

GPO Box 1404,
Suva, Fiji.

Professor H.E. Maude, O.B.E.,
77 Arthur Circle,
Forrest,
Canberra 2603.

29th January, 1976.

Dear Harry,

Ever since Ing (and you) inveigled me into appearing as a witness in the Banabans' second case, I have been trying to envisage just what subjects I might be questioned about. You, of course, have no such worries; being the professional and a specialist, as opposed to myself as the amateur and administrator, you can pinpoint the abstruse subjects which you be called upon to give evidence - land tenure and inheritance, the ownership of bangabanga, dolometization and the biogeochemistry of vertebrate excretion, etc. etc. , whereas I can only make wild guesses. I have felt rather like a schoolboy facing an examination and trying to guess in advance, and study, those subjects which the examiners are likely to ask questions about.

2. I now send you the results of my cogitations in the form of the following papers (notes), upon which it seems to me that I (and you, to some extent) may well be questioned; these are:-

- (a) relations with the Banabans during my pre-war years on Ocean Island (this does not really concern you, though you are mentioned);
- (b) the health of the Banabans, 1946-48, since I feel sure it will be argued that they were mentally and physically unfit to sign the 1947 agreement with the EPC;
- (c) the negotiations between Maynard and the Banabans in April, 1947;
- (d) the Statement of Intentions;
- (e) reasons for rejecting Rotan's assertion that Rabi would be "sold over their heads" if they went to Ocean Island; and,
- (f) the Banaban Funds Ordinance, No. 25 of 1948.

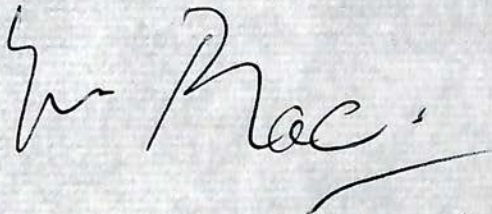
3. In certain cases, e.g. (d) above, I have asked you a number of questions; I do not necessarily suggest that you should answer them right away, unless you feel that most can be covered in a "blanket" answer. But I do suggest that we need at some stage to agree on what the answers should be.

4. So much for that, though I shall welcome any suggestions as to whether I might prepare other papers on other subjects; in such case, however, I should need to know as soon as possible.

5. Now for one or two other miscellaneous items:-

- (1) there are on file minutes in Gilbertese of our meeting with the Banabans in June, 1946, when we went to Rabi to oust Kennedy; do you want them sent to you? or should I bring them to London? or take no action on them?
- (2) Ing sent me a copy of his letter to you of the 19th January, but said he was not sending me the transcripts mentioned in the last two paragraphs of that letter, which I gather refer rather specifically to land and the ownership of phosphate. You are, of course, the expert on such matters and perhaps I should not bother my head about it - or should I ask Ing to send the transcripts to me? only you can really advise me on this.
(Apropos of his letter, I hope you are brushing up your Latin history to discuss with the Judge. I shall learn "How Horatio held the bridge" by heart and try to hold my own. Is Rotan being made out to be a modern day Horatius I wonder?);
- (3) this slow but continued postponement of our arrival in the UK I find most inconvenient, though mercifully you will miss more and more of the winter. Its an ill wind... But it is not going to suit our pal Lester Gaynor, who is to be in Australia from 8/21 March and here from 21/25 March. If we are going to spend a few days in the UK seeing friends and relatives, and return by roundabout routes, our chances of meeting him are slim. I have so warned him and suggested he postpone his trip;

- (4) in a letter which I think I wrote to you some time ago, I said that I had a copy of the "Geographical Magazine" (filched from the Lord Chancellor's flat at the House of Lords), since it contains an article by one Pearl Binder (Lady E-J) called "Two Pacific Islands of the Banabans" - Chequered life for displaced islanders. I have also a copy of the article produced separately. I asked you whether you would like one of these, but I don't think you have replied. Would you let me know as the one you do not want, I will fob off Bruce Burne with ? ; and,
- (5) I have just received a very long letter from Ing about my income tax liabilities. The UK income tax authorities say that they cannot issue me with a simple exemption since that is statutorily not allowed. But Ing & Co. propose to indemnify me if my time in the UK in connexion with the case causes me to exceed the 183 days allowed before I am liable. That gives me 39 days in the UK before I am liable, so please don't talk in the witness box for more than say 25 days.



P.S. The magazine in (4) above is for June, 1974, Vol. XLVI, No. 9.