



**FILE
START**

**Some pages
unreadable
and/or missing**

More info on why

Computer # _____

TRUST TERRITORY OF THE PACIFIC ISLANDS--ARCHIVES SURVEY FORM

Primary Branch, Department, Bureau, or Office producing materials:

-R & D

Subgroup of the above:

LAN

Author/Title/Date of publication (if any) of specific materials:

Subject of materials: (See schedule in TTPI Files System Manual)

LAN 3, 11

Brief description: *War Claims and Congress of Micronesia Public Law of 1965*

Geographic area dealt with in materials:

TTPI at large: ✓

Individual districts: *✓*

Individual governments:

Individual islands:

Other:

Span of years covered by materials:

1955 - 1970

Format of information:

Correspondence: *✓*

Reports:

Clippings:

Other: *#*

Physical arrangement of materials: (How are they organized within the file?)

Geographically:

Chronologically:

By subjects: *✓*

By organization:

Other:

Physical location of materials: (Area where presently located)

Office: *R & D*

Subgroup: *LAN*

File cabinet number: *YOSIO*

Drawer number:

File folder number:

Estimated quantity of materials: *1 folder*

Recorded by: *JH*

Date: *10/6/81*

Disposition of originals:

Microfilm roll No.: *TTA 1* Frame #:

Computer # _____

TRUST TERRITORY OF THE PACIFIC ISLANDS--ARCHIVES SURVEY FORM

Primary Branch, Department, Bureau, or Office producing materials:

R & D

Subgroup of the above:

LAN

Author/Title/Date of publication (if any) of specific materials:

Subject of materials: (See schedule in TTPI Files System Manual)

LAN 3, 11

Brief description: *War Claims and Congress of Micronesia Public Law of 1965*

Geographic area dealt with in materials:

- ☒ TTPI at large:
- ☒ Individual districts:
- ☒ Individual governments:
- ☒ Individual islands:
- ☐ Other:

Span of years covered by materials:

1955 - 1970

Format of information:

- ☒ Correspondence:
- ☐ Reports:
- ☐ Clippings:
- ☐ Other:

Physical arrangement of materials: (How are they organized within the file?)

- ☐ Geographically:
- ☐ Chronologically:
- ☒ By subjects:
- ☐ By organization:
- ☐ Other:

Physical location of materials: (Area where presently located)

- Office: R & D Subgroup: LAN
- File cabinet number: 80510
- Drawer number:
- File folder number:
- Estimated quantity of materials: 1 folder

Recorded by: *JH*

Date: 10/6/81

Disposition of originals:

Microfilm roll No.: TTA 1 Frame #:

January 30, 1970

abb

DRW:HP
90-1-23-1413

Mitchell Melich, Esquire
Solicitor
Department of the Interior
Washington, D.C. 20240

Dear Mr. Melich:

There is enclosed one copy each of defendant's response to plaintiffs' pretrial statements in the following cases:

Fitial v. U.S., No. 215-68
Veronica L. Camacho v. U.S., No. 245-68
Taigakan v. U.S., No. 246-68
Igisaia v. U.S., No. 247-68
Pedro P. Camacho v. U.S., No. 248-68
Ana C. Castro v. U.S., No. 249-68
Gregorio P. Castro v. U.S., No. 310-68
Matsunaga v. U.S., No. 311-68
Ngiraigai v. U.S., No. 312-68
Uchel v. U.S., No. 314-68

Plaintiff did not furnish a pretrial statement in Palacios v. United States, No. 313-68, and we do not have sufficient copies of plaintiffs' pretrial statements in the other cases available to furnish you at this time. According to the Commissioner's order, plaintiffs will have 60 days in which to respond to defendant's statements. Thereafter, a pretrial would seem essential.

We will keep you informed currently as to the status of these cases. In the meantime, it will be appreciated if you will extend the thanks of this Department

ORW:HP
90-1-23-1413

January 30, 1970

abb

Mitchell Melich, Esquire
Solicitor
Department of the Interior
Washington, D.C. 20240

Dear Mr. Melich:

There is enclosed one copy each of defendant's response to plaintiffs' pretrial statements in the following cases:

Fitia v. U.S., No. 215-68
Veronica L. Camacho v. U.S., No. 245-68
Taisakan v. U.S., No. 246-68
Igisaia v. U.S., No. 247-68
Pedro P. Camacho v. U.S., No. 248-68
Ana C. Castro v. U.S., No. 249-68
Gregorio P. Castro v. U.S., No. 310-68
Matsunaga v. U.S., No. 311-68
Ngiraigai v. U.S., No. 312-68
Uehel v. U.S., No. 314-68

Plaintiff did not furnish a pretrial statement in Palacios v. United States, No. 313-68, and we do not have sufficient copies of plaintiffs' pretrial statements in the other cases available to furnish you at this time. According to the Commissioner's order, plaintiffs will have 60 days in which to respond to defendant's statements. Thereafter, a pretrial would seem essential.

We will keep you informed currently as to the status of these cases. In the meantime, it will be appreciated if you will extend the thanks of this Department.

90-1-23-1413

-2-

to Maynard Neas, War Claims Officer in the office of the Attorney General of the Trust Territory, and the other persons who prepared the comprehensive litigation reports and compiled the voluminous documents which were furnished to us in these matters.

Sincerely,

Assistant Attorney General
Land and Natural Resources Division

By:

Herbert Pittle
Attorney

Enclosures

Rev. 7-18-88

cc: Mr. Joaquin F. Borja

BOHN BUILDING - P. O. BOX 2
AGANA, GUAM 96910
TELEPHONE 777-8811

CALIFORNIA OFFICES
592 MARKET STREET
SAN FRANCISCO
840 FIRST STREET, BENICIA
CABLE ADDRESS: ALL OFFICES
ARBOHN

July 16, 1970

Mr. Robert A. Hefner
Attorney General
Office of the High Commissioner
Trust Territory of the Pacific Islands
Saipan, M. I. 96950

Re: Mariano L. G. Borja Estate

Dear Mr. Hefner:

We previously inquired at your office concerning the submission of War Damage Claims and Claims against the United States for taking and the use of land in the Trust Territory.

You replied on March 27, 1970, that the matter was pending and that claims were not being accepted. Please advise me if there have been any developments as to claims of the above type.

This is to assure that no statute of limitations has been put into effect for the said claims.

Thank you very much for your cooperation.

Very truly yours,

ARRIOLA, BOHN & DIERKING

JOHN C. DIERKING, JR.

jcd/dm

cc: Mr. Joaquin F. Borja

John C. Harting, Jr., Rep.
c/o Arrivals, Delta B Building
Delta Building
P. O. Box 2
Albany, Oreg. 97310

Dear Mr. Dickinson

This will acknowledge receipt of your letter of March 10, 1970. In regard to filing a new Bridge Visa in behalf of the Bureau of Marine, E. C. Smith and Ann Florence Smith.

States to advise that application forms for this type of claim (pre-merger) have not been issued. The chance of accepting and settlement of the Orange Claims is awaiting legislative action by the United States Congress. Replications of issues have been presented by some persons and have been filed pending instructions as to the manner of proceeding and modification of claims.

DECLARATION OF INTENT, prepared during hostilities in World War
may be filled with the War Claims Office, 21st Territory Building,
Washington.

We regret that we are unable to give more specific information at this time. Public announcements will be made when the necessary

Plaster of Paris.

Robert A. Butler
Attorney General

File: Legal

SECTION	
HC	
DHC	
AD	
CS	
PA	
REF	
AG	
AGB	
ASU	
AUD	
SGP	
COM	
CRD	
EC	
HSC	
ED	
AO	
SPD	
MO	
NS	
PAD	
TRK	
PT	
SPV	
TS	
SIGNATURE	
HC	
DHC	
AD	
CS	
PA	
REF	
AG	<i>[Signature]</i>

March 27, 1970

John C. Dierking, Jr., Esq.
c/o Arriola, Bohn & Dierking
Bohn Building
P. O. Box X
Agana, Guam 96910

Dear Mr. Dierking:

This will acknowledge receipt of your letter of March 19, 1970, in regard to filing a War Damage Claim in behalf of the Estates of Mariano L. G. Borja and Ana Flores Borja.

Please be advised that application forms for this type of claim (War Damage) have not been issued. The manner of accepting and settlement of War Damage Claims is awaiting legislative action by the United States Congress. Declarations of losses have been presented by some persons and have been filed pending instructions as to the manner of processing and adjudication of claims.

Declarations of losses incurred during hostilities in World War may be filed with the War Claims Office, Trust Territory of the Pacific Islands.

We regret that we are unable to give more specific information at this time. Public announcements will be made when so authorized.

Sincerely yours,

Robert A. Bacher
Attorney General

File:Legal

ROUTING	
EC	
EDC	
AD	
CS	
PA	
REG	
AG	
AGB	
ASU	
AUD	
SAF	
COM	
CNO	
EC	
ESC	
EP	
ED	
EC	
MS	
FAO	
TE	
SPV	
TS	
SIGNATURE	
EC	
DHC	
AD	
CS	
PA	
REG	
AG	

Rev. 7-19-68

LAW OFFICES OF
ARRIOLA, BOHN & DIERKING

BOHN BUILDING - P. O. BOX X
AGANA, GUAM 96910
TELEPHONE 252200X

777-8811-12-13

CALIFORNIA OFFICE
582 MARKET STREET
SAN FRANCISCO
640 FIRST STREET, BENICIA
CABLE ADDRESS: ALL OFFICES
ARBOHN

March 19, 1970

Mr. Edward Johnson, High Commissioner
Trust Territory of the Pacific Islands
Marianas Islands District
Saipan, Marianas Islands 96950

VIA AIRMAIL

Re: Ancillary Administration of the
Estates of Mariano L. G. Borja
and Ana Flores Borja

Dear Sir:

This firm serves the Administrator in the above estate upon which Ancillary Letters of Administration have been issued to him by the High Court of the Trust Territory of the Pacific Islands. The Administrator of the said estates is Mr. Joaquin Borja.

One of the assets of the estate is a large claim for property damage resulting from the bombardment of the island of Palau during World War II. It is my understanding that War Damage Claims are now being considered and that application forms for the same are available from your office.

Please confirm this and forward to us several copies of the said forms.

Thank you very much for your assistance in this matter.

Very truly yours,

ARRIOLA, BOHN & DIERKING

By: *John C. Dierking, Jr.*
John C. Dierking, Jr.

JCD, Jr./jmc

cc: Mr. Joaquin Borja
P. O. Box 617, Agana, Guam.

LAW OFFICES OF
ARRIOLA, BOHN & DIERKING

BOHN BUILDING - P. O. BOX 2
AGANA, GUAM 96910
TELEPHONE 263-2000X

777-8811-12-13

Nooney
CALIFORNIA OFFICE
582 MARKET STREET
SAN FRANCISCO
640 FIRST STREET, BENICIA
CABLE ADDRESS: ALL OFFICES
"ARBOHN"

March 19, 1970

Mr. Edward Johnson, High Commissioner
Trust Territory of the Pacific Islands
Marianas Islands District
Saipan, Marianas Islands 96950

VIA AIRMAIL

Re: Ancillary Administration of the
Estates of Mariano L. G. Borja
and Ana Flores Borja

Dear Sir:

This firm serves the Administrator in the above estate upon which Ancillary Letters of Administration have been issued to him by the High Court of the Trust Territory of the Pacific Islands. The Administrator of the said estates is Mr. Joaquin Borja.

One of the assets of the estate is a large claim for property damage resulting from the bombardment of the island of Palau during World War II. It is my understanding that War Damage Claims are now being considered and that application forms for the same are available from your office.

Please confirm this and forward to us several copies of the said forms.

Thank you very much for your assistance in this matter.

Very truly yours,

ARRIOLA, BOHN & DIERKING

By: *[Signature]*
John C. Dierking, Jr.

JCD, Jr./jmc-d

cc: Mr. Joaquin Borja
P. O. Box 617, Agana, Guam.



TRUST TERRITORY OF THE PACIFIC ISLANDS
OFFICE OF THE HIGH COMMISSIONER
SAIPAN, MARIANA ISLANDS 96950

CABLE ADDRESS
HICOTT SAIPAN

April 14, 1971

NOTE

The enclosed tabulation is a summary of verbal declarations of losses incurred by approximately 1,000 heads of families of the Palau District during combat operation in World War II in the various villages of Palau District. The basic material was collected in 1946 during the time Palau was under U.S. Military Government. No attempt has been made to verify the declarations of loss or the value of the property lost or damaged.

A copy of the basic material showing losses by village and name of the person making the declaration of loss is on file in the Office of the Attorney General, Trust Territory of the Pacific Islands, Saipan, M. I. 96950.

[Signature]
Richard F. Miyamoto
Attorney General

4,769,156.88

September 24, 1948

A) Damage to real and personal property.

1, Native boats -----	128,849.00 yen	
2, Buildings -----	1,454,916.50	
3, Coconut trees -----	504,145.00	
4, Stocks -----	29,294.50	
5, Crops trees -----	269,389.69	
6, Household furnishings -----	85,348.65	
7, Fruit trees -----	20,660.41	
TOTAL		2,492,603.75

B) Rental of land, none

C) Insurance or contractual claims against Japanese Government Insurance companies, South seas company or other Japanese.

1, The amount insured (Japanese Government Post office)	503.90	
2, The amount insured (Daiichi cyohei Insurance Co: -The first conscription insurance Co:)	36,000.00	
Total		36,503.90

D) Postal savings, war bonds, year redeemed by American,

yen receipted for but not yet redeemed, March 1948, Exchange only yen (cash)	1,422,597.60 yen	
Exchange yen not yet after this take up yen from personal but not yet redeemed (March 1947)	24,402.70	
First time (1947) Application.		
Post savings	554,511.19 yen	
" " (District funds)	142,592.83	
TOTAL		697,104.02

* National loan	7,871.50	
TOTAL		705,835.52

Supplement application (1948)

Post savings	38,434.84 yen	
National loan	1,605.00	
TOTAL		40,039.84

Labor claims	25,713.53	
Manokwari-New Guinea		
(D) TOTAL		2,240,049.23

GRAND TOTAL **4,769,168.88**

TRUST TERRITORY OF THE PACIFIC ISLANDS
Office of the High Commissioner
Saipan, Mariana Islands

Maignard Nees

October 1, 1967
Serial: LMO549

MEMORANDUM

TO : Addressees as listed below

FROM : Director of Land Management

SUBJECT: "Land Tenure in Relation to Economic Development" by Dr. R. G. Crocombe.

The twenty-sixth Session of the South Pacific Commission (Proceedings paragraph 34 (b), 1964) authorized a regional survey of the problems of the adaptation of customary land tenure systems to economic conditions in the Pacific Islands. Dr. Ronald G. Crocombe, a New Zealander who is the Executive Officer, New Guinea Research Unit, the Australian National University, completed the survey towards the end of 1966.

In the draft work programme for 1968 and 1969 to be considered at the Seventh (1967) South Pacific Conference in October 1967 and the subsequent Session, a proposal is made for the organization, early in 1968, of a teaching seminar for Pacific Islanders, on the adaptation of customary land tenure systems to modern economic conditions. This will be followed immediately by a seminar at a higher level in which they would also participate.

At the Sixth South Pacific Conference a representative from the Territory of Papua and New Guinea asked that this report be made available in simple English so that it could be studied by members of legislative assemblies, councils, and others to whom English is a second language. The twenty-eight session (proceedings, para. 25) observed: "It would be of great value if the results of the survey could be made available in simple language in anticipation of a wide distribution of the report in Pacific Territories and for study by Pacific Islanders."

To ensure that the report is widely read and understood, the South Pacific Commission has engaged an expert in languages to prepare a simple English version of the report. This will be in a much more concise form, with the arguments presented more simply and in language in which a relatively uneducated person could follow the concepts which Dr. Crocombe has presented. This version of the report will be distributed to districts as soon as it becomes available to Headquarters Office of Land Management.

I have attached one copy (or more if indicated) of Dr. Crocombe's Report ("Improving Land Tenure" - a survey of the problems of adapting customary land tenure systems to modern economic conditions in the region served by the South Pacific Commission).

returned on 10/8/68
154/10
Completed by me dated 10/3/57
Mc 40, 4078
All 2, 100 22

Maynard Neas

TRUST TERRITORY OF THE PACIFIC ISLANDS
Office of the High Commissioner
Saipan, Mariana Islands

MEMORANDUM

October 1, 1967
Serial:LMOS49

TO : Addressees as listed below

FROM : Director of Land Management

SUBJECT: "Land Tenure in Relation to Economic Development" by Dr. R. G. Crocombe

The twenty-sixth Session of the South Pacific Commission (Proceedings paragraph 34 (b), 1964) authorized a regional survey of the problems of the adaption of customary land tenure systems to economic conditions in the Pacific Islands. Dr. Ronald G. Crocombe, a New Zealander who is the Executive Officer, New Guinea Research Unit, the Australian National University, completed the survey towards the end of 1966.

In the draft work programme for 1968 and 1969 to be considered at the Seventh (1967) South Pacific Conference in October 1967 and the subsequent Session, a proposal is made for the organization, early in 1969, of a teaching seminar for Pacific Islanders, on the adaptation of customary land tenure systems to modern economic conditions. This will be followed immediately by a seminar at a higher level in which they would also participate.

At the Sixth South Pacific Conference a representative from the Territory of Papua and New Guinea asked that this report be made available in simple English so that it could be studied by members of legislative assemblies, councils, and others to whom English is a second language. The twenty-eight session (proceedings, para. 28) observed:- "It would be of great value if the results of the survey could be made available in simple language in anticipation of a wide distribution of the report in Pacific Territories and for study by Pacific Islanders."

To ensure that the report is widely read and understood, the South Pacific Commission has engaged an expert in languages to prepare a simple English version of the report. This will be in a much more concise form, with the arguments presented more simply and in language in which a relatively unschooled person could follow the concepts which Dr. Crocombe has presented. This version of the report will be distributed to districts as soon as it becomes available to Headquarters Office of Land Management.

I have attached one copy (or more if indicated) of Dr. Crocombe's Report ("Improving Land Tenure" - a survey of the problems of adapting customary land tenure systems to modern economic conditions in the region served by the South Pacific Commission).

Page 2.

Dr. Ronald Crocombe is visiting this Trust Territory in early December this year as an accredited expert to the South Pacific Commission to appraise developments in land tenure in the Western Pacific since his last visit here in 1965.

I would appreciate any comments you or your staff may wish to make on this report. Additional copies are available if required. District Administrators and District Land Management Officers have already received a distribution.

William A. McGrath
William A. McGrath

Distribution: (Headquarters)

Deputy High Commissioner
Chief Justice
Attorney General
Assistant Commissioner, Administration
Assistant Commissioner, Community Services
Assistant Commissioner, Public Affairs
Assistant Commissioner, Resources & Development
Deputy Assistant Commissioner, Resources & Development
Director of Public Health
Director of Planning
Director, Peace Corps/Micronesia (8)
Director of Agriculture (10)
Director of Education (10)
Associate Justice, Majuro
Associate Justice, Palau
Director of Community Development
Chief Engineer
Chairman Interim Planning Committee
Director of Public Works
Director of Budget & Finance
Director of Economic Development
Staff Economist
Project Manager, Hawaii Architects & Engineers, Inc. (7)
Political Affairs Officer
Public Information Officer
Senior Land Commissioner, Mariana Islands District
Administrative Officer, Administration
Legislative Counsel, Congress of Micronesia (4)
Public Defender
Maynard Neas

Page 2.

Dr. Ronald Crocombe is visiting this Trust Territory in early December this year as an accredited expert to the South Pacific Commission to appraise developments in land tenure in the Western Pacific since his last visit here in 1965.

I would appreciate any comments you or your staff may wish to make on this report. Additional copies are available if required. District Administrators and District Land Management Officers have already received a distribution.

William A. McGrath
William A. McGrath

Distribution: (Headquarters)

Deputy High Commissioner
Chief Justice
Attorney General
Assistant Commissioner, Administration
Assistant Commissioner, Community Services
Assistant Commissioner, Public Affairs
Assistant Commissioner, Resources & Development
Deputy Assistant Commissioner, Resources & Development
Director of Public Health
Director of Planning
Director, Peace Corps/Micronesia (8)
Director of Agriculture (10)
Director of Education (10)
Associate Justice, Majuro
Associate Justice, Palau
Director of Community Development
Chief Engineer
Chairman Interim Planning Committee
Director of Public Works
Director of Budget & Finance
Director of Economic Development
Staff Economist
Project Manager, Hawaii Architects & Engineers, Inc. (7)
Political Affairs Officer
Public Information Officer
Senior Land Commissioner, Mariana Islands District
Administrative Officer, Administration
Legislative Counsel, Congress of Micronesia (4)
Public Defender
Maynard Neas

CONGRESS OF MICRONESIA

PUBLIC LAWS

1965

CONGRESS OF MICRONESIA

PUBLIC LAWS

1965

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-1
[A. R. NO. 3/ A. D. 2]

GENERAL SESSION
1965

AN ACT

Adopting an official flag of Micronesia and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Flag of Micronesia. There shall be and there is hereby adopted an official Territorial flag of Micronesia, which shall consist of a circle of six white stars centered on a field of blue. The width of the flag of Micronesia shall bear a ratio to its length of 1 to 1.9, and the width of the flag to the width of a star the ratio of 5 to 1. The flag may be reproduced for unofficial purposes with different dimensions.

Section 2. Flag of Micronesia display. The flag of Micronesia shall be displayed in the open only from sunrise until sunset and during such hours shall be displayed only on buildings, flagstaffs, or halyards.

The flag of Micronesia shall be hoisted briskly and lowered ceremoniously.

When the flag of Micronesia is flown or displayed together with the flag of the United States on separate masts or staffs, it shall be flown or displayed at approximately the same level with that of the United States flag, provided that the flag of Micronesia shall occupy a position left of the flag of the United States, when looking out from the building or platform. When the flag of Micronesia is flown or displayed with the flag of the United States on a single staff or halyard, the flag of Micronesia shall be flown or displayed below the United States flag. When the flag of Micronesia

A N A C T

Adopting an official flag of Micronesia and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Flag of Micronesia. There shall be and there is hereby adopted an official Territorial flag of Micronesia, which shall consist of a circle of six white stars centered on a field of blue. The width of the flag of Micronesia shall bear a ratio to its length of 1 to 1.9, and the width of the flag to the width of a star the ratio of 5 to 1. The flag may be reproduced for unofficial purposes with different dimensions.

Section 2. Flag of Micronesia display. The flag of Micronesia shall be displayed in the open only from sunrise until sunset and during such hours shall be displayed only on buildings, flagstaves, or halyards.

The flag of Micronesia shall be hoisted briskly and lowered ceremoniously.

When the flag of Micronesia is flown or displayed together with the flag of the United States on separate masts or staffs, it shall be flown or displayed at approximately the same level with that of the United States flag, provided that the flag of Micronesia shall occupy a position left of the flag of the United States, when looking out from the building or platform. When the flag of Micronesia is flown or displayed with the flag of the United States on a single staff or halyard, the flag of Micronesia shall be flown or displayed below the United States flag. When the flag of Micronesia

is flown or displayed together with the flags of the United States and the United Nations on separate masts or staffs, the three flags shall be flown or displayed at approximately the same level in the following manner of positions: the flag of the United States shall occupy the right-hand position; the flag of Micronesia shall occupy the center position; and the flag of the United Nations shall occupy the left-hand position when looking out from the building or platform. When the flag of the United States is flown or displayed above or higher than the flags of Micronesia and the United Nations, the flag of Micronesia shall occupy the right-hand position in relation to the flag of the United States, when looking forward from the building or platform. The flag of the United States may be flown or displayed above or higher than the flag of Micronesia, but on no account may the flag of Micronesia be flown or displayed above the United States flag; nor may the flag of the United Nations be flown or displayed above or higher than the flag of Micronesia, or vice versa.

When the flag of Micronesia is flown alone at such time as by official order the flag of the United States is being flown at half mast, the flag of Micronesia shall also be flown at half mast.

is flown or displayed together with the flags of the United States and the United Nations on separate masts or staffs, the three flags shall be flown or displayed at approximately the same level in the following manner of positions: the flag of the United States shall occupy the right-hand position; the flag of Micronesia shall occupy the center position; and the flag of the United Nations shall occupy the left-hand position when looking out from the building or platform. When the flag of the United States is flown or displayed above or higher than the flags of Micronesia and the United Nations, the flag of Micronesia shall occupy the right-hand position in relation to the flag of the United States, when looking forward from the building or platform. The flag of the United States may be flown or displayed above or higher than the flag of Micronesia, but on no account may the flag of Micronesia be flown or displayed above the United States flag; nor may the flag of the United Nations be flown or displayed above or higher than the flag of Micronesia, or vice versa.

When the flag of Micronesia is flown alone at such time as by official order the flag of the United States is being flown at half mast, the flag of Micronesia shall also be flown at half mast.

Section 3. This Act shall take effect upon its approval by the High Commissioner.

Attest:
Speaker, The General Assembly

Attest: *Bethuel Henry*
Legislative Secretary

Approved August 19, 1965

Sgd: M. W. Goding
High Commissioner

PUBLIC LAW NO. 1-1
P.G. 3

Section 3. This Act shall take effect upon its approval
by the High Commissioner.

[Signature]
Speaker, The General Assembly

Attest: *[Signature]*
Legislative Secretary

Approved August 19, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-2
A. B. No. 93/A. D. 17

GENERAL SESSION
1965

AN ACT

Providing for the Designation of July 12 as Micronesia Day

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. The Twelfth Day of July is hereby designated as
Micronesia Day, commemorating the inauguration of the Congress of
Micronesia, to be observed by Micronesian citizens and non-citizens
alike throughout the Trust Territory as a national holiday.

Section 2. The High Commissioner shall announce annually
the observation of July 12 with an appropriate proclamation.

Section 3. This Act shall become effective upon signature
by the High Commissioner.

[Signature]
Speaker, The General Assembly

Attest: *[Signature]*
Legislative Secretary

Approved August 19, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-2
[A. B. No. 93/A. D. 17]

GENERAL SESSION
1965

A N A C T

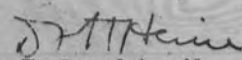
Providing for the Designation of July 12 as Micronesia Day

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

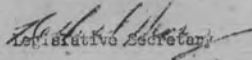
Section 1. The Twelfth Day of July is hereby designated as Micronesia Day, commemorating the inauguration of the Congress of Micronesia, to be observed by Micronesian citizens and non-citizens alike throughout the Trust Territory as a national holiday.

Section 2. The High Commissioner shall announce annually the observation of July 12 with an appropriate proclamation.

Section 3. This Act shall become effective upon signature by the High Commissioner.


Speaker, The General Assembly

Attest:


Legislative Secretary

Approved August 19, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-3
[A. B. No. 42]

GENERAL SESSION
1965

A N A C T

Providing for the compilation, codification and publication of the public laws, statutes and public regulations of the Trust Territory of the Pacific Islands, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Until further provision is made for the compilation, indexing, codification and publication of the public laws and statutes, the Code of the Trust Territory of the Pacific Islands published December 31, 1959, as revised and amended by duly constituted authority, is adopted as the authoritative publication of public law.

Section 2. Statutes enacted by the Congress of Micronesia, and approved in accordance with the provisions of Secretarial Order No. 2632 in each session shall be assembled and published as the Session Laws of the session during which they are enacted and approved. Such publication shall be within thirty (30) days following the close of the session. First publication may be in temporary format with reproduction by mimeograph or other similar reproduction process. Provision may then be made for further reproduction in such form that the session laws may be incorporated into or as a supplement or annex to the Code pending further codification.

AN ACT

Providing for the compilation, codification and publication of the public laws, statutes and public regulations of the Trust Territory of the Pacific Islands, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Until further provision is made for the compilation, indexing, codification and publication of the public laws and statutes, the Code of the Trust Territory of the Pacific Islands published December 31, 1959, as revised and amended by duly constituted authority, is adopted as the authoritative publication of public law.

Section 2. Statutes enacted by the Congress of Micronesia, and approved in accordance with the provisions of Secretarial Order No. 2832 in each session shall be assembled and published as the Session Laws of the session during which they are enacted and approved. Such publication shall be within thirty (30) days following the close of the session. First publication may be in temporary format with reproduction by mimeograph or other similar reproduction process. Provision may then be made for further reproduction in such form that the session laws may be incorporated into or as a supplement or annex to the Code pending further codification.

Section 3. There is hereby established a Committee on the Code to consider and to make recommendations on the organization and publication of public laws of the Trust Territory and to report such recommendations to the next regular session of the Congress of Micronesia. The Committee is authorized to take such action as may be practicable to provide for interim revision, codification and publication of existing public law. This may include the reorganization of Code chapters and sections, deletion and removal of provisions which have been amended, superseded, or which have become inoperative, or "dead letter" material. Applicable and effective public law now in the form of executive orders shall be prepared and incorporated into the Code as early as practicable. The Committee on the Code shall be composed of the Attorney General of the Trust Territory or his designee, the Chief Justice of the Trust Territory or his designee, and the Legislative Counsel of the Congress of Micronesia.

Section 4. Public rules and regulations having the force and effect of law shall be published in a separate compilation to be designated as the "Code of Public Regulations." This compilation shall incorporate all sections and provisions now included in the Code which are essentially regulatory or rule-making in nature: rules or regulations approved and promulgated by the High Commissioner in the implementation of specific

Section 3. There is hereby established a Committee on the Code to consider and to make recommendations on the organization and publication of public laws of the Trust Territory and to report such recommendations to the next regular session of the Congress of Micronesia. The Committee is authorized to take such action as may be practicable to provide for interim revision, codification and publication of existing public law. This may include the reorganization of Code chapters and sections, deletion and removal of provisions which have been amended, superseded, or which have become inoperative, or "dead letter" material. Applicable and effective public law now in the form of executive orders shall be prepared and incorporated into the Code as early as practicable. The Committee on the Code shall be composed of the Attorney General of the Trust Territory or his designee, the Chief Justice of the Trust Territory or his designee, and the Legislative Counsel of the Congress of Micronesia.

Section 4. Public rules and regulations having the force and effect of law shall be published in a separate compilation to be designated as the "Code of Public Regulations." This compilation shall incorporate all sections and provisions now included in the Code which are essentially regulatory or rule-making in nature; rules or regulations approved and promulgated by the High Commissioner in the implementation of specific

provisions of the Code or of enactments of the Congress of Micronesia; executive orders or regulations promulgated in the discharge of executive responsibility pursuant to effective orders of the Secretary of the Interior; orders or regulations, pertaining to or stemming from the responsibilities of the High Commissioner for carrying out the international obligations undertaken by the United States with respect to the Trust Territory, and other such specific materials now incorporated in the Code as regulations pertaining to specific subject matter areas designated as Public Health Regulations, Plant and Animal Quarantine Regulations, Office of Land Management Regulations, Emigration and Immigration Regulations, and Marine and Maritime Regulations (now called Regulations of the Board of Marine Inspectors).

Vetoed Section 5. Appropriation. For the purposes of this Act and to facilitate the work of the Committee on the Code, there is hereby appropriated from any available funds in the unappropriated surplus of the General Fund, the sum of Three Thousand Dollars, (\$3,000.00).

Section 6. Effective Date. This Act shall take effect upon approval by the High Commissioner.

D. H. H. H.
Speaker, The General Assembly

Attest: *[Signature]*
Legislative Secretary

Approved August 20, 1965

Sgd: M. W. Goding
High Commissioner

UNITED STATES DEPARTMENT OF INTERIOR
Trust Territory of the Pacific Islands
Office of the High Commissioner
Saipan, Mariana Islands
96950

August 20, 1965

The Honorable Dwight Heine
Speaker of the General Assembly
Congress of Micronesia

Dear Mr. Speaker:

I am returning A. B. NO. 42 with my approval except for an "Item Veto" of Section 5 of the Bill. In accordance with Section 14 of Secretarial Order No. 2882, as amended, I would like to give my reasons for such action.

While it is not out of the ordinary for there to be appropriation within a legislative bill, it would be better practice to incorporate all appropriations in one bill.

The use of the words "General Fund" in Section 5 of the bill tends to be misleading as we understand the term to include, among others, funds that are appropriated by the United States Congress for the Government of the Trust Territory of the Pacific Islands.

Section 5 of Secretarial Order No. 2882, Amendment No. 1, provides that "Money bills enacted by the Congress of Micronesia shall not provide for the appropriation of funds in excess of such amounts as are from revenues, raised pursuant to the tax laws and other revenue laws of the Trust Territory."

On its face, therefore, Section 5 of A. B. NO. 42 appears to authorize funds for its implementation from monies not raised as provided in Section 5, Secretarial Order No. 2882, Amendment No. 1, and therefore in conflict with the Secretarial Order. It is for this apparent conflict that I am "Item Vetoing" the section in question.

For your information, I plan on funding for the implementation of the bill, in the amount of \$3,000.00, through the Attorney General's office so that A. B. NO. 42 will not become ineffective due to lack of funds.

Sincerely yours,

/s/ M. W. Goding
M. W. Goding
High Commissioner

Attachment: Pursuant to Section 14 of Secretarial Order No. 2882, as amended, I hereby object to Section 5 of Public Law No. 1-3.

(Sgd) M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-4
D. B. No. 247

GENERAL SESSION
1965

A M A C T

Providing for the survival of causes of action after death of tortfeasor, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Survival of causes of action after death of tortfeasor or other person liable.

(a) A cause of action based on tort shall not be lost or abated because of the death of the tortfeasor or other person liable. An action thereon may be brought or continued against the personal representative of the deceased person, but punitive or exemplary damages may not be awarded nor penalties adjudged in the action.

(b) Where a cause of action arises simultaneously with or after the death of the tortfeasor or other person who would have been liable if his death had not (1) occurred simultaneously with the act, omission, circumstance, or event giving rise to the cause of action; or (2) intervened between the wrongful act, omission, circumstance, or event and the coming into being of the cause of action, an action to enforce it may be maintained against the personal representative of the tortfeasor or other person.

A-M A C T

Providing for the survival of causes of action after death of tortfeasor,
and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Survival of causes of action after death of tortfeasor or
other person liable.

(a) A cause of action based on tort shall not be lost or abated
because of the death of the tortfeasor or other person liable. An action
thereon may be brought or continued against the personal representative of
the deceased person, but punitive or exemplary damages may not be awarded
nor penalties adjudged in the action.

(b) Where a cause of action arises simultaneously with or after
the death of the tortfeasor or other person who would have been liable if
his death had not (1) occurred simultaneously with the act, omission, cir-
cumstance, or event giving rise to the cause of action; or (2) intervened
between the wrongful act, omission, circumstance, or event and the coming
into being of the cause of action, an action to enforce it may be main-
tained against the personal representative of the tortfeasor or other
person.

Section 2. This Act shall take effect upon approval by the High
Commissioner.

Frederick J. ...
President, The House of Delegates

Approved August 20, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-4
/D. B. No. 24/

GENERAL SESSION
1965

Section 2. This Act shall take effect upon approval by the High Commissioner.

Frederick D. ...
President, The House of Delegates

Approved August 20, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-5
/A. B. No. 29/

GENERAL SESSION
1965

AN ACT

Prohibiting the misuse of government-donated food, and for other purposes.

BE ENACTED BY THE CONGRESS OF MICRONESIA: /

Section 1. Unauthorized disposition of certain foods. Whoever having any responsibility for disposition of any food commodity donated under any program of the United States Government or the Trust Territory Government willfully makes any unauthorized disposition of such food commodity, or whoever, not being an authorized recipient thereof, willfully converts to his own use or benefit any such food commodity, shall, upon conviction thereof, be punished by a fine not exceeding \$500.00, or by imprisonment for not more than six months, or both.

Section 2. This Act shall take effect upon approval by the High Commissioner.

Frederick D. ...
Speaker, The General Assembly

Approved August 20, 1965

Attest:

Robert ...
Legislative Secretary

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-5
A. B. No. 29

GENERAL SESSION
1965

AN ACT

Prohibiting the misuse of government-donated food, and for other purposes.

BE ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Unauthorized disposition of certain foods. Whoever having any responsibility for disposition of any food commodity donated under any program of the United States Government or the Trust Territory Government willfully makes any unauthorized disposition of such food commodity, or whoever, not being an authorized recipient thereof, willfully converts to his own use or benefit any such food commodity, shall, upon conviction thereof, be punished by a fine not exceeding \$500.00, or by imprisonment for not more than six months, or both.

Section 2. This Act shall take effect upon approval by the High Commissioner.

Speaker, The General Assembly

Approved August 20, 1965

Attest:

Legislative Secretary

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-6
A. B. No. 23/A. D. 2

GENERAL SESSION
1965

AN ACT

to delineate the primary powers and responsibilities of the Trust Territory Government, District Governments, and Municipal and local Governments, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Government of the Trust Territory: Primary Responsibilities and Powers. The Government of the Trust Territory, herein referred to as the territorial government, through the High Commissioner and the Congress of Micronesia, subject to applicable Departmental Orders, shall have primary responsibility for the following:

(a) Problems of territory-wide concern including, but not limited to, requests for action by the United States Congress and activities involving relations with any other government or government agency outside the Trust Territory.

(b) Construction and maintenance of primary roads and harbor facilities used extensively for activities serving the whole or a major part of a district - especially those at district centers - including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of such harbors, if deemed advisable. Those roads and harbors to be considered as primary are to be so designated by the territorial government.

(c) Control of banking, organization of business corporations, business associations, credit unions and cooperatives, insurance, sale of securities, and public utilities, including the exclusive

A N A C T

to delineate the primary powers and responsibilities of the Trust Territory Government, District Governments, and Municipal and local Governments, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Government of the Trust Territory: Primary Responsibilities and Powers. The Government of the Trust Territory, herein referred to as the territorial government, through the High Commissioner and the Congress of Micronesia, subject to applicable Departmental Orders, shall have primary responsibility for the following:

- (a) Problems of territory-wide concern including, but not limited to, requests for action by the United States Congress and activities involving relations with any other government or government agency outside the Trust Territory.
- (b) Construction and maintenance of primary roads and harbor facilities used extensively for activities serving the whole or a major part of a district - especially those at district centers - including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of such harbors, if deemed advisable. Those roads and harbors to be considered as primary are to be so designated by the territorial government.
- (c) Control of banking, organization of business corporations, business associations, credit unions and cooperatives, insurance, sale of securities, and public utilities, including the exclusive

licensing of such activities. Persons and companies engaged in these activities shall be subject to local general taxation, but not subject to any local licensing requirements or payment of license fees for these activities other than to the territorial government.

(d) Control of the establishment and operation of and investment in businesses and corporations by non-citizens of the Trust Territory.

(e) Establishment and control of the terms and conditions under which importing and exporting licenses shall be issued.

(f) Making of grants to districts and municipalities.

(g) Exclusive control of import, export, and income taxes including any so-called excise taxes which are actually collected on the basis of imports.

(h) Support of all judicial activities in the Trust Territory, except for assistance from municipalities as provided in Section 3(a)(6) below.

(i) Support of public education to the extent as may be required by law.

(j) Support of public health to the extent as may be required by law.

(k) Law enforcement as set forth in the Code of the Trust Territory.

licensing of such activities. Persons and companies engaged in these activities shall be subject to local general taxation, but not subject to any local licensing requirements or payment of license fees for these activities other than to the territorial government.

(d) Control of the establishment and operation of and investment in businesses and corporations by non-citizens of the Trust Territory.

(e) Establishment and control of the terms and conditions under which importing and exporting licenses shall be issued.

(f) Making of grants to districts and municipalities.

(g) Exclusive control of import, export, and income taxes including any so-called excise taxes which are actually collected on the basis of imports.

(h) Support of all judicial activities in the Trust Territory, except for assistance from municipalities as provided in Section 3(a)(6) below.

(i) Support of public education to the extent as may be required by law.

(j) Support of public health to the extent as may be required by law.

(k) Law enforcement as set forth in the Code of the Trust Territory.

Section 2. District Governments: Primary Responsibilities and Powers.

(a) District governments may be formed by charter granted by the territorial government. The jurisdiction of such government, on governments, will extend to the whole of an administrative district, as defined by Section 39 of the Trust Territory Code. Unless and until such a district government is chartered in a district, its government shall consist of its chartered legislature, the District Administrator, and their respective employees as provided below.

(b) Chief Executive Officer. In each district in which there is or shall be a chartered district-wide legislative body the District Administrator, in addition to his duties as representative of the High Commissioner, shall be the chief executive officer of the district government and as such shall be responsible for the execution of all district laws. He shall annually present to the district legislature a proposed budget and such other recommendations as he deems best for the welfare of the district. Such budget shall be based upon the revenues anticipated as a result of district legislation and such grants or subsidies as may be allocated by the territorial government and shall cover all recommended appropriations by the district legislature.

(c) Responsibilities. Subject to all territory-wide laws, the district governments (and in the case of Yap, the Yap Islands Congress in cooperation with the District Administrator, unless

Section 2. District Governments: Primary Responsibilities and Powers.

(a) District governments may be formed by charter granted by the territorial government. The jurisdiction of such government, on governments, will extend to the whole of an administrative district, as defined by Section 39 of the Trust Territory Code. Unless and until such a district government is chartered in a district, its government shall consist of its chartered legislature, the District Administrator, and their respective employees as provided below.

(b) Chief Executive Officer. In each district in which there is or shall be a chartered district-wide legislative body the District Administrator, in addition to his duties as representative of the High Commissioner, shall be the chief executive officer of the district government and as such shall be responsible for the execution of all district laws. He shall annually present to the district legislature a proposed budget and such other recommendations as he deems best for the welfare of the district. Such budget shall be based upon the revenues anticipated as a result of district legislation and such grants or subsidies as may be allocated by the territorial government and shall cover all recommended appropriations by the district legislature.

(c) Responsibilities. Subject to all territory-wide laws, the district governments (and in the case of Yap, the Yap Islands Congress in cooperation with the District Administrator, unless

and until a district-wide legislature for the Yap District is established) shall be primarily responsible for:

- (1) Liquor control, including the right to collect wholesale liquor license fees and to impose taxes on alcoholic beverages, provided that neither of these shall be based on imports or volume or value of imports.
- (2) Land Law.
- (3) Inheritance Law.
- (4) Domestic relations.
- (5) The construction and maintenance of secondary roads connecting two or more municipalities, and docks used extensively for travel between two or more municipalities, including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of harbors in which such docks are located. These roads and docks that are to be considered as "secondary" are to be so designated by the district legislature (in the case of Yap those that are to be considered as secondary within the Yap Islands proper by the Yap Islands Congress, and outside the Yap Islands proper by the District Administrator), subject to the approval of the High Commissioner.
- (6) Exclusive issuance of licenses for wholesale businesses, other than banking, insurance, sale of securities, and public utilities, including the exclusive right to collect fees for such licenses, provided these are not based on imports or the volume or value of imports, except as provided in Section 1(c) herein and Section 1102 of the Code of the Trust Territory.

and until a district-wide legislature for the Yap District is established) shall be primarily responsible for:

(1) Liquor control, including the right to collect wholesale liquor license fees and to impose taxes on alcoholic beverages, provided that neither of these shall be based on imports or volume or value of imports.

(2) Land law.

(3) Inheritance law.

(4) Domestic relations.

(5) The construction and maintenance of secondary roads connecting two or more municipalities, and docks used extensively for travel between two or more municipalities, including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of harbors in which such docks are located. These roads and docks that are to be considered as "secondary" are to be so designated by the district legislature (in the case of Yap those that are to be considered as secondary within the Yap Islands proper by the Yap Islands Congress, and outside the Yap Islands proper by the District Administrator), subject to the approval of the High Commissioner.

(6) Exclusive issuance of licenses for wholesale businesses, other than banking, insurance, sale of securities, and public utilities, including the exclusive right to collect fees for such licenses, provided these are not based on imports or the volume or value of imports, except as provided in Section 1(c) herein and Section 1102 of the Code of the Trust Territory.

(7) The imposition and collection of sales taxes, and the authorizing of municipalities to impose and collect excise taxes on any items other than foodstuffs.

(8) Support of public education as may be required by law.

(9) Support of public health as may be required by law.

(d) Treasurer. There shall be on the staff of the District Administrator, a District Treasurer appointed by the district legislature for a term specified by the legislature, subject, however, to removal for cause at any time by the District Administrator. The District Treasurer shall receive a salary for his services from the appropriated district funds in an amount and under such conditions as the district legislature shall provide.

The District Treasurer shall:

(1) Receive, maintain, and disburse funds under the authority of the district legislature and under the direction and supervision of the District Administrator.

(2) Keep complete and accurate records of all funds received, maintained and disbursed by him in such manner as prescribed by the District Administrator. (Such records shall be open to inspection and audit by the district legislature, District Administrator, and the territorial government.)

(3) Submit an annual report to the District Administrator and the District Legislature of all funds received and disbursed by him during each fiscal year.

(7) The imposition and collection of sales taxes, and the authorizing of municipalities to impose and collect excise taxes on any items other than foodstuffs.

(8) Support of public education as may be required by law.

(9) Support of public health as may be required by law.

(d) Treasurer. There shall be on the staff of the District Administrator, a District Treasurer appointed by the district legislature for a term specified by the legislature, subject, however, to removal for cause at any time by the District Administrator. The District Treasurer shall receive a salary for his services from the appropriated district funds in an amount and under such conditions as the district legislature shall provide.

The District Treasurer shall:

(1) Receive, maintain, and disburse funds under the authority of the district legislature and under the direction and supervision of the District Administrator.

(2) Keep complete and accurate records of all funds received, maintained and disbursed by him in such manner as prescribed by the District Administrator. (Such records shall be open to inspection and audit by the district legislature, District Administrator, and the territorial government.)

(3) Submit an annual report to the District Administrator and the District Legislature of all funds received and disbursed by him during each fiscal year.

(4) Act as collection and fiscal agent for the territorial government as may be required by law.

(e) Disqualification for membership in District Legislatures. In all elections held after December 31, 1968, the following shall be ineligible to be candidates for membership in any district legislature:

(1) All judges

(2) All members of the Insular Constabulary

(3) All employees of either the Trust Territory or District Administration thereof, who hold positions as assistant department heads or higher.

Section 3. Municipalities, Towns, and Local Governments Functioning Under a Traditional Form of Organization: Primary Responsibilities and Powers.

(a) Subject to all territory-wide laws and all district laws of their respective districts, municipalities shall be primarily responsible for:

(1) Legislation affecting particularly the peace, safety, and public welfare of their own inhabitants, without special or discriminatory effect on those from outside the municipality who are licensed by either the district or the Trust Territory.

(2) Licensing and collecting license fees of retail businesses within the municipality, subject, however, to all applicable territorial government or district laws.

(4) Act as collection and fiscal agent for the territorial government as may be required by law.

(e) Disqualification for membership in District Legislatures.

In all elections held after December 31, 1968, the following shall be ineligible to be candidates for membership in any district legislature:

- (1) All judges
- (2) All members of the Insular Constabulary
- (3) All employees of either the Trust Territory or District Administration thereof, who hold positions as assistant department heads or higher.

Section 3. Municipalities, Towns, and Local Governments Functioning Under a Traditional Form of Organization: Primary Responsibilities and Powers.

(a) Subject to all territory-wide laws and all district laws of their respective districts, municipalities shall be primarily responsible for:

(1) Legislation affecting particularly the peace, safety, and public welfare of their own inhabitants, without special or discriminatory effect on those from outside the municipality who are licensed by either the district or the Trust Territory.

(2) Licensing and collecting license fees of retail businesses within the municipality, subject, however, to all applicable territorial government or district laws.

(3) The imposition and collection of head taxes, property taxes on any items other than foodstuffs, and such excise taxes as the district may authorize; provided, however, that none of these shall be based on imports, or the value or volume of imports.

(4) The construction and maintenance of public roads and docks which have not been designated as either primary or secondary, including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of harbors in which such docks are located, if deemed advisable.

(5) All necessary law enforcement not otherwise provided for.

(6) Making available to the courts a suitable municipal building for court sittings away from established courthouses; providing incidental clerical assistance for such sittings, including all sittings of the Community Court in their municipality, to the extent this may be done without serious detriment to municipal business; and providing a bailiff for all Community Court sittings and such occasional sittings of the High Court or the District Court as may be held for short periods in their municipality away from established courthouses.

(7) Support of public education as may be required by law.

(8) Support of public health as may be required by law.

(b) No municipal ordinance shall provide for any penalty greater than twenty-five dollars (\$25.00) fine or thirty (30) days imprisonment or both; nor shall any municipality legislate on any

(3) The imposition and collection of head taxes, property taxes on any items other than foodstuffs, and such excise taxes as the district may authorize; provided, however, that none of these shall be based on imports, or the value or volume of imports.

(4) The construction and maintenance of public roads and docks which have not been designated as either primary or secondary, including acquiring or providing for adequate space for public utilities and set-back from such roads and docks and control of harbors in which such docks are located, if deemed advisable.

(5) All necessary law enforcement not otherwise provided for.

(6) Making available to the courts a suitable municipal building for court sittings away from established courthouses; providing incidental clerical assistance for such sittings, including all sittings of the Community Court in their municipality, to the extent this may be done without serious detriment to municipal business; and providing a bailiff for all Community Court sittings and such occasional sittings of the High Court or the District Court as may be held for short periods in their municipality away from established courthouses.

(7) Support of public education as may be required by law.

(8) Support of public health as may be required by law.

(b) No municipal ordinance shall provide for any penalty greater than twenty-five dollars (\$25.00) fine or thirty (30) days imprisonment or both; nor shall any municipality legislate on any

of the subjects specified in Sections 1 and 2 as the primary responsibility of the territorial government or the district governments.

(c) Effective July 1, 1966, any municipal charter inconsistent herewith is hereby amended to accord with this section.

Section 4. Section 43 of the Code of the Trust Territory is hereby repealed, and Section 44 is hereby revised to the extent necessary to conform with the provisions of this Act.

Section 5. This Act shall take effect upon approval by the High Commissioner.

D. J. McKinn
Speaker, The General Assembly

Attest: *E. H. I. Hargis*
Legislative Secretary

Approved August 23, 1965

Sgd: M. W. Goding
High Commissioner

of the subjects specified in Sections 1 and 2 as the primary responsibility of the territorial government or the district governments.

(c) Effective July 1, 1966, any municipal charter inconsistent herewith is hereby amended to accord with this section.

Section 4. Section 43 of the Code of the Trust Territory is hereby repealed, and Section 44 is hereby revised to the extent necessary to conform with the provisions of this Act.

Section 5. This Act shall take effect upon approval by the High Commissioner.

D. J. Jackson
Speaker, The General Assembly

Attest: *S. L. H. H. H.*
Legislative Secretary

Approved August 23, 1965

Sgd: M. W. Goding
High Commissioner

AN ACT

Providing for trial by jury in certain criminal and civil cases, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

TRIAL BY JURY
IN CERTAIN CRIMINAL CASES

Section 1. Adoption by a District Legislature. This chapter may be adopted as to any district of the Trust Territory by an act of the district legislature thereof having the force and effect of law. After the effective date of such an act, all trials subject to the terms of this chapter in that district shall be governed hereby, but this chapter shall have no force and effect in any district whose district legislature has not so adopted it.

Section 2. Right to Trial by Jury. Any person accused by information of a felony punishable by more than five (5) years imprisonment or by more than two thousand dollars (\$2,000.00) fine, or both, shall be entitled to a trial by a jury of six (6) persons and the Federal Rules of Criminal Procedure heretofore or hereafter promulgated shall be applicable thereto, except that the jury shall be of six persons or such smaller number as the parties may stipulate with the approval of the court and the government shall be entitled to three (3) peremptory challenges and the defendant or defendants jointly to five (5) peremptory challenges. If there is more than one defendant, the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly.

Section 3. Qualifications of Jurors. Any citizen of the Trust Territory or of the United States who has attained the age of eighteen (18) years

AN ACT

Providing for trial by jury in certain criminal and civil cases, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

TRIAL BY JURY
IN CERTAIN CRIMINAL CASES

Section 1. Adoption by a District Legislature. This chapter may be adopted as to any district of the Trust Territory by an act of the district legislature thereof having the force and effect of law. After the effective date of such an act, all trials subject to the terms of this chapter in that district shall be governed hereby, but this chapter shall have no force and effect in any district whose district legislature has not so adopted it.

Section 2. Right to Trial by Jury. Any person accused by information of a felony punishable by more than five (5) years imprisonment or by more than two thousand dollars (\$2,000.00) fine, or both, shall be entitled to a trial by a jury of six (6) persons and the Federal Rules of Criminal Procedure heretofore or hereafter promulgated shall be applicable thereto, except that the jury shall be of six persons or such smaller number as the parties may stipulate with the approval of the court and the government shall be entitled to three (3) peremptory challenges and the defendant or defendants jointly to five (5) peremptory challenges. If there is more than one defendant, the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly.

Section 3. Qualifications of Jurors. Any citizen of the Trust Territory or of the United States who has attained the age of eighteen (18) years

and who has resided within the district for a period of one (1) year immediately prior to jury service, is competent to serve as a juror; unless:

- (a) He has been convicted in a court of record, in any jurisdiction of a crime punishable by imprisonment for more than one (1) year and his civil rights have not been restored by pardon or amnesty;
- (b) He is unable to read, write, speak, and understand either English or the principal local language of the part of the district in which he is to serve;
- (c) He is incapable by reason of mental or physical infirmities to render efficient jury service;
- (d) He is incompetent to serve as a juror by any law of the Trust Territory.

Section 4. Exemptions. The following persons shall be exempt from jury service:

- (a) Members in actual service in the Armed Forces of the United States;
- (b) Members of the Insular Constabulary or of the Police or Fire Department of the Trust Territory or any subdivision thereof;
- (c) Public officers in the executive, legislative, or judicial branches of the Government of the Trust Territory or a subdivision thereof who are actively engaged in the performance of official duties.

and who has resided within the district for a period of one (1) year immediately prior to jury service, is competent to serve as a juror; unless:

- (a) He has been convicted in a court of record, in any jurisdiction of a crime punishable by imprisonment for more than one (1) year and his civil rights have not been restored by pardon or amnesty;
- (b) He is unable to read, write, speak, and understand either English or the principal local language of the part of the district in which he is to serve;
- (c) He is incapable by reason of mental or physical infirmities to render efficient jury service;
- (d) He is incompetent to serve as a juror by any law of the Trust Territory.

Section 4. Exemptions. The following persons shall be exempt from jury service:

- (a) Members in actual service in the Armed Forces of the United States;
- (b) Members of the Insular Constabulary or of the Police or Fire Department of the Trust Territory or any subdivision thereof;
- (c) Public officers in the executive, legislative, or judicial branches of the Government of the Trust Territory or a subdivision thereof who are actively engaged in the performance of official duties.

Section 5. Exclusion or Excuse from Service.

- (a) A judge of the High Court for good reason may excuse or exclude from jury service any person called as a juror;
- (b) Any class or group of persons may, for the public interest, be excluded from the jury panel or excused from service as jurors by order of a High Court Judge based on a finding that such jury service would entail undue hardship, extreme inconvenience, or serious obstruction or delay in the fair and impartial administration of justice;
- (c) No citizen of the Trust Territory or of the United States shall be excluded from service as a juror on account of race, color, or religion.

Section 6. Manner of Drawing Juries. The names of jurors for an array shall be publicly drawn from a box containing the names of not less than one hundred (100) qualified persons at the time of each drawing. The jury-box shall from time to time be refilled by the Clerk of Courts of the district or one of his Assistant Clerks of Courts and the Presiding Judge of the District Court or an Associate District Court Judge designated by such Presiding Judge.

The judge and the clerk or assistant clerk shall alternately place one name in the box until the box shall contain at least one hundred (100) names

Section 5. Exclusion or Excuse from Service.

- (a) A judge of the High Court for good reason may excuse or exclude from jury service any person called as a juror;
- (b) Any class or group of persons may, for the public interest, be excluded from the jury panel or excused from service as jurors by order of a High Court Judge based on a finding that such jury service would entail undue hardship, extreme inconvenience, or serious obstruction or delay in the fair and impartial administration of justice;
- (c) No citizen of the Trust Territory or of the United States shall be excluded from service as a juror on account of race, color, or religion.

Section 6. Manner of Drawing Juries. The names of jurors for an array shall be publicly drawn from a box containing the names of not less than one hundred (100) qualified persons at the time of each drawing. The jury box shall from time to time be refilled by the Clerk of Courts of the district or one of his Assistant Clerks of Courts and the Presiding Judge of the District Court or an Associate District Court Judge designated by such Presiding Judge.

The judge and the clerk or assistant clerk shall alternately place one name in the box until the box shall contain at least one hundred (100) names

or such larger number as the court determines. The judge and the clerk or assistant clerk shall obtain these names in a manner approved by the court.

Section 7. Apportionment Within a District.

- (a) Jurors shall from time to time be selected from such parts of the districts as the court directs so as to be most favorable to an impartial trial, and not incur unnecessary expense or unduly burden the residents of any part of the district with jury service. To this end the court may direct the maintenance of separate jury boxes for some or all of the places for holding court in the district.
- (b) Jurors summoned for service at one place for holding court in a district may, if the public convenience so requires and the jurors will not be unduly burdened thereby, be directed by the court to serve at another place in the same district.

Section 8. Talesmen from Bystanders. Whenever sufficient jurors are not available, the court may require the Sheriff to summon a sufficient number of talesmen from the bystanders.

Section 9. Summoning Jurors. When a court orders an array of jurors to be drawn, the Clerk of Courts or an Assistant Clerk of Courts shall issue summons for the number of jurors determined by the court to be required, and deliver such summons to the Sheriff for service.

Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business.

or such larger number as the court determines. The judge and the clerk or assistant clerk shall obtain these names in a manner approved by the court.

Section 7. Apportionment Within a District.

- (a) Jurors shall from time to time be selected from such parts of the districts as the court directs so as to be most favorable to an impartial trial, and not incur unnecessary expense or unduly burden the residents of any part of the district with jury service. To this end the court may direct the maintenance of separate jury boxes for some or all of the places for holding court in the district.
- (b) Jurors summoned for service at one place for holding court in a district may, if the public convenience so requires and the jurors will not be unduly burdened thereby, be directed by the court to serve at another place in the same district.

Section 8. Talesmen from Bystanders. Whenever sufficient jurors are not available, the court may require the Sheriff to summon a sufficient number of talesmen from the bystanders.

Section 9. Summoning Jurors. When a court orders an array of jurors to be drawn, the Clerk of Courts or an Assistant Clerk of Courts shall issue summons for the number of jurors determined by the court to be required, and deliver such summons to the Sheriff for service.

Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business.

Such service shall be made by the Sheriff, or a member of the Insular Constabulary selected by him, who shall attach to his return the addressee's receipt for the registered or certified summons for services made by mail.

Section 10. Disqualification of Sheriff. Whenever the Sheriff is in the opinion of the court disqualified to summon jurors, the court may appoint some other disinterested person who shall take an oath to perform such duty truly and impartially.

Section 11. Frequency of Service. A juror may be challenged on the ground that he has been summoned and served as a juror in another array within one (1) year prior to the challenge.

Section 12. Fees. Jurors shall receive the following fees for actual attendance at the place of trial and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same: Five dollars (\$5.00) per day.

For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service, at the beginning and end of the term of service, and for all additional necessary daily transportation expense: Three cents (\$0.03) per mile, except that if a juror is transported at Government expense without charge to him, he shall receive no mileage allowance for the distance he is so transported, and except that if daily travel appears impracticable, subsistence of four dollars (\$4.00) per day shall be allowed. Whenever in any case the jury is ordered to be kept together and not to

Such service shall be made by the Sheriff, or a member of the Insular Constabulary selected by him, who shall attach to his return the addressee's receipt for the registered or certified summons for services made by mail.

Section 10. Disqualification of Sheriff. Whenever the Sheriff is in the opinion of the court disqualified to summon jurors, the court may appoint some other disinterested person who shall take an oath to perform such duty truly and impartially.

Section 11. Frequency of Service. A juror may be challenged on the ground that he has been summoned and served as a juror in another array within one (1) year prior to the challenge.

Section 12. Fees. Jurors shall receive the following fees for actual attendance at the place of trial and for the time necessarily occupied in going to and from such place at the beginning and end of such service or at any time during the same: Five dollars (\$5.00) per day.

For the distance necessarily traveled to and from a juror's residence by the shortest practicable route in going to and returning from the place of service, at the beginning and end of the term of service, and for all additional necessary daily transportation expense: Three cents (\$0.03) per mile, except that if a juror is transported at Government expense without charge to him, he shall receive no mileage allowance for the distance he is so transported, and except that if daily travel appears impracticable, subsistence of four dollars (\$4.00) per day shall be allowed. Whenever in any case the jury is ordered to be kept together and not to

separate, the cost of subsistence during such period shall be paid upon order of the court in lieu of the foregoing subsistence allowance.

TRIAL BY JURY
IN CERTAIN CIVIL ACTIONS

Section 13. Adoption by a District Legislature. This chapter may be adopted as to any district of the Trust Territory by an act of the district legislature thereof having the force and effect of law. After the effective date of such an act, all trials subject to the terms of this chapter in that district shall be governed hereby, but this chapter shall have no force and effect in any district whose district legislature has not so adopted it.

Section 14. Right to Trial by Jury. In civil actions (other than those for annulment, divorce, adoption or eminent domain proceedings) in the Trial Division of the High Court where the amount claimed or value of the property involved exceeds one thousand dollars (\$1,000.00), exclusive of interest and costs, the parties shall be entitled to a trial by a jury of six (6) persons, of all legal (as distinguished from equitable) issues, to the same extent and under the same circumstances that they would be entitled to a trial by jury if the case were pending in a United States District Court and were within the jurisdiction of that court, and the Federal Rules of Civil Procedures heretofore or hereafter promulgated, not inconsistent herewith, shall be applicable thereto so far as all matters affecting trial by jury are concerned.

separate, the cost of subsistence during such period shall be paid upon order of the court in lieu of the foregoing subsistence allowance.

TRIAL BY JURY
IN CERTAIN CIVIL ACTIONS

Section 13. Adoption by a District Legislature. This chapter may be adopted as to any district of the Trust Territory by an act of the district legislature thereof having the force and effect of law. After the effective date of such an act, all trials subject to the terms of this chapter in that district shall be governed hereby, but this chapter shall have no force and effect in any district whose district legislature has not so adopted it.

Section 14. Right to Trial by Jury. In civil actions (other than those for annulment, divorce, adoption or eminent domain proceedings) in the Trial Division of the High Court where the amount claimed or value of the property involved exceeds one thousand dollars (\$1,000.00), exclusive of interest and costs, the parties shall be entitled to a trial by a jury of six (6) persons, of all legal (as distinguished from equitable) issues, to the same extent and under the same circumstances that they would be entitled to a trial by jury if the case were pending in a United States District Court and were within the jurisdiction of that court, and the Federal Rules of Civil Procedures heretofore or hereafter promulgated, not inconsistent herewith, shall be applicable thereto so far as all matters affecting trial by jury are concerned.

Any party on demanding a trial by jury shall pay to the Clerk of Courts a jury fee of five dollars (\$5.00) unless permission under the Trust Territory Code Section 262 to proceed without pre-payment of fees has been granted or is granted upon a motion filed on or before the day of filing of the demand for trial by jury. If the jury fee is not so paid and permission to proceed without pre-payment of fees is not so granted, the demand for trial by jury shall be of no force and effect.

Section 15. Provisions Same for Civil and Criminal Juries. Sections 3 through Section 12 of the chapter concerning trial by jury in certain criminal cases shall apply equally to juries in civil actions.

Section 16. Challenges. Each party shall be entitled to two peremptory challenges. Several defendants or several plaintiffs shall be considered as a single party for the purposes of making challenges; but if there is more than one defendant, the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly. All challenges for cause or favor, whether to array or panel or to individual jurors shall be determined by the court.

Section 17. This Act shall take effect upon approval by the High Commissioner.

W. A. Heine
Speaker, The General Assembly

Approved August 23, 1965

Sgd: M. W. Goding
High Commissioner

Richard H. Haring
Attest: Legislative Secretary

Any party on demanding a trial by jury shall pay to the Clerk of Courts a jury fee of five dollars (\$5.00) unless permission under the Trust Territory Code Section 262 to proceed without pre-payment of fees has been granted or is granted upon a motion filed on or before the day of filing of the demand for trial by jury. If the jury fee is not so paid and permission to proceed without pre-payment of fees is not so granted, the demand for trial by jury shall be of no force and effect.

Section 15. Provisions Same for Civil and Criminal Juries. Sections 3 through Section 12 of the chapter concerning trial by jury in certain criminal cases shall apply equally to juries in civil actions.

Section 16. Challenges. Each party shall be entitled to two peremptory challenges. Several defendants or several plaintiffs shall be considered as a single party for the purposes of making challenges; but if there is more than one defendant, the court may allow the defendants additional peremptory challenges and permit them to be exercised separately or jointly. All challenges for cause or favor, whether to array or panel or to individual jurors shall be determined by the court.

Section 17. This Act shall take effect upon approval by the High Commissioner.

Approved August 23, 1965

W. F. Heine
Speaker, The General Assembly

Sgd: M. W. Goding
High Commissioner

Robert J. Henry
Attest: Legislative Secretary

7

A N A C T

To provide a means for enacting and promulgating ordinances for the area in the Kwajalein Atoll, Marshall Islands District, used by the United States pursuant to Use and Occupancy Agreements with the Government of the Trust Territory, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Definitions. A. Kwajalein Test Site includes those islands, parts of islands and the territorial waters adjacent thereto in the Kwajalein Atoll, Marshall Islands District that are now or may hereafter be used by the United States military establishment pursuant to agreement with the Government of the Trust Territory.

B. The Congress of the Marshall Islands District refers to the chartered legislature of the Marshall Islands District regardless of the name said legislature may be given or adopt.

C. Notice is written communication by teletype or air mail as appropriate, but does not include communication by regular mail.

Section 2. Adoption. Whenever the Commanding Officer of Kwajalein Test Site in the Kwajalein Atoll, Marshall Islands District, desires the adoption of an ordinance applicable within Kwajalein Test Site, he may propose that such an ordinance be adopted by forwarding a draft thereof to the District Administrator of the Marshall Islands District.

A N A C T

To provide a means for enacting and promulgating ordinances for the area in the Kwajalein Atoll, Marshall Islands District, used by the United States pursuant to Use and Occupancy Agreements with the Government of the Trust Territory, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Definitions. A. Kwajalein Test Site includes those islands, parts of islands and the territorial waters adjacent thereto in the Kwajalein Atoll, Marshall Islands District that are now or may hereafter be used by the United States military establishment pursuant to agreement with the Government of the Trust Territory.

B. The Congress of the Marshall Islands District refers to the chartered legislature of the Marshall Islands District regardless of the name said legislature may be given or adopt.

C. Notice is written communication by teletype or air mail as appropriate, but does not include communication by regular mail.

Section 2. Adoption. Whenever the Commanding Officer of Kwajalein Test Site in the Kwajalein Atoll, Marshall Islands District, desires the adoption of an ordinance applicable within Kwajalein Test Site, he may propose that such an ordinance be adopted by forwarding a draft thereof to the District Administrator of the Marshall Islands District:

If the District Administrator approves the proposed ordinance he shall adopt it.

Section 3. Promulgation. Whenever an ordinance is adopted as herein provided, it shall be promulgated by the Commanding Officer of Kwajalein Test Site, who shall cause a copy thereof to be posted in a place that is accessible to all the residents of and visitors to Kwajalein Test Site.

Section 4. Effective Date. Any ordinance adopted as herein provided shall become effective on the date it is promulgated in the manner provided herein.

Section 5. Notice. Within three (3) days after the promulgation of an ordinance as herein provided, the Commanding Officer who promulgated it shall notify the District Administrator of the Marshall Islands District of the date that the ordinance was promulgated and forward copies thereof to the Congress of the Marshall Islands District, the Clerk of Courts for the Marshall Islands District Court, the High Commissioner and the Legislative Counsel of the Congress of Micronesia.

Section 6. Revocation or Suspension. Any ordinance adopted and promulgated as herein provided may be revoked or suspended by the Commanding Officer of Kwajalein Test Site, the Congress of or District Administrator for the Marshall Islands District, the High Commissioner, or the Congress of Micronesia.

If the District Administrator approves the proposed ordinance he shall adopt it.

Section 3. Promulgation. Whenever an ordinance is adopted as herein provided, it shall be promulgated by the Commanding Officer of Kwajalein Test Site, who shall cause a copy thereof to be posted in a place that is accessible to all the residents of and visitors to Kwajalein Test Site.

Section 4. Effective Date. Any ordinance adopted as herein provided shall become effective on the date it is promulgated in the manner provided herein.

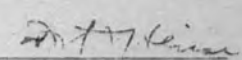
Section 5. Notice. Within three (3) days after the promulgation of an ordinance as herein provided, the Commanding Officer who promulgated it shall notify the District Administrator of the Marshall Islands District of the date that the ordinance was promulgated and forward copies thereof to the Congress of the Marshall Islands District, the Clerk of Courts for the Marshall Islands District Court, the High Commissioner and the Legislative Counsel of the Congress of Micronesia.

Section 6. Revocation or Suspension. Any ordinance adopted and promulgated as herein provided may be revoked or suspended by the Commanding Officer of Kwajalein Test Site, the Congress of or District Administrator for the Marshall Islands District, the High Commissioner, or the Congress of Micronesia.

All officials or legislative bodies having such power and the Clerk of Courts for the Marshall Islands District Court shall be notified of such revocation or suspension, and the date thereof, within three (3) days after such action by the official or legislative body taking such action.

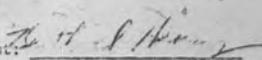
Section 7. Limitations. No ordinance adopted and promulgated as herein provided shall provide for a criminal penalty exceeding a fine of one hundred dollars or thirty days imprisonment, or both, nor shall such an ordinance be effective with respect to any person who is unable to read and understand the English language unless the substance of the provisions of such an ordinance have been translated into the language understood by such a person.

Section 8. This Act shall take effect upon approval by the High Commissioner.


Speaker, The General Assembly

Approved August 23, 1965

Sgd: M. W. Goding
High Commissioner

Attest: 
Legislative Secretary

All officials or legislative bodies having such power and the Clerk of Courts for the Marshall Islands District Court shall be notified of such revocation or suspension, and the date thereof, within three (3) days after such action by the official or legislative body taking such action.

Section 7. Limitations. No ordinance adopted and promulgated as herein provided shall provide for a criminal penalty exceeding a fine of one hundred dollars or thirty days imprisonment, or both, nor shall such an ordinance be effective with respect to any person who is unable to read and understand the English language unless the substance of the provisions of such an ordinance have been translated into the language understood by such a person.

Section 8. This Act shall take effect upon approval by the High Commissioner.

[Signature]
Speaker, The General Assembly

Approved August 23, 1965

Sgd: M. W. Goding
High Commissioner

Attest: *[Signature]*
Legislative Secretary

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-9
A. B. No. 22

GENERAL SESSION
1965

AN ACT

providing for the levy of an excise tax on the use, distribution or sale of motor vehicle fuel, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. (a) For the purpose of providing a portion of the funds to pay the cost of constructing and maintaining the system of public streets, roads, and highways, an excise tax is hereby levied upon the use, distribution or sale within the Trust Territory of all motor vehicle fuel, at the rate of five (5) cents per gallon so used, distributed or sold.

(b) The District Administrator, or his authorized representative, shall compute and collect the tax prior to such use, distribution or sale, or at the time of sale or delivery from government storage or distribution facilities, and shall deposit all sums so collected into the treasury of the Trust Territory in accordance with rules and regulations established by the Director of Budget and Finance of the Trust Territory with the approval of the High Commissioner.

(c) The Treasurer of the Trust Territory shall pay into the treasury of the district government of the district wherein the taxes were collected four (4) cents of each five (5) cents so collected. Revenue collected under this section and paid into the treasury of the district government shall be appropriated by the district legislature only for the construction and maintenance of public streets, roads, and highways and, if it deems advisable, as grants-in-aid to municipal governments for the construction and maintenance of

AN ACT

providing for the levy of an excise tax on the use, distribution or sale of motor vehicle fuel, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. (a) For the purpose of providing a portion of the funds to pay the cost of constructing and maintaining the system of public streets, roads, and highways, an excise tax is hereby levied upon the use, distribution or sale within the Trust Territory of all motor vehicle fuel, at the rate of five (5) cents per gallon so used, distributed or sold.

(b) The District Administrator, or his authorized representative, shall compute and collect the tax prior to such use, distribution or sale, or at the time of sale or delivery from government storage or distribution facilities, and shall deposit all sums so collected into the treasury of the Trust Territory in accordance with rules and regulations established by the Director of Budget and Finance of the Trust Territory with the approval of the High Commissioner.

(c) The Treasurer of the Trust Territory shall pay into the treasury of the district government of the district wherein the taxes were collected four (4) cents of each five (5) cents so collected. Revenue collected under this section and paid into the treasury of the district government shall be appropriated by the district legislature only for the construction and maintenance of public streets, roads, and highways and, if it deems advisable, as grants-in-aid to municipal governments for the construction and maintenance of

municipal streets or roads; provided, that unless and until a Yap District Legislature is established, taxes so collected in the Yap Islands and paid into the treasury of the district government shall be expended for the purposes specified above as authorized and appropriated by the Yap Islands Congress; provided, further, that taxes so collected in the Yap District outside the Yap Islands and paid into the treasury of the district government shall be expended as provided by the District Administrator.

(d) One (1) cent of each five (5) cents collected hereunder shall be available for appropriation by the Congress of Micronesia.

Section 2. The power to levy and collect taxes on motor vehicle fuel is reserved to the Government of the Trust Territory.

Section 3. This Act shall take effect on October 1, 1965.

[Signature]
Speaker, The General Assembly

Approved August 25, 1965

Sgd: M. W. Goding
High Commissioner

Attest: *[Signature]*
Legislative Secretary

municipal streets or roads: provided, that unless and until a Yap District Legislature is established, taxes so collected in the Yap Islands and paid into the treasury of the district government shall be expended for the purposes specified above as authorized and appropriated by the Yap Islands Congress; provided, further, that taxes so collected in the Yap District outside the Yap Islands and paid into the treasury of the district government shall be expended as provided by the District Administrator.

(d) One (1) cent of each five (5) cents collected hereunder shall be available for appropriation by the Congress of Micronesia.

Section 2. The power to levy and collect taxes on motor vehicle fuel is reserved to the Government of the Trust Territory.

Section 3. This Act shall take effect on October 1, 1965.

D. J. Hume
Speaker, The General Assembly

Approved August 25, 1965

Sgd: M. W. Goding
High Commissioner

Attest: *Richard Hume*
Legislative Secretary

A N A C T

Providing for the levy of an export tax on copra, trochus shell, and scrap metal, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Section 1145(h) of the Code of the Trust Territory, establishing a processing tax of fifteen percent (15%) on all articles manufactured or processed in the Trust Territory, with certain exceptions, is repealed, effective July 1, 1966.

Section 2. An export tax of ten percent (10%) is hereby levied on all copra and trochus shell produced in and exported from the Trust Territory. This section shall take effect on July 1, 1966.

Section 3. The following export taxes are hereby levied on all scrap metal exported from the Trust Territory:

- (1) Non-ferrous - twenty-five percent (25%) ad valorem.
- (2) Ferrous - five percent (5%) ad valorem.
- (3) Lead, and lead covered cable - ten percent (10%) ad valorem.

This section shall take effect on October 1, 1965.

Section 4. (a) All exporters of copra, trochus shell or scrap metal shall report all such exports to the District Administrator, or his representative, and pay the export tax provided above.

(b) The District Administrator, or his representative, shall deposit such taxes into the treasury of the Trust Territory in accordance with rules and regulations established by the Director of Budget and

AN ACT

Providing for the levy of an export tax on copra, trochus shell, and scrap metal, and for other purposes.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. Section 1145(h) of the Code of the Trust Territory, establishing a processing tax of fifteen percent (15%) on all articles manufactured or processed in the Trust Territory, with certain exceptions, is repealed, effective July 1, 1966.

Section 2. An export tax of ten percent (10%) is hereby levied on all copra and trochus shell produced in and exported from the Trust Territory. This section shall take effect on July 1, 1966.

Section 3. The following export taxes are hereby levied on all scrap metal exported from the Trust Territory:

- (1) Non-ferrous - twenty-five percent (25%) ad valorem.
- (2) Ferrous - five percent (5%) ad valorem.
- (3) Lead, and lead covered cable - ten percent (10%) ad valorem.

This section shall take effect on October 1, 1965.

Section 4. (a) All exporters of copra, trochus shell or scrap metal shall report all such exports to the District Administrator, or his representative, and pay the export tax provided above.

(b) The District Administrator, or his representative, shall deposit such taxes into the treasury of the Trust Territory in accordance with rules and regulations established by the Director of Budget and

Finance of the Trust Territory with the approval of the High Commissioner.

(c) The Treasurer of the Trust Territory shall pay fifty percent (50%) of the taxes collected hereunder into the treasury of the district government of the district wherein the taxes were collected for appropriation by the district legislature; Provided, that unless and until a Yap District Legislature is established, taxes collected in the Yap Islands and deposited in the treasury of the district government shall be expended as authorized and appropriated by the Yap Islands Congress; Provided, further, that taxes collected in the Yap District outside the Yap Islands and deposited in the treasury of the district government shall be expended as provided by the District Administrator.

(d) Any person required to furnish any records or supply any information for the purpose of computation, assessment or collection of any tax imposed or authorized by the foregoing sections, who fails to furnish such records or supply such information at the time or times required, shall, upon conviction thereof, be liable to a penalty of not more than \$100.00, or twice the value of the article or articles exported, whichever is the larger, or imprisonment for not more than thirty (30) days, or both.

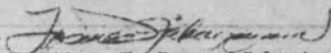
Finance of the Trust Territory with the approval of the High Commissioner.

(c) The Treasurer of the Trust Territory shall pay fifty percent (50%) of the taxes collected hereunder into the treasury of the district government of the district wherein the taxes were collected for appropriation by the district legislature; Provided, that unless and until a Yap District Legislature is established, taxes collected in the Yap Islands and deposited in the treasury of the district government shall be expended as authorized and appropriated by the Yap Islands Congress; Provided, further, that taxes collected in the Yap District outside the Yap Islands and deposited in the treasury of the district government shall be expended as provided by the District Administrator.

(d) Any person required to furnish any records or supply any information for the purpose of computation, assessment or collection of any tax imposed or authorized by the foregoing sections, who fails to furnish such records or supply such information at the time or times required, shall, upon conviction thereof, be liable to a penalty of not more than \$100.00, or twice the value of the article or articles exported, whichever is the larger, or imprisonment for not more than thirty (30) days, or both.

Section 5. Sections 772 and 1146 of the Code of the Trust Territory are hereby repealed.

Section 6. This Act shall take effect upon approval by the High Commissioner.

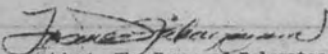

President, The House of Delegates

Approved August 25, 1965

Sgd: M. W. Goding
High Commissioner

Section 5. Sections 772 and 1146 of the Code of the Trust Territory are hereby repealed.

Section 6. This Act shall take effect upon approval by the High Commissioner.


President, The House of Delegates

Approved August 25, 1965

Sgd: M. W. Goding
High Commissioner

A N A C T

Making an appropriation of funds necessary for the operational costs of the Congress of Micronesia for Fiscal Year 1966.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. A supplemental appropriation in the amount of \$96,562.00 derived from local revenues of the Trust Territory is hereby made for the operational costs of the Congress of Micronesia for the FY 1966, to be allotted in the following manner:

I. Office of the Legislators

1. Compensation of members	\$ 23,508.00	
2. Salaries of Staffs:		
a. 2 House Secretaries(C-3)	7,490.00	
b. 2 Sergeants-at-arms(C-1a)	700.00	
c. 2 Interpreters (C-1a)	830.00	32,518.00

II. Consultation and Reference Services

1. Legislative Counsel Salary (IGS-12)	12,900.00	
2. Salaries of Staff:		
a. 1 Secretary(GS-4) 1 yr.	4,300.00	
b. 2 Stenographers(GS-4) 3 moa	3,000.00	
c. 4 Clerks \$1.00 per hr. (42 days)	1,344.00	22,044.00

III. Travel Allowances

1. Members for session	17,910.00	
2. Members, interim	1,200.00	
3. Staffs	400.00	
4. Members, Saipan residents, subsistence \$5.00 per day	900.00	20,410.00

Vetoed

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-11
D. B. NO. 327

GENERAL SESSION
1965

A N A C T

Making an appropriation of funds necessary for the operational costs of the Congress of Micronesia for Fiscal Year 1966.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. A supplemental appropriation in the amount of \$96,562.00 derived from local revenues of the Trust Territory is hereby made for the operational costs of the Congress of Micronesia for the FY 1966, to be allotted in the following manner:

I. Office of the Legislators

1. Compensation of members	\$ 23,508.00	
2. Salaries of Staffs:		
a. 2 House Secretaries(C-3)	7,430.00	
b. 2 Sergeants-at-arms(C-1a)	700.00	
c. 2 Interpreters (C-1a)	830.00	32,518.00

II. Consultation and Reference Services

1. Legislative Counsel Salary (IGS-12)	12,900.00	
2. Salaries of Staff:		
a. 1 Secretary(GS-4) 1 yr.	4,300.00	
b. 2 Stenographers(GS-4) 3 mos	3,000.00	
c. 4 Clerks \$1.00 per hr. (42 days)	1,344.00	22,044.00

III. Travel Allowances

1. Members for session	17,910.00	
2. Members, interim	1,200.00	
3. Staffs	400.00	
4. Members, Saipan residents, subsistence \$5.00 per day	900.00	20,410.00

Vetoed

PUBLIC LAW NO. 1-11
PAGE 2

IV. Operation and Maintenance

1. Office supplies	1,000.00	
2. Office equipment	1,480.00	
3. Communication	1,000.00	
4. Printing of Journal	2,000.00	
5. Books and publications	500.00	5,980.00

V. Miscellaneous Expenses

1. Physical alteration, office	2,000.00	
2. Land transportation, members	3,220.00	
3. Official representation	2,000.00	
4. Members office expense	16,500.00	23,720.00

VI. Interim Committee Compensation

2,000.00

VII. Special Session

1. Compensation of members (42 days)	22,176.00	
2. Interpreters (2)	330.00	
3. Transportation & Per Diem	11,940.00	
4. 2 Stenographers	3,000.00	
5. 4 Clerks	1,344.00	
6. 2 Sergeants-at-arms	700.00	39,390.00

Total Amount Required: \$146,562.00

Source of Funds:

FY 1966 Appropriation, U.S. Congress \$50,000.00
Supplemental Appropriation, Congress of Micronesia 96,562.00

Total Source of Funds: \$146,562.00

Section 2. The High Commissioner/Director of Budget and Finance is hereby authorized and directed to perform disbursement and other appropriate accounting services necessary to carry out the purposes of this Act.

IV. Operation and Maintenance

1. Office supplies	1,000.00	
2. Office equipment	1,480.00	
3. Communication	1,000.00	
4. Printing of Journal	2,000.00	
5. Books and publications	500.00	5,980.00

V. Miscellaneous Expenses

1. Physical alteration, office	2,000.00	
2. Land transportation, members	3,220.00	
3. Official representation	2,000.00	
4. Members office expense	18,500.00	23,720.00

VI. Interim Committee Compensation

2,000.00

VII. Special Session

1. Compensation of members (42 days)	22,176.00	
2. Interpreters (2)	330.00	
3. Transportation & Per Diem	11,940.00	
4. 2 Stenographers	3,000.00	
5. 4 Clerks	1,344.00	
6. 2 Sergeants-at-arms	700.00	39,990.00

Total Amount Required: \$146,562.00

Source of Funds:

FY 1966 Appropriation, U.S. Congress \$50,000.00
Supplemental Appropriation, Congress
of Micronesia 96,562.00

Total Source of Funds: \$146,562.00

Section 2. The High Commissioner/Director of Budget and Finance is hereby authorized and directed to perform disbursement and other appropriate accounting services necessary to carry out the purposes of this Act.

Section 3. The land transportation, members allocation shall be disbursed in amounts not to exceed \$97.50 to each member of the Congress upon request.

Section 4. The official representation allocation shall be disbursed in amounts not to exceed \$25 to each member of the Congress provided that the President of the House of Delegates and the Speaker of the General Assembly shall each receive an amount not to exceed \$500.

Section 5. The members office expense allocation shall be disbursed in amounts not to exceed \$500 to each member of the Congress upon request and be subject to approval by the Congress through a committee to be designated by each house.

Section 6. This Act shall become effective upon signature by the High Commissioner and be retroactive as of July 1, 1965, to the extent necessary to cover expenditures and commitments already made.

[Signature]
President, The House of Delegates

Approved August 26, 1965

Sgd: M. W. Goding
High Commissioner

Section 3. The land transportation, members allocation shall be disbursed in amounts not to exceed \$97.50 to each member of the Congress upon request.

Section 4. The official representation allocation shall be disbursed in amounts not to exceed \$25 to each member of the Congress provided that the President of the House of Delegates and the Speaker of the General Assembly shall each receive an amount not to exceed \$500.

Section 5. The members office expense allocation shall be disbursed in amounts not to exceed \$500 to each member of the Congress upon request and be subject to approval by the Congress through a committee to be designated by each house.

Section 6. This Act shall become effective upon signature by the High Commissioner and be retroactive as of July 1, 1965, to the extent necessary to cover expenditures and commitments already made.

[Signature]
President, The House of Delegates

Approved August 26, 1965

Sgd: M. W. Goding
High Commissioner

UNITED STATES DEPARTMENT OF INTERIOR
Trust Territory of the Pacific Islands
Office of the High Commissioner
Saipan, Mariana Islands
96950

August 27, 1965

The Honorable Tosiwo Nakayama
President of the House of Delegates
Congress of Micronesia
and
The Honorable Dwight Heine
Speaker of the General Assembly
Congress of Micronesia
Capital Hill, Saipan, M. I. 96950

Gentlemen:

I am returning D. B. No. 32 with my approval except for an "Item Veto" of Item 4 under Roman Numeral III of Section 1. of the Bill.

This item providing a \$5.00 per day subsistence allowance for Congressmen who are residents of Saipan clearly is in conflict with Section 19 of Secretarial Order 2882, as amended. Section 19 of this Order prescribes the compensation that is to be paid members of Congress, including travel expenses and per diem at standard Trust Territory Government rates. There is no provision for paying per diem, as such, to members of Congress who are not in a travel status. If a member of Congress is in a travel status while Congress is in session, or if he is in travel status while engaged on official legislative business when the Congress is not in session, he is allowed per diem at the standard Trust Territory Government rate.

The reasons why members of Congress who are residents of Saipan cannot claim travel status while in Saipan were explained in some detail by my letter of June 29, 1965 to Congressman John Mgraked, a co-author of D. B. No. 32, and in my letters of July 8, 1965, to the six Congressmen who reside on Saipan. It was further explained by members of my staff to individual Congressmen prior to the opening of the recent session as well as at various Committee hearings and conferences during the session. It should be noted that reimbursing members of Congress for out-of-pocket expenses in itself is not objectionable as long as such expenses are for legitimate purposes of government. The subsistence allowance proposed for Congressmen of Saipan while not in travel status fails to meet this test for the expenditure of public funds.

UNITED STATES DEPARTMENT OF INTERIOR
Trust Territory of the Pacific Islands
Office of the High Commissioner
Saipan, Mariana Islands
96950

August 27, 1965

The Honorable Tosiwo Nakayama
President of the House of Delegates
Congress of Micronesia
and
The Honorable Dwight Heine
Speaker of the General Assembly
Congress of Micronesia
Capital Hill, Saipan, M. I. 96950

Gentlemen:

I am returning D. B. No. 32 with my approval except for an "Item Veto" of Item 4 under Roman Numeral III of Section 1. of the Bill.

This item providing a \$5.00 per day subsistence allowance for Congressmen who are residents of Saipan clearly is in conflict with Section 19 of Secretarial Order 2882, as amended. Section 19 of this Order prescribes the compensation that is to be paid members of Congress, including travel expenses and per diem at standard Trust Territory Government rates. There is no provision for paying per diem, as such, to members of Congress who are not in a travel status. If a member of Congress is in a travel status while Congress is in session, or if he is in travel status while engaged on official legislative business when the Congress is not in session, he is allowed per diem at the standard Trust Territory Government rate.

The reasons why members of Congress who are residents of Saipan cannot claim travel status while in Saipan were explained in some detail by my letter of June 29, 1965 to Congressman John Ngraked, a co-author of D. B. No. 32, and in my letters of July 8, 1965, to the six Congressmen who reside on Saipan. It was further explained by members of my staff to individual Congressmen prior to the opening of the recent session as well as at various Committee hearings and conferences during the session. It should be noted that reimbursing members of Congress for out-of-pocket expenses in itself is not objectionable as long as such expenses are for legitimate purposes of government. The subsistence allowance proposed for Congressmen of Saipan while not in travel status fails to meet this test for the expenditure of public funds.

An additional aspect of Item 4, under Roman III of Section 1. is that it could be interpreted to imply that members of Congress, who are residents of Saipan and who might be traveling to other districts on official legislative business, would receive a per diem rate less than that provided for in the Secretarial Order. Item 4, III of Section 1 does not specify where the proposed \$5.00 subsistence for Congressmen who are Saipan residents would be effective. This, of course, is a very literal interpretation yet the wording of Item 4 would appear to be in conflict with the portion of Section 19 of Secretarial Order 2882 which provides that all Congressmen while engaged in official legislative business and while in travel status are to be paid per diem at the standard Trust Territory Government rate.

For these reasons I am obliged to line item veto Item 4, Roman III of Section 1 of D. B. Bill No. 32.

An additional aspect of D. B. No. 32 is that in its present format it has certain limiting factors. For example, by specifying so precisely the grade levels of clerks, secretaries, and other staff, unnecessary limitations have been created. Itemized appropriations need not be part of a general appropriations bill. All that is required and the better procedure is to delineate broad categories. Precise specifications such as salary rates and other allocation formulae are more appropriate in Committee reports and/or in permanent statutes. The Congress may wish to consider a more appropriate format for appropriation acts at its next session. The staff of the Budget and Finance Department will be available to offer any assistance desired.

Sincerely,
/s/ M. W. Goding
M. W. Goding
High Commissioner

An additional aspect of Item 4, under Roman III of Section 1, is that it could be interpreted to imply that members of Congress, who are residents of Saipan and who might be traveling to other districts on official legislative business, would receive a per diem rate less than that provided for in the Secretarial Order. Item 4, III of Section 1 does not specify where the proposed \$5.00 subsistence for Congressmen who are Saipan residents would be effective. This, of course, is a very literal interpretation yet the wording of Item 4 would appear to be in conflict with the portion of Section 19 of Secretarial Order 2882 which provides that all Congressmen while engaged in official legislative business and while in travel status are to be paid per diem at the standard Trust Territory Government rate.

For these reasons I am obliged to line item veto Item 4, Roman III of Section 1 of D. B. Bill No. 32.

An additional aspect of D. B. No. 32 is that in its present format it has certain limiting factors. For example, by specifying so precisely the grade levels of clerks, secretaries, and other staff, unnecessary limitations have been created. Itemized appropriations need not be part of a general appropriations bill. All that is required and the better procedure is to delineate broad categories. Precise specifications such as salary rates and other allocation formulae are more appropriate in Committee reports and/or in permanent statutes. The Congress may wish to consider a more appropriate format for appropriation acts at its next session. The staff of the Budget and Finance Department will be available to offer any assistance desired.

Sincerely,
/s/ M. W. Goding
M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-12-
/A.B. No. 45, D.B. 1/

FIRST SPECIAL SESSION
1965

A N A C T

Making an appropriation of funds for the operational costs of the Congress of Micronesia for Fiscal Year 1967.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. An appropriation in the amount of one hundred forty-five thousand dollars (\$145,000.00) is hereby made for the operational costs of the Congress of Micronesia during Fiscal Year 1967.

Section 2. This Act shall take effect upon approval by the High Commissioner.

[Signature]
Speaker, The General Assembly

Attest: *[Signature]*
Legislative Secretary

Approved August 26, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-12
/A.B. No. 45, D.D. 1

FIRST SPECIAL SESSION
1965

A N A C T

Making an appropriation of funds for the operational costs of the Congress of Micronesia for Fiscal Year 1967.

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. An appropriation in the amount of one hundred forty-five thousand dollars (\$145,000.00) is hereby made for the operational costs of the Congress of Micronesia during Fiscal Year 1967.

Section 2. This Act shall take effect upon approval by the High Commissioner.

[Signature]
Speaker, The General Assembly

Attest: *[Signature]*
Legislative Secretary

Approved August 26, 1965

Sgd: M. W. Goding
High Commissioner

CONGRESS OF
MICRONESIA

PUBLIC LAW NO. 1-13
/D. B. No. 18/ A. B. 1

GENERAL SESSION
1965

A N A C T

Providing for taxes on imports into the Trust Territory of the Pacific Islands, and for other purposes

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. (a) The following import taxes are hereby levied on products specified herein manufactured outside the Trust Territory and imported into the Trust Territory for resale:

- (1) Cigarettes - Seven (7) cents per every twenty cigarettes.
- (2) Tobacco, other than cigarettes - Fifty percent (50%) ad valorem.
- (3) Perfumery, cosmetics and toiletries, including cologne and other toilet waters, articles of perfumery, whether in sachets or otherwise, and all preparations used as applications to the hair or skin, lipsticks, pomades, powders and other toilet preparations not having medicinal properties - Twenty-five percent (25%) ad valorem.
- (4) Soft drinks and non-alcoholic beverages - at the rate of two (2) cents on each twelve (12) fluid ounces or fractional part thereof.
- (5) Beer and malt beverages - at the rate of three (3) cents per can or bottle of twelve (12) fluid ounces or fractional part thereof.

A N A C T

Providing for taxes on imports into the Trust Territory of the Pacific Islands, and for other purposes

BE IT ENACTED BY THE CONGRESS OF MICRONESIA:

Section 1. (a) The following import taxes are hereby levied on products specified herein manufactured outside the Trust Territory and imported into the Trust Territory for resale:

- (1) Cigarettes - Seven (7) cents per every twenty cigarettes.
- (2) Tobacco, other than cigarettes - Fifty percent (50%) ad valorem.
- (3) Perfumery, cosmetics and toiletries, including cologne and other toilet waters, articles of perfumery, whether in sachets or otherwise, and all preparations used as applications to the hair or skin, lipsticks, pomades, powders and other toilet preparations not having medicinal properties - Twenty-five percent (25%) ad valorem.
- (4) Soft drinks and non-alcoholic beverages - at the rate of two (2) cents on each twelve (12) fluid ounces or fractional part thereof.
- (5) Beer and malt beverages - at the rate of three (3) cents per can or bottle of twelve (12) fluid ounces or fractional part thereof.

- (6) Distilled alcoholic beverages - at the rate of six dollars (\$6.00) per wine gallon.
- (7) Wine - at the rate of One Dollar and Fifty Cents (\$1.50) per wine gallon.
- (8) All other imported products, except those specified above and gasoline, oil and petroleum lubricants, foodstuffs for human consumption, drugs, construction materials, fertilizers, seeds, farm equipment, fishing gear, livestock, poultry, books and educational materials - Five percent (5%) ad valorem. Foodstuffs except milk, rice, sugar, flour, canned fish, canned meats, shortening and cooking oils, and prepared baby foods - One percent (1%) ad valorem.

(b) The taxes imposed by this section shall be collected and deposited in the treasury of the Trust Territory by the District Administrator, or his representative, in accordance with rules and regulations established by the Director of Budget and Finance of the Trust Territory with the approval of the High-Commissioner.

(c) The Treasurer of the Trust Territory shall pay fifty percent (50%) of the taxes collected hereunder into the treasury of the district government of the district wherein the taxes were collected for appropriation by the district legislature: Provided, that unless and until a Yap District Legislature is established, taxes collected in the Yap Islands and deposited in

(6) Distilled alcoholic beverages - at the rate of six dollars (\$6.00) per wine gallon.

(7) Wine - at the rate of One Dollar and Fifty Cents (\$1.50) per wine gallon.

(8) All other imported products, except those specified above and gasoline, oil and petroleum lubricants, foodstuffs for human consumption, drugs, construction materials, fertilizers, seeds, farm equipment, fishing gear, livestock, poultry, books and educational materials - Five percent (5%) ad valorem. Foodstuffs except milk, rice, sugar, flour, canned fish, canned meats, shortening and cooking oils, and prepared baby foods - One percent (1%) ad valorem.

(b) The taxes imposed by this section shall be collected and deposited in the treasury of the Trust Territory by the District Administrator, or his representative, in accordance with rules and regulations established by the Director of Budget and Finance of the Trust Territory with the approval of the High-Commissioner.

(c) The Treasurer of the Trust Territory shall pay fifty percent (50%) of the taxes collected hereunder into the treasury of the district government of the district wherein the taxes were collected for appropriation by the district legislature: Provided, that unless and until a Yap District Legislature is established, taxes collected in the Yap Islands and deposited in

the treasury of the district government shall be expended as authorized and appropriated by the Yap Islands Congress; Provided, further, that taxes collected in the Yap District outside the Yap Islands and deposited in the treasury of the district government shall be expended as provided by the District Administrator.

(d) Of the fifty percent share of the Trust Territory as provided in (c) above, only collections made before July 1, 1967, in excess of the amount included in the budget approved by the Congress of the United States for Fiscal Year 1966 shall be available for appropriation by the Congress of Micronesia. This subsection shall expire on July 1, 1967.

(e) All taxes not paid within sixty (60) days following the receipt of goods and commodities by the importer shall be subject to a penalty of six percent (6%) interest per annum; Provided, that if nonpayment continues, the delinquent shall also be liable to any additional penalties as may be provided by law.

(f) Any commodities subject to the provision of this Act which are not received by the importer may be exempted upon certification of non-receipt by the agent of the carrier.

Section 2., Section 1143 and subsection (a) of Section 1145 of the Code of the Trust Territory are hereby repealed.

Section 3. This Act shall take effect on October 1, 1965.

Sgd: Tosiwo Nakayama
President, the House of Delegates

Approved September 3, 1965
Sgd: M. V. Goding
High Commissioner

the treasury of the district government shall be expended as authorized and appropriated by the Yap Islands Congress; Provided, further, that taxes collected in the Yap District outside the Yap Islands and deposited in the treasury of the district government shall be expended as provided by the District Administrator.

(d) Of the fifty percent share of the Trust Territory as provided in (c) above, only collections made before July 1, 1967, in excess of the amount included in the budget approved by the Congress of the United States for Fiscal Year 1966 shall be available for appropriation by the Congress of Micronesia. This subsection shall expire on July 1, 1967.

(e) All taxes not paid within sixty (60) days following the receipt of goods and commodities by the importer shall be subject to a penalty of six percent (6%) interest per annum; Provided, that if nonpayment continues, the delinquent shall also be liable to any additional penalties as may be provided by law.

(f) Any commodities subject to the provision of this Act which are not received by the importer may be exempted upon certification of non-receipt by the agent of the carrier.

Section 2.. Section 1113 and subsection (a) of Section 1115 of the Code of the Trust Territory are hereby repealed.

Section 3. This Act shall take effect on October 1, 1965.

Approved September 3, 1965

Sgd: Tosiwo Nakayama
President, the House of Delegates

Sgd: M. V. Goding
High Commissioner

9/30/60

Notes on "Old Files" - Land and Claims

Old files on land being screened. These bulky files glibly marked "Claims Gen" "Land-Misc.", etc., have been separated into categories in current file system - have been placed, loose, in current folders.

The next step is to review each folder, decide what is to be kept in "current" files. If determined to be non-current but needed for reference, to be filed in as close categories as current file system and marked by year.

There is a wealth of correspondence on original land and claims set-up but it was so disbursed throughout old files to make it difficult to figure out what had been implemented and what had not.

Also have found much info on turn-overs and answer to questions as to what various fragments of info we have previously found meant. The original "retained" areas may be cleared up in the near future if we can keep combing this "junk".

Started with L&C 5-1 folder with establishment of land and claims office. May end up w/such things as "background on _____".

Some of this may have started out as "alien property" "retained property" "war damage claims".

Look at L&C 8-1 series for status of land and progress in returning land.

Info on leases and contracts in effect Dec. 1952 to be filed in L&C 24-2 as it was related to transfer of Saipan back to the Navy.

9

9/30/60

Notes on "Old Files" - Land and Claims

Old files on land being screened. These bulky files glibly marked "Claims Gen" "Land-Misc.", etc., have been separated into categories in current file system - have been placed, loose, in current folders.

The next step is to review each folder, decide what is to be kept in "current" files. If determined to be non-current but needed for reference, to be filed in as close categories as current file system and marked by year.

There is a wealth of correspondence on original land and claims set-up but it was so disbursed throughout old files to make it difficult to figure out what had been implemented and what had not.

Also have found much info on turn-overs and answer to questions as to what various fragments of info we have previously found meant. The original "retained" areas may be cleared up in the near future if we can keep combing this "junk".

Started with L&C 5-1 folder with establishment of land and claims office. May end up w/such things as "background on _____".

Some of this may have started out as "alien property" "retained property" "war damage claims".

Look at L&C 8-1 series for status of land and progress in returning land.

Info on leases and contracts in effect Dec. 1952 to be filed in L&J 24-2 as it was related to transfer of Saipan back to the Navy.

LAND & CLAIMS FILES
Cabinets 3 & 4

L&C 1

CLAIMS

References: L&C 2 series for determinations;
L&C 13 series for T.T. and U.S. Govt areas;
L&C 7 for assessments
L&J 4-11 for work on war claims started by Washington 8/61

1-1 Palau District

#1 - General

#2 - Received prior 1958

(Notes on 9/1/60 land claims assigned
number transferred to L&C 2-2-1 - determination
file - to keep one central file of such
claims-dvc)

1-1-2 Crop and Property Damage

1-1-3 Ngaraard Dispute (formerly L&C 1-16)

1-1-4 Arkabesan Claims (formerly L&C 1-9)

1-1-5 Angaur Claim

1-1-5(a), (b) Angaur Deeds & Correspondence

L&D & CLAIMS FILES
Cabinets 3 & 4

L&C 1 CLAIMS
References: L&C 2 series for determinations;
L&C 13 series for T.T. and U.S. Govt areas;
L&C 7 for assessments
L&J 4-11 for work on war claims started by Washington 8/61

1-1 Palau District
#1 - General
#2 - Received prior 1958
(Notes on 9/1/60 land claims assigned
number transferred to L&C 2-2-1 - determination
file - to keep one central file of such
claims--dvc)

1-1-2 Crop and Property Damage

1-1-3 Ngaraard Dispute (formerly L&C 1-16)

1-1-4 Apkabesan Claims (formerly L&C 1-9)

1-1-5 Angaur Claim
1-1-5(a), (b) Angaur Deeds & Correspondence

L&C 1-2 Truk District (See L&C 13-1-10 for payment on
claims in retained areas, T.T. Admin. & U.S.)

1-2-1 Crop and Property Damage

L&C 1-3 Yap District (See L&C 13-1-7 for Ulithi claims)

1-3-1 Chamorro Claims to land

1-3-2 Borja, Mrs. Milagros F. (formerly L&C 1-6)

1-3-3 Crop and Property Damage

L&C 1-4 Etscheit Claims (some in safe) (not checked)

L&C 1-5 Ponape District

1-5-1 Crop and Property Damage

1-5-2 Herman Claim, Kusaie

1-5-3 People of Kusaie (1961)

L&C 1-2 Truk District (See L&C 13-1-10 for payment on
claims in retained areas, T.T. Admin. & U.S.)

1-2-1 Crop and Property Damage

L&C 1-3 Yap District (See L&C 13-1-7 for Ulithi claims)

1-3-1 Chamorro Claims to land

1-3-2 Borja, Mrs. Milagros F. (formerly L&C 1-6)

1-3-3 Crop and Property Damage

L&C 1-4 Etscheit Claims (some in safe) (not checked)

L&C 1-5 Ponape District

1-5-1 Crop and Property Damage

1-5-2 Herman Claim, Kusaie

1-5-3 People of Kusaie (1961)

L&C 1-6 Rota District

1-6-1 Celvo Claim (formerly L&C 1-8)

L&C 1-7 Marshall Islands District

1-7-1 Ulige/Djaritt/Rita (formerly L&C 1-15, Mike Maddison)

1-7-2 Rongelap & Uterik Claims - 1954 Fallout

1-7-3 Crop and property damage

1-7-4 Lib Feeding Program

L&C 1-8 Procedure, U.S. Military

Note: Some files not checked

L&C 1-6 Rota District

1-6-1 Calvo Claim (formerly L&C 1-8)

L&C 1-7 Marshall Islands District

1-7-1 Ulige/Djaritt/Rita (formerly L&C 1-15, Mike Maddison)

1-7-2 Rongelap & Uterik Claims - 1954 Fallout

1-7-3 Crop and property damage

1-7-4 Lib Feeding Program

L&C 1-8 Procedure, U.S. Military

Note: Some files not checked

L&C 2 HEARINGS, DECISIONS, OWNERSHIP DETERMINATIONS

References: L&J 3 series; L&C 5-1-3

See L&C 2-7 for ownership by religious groups

2-1 Marshall Islands District *

Basic - general correspondence, notices on hearings

2-1-1 Determination of Ownership & Release - by number
(numbering system is by Atoll)

2-1-2 Determinations by T.T. Courts

2-1-3 Misc. (i.e. hereditary rights, etc.)

L&C 2-2 Palau District

Basic - General correspondence, listing of determinations

2-2-1 Determination of Ownership & Release - by number
(with claim info)

2-2-2 Determinations by T.T. Courts

*Checked and reworked 11/60

L&C 2 HEARINGS, DECISIONS, OWNERSHIP DETERMINATIONS
References: L&J 3 series; L&C 5-1-3

See L&C 2-7 for ownership by religious groups

2-1 Marshall Islands District *

Basic - general correspondence, notices on hearings

2-1-1 Determination of Ownership & Release - by number
(numbering system is by Atoll)

2-1-2 Determinations by T.T. Courts

2-1-3 Misc. (i.e. hereditary rights, etc.)

L&C 2-2 Palau District

Basic - General correspondence, listing of determinations

2-2-1 Determination of Ownership & Release - by number
(with claim info)

2-2-2 Determinations by T.T. Courts

*Checked and reworked 11/60

L&C 2-3 Ponape District

2-3-1 Determination of Ownership & Release - by number

2-3-2 Pakin Atoll

2-3-3 Nanpei Estate

2-3-4 Determinations by T.T. Courts

2-3-5 Langar Island

L&C 2-4 Truk District

2-4-1 Determinations by T.T. Courts

2-4-2 Island of Ulul (formerly L&C 2-1-7)

2-4-3 Determination of Ownership & Release - by number

2-4-4 Mortlock Islands

L&C 2-5 Rota District

2-5 Determination of Ownership & Release - by number

Some of these files need further checking

L&C 2-3 Ponape District

- 2-3-1 Determination of Ownership & Release - by number
- 2-3-2 Pakin Atoll
- 2-3-3 Nanpei Estate
- 2-3-4 Determinations by T.T. Courts
- 2-3-5 Langar Island

L&C 2-4 Truk District

- 2-4-1 Determinations by T.T. Courts
- 2-4-2 Island of Ulul (formerly L&C 2-1-7)
- 2-4-3 Determination of Ownership & Release - by number
- 2-4-4 Mortlock Islands

L&C 2-5 Rota District

- 2-5 Determination of Ownership & Release - by number

Some of these files need further checking

L&C 2-6 Yap District

- 2-6-1 Determinations by T.T. Courts
- 2-6-2 Determination of Ownership & Release - by number
#2 Ulithi Atoll
- 2-6-3 Yap Catholic Church Appeal from Determination #3
(formerly L&C 2-1-9)
- 2-6-4 Yap Island, Air Strip & Rock Quarry Site

L&C 2-7 Ownership - Religious Groups

- 2-7-1 Catholic Church
- 2-7-2 American Board of Missionaries (formerly L&C 2-1-8)

Some of these files need further checking

L&C 2-6 Yap District

- 2-6-1 Determinations by T.T. Courts
- 2-6-2 Determination of Ownership & Release - by number
#2 Ulithi Atoll
- 2-6-3 Yap Catholic Church Appeal from Determination #3
(formerly L&C 2-1-9)
- 2-6-4 Yap Island, Air Strip & Rock Quarry Site

L&C 2-7 Ownership - Religious Groups

- 2-7-1 Catholic Church
- 2-7-2 American Board of Missionaries (formerly L&C 2-1-8)

Some of these files need further checking

L&C 3 MAPS AND CHARTS (not checked)

- 3-1 Special Maps - Marshall Islands

L&C 4 PLACE NAMES - NATIVE (not checked)

L&C 5 REGULATIONS, POLICIES, PROGRAMS

5-1 Policies and Regulations *

- #1 Naval Administration (to 7/51)
- #2 Interior Administration (7/51 to _____)

- 5-1-2 Marine Rights; Submerged Lands

- 5-1-3 Land Management Regulations

- 5-1-4 L&C forms (not checked)

- 5-1-5 Land & Claims Administrator - studies, recommendations, etc.

*Most of these files need further checking and reworking

L&C 3 MAPS AND CHARTS (not checked)
3-1 Special Maps - Marshall Islands

L&C 4 PLACE NAMES - NATIVE (not checked)

L&C 5 REGULATIONS, POLICIES, PROGRAMS

5-1 Policies and Regulations *

#1 Naval Administration (to 7/51)
#2 Interior Administration (7/51 to _____)

5-1-2 Marine Rights; Submerged Lands

5-1-3 Land Management Regulations

5-1-4 L&C forms (not checked)

5-1-5 Land & Claims Administrator - studies, recommendations, etc.

*Most of these files need further checking and reworking

L&C 5-2 Over-All Programs* (Also see L&C 6-2 for homesteading)

#1 T.T. - 1951 to 1953
#2 T.T. - 1954 to _____

5-2-1 Yap District

5-2-2 Palau District

#1 Zoning (General)
#2 Rules & Regulations (include Policies)

5-2-3 Marshall Islands District (checked & reworked 10/60)

#1 - General
#2 - Marshallese Land Law

5-2-4 Ponape District

#1 - General
#2 - Ponape Land & Inheritance Law

5-2-5 Mariana District

5-2-6 Truk District

*Most of these files need further checking and reworking

L&C 5-2 Over-All Programs* (Also see L&C 6-2 for homesteading)

#1 T.T. - 1951 to 1953

#2 T.T. - 1954 to _____

5-2-1 Yap District

5-2-2 Palau District

#1 Zoning (General)

#2 Rules & Regulations (include Policies)

5-2-3 Marshall Islands District (checked & reworked 10/60)

#1 - General

#2 - Marshallese Land Law

5-2-4 Ponape District

#1 - General

#2 - Ponape Land & Inheritance Law

5-2-5 Mariana District

5-2-6 Truk District

*Most of these files need further checking and reworking

L&C 6 PUBLIC LANDS

6-1 Purchase, rental and sale (includes evaluation of land)
(needs checking)

6-1-1 Yap District

6-1-2 Palau District

6-1-3 Truk District

LAC 6

PUBLIC LANDS

6-1 Purchase, rental and sale (includes evaluation of land)
(needs checking)

6-1-1 Yap District

6-1-2 Palau District

6-1-3 Truk District

LAC 6-2

Homesteading

General over-all program for T.T.

6-2-1

Marshall Islands District

- #1 Majuro
- #2 Imej Island, Jaluit
- #3 Takowa, Milli Atoll
- #4 Maloelap Atoll

LAC 6-2-2

Palau District

- #1 Over-all program
- #2 Ngedebus (Quitclaim to Peleliu 2/25/59)
- #3 Ngaremlengui Municipality
- #4 Ngwal
- #5 Ngerchong Island
- #6 Peleliu Group (5 Islands - as of 9/9/60)
- #7 Ngardmau
- #8 Nghesar
- #9 Airair
- #10 Ngarhelong (Babelthuap)
- #11 Ngaraard
- #12 Ngatpang
- #13 Amelilik
- #14 Koror - including deeds
- #15

See LAC 1-1-4 for homesteading an Arakabesan as this program is the result of settlement of claims.

I&C 6-2

Homesteading

General over-all program for T.T.

6-2-1

Marshall Islands District

- #1 Wotho
- #2 Imiej Island, Jaluit
- #3 Takowa, Millii Atoll
- #4 Maloelap Atoll

I&C 6-2-2

Peleliu District

- #1 Over-all program
- #2 Ngedebus (Quitclaim to Peleliu 2/25/59)
- #3 Ngaramlengui Municipality
- #4 Ngiwal
- #5 Ngerchong Island
- #6 Peleliu Group (5 Islands - as of 9/9/60)
- #7 Ngardmau
- #8 Nghesar
- #9 Airair
- #10 Ngarhelong (Babelthuap)
- #11 Ngaraard
- #12 Ngatpang
- #13 Ameliik
- #14 Koror - including deeds
- #15

See I&C 1-1-4 for homesteading on Arakabesan as this program is the result of settlement of claims.

I&C 6-2-3

Ponape District (needs further work)

- #1 Over-all homesteading program
- #2 Metalanim
- #3 Japanese leased land
- #4 Sokehs (Neki) is Japanese leased land

I&C 6-2-4

Rota District (needs further work)

- #1 Over-all program
- #2 Homestead permits (by number)

I&C 6-2-5

Truk District

- #1 Over-all program
- #2 South Field

I&C 6-2-6

Yap District

I&C 6-2-7

Marianas District

L&C 6-2-3 Ponape District (needs further work)
#1 Over-all homesteading program
#2 Metalanim
#3 Japanese leased land
#4 Sokehs (Jekij) is Japanese leased land

L&C 6-2-4 Rota District (needs further work)
#1 Over-all program
#2 Homestead permits (by number)

L&C 6-2-5 Truk District
#1 Over-all program
#2 South Field

L&C 6-2-6 Yap District

L&C 6-2-7 Marianas District

L&C 6-3 Ponape Land Advisory Board (not checked)

L&C 6-4 Rota Real Estate Requirements (not checked)

L&C 6-5 Kwajalein Land Advisory Board (not checked)

L&C 6-6 Palau Land Advisory Board (not checked)

L&C 6-7 Truk Land Advisory Board (not checked)

L&C 6-8 Yap Land Advisory Board

L&C 6-9 Marianas Land Advisory Board

L&C 6-10 Public Reservations

L&C 6-3 Ponape Land Advisory Board (not checked)

L&C 6-4 Rota Real Estate Requirements (not checked)

L&C 6-5 Kwajalein Land Advisory Board (not checked)

L&C 6-6 Palau Land Advisory Board (not checked)

L&C 6-7 Truk Land Advisory Board (not checked)

L&C 6-8 Yap Land Advisory Board

L&C 6-9 Marianas Land Advisory Board

L&C 6-10 Public Reservations

L&C 7 RIGHTS (Easements, lagoon rights, rights of way, etc.)
(not checked)
To be broken down into districts and XRD to
L&C 13-1 series and L&C 13-6 series

L&C 8 REPORTS & STATISTICS

Note: Land Management Monthly activities included
in Legal's monthly report 1957 -

Basic L&C 8 file contains special reports on land

L&C 8-1 Reports from District Land Offices:

8-1-1 Marshalls (reworked 10/60)

8-1-2 Palau

8-1-3 Ponape

8-1-4 Truk

8-1-5 Marianas

8-1-6 Yap

8-1-7 Surveyor & Cartographic Engr (when assigned to field)

8-2 Special Reports Prepared by Off. Land Management

8-2-1 To Interior, Land use 4/21/61

8-3 Special Reports - Homesteading and Government leased
land (Started 1961)

8-4 L&C Administrator

L&C 7 RIGHTS (Easements, lagoon rights, rights of way, etc.)
(not checked)
To be broken down into districts and Xrd to
L&C 13-1 series and L&C 13-6 series

L&C 8 REPORTS & STATISTICS

Note: Land Management Monthly activities included
in Legal's monthly report 1957 -

Basic L&C 8 file contains special reports on land

L&C 8-1 Reports from District Land Offices:

8-1-1 Marshalls (reworked 10/60)

8-1-2 Palau

8-1-3 Ponape

8-1-4 Truk

8-1-5 Marianas

8-1-6 Yap

8-1-7 Surveyor & Cartographic Engr (when assigned to field)

8-2 Special Reports Prepared by Off. Land Management

8-2-1 To Interior, Land use 4/21/61

8-3 Special Reports - Homesteading and Government leased
land (Started 1961)

8-4 L&C Administrator

L&C 9 STUDIES (Translations, problems, analyses) (not checked)

9-1-1 Translations (incl. Jap. leases)

9-1-2 Translations (German documents)

L&C 10 SURVEYING (none checked)

10-1 Equipment

10-2 Procedures

10-3 Surveyors' Conference

10-4 Surveyors' School, Palau (change this to training file)

10-5 Surveying, Marshalls

10-6 Surveying, Yap

10-7 Surveying, Rota

10-8 Surveying, Palau (Started 12/13/61)

10-9 Surveying, Ponape (Correspondence)

L&C 11 TENURE & USE OF LAND (not checked)

L&C 9 STUDIES (Translations, problems, analyses) (not checked)

9-1-1 Translations (incl. Jap. leases)

9-1-2 Translations (German documents)

L&C 10 SURVEYING (none checked)

10-1 Equipment

10-2 Procedures

10-3 Surveyors' Conference

10-4 Surveyors' School, Palau (change this to training file)

10-5 Surveying, Marshalls

10-6 Surveying, Yap

10-7 Surveying, Rota

10-8 Surveying, Palau (Started 12/13/61)

10-9 Surveying, Ponape (Correspondence)

L&C 11 TENURE & USE OF LAND (not checked)

L&C 12 TRANSFERS (File copy of quitclaims in this file;
original in pertinent administration area file,
title determination or claim file as case may be)
(None checked)

12-1 Rota - Exchange of Lands

12-1-1 Saipan - Exchange of Lands

12-2 Ponape - Exchange of Lands - Transfers

12-2-2 Quitclaims (Former Jap. lease lands)

12-3 Truk - Transfers

12-4 Palau - Exchange of Lands

12-4-1 Palau - Transfer of Lands

12-5 Yap (Started 3/62)

12-6 Marshalls (Started 4/62)

LAC 12 TRANSFERS (File copy of quitclaims in this file;
original in pertinent administration area file,
title determination or claim file as case may be)
(None checked)

12-1 Rota - Exchange of Lands
12-1-1 Saipan - Exchange of Lands

12-2 Ponape - Exchange of Lands - Transfers
12-2-2 Quitclaims (Former Jap. lease lands)

12-3 Truk - Transfers

12-4 Palau - Exchange of Lands

12-4-1 Palau - Transfer of Lands

12-5 Yap (Started 3/62)

12-6 Marshalls (Started 4/62)

LAC 13 LAND USE AGREEMENTS - U.S. Government and T.T. Government

LAC 13-1 Military Retention Areas

#1 Agreement w/ Navy Dept (incl. authority of
High Commissioner to negotiate)
#2 General (incl. reports to BarDocks)

*13-1-1 Marshalls - correspondence also in Deputy High Commissioner
Safe

13-1-2 Marshalls - correspondence

13-1-3 Ponape District (includes Proj. Advance temp)
Hiran Ground Station

13-1-4 Palau District

*13-1-5 EPG - Bikini & Eniwetok (Kili & Ujelang Trust Funds)

13-1-6 Truk District - Naval Airfield, Seaplane Base
and Naval Radio Station

13-1-7 Yap District - Palalap, Ulithi Atoll (U.S. Coast Guard)
#1 Background; agreement with Navy
#2 Agreement with and payment to Ulithians

*13-1-8 Release Land Kwajalein Atoll - 39 acres in Ebeye

*Reworked 10/60

L&C 13 LAND USE AGREEMENTS - U.S. Government and T.T. Government

L&C 13-1 Military Retention Areas

- #1 Agreement w/Navy Dept (incl. authority of High Commissioner to negotiate)
- #2 General (incl. reports to BurDocks)

*13-1-1 Marshalls - correspondence also in Deputy High Commissioner Safe

13-1-2 Marshalls - correspondence

13-1-3 Ponape District (includes Proj. Advance temp) Hiran Ground Station

13-1-4 Palau District

*13-1-5 EPG - Bikini & Eniwetok (Kili & Ujelang Trust Funds)

13-1-6 Truk District - Naval Airfield, Seaplane Base and Naval Radio Station

13-1-7 Yap District - Falalop, Ulithi Atoll (U.S. Coast Guard)
#1 Background; agreement with Navy
#2 Agreement with and payment to Ulithians

*13-1-8 Release Land Kwajalein Atoll - 39 acres in Ebeye

*Reworked 10/60

13-1-9 Scatter Sites - Palau, Ponape (file opened 3/13/61)
(Page Communications)

13-1-10 Payments - Truk

13-1-11 Not in use (contents transferred to L&C 13-6-3, T.T. Admin. Areas)

13-1-12 to 13-1-18 } On Hardtack - in Deputy High Commissioner Safe

13-1-9 Scatter Sites - Palau, Ponape (file opened 3/13/61)
(Page Communications)

13-1-10 Payments - Truk

13-1-11 Not in use (contents transferred to I&C 13-6-3,
T.T. Admin. Areas)

13-1-12 to) On Hardtack - in Deputy High Commissioner Safe
13-1-18)

I&C 13-2 U.S. Coast Guard Loran Stations
(See I&C 13-1-7 for Sta. at Palalep, Ulithi)

13-2-1 Angaur, Palau

13-2-2 Ebeye, Kwajalein, Marshall Islands

I&C 13-3 Weather Stations

13-3-1 Weather/RadSafe Stations
#1 Under AEC to 6/30/60
#2 Under Defense Atomic Support Agency (DASA)

13-3-2 Weather Bureau - Yap and Palau

13-3-3 Weather Bureau - Ponape

13-3-4 Weather Bureau - Marshalls

I&C 13-4 Land Settlement Agreements (documents only)

13-4-1 Marshall Islands District

13-4-2 (a) Truk District - past use (T.T. Form 258)
13-4-2 (b) Indefinite future use (T.T. Form 257)

13-4-3 Ponape District - (Felix Laurdine) XR I&C 1-5-1

I&C 13-5 Pacific Missile Range (PMR) - (Kwajalein Atoll)

13-5-1 Signed & filed Use & Occupancy Agreements

Note: Extra copy file set up

L&C 13-2 U.S. Coast Guard Loran Stations
(See L&C 13-1-7 for Sta. at Palalep, Ulithi)

- 13-2-1 Angaur, Palau
- 13-2-2 Ebeye, Kwajalein, Marshall Islands

L&C 13-3 Weather Stations

- 13-3-1 Weather/RadSafe Stations
 - #1 Under AEC to 6/30/60
 - #2 Under Defense Atomic Support Agency (DASA)
- 13-3-2 Weather Bureau - Yap and Palau
- 13-3-3 Weather Bureau - Ponape
- 13-3-4 Weather Bureau - Marshalls

L&C 13-4 Land Settlement Agreements (documents only)

- 13-4-1 Marshall Islands District
- 13-4-2 (a) Truk District - past use (T.T. Form 258)
- 13-4-2 (b) Indefinite future use (T.T. Form 257)
- 13-4-3 Ponape District - (Felix Laurdine) XR L&C 1-5-1

L&C 13-5 Pacific Missile Range (PMR) - (Kwajalein Atoll)

- 13-5-1 Signed & filed Use & Occupancy Agreements

Note: Extra copy file set up

L&C 13-6 Trust Territory Administration Areas
(XR Quitclaims to L&C 12 series, claim files or determin. file)

- 13-6-1 Marshall Islands District (reworked 10/60)

13-6-2 Yap District

- #1 Power Plant
- #2 Agriculture Station
- #3 POL Yard
- #4 Temporary Quarrring Rights
- #5 Air Strip & Rock Quarry Site
- #6 Intermediate School Site (started 1/3/62)

13-6-3 Palau District

- #1 Waterline, Babelthuap
- #2 Fisheries Project, Malakal Dock Site
- #3 T-Dock Road, Koror
- #4 Malakal Island
- #5 Airai Air Strip (started 7/30/62)
- #6 Palaliu Air Strip (started 9/13/62)

L&C 13-6 Trust Territory Administration Areas
(XR Quitclaims to L&C 12 series, claim files or determin. file)

13-6-1 Marshall Islands District (reworked 10/60)

13-6-2 Yap District
#1 Power Plant
#2 Agriculture Station
#3 POL Yard
#4 Temporary Quarring Rights
#5 Air Strip & Rock Quarry Site
#6 Intermediate School Site (started 1/3/62)

13-6-3 Palau District
#1 Waterline, Babelthuap
#2 Fisheries Project, Malakal Dock Site
#3 T-Dock Road, Koror
#4 Malakal Island
#5 Airai Air Strip (started 7/30/62)
#6 Pelaliu Air Strip (started 9/13/62)

L&C 13-6-4

Truk District

- #1 General
- #2 Agriculture Station (Formerly L&C 15-3)
- #3 Power Plant
- #4 Rock Quarry Site (Formerly L&C 15-10)
- #5 Oil Pipe Line (Formerly L&C 7-1)

L&C 13-6-5

Ponape District

- #1 Agriculture Lease, Kussie (Sigrah) (Formerly L&C 15-14)
- #2 Rock Quarry Lease, Net (Aluis Likor) (Formerly L&C 15-5)
- #3 Metalanim Plantation
- #4 Air Strip (started 3/14/62)

L&C 13-6-4

Truk District

- #1 General
- #2 Agriculture Station (Formerly L&C 15-3)
- #3 Power Plant
- #4 Rock Quarry Site (Formerly L&C 15-10)
- #5 Oil Pipe Line (Formerly L&C 7-1)

L&C 13-6-5

Ponape District

- #1 Agriculture Lease, Kusaie (Sigrah) (Formerly L&C 15-14)
- #2 Rock Quarry Lease, Net (Aluis Likor) (Formerly L&C 15-5)
- #3 Metalanim Plantation
- #4 Air Strip (started 3/14/62)

L&C 14

GUAM PROPERTIES - Leases (none checked)

- 14-1 Nimitz Hill - High Commissioner Home
- 14-1-1 Lot 495, Asan, Nimitz Hill

- 14-2 Carmen Memorial Property
- 14-3 T.T. Compound - Maite
- 14-4 T.T. Warehouse - Piti
- 14-5 Headquarters - Cliffline
- 14-6 Dormitory, Guam Territorial College Site
- 14-7 Facilities, NAS Agana
- 14-8 Saipan Properties (Temp: To be broken down when needed)

L&C 14 GUAM PROPERTIES - Leases (none checked)

14-1 Nimitz Hill - High Commissioner Home
 14-1-1 Lot 495, Asan, Nimitz Hill

14-2 Carmen Memorial Property

14-3 T.T. Compound - Maite

14-4 T.T. Warehouse - Piti

14-5 Headquarters - Cliffline

14-6 Dormitory, Guam Territorial College Site

14-7 Facilities, NAS Agana

14-8 Saipan Properties (Temp: To be broken down when needed)

L&C 15 OTHER LEASED LAND AGREEMENT (lease of T.T. lands)

15-1 Palau District

15-1-1 Protestant Mission

15-2 Ponape District

15-3 Rota District (grazing leases)

15-4 Marshall Islands District

15-4-1 Mili Atoll (Formerly L&C 15-8)

15-4-2 Majuro Atoll (Formerly L&C 15-9, Catholic Mission)

15-4-3 Jabwor Island

15-5 Truk District

15-6 Dalap Water Wells Camp, Marshalls (not located - few pieces correspondence in dummy file)

15-7 Yap District

15-8 Mariana Islands District