

77 Arthur Circle, Forrest,
A.C.T. 2603, Australia,
27th December, 1974.

Mr R.M.L. Brown, LL.B.,
Davies, Brown and Company,
130 Arthur Road, Wimbledon Park,
LONDON, SW19 8AA, England.

Dear Mr Brown,

Thank you for your two letters of the 22nd and 26th November. My own solicitor said that litigation was not in his line and passed me on to a Mr Hohnen in the same firm (which has a staff of 70). What he is doing you are probably more aware of than I am, as I understand that he is corresponding with you direct.

I gave Mr Hohnen the relevant documentation and the statement which you wished me to sign, after amendment. I had already gone over the latter and pencilled in the necessary amendments - they were few and minor - so I am hopeful that he will soon be in a position to discuss them with me and have the affidavit retyped.

Your second letter mentioned that the Banabans would be prepared to pay my wife's return fare to England in the event of my having to go. This offer is much appreciated but she feels unable to accept it as, being a chronic asthmatic on permanent cortisone, she fears lest she would only prove an additional liability to me.

Last time we visited England (now some 12 years ago) my wife was all right on the way home, since we went by cargo boat, but the attempt to return to Australia by plane was a failure and she had to be hospitalized in Honolulu. And when we moved on after some weeks, and considerable expense, she was ill again in Auckland. She has never attempted the journey since and I think it unlikely that she ever will, except possibly by sea. It is not only the strenuous journey, which overtaxes her slender reserves of strength, but the frequent temperature changes apparently inseparable from air travel.

I am in little better shape myself in that every time I have visited London on my own I have got ill and had to leave; and the homes where I could lie up and recuperate no longer exist: my parents are dead and my sisters too old to look after me (in any case they do not live in London), and there is no one else.

Furthermore, I had to retire from the Australian National University prematurely owing to the development of a peculiar condition in which my pylorus is apt to close during periods of stress, and while closed I am, to put it mildly, in considerable distress.

I fear that alone, friendless and unhappy in a strange country and city, and in a state of high nervous tension owing to my having to give evidence in a court case, the chances of my pylorus closing would be very considerable, in which event I should not be able to speak at all and the money spent on me would be wasted.

Should my evidence be absolutely essential to the Banaban case (and I cannot conceive how it can be) and it is not desirable to take it by commission in Australia it might be possible for you to overcome these obstacles by finding a suitable nursing home to which I can retire if the need should arise, and a specialist who can fix my pylorus at least for the day or days in which I am to appear in Court. Tranquilizers or sedatives do not necessarily work unless taken in such quantities that my reasoning faculties are temporarily impaired. I have found in practice that a bottle or two of Guinness is usually effective, as a temporary expedient, but I take it that the spectacle of my standing in the witness box drinking Guinness might not help your case, quite apart from the effect it could have on me.

With all deference to Mr Macdonald and yourself, however, I should have thought that even if the medical hazards could be surmounted no evidence that I could possibly give would have a tithe of the effect of a statement that I am unwilling to come to England to give evidence for fear of victimization by the defendants.

Yours dincerey,



H.E. Maude.

77 Arthur Circle, Forrest,
A.C.T. 2603, Australia,
29th December, 1974.

Mr R.M.L. Brown, Ll.B.,
Davies, Brown and Company,
130 Arthur Road, Wimbledon Park,
LONDON, SW19 8AA, England.

Dear Mr Brown,

Although the correspondence between us has been in Mr Hohmen's possession since the 27th November my wife and I recollected that we had promised Mr Macdonald that we would look through our letters to my parents written when she, or both of us, were on Ocean Island between 1929 and 1932, when we went on vacation to New Zealand.

These letters were for the most part written by my wife and are concerned almost exclusively with personal matters, social activities and the normal concerns of a young bride who had left England for the first time to live in a new and strange environment.

There is much concerning my wife's reactions to Mr (later Sir Arthur) Grimble, then Resident Commissioner of the Gilbert and Ellice Islands Colony, with whom we were staying at the Residency during much of 1930 and 1931, but absolutely nothing in any letter concerning the Banabans, with whom she was not in touch, other than the following excerpt from a letter to her father-in-law, Sir Walter Maude, dated the 20th October, [1931]:-

'We have been here nearly 4 weeks now and Harry has got well started on the land business. At present he is in one of the villages, registering claims and endeavouring to find all the owners of the various "pieces" of land. He takes his lunch, and Koura, with him and comes back about 4.30 p.m.; he seems to like the work but it must be a very tedious business. These natives are so horribly suspicious and think the Government want to trick them all the time, just because they made preposterous demands when the B.P.C. wanted to buy their land for mining and they were compelled, after years of haggling, to sell at a fair and reasonable price. The leaders of the opposition are L.M.S. Pastors, isn't it dreadful? Mr Eastman ought to sack one man who is particularly bad but he doesn't; his teachers seem to get above themselves and quite beyond Mr Eastman. Harry is very anxious to get finished here so that we can return to Beru and get ready for Mary and Arthur. The wretched Census Report isn't done yet; Harry can get no assistance; Ete being useless as he is ten out in every hundred, we have to count everything ourselves and as we are being given various other jobs the Census hasn't been touched for ages.'

The importance of this uncensored contemporary letter is that it clearly represents the views not of a young girl (I don't suppose that she had ever met a Banaban or knew anything about them) or of her

husband (I had been in touch with the Banabans for exactly 16 days at the date of writing and had had no time to form any independent views on them or their affairs) but of Mr Grimble, the Resident Commissioner, with whom she had been staying from March to June, 1931, while I was touring the Gilbert and Ellice Islands in the Colony yacht 'Nimanoa' engaged in taking a census of the population.

You are of course welcome to borrow the original letter if required but in any case perhaps I should explain that Koura was our dog; Mr Eastman was the head of the Gilbert Islands Mission of the London Missionary Society; the Pastor whom he should have sacked was almost certainly Rotan, the father of Tebuke; Beru was the headquarters island of the Southern Gilbert Islands District, of which I was the Acting District Officer and where we had our home; Mary and Arthur were my sister and her husband, who paid us a visit from India; and Ete was my District Clerk.

In my view the excerpt is significant as indicating the real views of the Resident Commissioner, as imparted to his young protégé who was keeping house for him and in whom he could confide without fear of disclosure, better than his official correspondence.

I am also attaching an excerpt from a research paper entitled 'Arthur Grimble: the Myth and the Man' written by Barrie Macdonald which I predict will, on its publication, become the definitive study of the key identity in the Banaban affair. Dr Macdonald was a former doctoral scholar of mine and his views coincide in the main with my own recollections.

I take it that Mr Macdonald got the point which Barrie made over the telephone about the 1928 Mining Ordinance being contrary to the guarantees given when the Colony was established that land and local government would not be changed in any way without consent?

You considerably sent me £2 in refund of postage on your unstamped letter. This expenditure was not, in fact, incurred by me as the letter did not arrive by airmail and was not, in consequence, debited with airmail postage. I am, however, retaining the amount, with thanks, in order to defray the now extortionate airmail postage charged by the Australian postal authorities on letters sent to you, of which this one is an example.

Yours sincerely,



H.E. Maude.