader of the Jaluit Co.

**Mokil:** The Mokil group consists of three islands: Kalap, Manton, and Urak. 200 natives live on Kalap where drinking water is available. Conditions are similar to those on Pingelap.

**Truk:** Taxes are collected at the rate of Mk. 6.- per head, of which Mk. 1.- goes to the Chiefs who collect the taxes. A new residence for the station administrator is built on the Uitotal Hill, close to the Laeneis Hill, site of the station. Plans are discussed to build hospitals. A permanent doctor might be established on Toloas. The Jaluit Co. is established on Eten, and has ten traders, mainly colored, on the Truk islands.

**Conditions of waterways:** Improvement of anchoring facilities is in progress.

**New Mecklenburg North (Kaewieng):** Inspection of road building. Plantation begins to be productive. Partial lease of land is under consideration. Cattle breeding: cattle have been affected by pest. Sheep thrive well. Strain of horses could be improved with the import of breeding stock.

**New Mecklenburg South (Namatanai):** Government station is on Namatanai. Government buildings: residences for the station administrator and the
policemen--office and barracks of 40 men on the police force. A residence for the doctor and hospitals are planned. Plantations: the government has planted appr. 2000 palm trees, as well as a research garden of 2 ha. Each policeman was given a small piece of land for cultivation.

Private Plantations:
1. Bismarck Archipel Co. has 400 ha. on Bopire west of Nabuto Bay. The seat of the company has been transferred to Bopire from Herbertshoehe. The plantation is worked by 150 natives. The company also has the plantation Aropa on Bougainville.

2. Herneim & Co. owns 100 ha., of which only 5 ha. have been cultivated.

3. Matendeduk Plantation Co. has been recently formed, and owns 500 ha. planted with palm trees. The company has appr. 100 workers.

4. Mr. Hansen has 500 ha. on Karu, of which 100 ha. are cultivated.

5. Mr. Grigat has 180 ha. near Messi, of which 100 ha. are cultivated.

6. An engineer of Lloyds has secured a new plantation near Komalu on the West coast opposite Karu.

7. Mr. Scheringer has begun a new plantation of 120 ha.

8. Land has been leased from the government by 15 Chinese. The largest of these plantation in Kabahudu is owned by the Chinese Co. Ah Tam of Matupi, and consists of 200 ha., of which 120 ha. are cultivated.

Natives are also starting to cultivate plantations.
A trading station has been established by the German Trading and Plantation Co. of the South Sea Islands in Hamburg. The company employs 8 Chinese traders and is established in Namatanai.

Livestock: goats have endangered the young plants and were given to the natives. Import of sheep is considered. Private source shows interest in raising cattle.

Streets: A coastal path has been built on the West and East coasts.

Taxes: Mk. 5.\textdollar\textendash per head. In the year 1910 appr. 22,000 Mk. were raised in taxes.

Missions: 1. Catholic Mission of the Sacred Heart of Jesu, and
2. the Methodist Mission of Australia.

Shipping: the mailboat is maintained by the North German Lloyd.

Return to Rabaul: July 18.
Summarization: The basis for land distribution and inheritance enactment was established in meetings with the Jaupeiti while in Ponape during April and May, 1911.

The conditions for land distribution had to be changed, as the natives' passive resistance to land surveys was encountered. Land measurement is now supervised by a commission. New regulations have been accepted.

November 7, 1911 from Imperial District Administration, Ponape to Imperial Government, Rabaul: Refers to report on land distribution and the marking of real estate by natives instead of land surveyors.

December 23, 1909 from the Secretary of State, Colonial Office, Berlin: Activities of land surveyors serve regulation of private land ownership. It is therefore advisable that landowners, white or native, contribute to the cost of the surveys. If the District Administrator agrees, the approval of the Governor must be obtained before this is carried out.

February 8, 1912 from the Governor, Rabaul, to the Secretary of State: Submitting copy of a report of September 13, 1911 from Ponape.
From: Imperial District Administration, Ponape
To: Imperial Governor, Rabaul
Date: March 16, 1912
Subject: Land acquisition by the Capuchin Mission
Islands: Mortlock - Truk - Ponape

Summarization: The Capuchin Mission has acquired 4 small lots of land in the Mortlocks and 2 in the Truk Islands; together these lots are 4.5 ha.

The mission wishes to buy 100 ha. on Ponape near Kolinie on the new way through Not for plantation purposes. It is not clear whether the natives would wish to sell the land. The mission would, however, like to know whether the government would agree to the purchase.

June 5, 1912 from the Governor, Rabaul, to the Imperial District Administration, Ponape: The government has no objection to the mission's acquisition of 200 to 300 ha. (at Mk. 1.- per ha.) on Ponape. Guidelines for land transactions are to be applied. Consent of government must be obtained for resale. Established conditions for land transactions with missions do not apply to the island district.

November 29, 1912 from Imperial District Administration, Ponape to the Imperial Governor, Rabaul: Confirming reception of communication of June 5, 1912.

Page 140: cancelled.
From: Imperial Governor, German New Guinea, Rabaul
To: Imperial District Administration, Ponape
Date: February 2, 1912
Subject: Land ownership documents
Island: Ponape

Summarization: Requests copies of land ownership documents to be used in Rabaul.

March 19, 1912 from the Imperial District Administration, Ponape to Imperial District Administration, Yap: Requesting dispatch of forms stored in Yap.

April 3, 1912 from Imperial District Administration, Yap, to Imperial District Administration, Ponape: The land documents are not at hand.

June 28, 1912 from Imperial District Administration, Ponape, to Imperial Government, Rabaul: Five copies dispatched.

August 30, 1912 from the Governor to the Colonial Institute, Hamburg: One item on B.A. (?) and three items; for information.

Ownership document: see Vol.XIX, Document 10, pages 98-100, as summarized on pages 6-8.
From: Imperial Governor of New Guinea, Rabaul
To: Imperial District Administration, Ponape
Date: November 12, 1912
Subject: Land acquisition of Capuchin Mission (See Vol.XIX, Document 10)

Islands: Truk Islands

Summarization: Land available for plantation in the Truk Lagoon must be first submitted to the East Caroline Co. for inclusion in the lease contract. Based on scrutiny of land acquisition by East Caroline establishments, sale of land to third parties is to be discontinued, taking into consideration the growth of Trukese population.

October 30, 1912 from Pater Ignatius, Truk, East Carolines to Imperial Government, Rabaul: Having cleared with the administration the acquisition of land on Truk, several pieces of land totalling 45 ha. have been acquired. Information has now been obtained that acquisition of real estate is left to the Governor's discretion. With reference to the "Law of the Protectorate," request is forwarded to grant acquisition of the real estate.

December 10, 1912 from Rabaul to the Capuchin Mission, Truk: In response to application of October 30, 1912, decision on the mission's acquisition of real estate in Truk will have to be reviewed by the local administration and submitted to the Governor.
Office memos of May 12, 1913, November 14, 1913, December 6, 1913, and March 28, 1914: Additional presentations of application.

May 15, 1914: Memo to Rabaul: Father Superior of the Capuchin Mission in Truk has declared that the mission wishes to acquire 30 ha. on the island of Toloas for plantation purposes. This request has never been answered. He requests that permission be granted before effective date of the East Carolines contract.
From: Secretary of State, Imperial Colonial Office, Berlin
To: Imperial District Administrator, Ponape
Date: January 6, 1913
Subject: Cost of land surveys
Island: Ponape

Summarization: Information on landowners' participation in the cost of land survey has not yet been received. Requests information.
From: Secretary of State, Imperial Colonial Office, Berlin
To: Governor, Rabaul
Date: November 9, 1912 (Rabaul, January 2, 1913)
Subject: Land Distribution
Island: Ponape

Summarization: Requests response to communication relating to decree of December 23, 1909.