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8 Feb 1954

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From: Commander Naval Forces Marianas  
To: Chief, Bureau of Yards and Docks  
Via: Commander in Chief U.S. Pacific Fleet

Subj: Land Program in the Saipan District of the Trust Territory

Ref: ✓ (a) COMNAVMARIANAS MSG 290633Z Jan 1954 to CNO  
(b) Executive Order No. 10408 issued 10 Nov 1952 by the President of the United States  
✓ (c) ~~COMNAVMARIANAS CONE~~ ltr FF5-9 63-10:LS:mn N1-1 ser 0236 of 30 Jul 1953

Encl: (1) Conformed copy of SECNAV REST MGS 242140Z of 25 Nov 1952 to CINCPACFLT  
(2) Conformed copy of CINCPACFLT REST MSG 272305Z of 28 Dec 1952 to COMNAVMARIANAS  
(3) Executive Order No. 1 issued 2 Nov 1953 by COMNAVMARIANAS  
(4) Executive Order No. 2 issued 2 Nov 1953 by COMNAVMARIANAS  
(5) Photostatic copy of form entitled, "Agreement to Exchange Lands"

1. The purpose of this letter, which supplements reference (a), is to furnish data with respect to the progress and present status of, and proposed future actions concerning, the land program in the Saipan District of the Trust Territory.

2. Pursuant to reference (b), which transferred from the Secretary of the Interior to the Secretary of the Navy the administration of that portion of the Trust Territory of the Pacific Islands which includes the islands of Tinian and Saipan, the Secretary of the Navy, as evidenced by enclosure (1), directed the Commander in Chief U.S. Pacific Fleet to institute, as of 1 January 1953, the administration of civil government in Saipan and Tinian. Subsequently, as evidenced by enclosure (2), this Command was directed by CINCPACFLT, as his representative, to institute such administration. As of 1 January 1953, it was reported by personnel previously employed by the Trust Territory and transferred to the Navy Department, that 1,050 land claims had been filed on the Island of Saipan and 1,020 such claims investigated; that hearings had been conducted on 980 claims; and that title determinations had been completed on 432 claims, there remaining for determination 618 land claims.

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3. Shortly before 1 July 1953 the Base Development Officer was granted full authority to initiate policies and procedures to accelerate the land program on Saipan. Effective 1 July 1953, survey reconnaissance, appraisal, negotiating and legal personnel, and a survey party, were detailed to assist in the Saipan land program as required. As was reported in reference (c), recheck of the records in the Saipan District Land Office revealed that title determinations had been completed on a total of 320 parcels of suburban land, involving a total area of 9,772,800 square meters, of which 147 parcels were determined to be public domain lands. It was estimated that the public domain lands on Saipan comprised a total of 34,419,000 square meters, of which 2,500,000 square meters were situated outside the retention areas, and that there remained for adjudication 318 claims concerning suburban lands, involving approximately 9,040,000 square meters and comprising lands situated both within and outside retention areas. There also remained for adjudication an undetermined number of claims respecting urban lands arising out of the transfer of residents from Garapan Village following the reoccupation of Saipan and their resettlement in the Village of Chalan Kanca.

4. Efforts of Base Development personnel were concentrated, primarily, on the completion of title determinations on the 318 outstanding claims, the evaluation of private holdings within retention areas, and the evaluation of public domain lands situated outside the retention areas and deemed suitable for utilization in the exchange of public domain lands for private lands within the retention areas. All revocable permits previously issued to indigenous persons were cancelled, to permit unhampered negotiations for the exchange of public domain lands for those private-owned parcels within the retention areas. Direct negotiations were initiated with the owners of private lands within the retention areas in order to secure their agreement to accept public domain lands, preferably in the area in which each such person had been relocated, on a comparable value basis. Survey was commenced of the Village of Chalan Kanca to permit the initiation of land exchanges for the urban parcels held in the former Garapan Village. A system of priorities for suburban land exchanges was set up, viz., first priority for the exchange of public domain lands for private lands within the retention areas; second priority for the exchange of public domain lands for private lands situated outside the retention areas and totally destroyed by action of the armed forces subsequent to the reoccupation of Saipan; third priority for the exchange of public domain lands for private lands situated outside the retention areas and destroyed in part by action of the armed forces subsequent to the reoccupation of Saipan; and fourth priority to persons not pre-war landowners but occupants and users of public domain lands subsequent to the reoccupation on a revocable permit or sufferance basis.

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5. On 21 October 1953 a consolidated office was established on Saipan, comprising technical personnel from the Base Development staff as well as real estate personnel on the staff of the Naval Administrator, Saipan, in order to coordinate activities and expedite completion of the land program. A Civil Engineer Corps officer from the staff of this Command was made responsible for the establishment and functioning of this office, in the capacity of District Land Title Officer as provided in the Trust Territory Code, with a Land and Claims Examiner occupying the principal civilian position.

6. Under date of 2 November 1953, Executive Orders Nos. 1 and 2 were promulgated by this Command, as evidenced by enclosures (3) and (4), respectively. It will be noted that the policies and procedures previously developed by Base Development personnel of this Command coincided with the provisions of the said Executive Order No. 2.

7. There was placed in effect, as of 2 November 1953, a form entitled, "Agreement to Exchange Land", copy of which is attached as enclosure (5). The descriptions for insertion in paragraphs 2 and 3 thereof are not metes and bounds descriptions, but rather identifications by lot number, location and designation of adjoining properties and owners. The execution of these interim agreements has greatly enhanced the morale of the indigenous persons whose lands are within retention areas or were damaged by action of the armed forces following the reoccupation of Saipan, as heretofore they had nothing but verbal assurance that they would be compensated by the award of public domain lands for private lands taken or damaged. These instruments are their first written assurance that public domain lands are actually to be conveyed to them. The agreements are being executed by the Base Development Officer in the capacity of land and Claims Administrator, as reflected in the aforesaid Executive Order No. 2, with one copy delivered to the specified "Party of the First Part", and one copy filed with the Clerk of the Saipan Court.

8. By 15 January 1954 title determinations had been completed on all parcels within the retention areas. The 12 claims on suburban lands remaining for determination are expected to be settled by the end of February 1954. Preliminary investigations have been made for the 487 claims on urban lands, and title determinations are scheduled for completion by 15 April 1954. A total of 97 exchange agreements are required, representing 89 claims on lands determined to be privately-owned within the military retention areas and 8 claims on lands determined to be privately-owned within the administration retention areas. With respect to the said 89 claims, exchange agreements have been

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executed by the landowners on 32, leaving 57 claims to be negotiated. On the said eight claims, two landowners have executed exchange agreements, and 6 claims remain for negotiation. Consummation of negotiations and execution of exchange agreements with respect to the remaining claims on lands within the retention areas is scheduled for completion by 1 September 1954. A target date of 1 December 1954 has been established for the settlement of the 487 urban claims, to be accomplished by return of the original lot, or assignment of a comparable lot, to the private owner, or by the execution of exchange agreements for lots in the Village of Chalan Kanoa.

*Survey of Chalan Kanoa*

9. Perimeter surveys are complete for all military retention areas. "As-built" drawings required for property subdivision of the Village of Chalan Kanoa are approximately 90 per cent completed, and subdivision has been initiated. A target date of 1 September 1954 has been established for the completion of this survey, as well as surveys of those parcels of public domain lands on which exchange agreements have been executed. As metes and bounds descriptions are developed it is proposed that an executed copy of the pertinent exchange agreement and the metes and bounds description of the public domain parcel involved will be furnished to CINCPACFLT in order that proper exchange deeds may be prepared.

10. By reason of the concerted efforts expended in accomplishing the mission of the consolidated land office on Saipan, and the steady progress which has been, and will continue to be, made in the completion of the said mission under the procedures now established, it is felt that the duties of the District Land Title Officer can be assumed in the very near future by the present incumbent of the Land and Claims Examiner position, at which time the CEC officer will be relieved of his additional duty on Saipan. It is proposed to continue the operation of the consolidate office, with Base Development personnel assisting as required, for so long as it needed to accomplish the objectives hereinabove and hereinafter set forth.

11. Following completion of the exchange agreement program covering private suburban lands situated within retention areas, private urban lands within the former Garapan Village, private lands within road rights-of-way or being utilized for naval administration purposes, and private suburban lands wholly destroyed by reason of action of the armed forces subsequent to the reoccupation of Saipan, negotiations will be undertaken for the conveyance of public domain lands to those persons whose lands were damaged or partially destroyed by reason of

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*Homesteading*  
such military action. Thereafter, it is proposed to undertake a homesteading and leasing program with respect to the remainder of the public domain lands suitable for private utilization, in order that indigenous persons owning insufficient land for self-sustenance and qualified for homesteading under the Trust Territory Code may be enabled to become selfsustaining, and in order that the remainder of the public lands suitable for leasing to indigenous persons may be put to productive use.

M. E. MURPHY

Copy to:  
BUDOCKS  
NAVAD SAIPAN

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Saipan - Land Settlement

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