

# RABI COUNCIL OF LEADERS

"ATUARA BUOKIRA"

IN REPLY PLEASE QUOTE

Office of the Manager  
RABI ISLAND COUNCIL  
Rabi Island  
Fiji.

1st February, 1982

Mr H.E. Maude  
C/- 77 Arthur Circle Forest  
Aust. Capital Territory 2600  
AUSTRALIA

Ko na mauri,

Te Kaitira iaon Banaba

The Rabi Council of Leaders believe you did some work relating to the above subject when you were working on Banaba.

As you would probably know, the Council is now having great difficulties in settling disputes involving land boundaries and units on Banaba. Because of the last war and the subsequent transfer of our people to Rabi, no records were kept or maintained and any disputes arising in those early years on Rabi, were amicably settled as many of the Banaban elders were still alive and available. With the loss of many of these elders today, the Council is faced with a real problem.

In this respect, the Council has asked that I write and explore possibilities of having a copy of your work on the "Kaitira".

2.

Would you kindly advise if such can be made available?  
How much will it cost? If this is not available, what other  
source or authority can we contact whereby we could be  
assisted?

We would be most grateful for your assistance on this matter  
and look forward to hearing from you.

Our belated compliments of the Season.

Tia Ka bo.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "D.A. Christopher", with a large, sweeping flourish extending to the right.

( D.A.Christopher )

Secretary

Rabi Council of Leaders



77 Arthur Circle, Forrest,  
A.C.T. 2603, Australia,  
11th February, 1982.

Mr D.A. Christopher,  
Secretary, Rabi Council of Leaders,  
Rabi Island Council,  
RABI ISLAND, Fiji.

Dear Mr Christopher,

The Banaban Lands Settlement

*selected/*  
Your letter of the 1st February requests particulars concerning the Lands Settlement of Banaba. I arrived at Banaba from Beru on the 24th September, 1931, to undertake this work with the assistance of sixteen Banabans, four being ~~selected~~ from each of the villages, together with the Island Magistrate and Chief Kaubure as assessors.

I was appointed Lands Commissioner on the 5th October, 1931, under powers conferred by the Gilbert and Ellice Native Lands Ordinance, No. 8 of 1922, to enquire into the ownership of all native owned lands on Banaba and to codify the Banaban customs of land conveyance and inheritance.

The Commission commenced work at Tabwewa the same day and finished at Uma on the 7th March, 1932. In all 97 claims were heard by the Commission: 33 at Tabwewa, 6 at Tabiang, 48 at Buakonikai and 16 at Uma.

All native owned lands on Banaba were registered by the Commission under the name of the owner followed by the name of each of his or her lands. Where boundaries were settled by the Commission permanent marks were placed in the ground. A total of 2,479 pieces of land were registered, divided as follows among the inhabitants of the four village districts:

Tabwewa	-	695
Tabiang	-	291
Buakonikai	-	843
Uma	-	650

The following Banaban land conveyances were recognized by the Lands Commission:

- (1) Te Aba n Nati. Land given by an adopter to a child adopted as Nati (son or daughter). The child adopted as a Nati leaves his or her real parents and has no further claim on their lands, his land being entirely given him by his adoptive parent under the above title.



Should the adopted child die without issue the land reverts to the family of the giver.

- (2) Te Aba n Tibu. Land given by an adopter to a child adopted as Tibu (grand-child), with remainder to the heirs of his or her body. Should the adopted child die without issue the land reverts to the family of the giver.
- (3) Te Aba n Tara. Land given in return for nursing during sickness or old age. No conveyance is allowed under this title unless the Island Court is satisfied that te Utu ae kan of the conveyor refused to look after him or her and no conveyance under this title can be made to a member of te Utu ae kan. The conveyance is in fee simple.

Note: For purposes of land conveyance the term te Utu ae kan is defined as including the near kindred of an individual up to and including his or her Tibu toru but excluding his or her Tibu mamao.

- (4) Te Aba ni Karaure. Land devised by the owner to an individual as a token of great affection. No conveyance is allowed without the consent of the Utu ae kan of the conveyor and in no case should exceed a small portion of his or her lands. The conveyance is in fee simple.
- (5) Te Iria. Land given by the real parents to a child about to be adopted as Nati. No conveyance is allowed under this title without the consent of the Utu ae kan of the conveyor and in no case should exceed a small portion of his or her lands. Should the adopted child die without issue the land passes to the family of the adopter.
- (6) Te Aba ni Kamamma. Land given to a foster mother or wet-nurse in return for suckling an infant. The conveyance is in fee simple.

In addition the following Banaban land conveyances were found to be customary before the coming of the Government in 1900 but were no longer recognized except as establishing ownership prior to the raising of the British flag:

1. Te Aba ni Butirake.
2. Te Aba n Rau.
3. Te Nenebo.
4. Te Aba ni Kamaiu.
5. Te Aba n Isin.



6. Te Aba n Ira.
7. Nenebon te Man.
8. Te Aba n Riring.

Particulars of these conveyances can be forwarded if desired.

The Island Government was directed to keep records of all adoptions as Nati and Tibu in special Adoption Books, and no adoption was to be considered as legal unless the adopter, the real parents of the adopted and the Utu ae kan of the adopter signed their agreement to the adoption in the appropriate book.

On the conclusion of the Commission's work and before returning to Bevu the completed Banaban Lands Register with its 2,479 entries was handed to the Secretary to Government, Gilbert and Ellice Islands Colony, whose headquarters were then on Banaba. What happened to it after that date I do not know but when I visited Banaba immediately after World War II (I was the first civilian to land) I attempted to recover any Colony Government records that might have survived but found that the American bombing had destroyed the roof of the Government Record Room and that all documents had been reduced to an illegible pulp.

The Banaban Lands Register might, of course, have been handed to the Island Magistrate or the Island Scribe before the war, in which case he possibly buried it or handed it to the Japanese District Officer. I examined the records of the Japanese District Officer, however, and it was not among them.

The Register would not in any case have enabled you to settle disputes concerning boundaries as the lands were entered by name only. There were in fact few boundary disputes and after settling these the Commission marked the boundary and gathered as many people as possible, and particularly children, to note the new boundary line. It was hoped and expected that the children, although they were not beaten on the boundaries as is the old English custom, would be able to remember the new position for the rest of their lives.

As you are no doubt aware the British Phosphate Commission keeps maps showing the names, owners and boundaries of the phosphate lands, and these would be available on request. There is no way, however, by which the boundaries of non-phosphate lands can be ascertained except by questioning the Unimane and Unaine who were children at the time of the Kaitira and should be able to point them out. Unless they do so this knowledge will be lost for ever when they are dead.



In the case of ownership disputes it should be easier to ascertain the owner as decided at the time of the Kaitira and to work forward from there to 1982 in the same way as the Commission did when they first ascertained the owner in 1900, when the Government first came, and worked forward to 1931. It is realized, however, that lands do sometimes get lost and the Commission was able to discover many lands which had been forgotten by their owners. In such cases the boundaries were settled by agreement with the owners of the adjacent lands.

I should add that the proceedings of the Commission were held in the Gilbertese language, without translation, and that the notes of the proceedings, genealogical tables and other records kept by me were handed to the Secretary to Government on my relinquishing the position of Lands Commissioner. The notes made by Mr A.F. Grimble and myself on Banaban customs, culture, tradition, history and mythology were, however, kept and were photocopied by Mr Tebuke Rotan a few years ago.

Hoping that this information may be of some use to you, and with my best wishes for the success of your work on lands settlement,

Yours faithfully,

*H. E. Maude*  
H. E. Maude.