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About the Institute

The Hunt Institute for Botanical Documentation, a research division of Carnegie Mellon University, specializes in the history of botany and all aspects of plant science and serves the international scientific community through research and documentation. To this end, the Institute acquires and maintains authoritative collections of books, plant images, manuscripts, portraits and data files, and provides publications and other modes of information service. The Institute meets the reference needs of botanists, biologists, historians, conservationists, librarians, bibliographers and the public at large, especially those concerned with any aspect of the North American flora.

Hunt Institute was dedicated in 1961 as the Rachel McMasters Miller Hunt Botanical Library, an international center for bibliographical research and service in the interests of botany and horticulture, as well as a center for the study of all aspects of the history of the plant sciences. By 1971 the Library's activities had so diversified that the name was changed to Hunt Institute for Botanical Documentation. Growth in collections and research projects led to the establishment of four programmatic departments: Archives, Art, Bibliography and the Library.

Adventurer Plans Reverse Kon-Tiki

By SPENCE BRADY

Five men headed by French adventurer Eric de Bisschop will shove off from Tahiti for South America on a bamboo raft next fall on a reverse Kon-Tiki expedition, according to reports received here.

Name of their raft: Tiki-Kon.

Capt. de Bisschop may be just the man to pull off such a trip. He once sailed from Hawaii to France in an outrigger canoe.

The Kon-Tiki expedition of six men, led by Scandinavian Thor Heyerdahl, drifted from Ilo, Peru, to Rarola atoll in the Tuamotu archipelago in 102 days, in 1947. It was attempting to prove Polynesians could have migrated to the south Pacific from South America.

Tiki-Kon will try to prove traffic could be both ways.

ALONG THE Honolulu waterfront the talk yesterday was that September had been chosen for a starting date. Then, sailors said, they might get the right currents.

Joseph Tatibouet, Moana hotel assistant manager and French Geographical society member who was Mr. de Bisschop's companion in the Hawaii-France trip, surmised that Tiki-Kon might then catch the proper westerly winds if it went far enough south.

Mrs. de Bisschop, kamaaina artist of 158 Dowsett Ave., said some of the crew members now are in France briefing French journalists on the expedition.



De Bisschop

She didn't have too many details, she said. Mr. de Bisschop hasn't been home since 1949. But she expected a letter soon.

VETERAN OF A shipwreck off the Canary Islands and a World War II canoe trip through German minefields with her husband, Mrs. de Bisschop is passing up the Tiki-Kon adventure. It might be socially awkward, being the only woman aboard with five men, she implied.

Mr. de Bisschop, a French war ace, was washed onto the Hawaii scene in October, 1935, with the battered junk Fou-po II. He and Mr. Tatibouet had been sailing around the Pacific for three years, gathering hydrographic information.

Their arrival made front pages.

THE FOU-PO II was lost on the coast of Kalaupapa after a 79-day voyage from the Marshall Islands. During the last 15 days,

Mr. de Bisschop and Mr. Tatibouet had only tallow, curry powder and rice for rations.

Recovered from their trip, the two Frenchmen built a double-hulled outrigger with a few Chinese junk features and announced they would sail for Cannes, France.

They did, too, leaving Honolulu's Ala Moana basin March 7, 1937, and arriving at Cannes May 21, 1938.

MR. DE BISSCHOP came back to Hawaii after a few years and added another colorful chapter to his roving life by sparkplugging the trading ship misadventures of the junk Cheng Ho.

After a quartet of lawsuits, mostly springing from ownership claims, the Cheng Ho ended up in Tahiti.

There Mr., de Bisschop also now headquarters, exact address unknown.

Mehr Hilfe für Indochina?

Paris (AP). Bei seinem bevorstehenden Besuch in Washington wird Ministerpräsident Mayer nach einer Mitteilung des französischen Außenministeriums eine beträchtliche Erhöhung der amerikanischen Hilfe für die Kriegführung in Indochina beantragen. Dadurch soll es Frankreich ermöglicht werden, seinen Rüstungsverpflichtungen in Europa besser nachzukommen. Die rechtsstehende Zeitung „Paris-Presse“ bemerkt dazu, Frankreich werde auf jede direkte amerikanische Hilfe mit Ausnahme der Rüstungsaufträge verzichten, wenn Amerika eine Milliarde Dollar oder 65 Prozent der jährlichen Kosten in Indochina übernehme. Als Gegenleistung wolle Frankreich seine Streitkräfte in Indochina nicht weiter verstärken und die freierwerbenden Mittel der europäischen Verteidigung zuführen.

Salon (dpa/Reuter). In einem dreitägigen Gefecht zehn Kilometer nordwestlich des Hafens Hué in Annam verloren die kommunistischen Vietminh vierhundert Tote. Die Verluste der französischen und vietnamesischen Streitkräfte betrugen 83 Gefallene und Vermisste.

Handwritten note: 1955/12/30/55

Adventurer De Bisschop Plans To Reverse Kon-Tiki Voyage

By SARAH PARK

When Eric de Bisschop was a young lad land-locked in northern France, the ocean pounded an urgent call upon him.

At 14, he flew against parental desires that would have shaped him into a Jesuit priest, and went sailing on a four-masted schooner—and the sea is still his mistress.

Since then, he's crossed the Pacific Ocean twice in Chinese junks, sailed from Hawaii to Tahiti in a double-hulled canoe, married a beautiful descendant of historic Island lineage, and fathered a lovely daughter.

TAHITI TO PERU

Now, he is in Tahiti preparing a bamboo raft aboard which he and four others will attempt in October to sail from Tahiti to Peru and Chile—the reverse of Thor Heyerdahl's Kon-tiki saga.

He wants to prove that the Polynesians could have done the same thing in the days when they cruised at will over the broad breast of the Pacific Ocean.

Mrs. Constance de Bisschop, his wife and a well-known Honolulu artist of 158 Dowsett



De Bisschop

Avenue, isn't sure whether she'll see him off in Tahiti, but she's more certain about joining him there later.

His French scientific expedition plans to spend a few months in South America, then sail back aboard the raft to Tahiti.

BAMBOO LOGS

The raft, the Tahiti-Nui (Country Toward The Rising Sun) will reportedly have a wooden frame on which bamboo logs will be lashed together with coconut tree rope.

The sails will be lauhala mats, and the centerboards will afford the only steering apparatus.

The trip to South America is expected to take three or four months.

According to Joseph Talibouet, who has shared some of Mr. de Bisschop's colorful adventures of the past, the raft probably will sail south from Tahiti until within the westerly winds, then set a course for South America.

MANY ADVENTURES

Mr. de Bisschop's past reads like a novel written by an author overwhelmed by plots that have leaped out of a Pandora's box and stunned the writer into dazed acceptance.

He has lived with cannibals and eaten human flesh out of necessity, been rammed by a Spanish fishing vessel while sailing a single hulled canoe bound from France to Hawaii and been raided by pirates.

While living here, he became friends with another adventurer, Florentino Das of Maill, Oahu, who recently sailed from Hawaii to the Philippines.

IS WRITING BOOK

Mr. de Bisschop's "first love," his lovely artist wife says, is his theory of the migration of the Polynesians, and, probably before setting sail for South America in October, he will have completed a two-volume book he's writing on the subject.

How does Mrs. de Bisschop feel about the impending trip?

"I have the greatest confidence in him," she smiled with assurance.

C/o American Express Cie.,
Frankfurt/Main, Allemagne.
August 18, 1953.

Le Conseiller Technique,
Ministère de la Justice,
Paris, France.

Dear Sir:

I know Paris is as eager as I to end the deplorable AFFAIRE CHENG Ho now transpiring in Tahiti. I am therefore adding this communication to my earlier one of Aug. 7, 1953, in answer to your kind letter dated July 31. May I suggest that you study the correspondence and copies of contracts and documents now in the files of M. Tony Révillon, le Secrétaire d'Etat aux Affaires Economiques, 41 Quai Branly, Paris. It will help you get proper perspective of the case. Study of correspondence between Tahiti Government Officials and His Excellency, the Ambassador of France, Washington, would also be helpful, showing how the colonial officials in Tahiti are prejudiced against the American botanist and teacher Degener in favor of an interesting French swindler who in France spent 2 terms in jail and was acquitted of murder, and who in Hawaii was subject to deportation as an undesirable alien. Consul Dupont of Washington, D.C., knows this man and can likewise inform you of his true character.

Though I have lived in the South Seas since 1922, I have never been in Tahiti. Nevertheless, I am very familiar with conditions there so far as Cheng Ho matters are concerned due to a.) returned and disillusioned members of the crew of the Cheng Ho (to whom I in good faith had sold shares of the Cheng Ho Trading & Exploring Company and whose interests I in part still legally represent), b.) reports from returned American travelers from Tahiti and, c.) answers from other individuals whom I had charged with specific questions before their departure for Tahiti. I am therefore able to dispel the false impressions held by His Excellency, the Ambassador of France in Washington, as expressed in a letter dated June 15, 1953. With the purpose of correcting the Ambassador's impressions, emanating obviously from ex-Consul deBisschop and his friends in the Colonial Service in Tahiti, I here give the translation from the original French into English for your study, followed by my reactions.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Government of French Oceania and setting forth his contentions with Mr. deBisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, be-

ing enabled to go to Oceania to defend his interests, as he had at first shown the desire to do, had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However, that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France - - - of its very high consideration
((Stamp of the Embassy of France))"

From the above letter from the French Ambassador we do not learn WHY the Governor of Tahiti first refused the botanist Degener a visit to Tahiti. The Governor of New Caledonia, by the way, where Degener owns no assets, had granted him a visa good for one year. We strongly suspect that some of the following considerations were strongly involved in preventing and, after protests had accumulated, in delaying as long as possible Degener's visit to Tahiti where his assets lie:

1. According to U.S. Federal Court Proceedings (Judge McLaughlin presiding Oct. 1948) and Territorial Circuit Court Proceedings (Judge Pence presiding Nov. 1948) the vessel Cheng Ho, appraised originally at \$75,000, had been fraudulently registered under the French flag in the name of Eric deBisschop "in the office of the Governor of Tahiti" when the vessel actually belonged to an American company incorporated in Honolulu, Hawaii, with mostly American citizens as shareholders.

2. The former French Consul and député Eric deBisschop owed Degener (and others whom he represents) a debt in excess of 3,000 dollars, and accumulated interest.

3. Degener owned the option to repossess his vessel Cheng Ho July 7, 1952 for \$15,000 according to a contract registered by the Registry of Conveyances for the Territory of Hawaii in Book 2156, pages 247 - 249 (of which M. Tony Révillon has a photostatic copy). This contract in part reads: "The CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engines,

machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

4. Ex-Consul deBisschop had long chartered the Cheng Ho for the sum of 2,500 French COLONIAL Francs per day in Tahiti to M. Gallois, Member of the Governor's Privy Council (according to a Tahiti letter of June 26, 1952).

5. Degener asked for the visa to Tahiti as early as Nov. 28, 1951 to arrange for repossession of the Cheng Ho July 7, 1952 as per contract and was not informed of its granting by the French Consulate in San Francisco until May 26, 1953. The letter reached him early in June. Thus the French Government in Tahiti delayed 6 months in granting the request and gave Degener just a month to leave New York City to reach far distant Tahiti before July 7 when repossession of the Cheng Ho was due. This delay may have been unavoidable and quite innocent, but it does smack of chicanery and continuation of sabotage begun when Degener was originally refused a visa to visit Tahiti to protect his assets there.

6. Quoting from a letter written by the Tahiti shiphandler Oscar Nordman about Cheng Ho developments, dated Papeete, Tahiti, June 12, 1952, we read: "At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur GALLOIS, the following favorable conclusions were reached." According to another letter, this one from Marcel Lejeune, Notaire, Papeete, of same date, we hear: "Pour avoir une connaissance plus complete de cette affaire, j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin réunir à son Cabinet, en ma présence, le Chef du Service des Duanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affréteur du bateau." From the same letter of M. Lejeune, we learn that Eric deBisschop at the time of the meeting was away in the Austral Islands. Whether Governor Petitbon was present at this meeting of his cabinet I do not know. We do know, however, that the Notary Lejeune was present when the 1.) Customs Chief, the 2.) Chief of Political and Administrative Affairs, the 3.) Harbor Master and 4.) Governor Petitbon's Privy Councillor GALLOIS (who also represented ex-Consul deBisschop and was charterer of the Cheng Ho), unanimously or not I do not know, concocted the following confiscatory and shameful conditions to trick me gracefully of the Cheng Ho after I had prevented (through my protests to the honest Officials in Paris) the déporté and ex-Consul Eric deBisschop from stealing my vessel by more direct means. Here are the conditions which, had I signed, would have given me practically nothing for the very nice sum of 15,000 U.S. dollars:

"1-. The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

(a) In accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maître Lejeune, Notary on or before 7 July 1952.

(b) Further, in keeping with the agreement, the Cheng Ho will be returned over to Mr. Otto Degener, or his authorized representative, free of all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

- - - - - The Government recognizes the transfer to the french flag legal and the vessel will so remain. - - - - -."

As I mentioned before in my article "The Good Ship Cheng Ho" there is no agreement anywhere in the contract that I was to deposit 15,000 dollars as guarantee of good faith in any special bank. As Indo China was already at that time in the throes of Civil War, I instead deposited

twice the amount at commercial bankers in New York, sending proof of my action to the French Ambassador in Washington. Yet these French Officials in Tahiti demand that I retain under the French flag the American vessel Cheng Ho, fraudulently put under the French flag by the convict de-Bisschop. This is certainly an incumbrance to me, an American citizen, and contrary to my option contract registered Aug. 16, 1948 by the Registry of Conveyances. These French Officials in Tahiti also require that I form a new trading company around the Cheng Ho, and to surrender 51% of the shares or interest of this company to a Frenchman. Why? Even the vessel "Vega" in the South Seas which flies the French flag legally belongs 100% to an American citizen. This arbitrary ruling not only robs me of more than half the vessel but all control of her. Furthermore, accumulating reports from Tahiti prove that the once valuable Cheng Ho has greatly deteriorated and never can be reconditioned to anything near the state required by contract. DeBisschop had not only damaged her by 15,000 dollars during the first eight months of his stewardship of the vessel illegally as his property under the French flag. Since that time he has ripped out the teak and camphor wood cabins, sold or given away valuable equipment, allowed her (while chartered by M. Gallois) to run aground upon the coral reef, and neglected timely drydocking to prevent shipworm damage.

The shameful demand of June 11, 1952 subjects me to incumbrances contrary to contract and to confiscation of property. What then do I get for my 15,000 dollars?

7. I had paid \$310 passage money to Messageries Maritimes to take me from Marseille to Ceylon on my first stage to Tahiti. I had shipped botanical equipment from the New York Botanical Garden to Marseille to the steamer and had shipped other equipment from the Bishop Museum in Honolulu to Ceylon for me to pick up on my arrival there. Nevertheless, I cancelled my passage, with a 14% refund loss. Why did I do so to the great surprise of the French Ambassador in Washington? The reasons are:

a. The confiscatory demands (mentioned above) of Governor Petitbon's cabinet.

b. The accumulated evidence that the French had by vandalism, neglect and pilfering allowed the Cheng Ho to become little more than a derelict and now wanted to shake me down for \$15,000.

c. The suspicious fact that the French shiphandler Oscar Nordman of Tahiti refused to sign a business contract with me regarding our respective rights in a new Cheng Ho Trading Company UNTIL he had received, as demanded of me by the Tahiti Government, 51% of shares or interest; this lack of confidence was found justified when I received the following report from a friend recently returned from Tahiti. He writes "I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscar even though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution." There is likewise an allusion to a former 2 year prison sentence in the magazine "Pacific Islands Monthly," published in Australia.

d. The evident unfriendliness of the Governor in delaying by 6 months the granting of my visa to visit Tahiti, the confiscatory demands (mentioned above) made June 11, 1952 in Tahiti (of which I received notice my mail in New York weeks later), and the impossibility of my reaching Tahiti to arrange for proper repossession with legal advice of the Cheng Ho, as the contract specified, on July 7, 1952.

8. The French Ambassador in Washington alludes to my "violently attacking" the French Administration in Tahiti and my "malicious aspersions on the good faith and impartiality of the magistrates of Tahiti" in my letter of March 24, 1953. Considering what happened, the Ambassador should really be surprised that I was so mild and patient and delayed my attack 5 or 6 years. The reasons for these "attacks" are rather self-evident from

the above. Nevertheless, to avoid possible confusion, I repeat them:

a. The former French Consul Eric deBisschop, a *déporté* considered by the U. S. Government an undesirable alien, swindled me and associates to such an extent that he was defendant in Federal and Territorial Courts in Hawaii as far back as 1948.

b. The "Office of the Governor of Tahiti" enables ex-Consul deBisschop to fraudulently register the \$75,000 Cheng Ho (flying the U.S. flag and belonging to an American Company incorporated in Hawaii) as his own property under the FRENCH flag.

c. The Governor of Tahiti (after Degener and associates in vain hire the Tahiti lawyer Hoppenstedt to represent them in Tahiti Court against the ex-Consul) denies Degener a visa to visit Tahiti to personally fight for his rights.

d. After complaints about this injustice to officials in Paris and Washington, Degener was reluctantly granted a three months visa for Tahiti, the notice reaching him in New York after a delay of about 6 months and scarcely a month before he should be in Tahiti to repossess his vessel July 7, 1952. How get to this God-forsaken island, redolent of piracy, find an English-speaking lawyer, acquaint him of the fact, and legally fight powerful political forces in a foreign language? Was this 6 months delay necessary?

e. With the *déporté* and French ex-Consul absent in the Austral Islands, the Governor of Tahiti convened his Cabinet June 11, 1952, at which meeting we learn were present at least the 1.) Notary Lejeune, 2.) Chief of Customs, 3.) Chief of Political and Administrative Service, 4.) Harbor Master, and 5.) M. Gallois who is a Member of the Governor's Privy Council and charterer of the Cheng Ho for 2,500 French Colonial francs (which stand far higher than French francs used in Europe). These men, whether unanimously or not I do not know, in no way question the validity of Degener's option yet demand that Degener pay \$15,000 for the vessel (which deBisschop and Gallois changed into a near-derelict) and at the same time turn over 51% of the shares or interest to a Frenchman who once spent 2 years in jail for some insurance swindle involving the sinking of some vessel.

f. When a man like Henri Hoppenstedt, with a rather elementary legal training as is evident from the descriptive list of Pacific Island attorneys on file in some American Consular Offices, can practice in Tahiti Courts after duping his American clients of \$150 he accepted for a case, how good are Tahiti Courts?

g. I have lived long enough in the South Seas to know that it is difficult for white people and especially white officials in some foreign Colonies inhabited by colored races to be convicted of wrong-doing. The white race loses "face" or prestige. When a Governor of Tahiti, about the time the Cheng Ho swindle started, got involved in a scandal appertaining to the purchase of enormous quantities of unwanted cement, were Courts in Tahiti competent to handle the case? The Official was quietly transferred from the Colony. What chance, then, has an American citizen in a Tahiti Court against French Officials who must be "white washed" of all blame?

h. I doubt that French Courts have jurisdiction over major elements in the Cheng Ho swindle as the vessel is rightfully American and merely illegally registered as French.

8. The French Ambassador in Washington states that "The quarrels of Mr. Degener and Mr. deBisschop are - - - strictly private in character, involving a commercial dispute - - - ." This statement is nonsense as the above facts show. French Consuls, Governors, Cabinet Ministers and Privy Councillors in Papeete, Tahiti, have all had their fingers in the Cheng Ho pie from its beginning, about six years ago, to the present time.

In conclusion, therefore, I request damages for my unjust losses from the French Government, not from deBisschop whom I could have handled in Honolulu as before with my own lawyer adequately had he not had backing, accidental or otherwise, of French Government Officials in Tahiti.

Sincerely,

H. Otto Degener

United States Senate
WASHINGTON, D. C.

Wednesday - June 24, 1953

Mr. Otto Degener
Falken b. Titisee, Baden,
French Zone
Germany

Dear Mr. Degener:

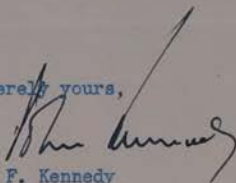
This will supplement my letter to you of June 5.

I am now in receipt of a communication from the
Department of State on this matter and enclose a copy
herewith, which speaks for itself.

In the event you feel there is something I can do
to be of assistance at a later date, I will be happy
to have you get in touch with me once again.

With kind regards, I am

Sincerely yours,



John F. Kennedy

JFK:mb

DEPARTMENT OF STATE
WASHINGTON



In reply refer to
OP 951.537 Cheng Ho
SS/6-553

June 18 1953

My dear Senator Kennedy:

Mr. Morton has referred to me for reply your communication of June 5, 1953, with which you transmit, with a request for a report, a letter which you have received from Mr. Otto Degener, written at Falkau bei Titisee, Baden, Germany, on May 20, 1953. Attached to Mr. Degener's letter is a typewritten summary of his case, accompanied by four pictures of the vessel Cheng Ho and a news clipping.

The text of the typewritten summary corresponds with that of a paper sent by Mr. Degener to the Department in April of this year for its information. He stated at that time that he was writing such articles and distributing them to Members of Congress, newspapers, and magazines.

Essentially, Mr. Degener's problems appear to be (1) that of enforcing his right to exercise an option which he considers he has to repurchase the Cheng Ho for \$15,000 from the Cheng Ho Trading and Exploring Company, and (2) that of attempting to recover for damages and deterioration said to have been sustained by the vessel in recent years. These are private matters in regard to which it would seem that Mr. Degener should be guided by legal counsel, preferably counsel versed

in

The Honorable
John F. Kennedy,
United States Senate.

in matters of maritime law. In addition there is a question of a debt of \$3,000 owed by Mr. Eric de Bischopp. It is not clear from the file that Mr. Degener has as yet exhausted available means of legal remedy. No basis for a claim against the French Government is apparent.

As respects allegations on Mr. Degener's part of irregularities on the part of the French officials, past and present, it is suggested that while Mr. Degener is in Europe he might visit the American Embassy at Paris for the purpose of discussing the matter.

Mr. Degener's letter, the photographs, and the news clipping are returned in accordance with your request, a copy of the letter itself having been retained for the Department's files.

Sincerely yours,

Allyn C. Donaldson
Director
Office of Protective Services

Enclosures:

Mr. Degener's letter,
with enclosures, returned.

LEVERETT SALTONSTALL, MAINE, CHAIRMAN
STYLER BRIDGES, N. H.
RICHARD B. RUSSELL, GA.
HARRY FLOOD BYRD, VA.
LYNDON B. JOHNSON, TEX.
ESTES KEFAUVER, TENN.
LESTER C. HUNT, WYO.
JOHN C. STENNES, MISS.
STUART EYINGSTON, MO.
MARGARET CHASE SMITH, MAINE
ROBERT C. HENDRICKSON, N. J.
FRANCIS CASE, S. DAK.
JAMES H. DUFFY, PA.
JOHN SHERMAN COOPER, KY.

PHILIP K. ALLEN, CHIEF CLERK

United States Senate

COMMITTEE ON ARMED SERVICES

July 9, 1953

Mr. Otto Degener
Falkau b. Titisee, Baden
French Zone, Germany

Dear Mr. Degener:

I hasten to forward herewith copy of letter from the Department of State in reference to difficulties you are encountering in regard to the vessel CHENG HO and damages to be collected.

You will note they suggest both legal counsel and a visit to the American Embassy at Paris might help to clarify and rectify the existing conditions.

I trust this information will be of value to you.

Sincerely yours,

Leverett Saltonstall
Leverett Saltonstall
United States Senator

LS/cf
Encs. - 8

DEPARTMENT OF STATE
WASHINGTON



In reply refer to
OF 951,537 Cheng Ho
SS/6-2053

July 6 1953

My dear Senator Saltonstall:

Mr. Morton has referred to me for reply your communication of June 20, 1953, with which you transmit, with a request for a report, a letter which you have received from Mr. Otto Degener, written at Falkau bei Titisee, Baden, Germany, on June 1, 1953. Attached to Mr. Degener's letter is a typewritten summary of his case, accompanied by four pictures of the vessel Cheng Ho and a news clipping.

The text of the typewritten summary corresponds with that of a paper sent by Mr. Degener to the Department in April of this year for its information. He stated at that time that he was writing such articles and distributing them to Members of Congress, newspapers, and magazines. The Honorable John F. Kennedy has also communicated with the Department regarding Mr. Degener's case.

The Department has been in communication with the American Embassy at Paris and the Embassy of the French Republic in this city in behalf of Mr. Degener.

Essentially, Mr. Degener's problems appear to be (1) that of enforcing his right to exercise an option which he considers he has to repurchase the Cheng Ho for \$15,000 from the Cheng Ho Trading and Exploring Company, and (2) that of attempting to recover for damages and deterioration said to have been sustained by the vessel in recent years. These are private matters in regard to which it would seem that Mr. Degener should be guided by legal counsel, preferably counsel versed in matters of maritime law. In addition there is a question of a debt of \$3,000 owed by Mr. Eric de Bischopp. It is not clear from the file that

Mr. Degener

The Honorable
Leverett Saltonstall,
United States Senate.

Mr. Degener has as yet exhausted available means of legal remedy. No basis for a claim against the French Government is apparent.

As respects allegations on Mr. Degener's part of irregularities on the part of the French officials, past and present, it is suggested that while Mr. Degener is in Europe he might visit the American Embassy at Paris for the purpose of discussing the matter.

Mr. Degener's letter, the photographs, and the news clipping are returned in accordance with your request, a copy of the letter itself having been retained for the Department's files.

Sincerely yours,

Allyn C. Donaldson
Director
Office of Protective Services

Enclosures:

Mr. Degener's letter,
with enclosures, returned.

Falkau b. Titisee, Baden,
French Zone, Germany.
June 9, 1953.

Dear Mr. Kilkenney:

I just received a letter from Mrs. Archbold about you and your Cheng Ho interest and quickly sent off a brief note to you that I am interested in doing business with you and that a longer letter would follow. Here is the Longer one.

As you no doubt know, I bought the Cheng Ho from Mrs. Archbold. Then I started the Cheng Ho Trading & Exploring Co., incorporated in Honolulu and with the ship under the U.S. flag. I turned over the Cheng Ho, in exchange for shares in this stock company, on condition that I could buy her back for 15,000 U.S. dollars in July 1952 in the same condition in which I had turned her over to the Company. The appraised value of the Cheng Ho at that time was 75,000 dollars. Below is a copy of the option contract. It is registered at the Bureau of Conveyances, Territory of Hawaii, Honolulu, in Liber 2156 on pages 247-249. I imagine, if you want a copy, you could write the Bureau for a photostatic copy for a couple of Dollars:

AGREEMENT

THIS INDENTURE, made and entered into this 7th day of July, 1947, by and between the CHENG HO TRADING & EXPLORING COMPANY, LIMITED, a Hawaii corporation, hereinafter called the "corporation" and OTTO DEGENER, of the City and County of Honolulu, Territory of Hawaii,

WHEREAS, the said OTTO DEGENER was the original promotor of said corporation and is at the present time a stockholder of the same and,

WHEREAS, the said OTTO DEGENER has expended and contributed to the corporation services of great value and has transferred property above and beyond such services and property as were compensated for by the issuance of stock of said corporation and,

WHEREAS, specifically, the said OTTO DEGENER did transfer to the said corporation in return for stock of the said corporation, a certain undocumented junk type yacht, known as the Cheng Ho, and,

WHEREAS, the corporation is about to undertake repairs and reconstruction of said junk type yacht, Cheng Ho,

NOW THEREFORE, the parties hereto agree as follows:

The corporation for the consideration above recited and in further consideration of ONE Dollar (1.00) cash in hand paid by the said OTTO DEGENER to the corporation, receipt whereof is hereby acknowledged, hereby grants unto the said OTTO DEGENER an option to repurchase the said yacht, CHENG HO, from the said corporation five years after the execution of these presents for the sum of FIFTEEN THOUSAND DOLLARS (15,000); said option to be exercised by the said OTTO DEGENER by notice in writing to the corporation on or within fifteen (15) days after the expiration of five (5) years from the execution of these presents, upon receipt of which notice the said corporation will transfer and sell the said CHENG HO to the said OTTO DEGENER at the price aforementioned. Should said option be not exercised by the said OTTO DEGENER as aforesaid it shall cease and be no longer exercisable.

The said CHENG HO shall be transferred and delivered to the said Otto DEGENER in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever.

In the event the said OTTO DEGENER be deceased or otherwise legally incapacitated during the period herein granted for the exercise of his option, then the option herein granted shall inure to the benefit of and be exercisable by his administrators, executors, and/or assigns,

on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

The Cheng Ho for her first business trip was loaded with a general cargo such as shoes, sugar and refrigerators, and, flying the American flag, was sent to Papeete, Tahiti, the latter part of 1947 with the Frenchman deBisschop as Captain and with a crew of six. The Captain was to sell our cargo in Tahiti and, with the money realized, purchase French goods. The Cheng Ho was to be back in Honolulu with them in about six weeks, in time for the Christmas trade. Instead of returning within six weeks, Capt. deBisschop with the Cheng Ho limped into the port of Honolulu penniless and with only two tons of vanilla beans, the a drug on the market. He had squandered the resources of the Company on "wine, women and song" and had even sold equipment like lifeboats belonging to the vessel to pay off some of his many personal debts. The vessel was reappraised in Honolulu and then, due to the Captain's mismanagement, pilfering and vandalism, was valued at only 60,000 dollars, a loss of 15,000 dollars in eight months!

Degener and other injured stockholders immediately nailed ex-consul deBisschop into Territorial and Federal Courts, demanding an accounting, payment of back wages to two swindled members of the crew, etc. That deBisschop lost every case, and that Degener and associates won Pyrrhic victories is another matter. The Cheng Ho was registered in the courts as

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unless a specific person or persons be designated in his will for the purpose of exercising said option in which case the person or persons named in his will shall have all the benefits and powers given by the option herein contained.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed this 7th day of July, 1947.

CHENG HO TRADING AND EXPLORING COMPANY,
LIMITED,

By: signed Eric deBisschop
Its President

signed Otto Degener
Its Secretary-Treasurer

signed Otto Degener
Otto Degener

)
TERRITORY OF HAWAII?) SS.
CITY AND COUNTY OF HONOLULU)

On this 7th day of July, 1947, before me appeared Eric deBisschop and Otto Degener, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary-Treasurer respectively, of CHENG HO TRADING AND EXPLORING COMPANY, LIMITED, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said ERIC DEBISSCHOP and OTTO DEGENER acknowledged the instrument to be the free act and deed of said corporation.

(Signed) Hattie Pang Lee
Notary Public, First Judicial Circuit
Territory of Hawaii
My Commission expires June 30, 1949.

)
TERRITORY OF HAWAII?)
CITY AND COUNTY OF HONOLULU)

On this 7th day of July, 1947, before me personally appeared OTTO DEGENER to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

Hattie Pang Lee
Notary Public, First Judicial Circuit,
Territory of Hawaii
My Commission expires June 30, 1949.

Whitaker
At this time we had the Cheng Ho appraised by a well-known shipping engineer whose name I have forgotten but which can easily be found by looking through a Honolulu directory. His name was something like Withington or Worthington. At any rate, he appraised the Cheng Ho at U.S. 75,000 dollars.

As Captain we picked out Eric deBisschop, former French Consul in Hawaii and a wonderful navigator. We did not know until later that he was a crook and even at that time was subject to deportation from the U.S. as an undesirable alien. He was one of the share-holders, I the major one, however.

We sent deBisschop down to Tahiti with a cargo to sell, and from the proceeds buy French goods for sale in Honolulu. Instead of returning in

about six weeks he squandered the resources of our company, even selling dory to pay his personal debts. It was a case of wine, women and song. After eight months he limped into port with the Cheng Ho, needing U.S. ~~part~~ engine parts. I, and the other stockholders immediately tied up the vessel legally and hauled the crook into Courts, both Territorial and Federal. He lost every case, and we won but of course the lawyers got their big slices. What is important is that in both Courts it was discovered that deBisschop had fraudulently registered the Cheng Ho as his own property under the French flag when the vessel belonged to all of us and was legally American. This was done "in the Office of the Governor of Tahiti". I think the Governor was Anziani but am not sure. Anziani was later removed by the French for some scandal in the purchase of cement. DeBisschop had wife and daughter in Honolulu. He, of course, is a Frenchman but they are part-Hawaiians and really very fine ones too.

I got disgusted with the company and knowing I could get the Cheng Ho back according to my contract for 15,000 dollars in July 1952, I got out of the company. I forgot to add above, that when deBisschop returned after 8 months in Tahiti we had the Cheng Ho again surveyed and the shipping engineer Goodwin appraised her at only 60,000, a loss of 15,000 in eight months!

Leaving I.O.U.s of about 3,000 dollars, he returned to Tahiti with the Cheng Ho - it is easy enough now to realize I should have fought this move. But, of course, I had the idea that in July 1952 it was up to him to turn over the Cheng Ho to me and that I then would start all over with a new company and a clean slate. I also was pretty limp from going through a couple of protracted lawsuits and paying lawyers' fees.

When deBisschop did not even pay interest on the 3,000 dollar I.O.U. to me and a few other former shareholders, I had my lawyer begin suit against him. For that he needed a French lawyer in Tahiti because the Cheng Ho and deBisschop were located there. My lawyer then sent the demanded fee of 150 dollars to the French lawyer Henri Hoppenstedt in Papeete. The latter merely pocketed the cash and did nothing. I then finally decided to travel to Papeete myself, see to collecting the cash and picking up the Cheng Ho according to my option. As you know, it is best to go to Tahiti via New Caledonia. I thought I would visit in New Caledonia ~~before~~ a couple a months or so before reaching Tahiti. I then wrote to the French Consul in San Francisco for visas and he replied that they would be granted by the individual governors of the places.

After a while I got a visa for New Caledonia, where I have no assets, good for an entire year. Then a little later I got a letter stating that a visa for me to visit Tahiti had been denied. This is very interesting that the Governor of Tahiti, in whose Office the crook French Consul deBisschop had fraudulently registered the Cheng Ho as his own property under the French flag, should want to keep me from Tahiti where I would fight for my rights. These couple of letters I had photographed and then printed in lots of 200 and then with a very strong explanatory letter, shipped them out to the State Department, to the Senate Committee on Foreign Relations, to Delegate Farrington and to 150 or more Deputies of the Assemblée Nationale in Paris. It started a howl, of course and Governor Petition of Tahiti was forced to give me a visa good for 3 months.

I had left my home in Hawaii for Washington, D.C., where I had of course gone personally to see State Dept. men, Delegate Farrington, French Consul, etc. I then started for Europe, doing a lot of sight-seeing and planning to sail from Marseille in Nov. 1952 for Singapore and then finally for Tahiti to be there ~~XXXXXX~~ to pick up the Cheng Ho.

While still in New York, it was demanded that I place 15,000 dollars in escrow in the Bank of Indo China before July 1952 to get the Cheng Ho back accordin

back according to my contract. This I refused to do as Indo China was already in the throes of Civil War. Anyway, there is no statement in my option contract that I must place cash in any definite bank. So, instead, I sent proof to the French Ambassador in Washington that instead of putting 15,000 in the Indo China bank, I had twice the amount ready in cash in a New York bank. These crooks, evidently, wanted to fleece me out of 15,000 and the vessel legally now that deBisschop no longer could do it outright illegally.

You can see for yourself the joker in the Tahiti offer: The ship chandler Oscar Nordman of Papeete (who according to an article in the magazine Pacific Island Monthly himself spent some time in jail for some early scrape with the attempted stealing of a vessel) wrote me as agent: This was dated June 12, 1952.

"Dear Mr. Degener

At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur Gallois, the following favorable conclusions were reached.

1.- The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

(a) in accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maitre Lejeune, Notary on or before 7 July 1952.

(b) Further, in keeping with the agreement, the Cheng Ho will be turned over to Mr. Otto Degener, or his authorized representative, free of all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

- - - - - The Government recognizes the transfer to the French flag legal and the vessel will so remain. - - - - -."

I was fully prepared to honor my agreement according to contract while deBisschop and his dishonest cronies in the French Government in Tahiti are guilty of breach of contract on several counts:

1. They want to retain this American vessel fraudulently under the French flag, certainly an incumbrance to an American citizen.

2. They want to force me to form a new trading company around the Cheng Ho and to surrender 51% of the shares of the company to a Frenchman. That is silly, and I am to pay 15,000 dollar option price to lose more than half the boat that is to belong to me 100 % and if I don't have more than 51% of the shares I lose all control of her.

3. DeBisschop and his Government friends have allowed the Cheng Ho to depreciate 15,000 dollars in the first eight months under deB.'s illegal control of her under the French flag. How much more has the Cheng Ho depreciated since that time?

In summary, my answer to the above offer is that I refuse to accept the Cheng Ho under the above conditions - actually a breach of contract in which French Government Officials have been involved from the very beginning to the present time - and because the people involved are all past or present French Government Officials I now demand from the French Government ~~60,000~~ 60,000 dollars (original appraised value of 75,000 minus the 15,000 option price) damages.

Just as I forced the crooked Fr. Governor of Tahiti to grant me a
that I never used when I realized the Officials would ~~manipulate~~

I have not seen the Cheng Ho for five years and so don't know her condition. I know deBisschop illegally ripped out the beautiful teak and camphor wood cabins to make the vessel ideal for the cargo trade. It is this more practicable as a money maker but certainly not as valuable as a vessel, considering the cash originally needed to procure these woods and construct the cabins. In June 1952 the Cheng Ho, so a ship-chandler wrote me, was chartered out to a Mr. Gallois, Member of the Governor's Privy Council, for 2,500 francs per day. These are Colonial francs, much higher than the European ones.

I see no reason for ~~hiring~~ hiring a lawyer and losing the Cheng Ho to him in the form of shares to pay his fee. It is my plan to continue to complain about this swindle to Paris and Washington, and write Washington that I protest the granting of any more funds, as a Fed. Tax Payer, until my claim for 60,000 dollars is paid. I am ready to print a couple of thousand copies of the swindle story and distribute to newspapers and magazines. Then, only then, if I get no results (which I doubt); should I go to an international court, hire a lawyer and risk that he takes half or one third of the Cheng Ho from me in payment for winning the case.

Now what are your suggestions? Should this case break suddenly, would you be ready to dash to Tahiti, sail off and put her ~~XXXXXX~~ under some other flag than French? Do you and your partner want to buy the vessel outright or start a company and sell shares?

Sincerely,

I have not seen the Cheng Ho for five years and so don't know her condition. I know deBisschop illegally ripped out the beautiful teak and camphor woods cabins so that the vessel is well suited for cargo. It may thus be more practicable as a money maker but certainly not as valuable considering the cash involved in procuring these woods and building the cabins.

Looking through letters I have with me I quote:

Oscar Nordman, the ship chandler who would like to be my partner in Tahiti (but with the French there trying to fleece Americans I feel the vessel should do business elsewhere under another flag), writes March 4 1953 "The vessel is still anchored in the bay waiting for events."

Nordman Sept. 4, 1952, writes: "The Cheng Ho still flies the French flag, ~~and no other country's flag~~ and no other country's flag of

United States Senate

WASHINGTON, D. C.

Friday - June 5, 1953

Mr. Otto Degener
Falken b. Titisee, Baden,
French Zone
Germany

Dear Mr. Degener:

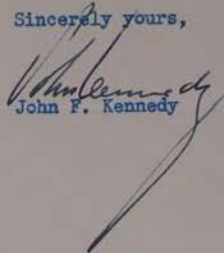
This will acknowledge receipt of your recent letter, with which you enclosed report "The Good Ship Cheng Ho or Should the American Tax Payer Trust France With Any More Loans?", along with several photographs.

I am immediately taking up the matter about which you wrote with the appropriate authorities here in Washington, requesting that they look into this with a view towards giving same their favorable consideration.

You can be sure that just as soon as a report is made available to me in this connection, I will again communicate with you.

With kind regards, I am

Sincerely yours,


John F. Kennedy

JFK:mb

Falken b. Titisee, Baden,
French Zone, Germany.
April 14, 1953.

The Honorable Senator Taft,
Senate Office Building,
Washington, D.C.

Dear Sir:

I am an American citizen resident in Hawaii. Last summer I left home to fly to Washington to complain to the State Department, to Delegate Farrington and to a few others how the French were denying me a visa to visit Tahiti in an attempt to sabotage my protecting my interests there. This difficulty involved mainly repossession of my vessel Cheng Ho, appraised at 75,000 dollars, and fraudulently registered under the French flag as belonging to the former French Consul Eric deBisschop. The vessel is rightfully American and belonged to an American company incorporated in Honolulu.

The enclosed article is a summary of the swindle, dressed up a bit with a Fiji introduction to make it suitable if you wish to pass on to your home town newspaper for publication. As a Federal Tax Payer I protest the giving of any more funds or largesse to France until, instead of condoning the robbing of Americans, protects them and their rights. And I believe the American public - whose taxes go to France - has a right to know the story.

The French Government Officials, past and present, have perpetrated and condoned this swindle from its very beginning and through all its stages with the result that my assets (and those of a number of American citizens I represent) have been stolen and ruined. I am therefore demanding payment from the French Government of my claim for 63,000 dollars. I hope you will use your influence with the French Ambassador in Washington to see that action is taken without too much delay.

We gullible Americans allow ourselves to be trampled on by slick foreigners to such an extent that they lose all respect for us. The French, I believe, would respect us more and be more careful of our cash in Indo China if we showed them that they cannot cheat us Americans in neighboring Tahiti.

Yours sincerely,

Edith T. Titisee

P.S. As a student at M.A.C., now the University of Mass., I enjoyed greatly your father's hilarious talk at Assembly about 33 years ago.

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Falkau b. Titisee,
Baden, Allemagne,
Zone Francaise.
Merch 24, 1953.

Dear M. Jacquinet:

I recently received from M. Révillon a copy of your letter dated March 13, 1953, concerning the Cheng Ho swindle. The outrageous part of this swindle is that it was perpetrated not by a private French citizen against a private American citizen (and the Americans he represents) but that it was perpetrated by past and present French Government Officials. The disturbing part is that the namby-pamby decision regarding Petition No 62 of 20 April 1952 shows us Americans that this swindle, now known in detail to the Ministry de la France d'Outre-Mer, is being continued under the veryegis of the Ministry!

Permission for me to visit Tahiti to attend to American assets there was only wrested from a corrupt French Consular system by my exposure of that system to honest Statesmen in Paris and Washington. But do you for once believe that this permission, at length reluctantly given, ends France's Cheng Ho scandal? Unless France does the only honorable thing by paying my claim of 63,000 dollars for the theft and for the irreparable damage by vandalism to my former Cheng Ho, built of teak and camphor wood, I must continue my fight for justice. If M. le Ministre does not care to listen, I am forced to turn for justice to my 500 Congressmen in Washington. As American citizen and Federal tax payer from whom France gets continuous largesse, my Congressmen must listen to me.

As I wrote M. Révillon and as I am writing my State Department in Washington, the Cheng Ho affair is one between an American citizen and a gang of dishonest petty French Government Officials in Tahiti, whose ringleader is the professional swindler and ne'er-do-well ex-Consul Eric deBisschop, a man deported by our State Department as a very undesirable alien. And now this friendly Nation, through her Ministry de la France d'Outre-Mer, evidently wants to make a hero out of this scoundrel instead of jailing him for his part in the Cheng Ho conspiracy! Is there any wonder that we Americans ponder the wisdom of sending any more funds to France when these same funds can be used so well by American soldiers in Korea?

Now your Ministry, not interested in justice at all but merely in "white washing" dishonest officials in Tahiti naively expects me to go to Tahiti for a mock trial à la Stalin in which the Papeete Court knows ahead of time that the American citizen must lose the case and the French citizen must win it, particularly as the Cheng Ho is a very desirable and useful vessel for inter-island trade in Tahiti. In this way, your Ministry, unknown to most of the Députés of the Assemblée Nationale, can wash its dirty linen and report to every one that Degener lost the case in Court against deBisschop and that this is proof that the swindler and his corrupt allies in French Government Circles are all honest and up-right men. You expect me to be so stupid, now that I finally know the Tahiti set-up, to go to Papeete at my expense to engage a corrupt French advocat (you know my past experience with M. Henri Hoppenstedt, and I can show you a letter from a Tahiti resident that in his opinion most of the remaining advocates there are little better) to sue against a French ex-Consul and expert swindler (Eric deBisschop) about the 75,000 dollar vessel Cheng Ho. This swindler deBisschop, with loot torn out of the vessel, bribed or otherwise inveigled men "in the Office of the Governor of Tahiti" to register this American vessel fraudulently as his own property under the French flag. He chartered it out to a Member (M. Gallois) of the Governor's Privy Council. This dishonest ex-Consul, a friend of Consul Raoul Bertrand (whose career, as you know, is of rare popularity in French Embassy Circles) was mysteriously aided when I, who intended to oppose him in Court in Tahiti before I realized the great corruption there, was denied a visa to visit there.

Not even a fool, knowing the set up, would expect me to receive a fair trial in a Tahiti Court. Anyway, no trial is needed. The contract registered by my Government in Honolulu, U.S.A., is clear that I was to receive the Cheng Ho in July 1952 under certain conditions, all satisfied by me. And now that the Ministry de la France d'Outre-Mer protects the criminals in their midst and further tries to aid them in stealing the vessel Cheng Ho, they expect His Excellency Ministre-President Mayer to fly to Washington to beg America to pay 65% of France's expenses in Indo-China! The money for which M. Mayer is to plead comes out of the pocket of the American taxpayer, and I am one of these.

When men appointed by the Ministre de la France d'Outre-Mer are of such low calibre in Tahiti, we cannot believe they are any better in Indo-China. Is it not far better for my Congress to let M. Mayer return to France with a modest token of largesse to avoid his "loss of face" and then to have more funds for American soldiers in Korea.

I have taken the liberty of asking Ministre-President Mayer to clean up political corruption among French Government Officials in the Pacific so that potential funds paid by American tax payers shall not be wasted in Indo-China. Furthermore, I am here asking you and the Ministry de la France d'Outre-Mer to reverse your unjust decision regarding the Cheng Ho case and to settle my just claim of 63,000 dollars damages without too much delay. Unless such matters are settled with fairness, I shall be obliged to seek justice by protesting, as I have to the Députés of the Assemblée Nationale, to my 500 Congressmen in Washington. Every day an increasing number of them are learning of France's Cheng Ho fiasco. I am likewise keeping the State Department (French Desk) informed of developments.

Sincerely yours,

Dr. Otto Degener

Falkau b. Titisee,
Baden, Allemagne,
Zone francosise.

March 24, 1953.

His Excellency,
Minister-President Mayer,
Paris, France.

Honorable Sir:

May I request that before you leave Paris for Washington you investigate evidence of possible corruption in the Ministry de la France d'Outre-Mer?

I am an American citizen and tax payer who is being swindled out of assets worth about 63,000 dollars by past and present French Government Officials located mostly in Tahiti and therefore, I believe, under jurisdiction of M. le Ministre de la France d'Outre-Mer. I shall not bother you with details as these are already known to 200 Députés of your Assemblée National and, in particular, to M. Tony Révillon, Député de l'Ain - Ancien Ministre, Assemblée Nationale.

So long as certain officials, since Governor Anziani's departure from Tahiti, have the brazen audacity to link themselves with the swindler Eric deBisechop, deported from the United States as an undesirable alien, we Americans have grounds to suspect that French Government Officials in Indo-China are of equal low calibre. With this in mind I am now protesting to my State Department any allocation of funds to France's possessions in the Pacific. Why should I and other American tax payers pay 65% of France's costs in Indo-China when we have grounds to believe much of the appropriation will merely feather the nests of corrupt French politicians there. Such funds should be used not by France but by our own American soldiers to better fight Communism in Korea.

Unless you can clean house in the Pacific among your officials and have M. le Ministre accord me just treatment at an early date, I plan to complain by letter to every one of my 500 Congressmen. I left my home in Hawaii about a year ago for Washington and Europe to fight this French swindle, and I am losing patience.

Yours respectfully,

Dr. Otto Degener

RECEIVED
FALKAU B. TITISEE
BADEN, ALLEMAGNE
ZONE FRANCOISE
MARCH 24, 1953

OTTO DEGENER

March 24, 1953
Falkau b. Titisee
Baden, Allemagne
Zone francosise

Falkau bei Titisee,
Baden, Allemagne,
Zone française.
March 23, 1953.

Dear M. Révillon:

I just received your letter with M. Jacquemot's enclosure dated 13 March 1953.

Just as the coming of one little swallow bird does not make Spring, so the granting of a visa to me by Paris to visit Tahiti does not clear up the Cheng Ho case.

The Cheng Ho case, showing corruption in Government Circles in the Pacific, is most embarrassing to France, particularly during these times when she seeks money from the United States to keep her Colonial Empire from crumbling. As an example how embarrassing it is for her to let America know the true nature of affairs is shown by the care she hushed the cement affair connected with Anziani. Now, the Ministry de la France d'Outre Mer tries to deny France's responsibility for the Cheng Ho fiasco by simply stating this affair is merely one between two private citizens: one an American and the other a Frenchman. That is silly and untrue. The affair is one between an American citizen and a gang of petty French Government Officials in Tahiti, whose ringleader is the professional swindler and French ex-Consul Eric deBisschop, a man deported by the United States as an undesirable alien.

Now the Ministry apparently expects me to allow them to stage a mock trial in just about the same fashion as the Communists in Russia stage their famous trials of their innocent victims. In this way the Ministry can report to every one that Degener lost the case in Court against deBisschop and that this is proof that the swindler and his allies in French Government Circles are all honest and upright men. This is what we in America call "white wash." The Ministry wants me (an American citizen unable to speak French) to go to Tahiti at my expense to engage a corrupt French advocate (you know my past experience with M. Hoppenstedt, and I can show you a letter from a Tahiti resident that in his opinion most of the remaining advocates there are little better) to sue against an ex-Consul and expert swindler (Eric deBisschop) about the 75,000 dollar vessel Cheng Ho. This swindler deBisschop, with loot torn out of the vessel bribed or otherwise inveigled men "in the Office of the Governor of Tahiti", to register this American vessel fraudulently as his own property under the French flag. He chartered it out to a Member (M^r Gallois) of the Governor's Privy Council. This dishonest ex-Consul, a friend of Consul Raoul Bertrand (whose career, as you know, is of rare popularity in French Embassy Circles) was mysteriously aided when I, who intended to oppose him in Court in Tahiti, was denied a ~~VISA~~ visa to visit there.

Not even a fool, knowing the set up, would expect that I would receive a fair trial in a Tahiti Court. Anyway, no trial is needed. The contract registered by my government in Honolulu, U.S.S.A., is clear that I was to receive the Cheng Ho in July 1952 under certain conditions, all satisfied by me.

And now that the Ministry de la France d'Outre-Mer protects the criminals in their midst and even tries to aid them in keeping the vessel Cheng Ho as their loot, they expect His Excellency Ministre-President Mayer to fly to Washington to beg America to pay 65% of France's expenses in Indo-China! The money for which M. Mayer is pleading comes out of the pocket of the American taxpayer, and I am one of these.

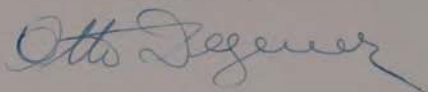
When men appointed by the Minister de la France d'Outre-Mer are of suc

low calibre in Tahiti, we cannot believe they are any better in Indo-China. Why is the figure 65% and not 50%? Is it because France expects the 15% (really 30% of the entire sum to be spent) to go as graft to Officials like Colonial Governors and Consuls? Is it not far better for my Congress to send M. Mayer back to France with a modest token of largesse to be squandered in Indo-China, and to let American soldiers in Korea use more of our funds instead? This is a question I am now writing some of my Congressmen to ponder.

Now regarding the Cheng Ho: I request that the Ministere de la France d'Oltre-Mer reconsider the case. I have traveled from Hawaii via Washington to Europe to fight for Justice. I spent a year upon this case; a small fortune in attorney fees, printing and postage. If the Minister or the Assemblée Nationale continue to treat me unjustly I plan to repeat my former policy. Instead of sending explanatory letters, with exhibits, to 200 Members of the Assemblée Nationale in Paris; I plan to send explanatory letters, with exhibits, to my 500 Members of Congress in Washington. Being an American citizen and Federal tax payer they must listen to my appeal. If any funds are allocated for France, I want my claim of 63,000 dollars first paid me out of the appropriation before the money leaves Washington for Paris.

I cannot expect success immediately. But so long as France gets appropriations from the Congress of the United States, I have a very good chance of success. It is merely a question of acquainting sufficient Congressmen by letter about the swindle a sufficient number of times. Frankly, this is unpleasant work, and it is expensive work as well. For this reason I am now willing to settle with the French Government, abandon the Cheng Ho and sign a quit claim for the sum of fifty thousand dollars (50,000 dollars). But if I must start my campaign for the collection of my 63,000 through Washington - printing explanatory letters and circulars - this offer to settle the controversy once for all for 50,000 is void.

Sincerely yours,



Dr. Otto Degener

Falkau b. Titisee,
Baden, Allemagne,
Zone française.
Merch 21, 1953.

Monsieur Minjoz,
Assemblée Nationale,
Paris, France.

Monsieur:

The Government in Paris, as the following announcement shows, is obviously attempting to adjust the Cheng Ho swindle honestly and fairly:

Pétition No 62
du 22 juin 1952.

M. Otto DEGENER, Waielua, Oahu (Hawai), U.S.A., se plaint des agissements malhonnêtes d'un citoyen français et demande réparation.

M. MINJOZ, rapporteur.

Rapport.- La Commission décide de renvoyer cette pétition à l'examen de M. le Ministre de la France d'Outre-Mer.

(Renvoi au Ministre de la France d'Outre-Mer.)

But are not the Government Officials in Tahiti, practically in defiance of their superiors in Paris, continuing their attempt to swindle me and the American citizens I represent? Is Paris aware that the ring-leader and former French Consul Eric deBisschop, deported from the United States as an undesirable alien, has an announcement on page 103, February 28, 1953, in the "Journal Officiel des Etablissements Français de l'Océanie" that reads as follows:

"AVIS

Cheng-Ho Trading and Exploring Cy Ltd.

Pour répondre à certaines rumeurs locales et articles diffamatoires parus dans une certaine Presse étrangère, la Cheng-Ho Trading and Exploring Cy a l'honneur d'informer le public que le navire Cheng-Ho:

- 1° est toujours sa propriété exclusive,
- 2° qu'il fut français. et le reste,
- 3° qu'il n'est en ce moment immobilisé que par suite du mauvais état de ses moteurs.

Eric deBISSCHOP.
Directeur général"

Let me review the case and bring it up-to-date from the facts stated in my letter of April 20, 1952, sent to several hundred French and American diplomats in Paris and Washington:

1. The former French Consul Eric deBisschop, a known swindler deported by the United States Government as an undesirable alien, practically steals the 75,000 dollar luxury vessel Cheng Ho by registering her in Tahiti under the French flag as his own property. The vessel actually belonged to the Cheng Ho Trading & Exploring Company, incorporated in Honolulu, Hawaii, and belonging mainly to citizens of the United States.

2. "The Office of the Governor of Tahiti," as was proved in both Circuit and Federal Courts in Honolulu, was the place this swindle was attempted. The statement by deBisschop that the registration was "due to a clerical error" was considered a joke in Honolulu where deBisschop's reputation and the Anziani cement scandal in Tahiti are known.

3. DeBisschop squandered the assets of the Company, attempted to cheat two sailors on the Cheng Ho of their wages, and mismanaged the vessel to such an extent that her appraised value of 75,000 dollars was reduced to but 60,000. This 15,000 dollars loss occurred in the first eight months of his captaincy! Several Court actions followed, deBisschop losing everyone.

4. I, sole owner of the Cheng Ho, sold the vessel for shares to the

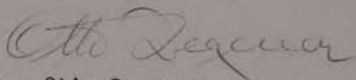
Cheng Ho Trading & Exploring Company only on condition that in July 1952 I be allowed to buy back my vessel for 15,000 dollars in the same general condition (she was then appraised at 75,000 dollars) in which I had sold her. The significant paragraph of this contract reads as follows:

- "The said CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engine, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."
5. At the required time my attorney and I gave notice as required to the Company and its officers, including deBisschop, that I would exercise my option. Receipt of the notice was acknowledged by deBisschop.
6. Besides my rights in the Cheng Ho, deBisschop and the Company owed me and the American citizens I represent in excess of 3,000 dollars. The sum was long delinquent, and attempts to collect it from Hawaii were unavailing. We therefore engaged in Tahiti the Frenchman Hoppenstedt, reputed to be an attorney, to represent us in Court in Tahiti. Though we paid him his fee of 150 dollars, he pocketed the cash without going into action.
7. To collect the debt myself, since it seemed impossible to do so from Hawaii, and to attend to Cheng Ho matters, I decided to travel to Tahiti, where the vessel is located. I requested a visa for New Caledonia, where I own no assets, and received permission to stay there for one year. I requested a visa for Tahiti, where deBisschop fraudulently registered the Cheng Ho under the French flag as his property "in the Office of the Governor," and was denied entry! This act of sabotage by French Government Officials in Tahiti to prevent an American citizen from collecting a debt and arranging to take back his vessel according to contract from the former French Consul deBisschop was outrageous. Through the intervention of the State Department in Washington and Officials in Paris this injustice was corrected and a visa finally granted me.
8. DeBisschop sold Cheng Ho equipment, neglected to drydock the vessel properly to prevent shipworm injury, ripped out teak and camphor wood cabins and chartered the Cheng Ho out to M. Gallois, Member of the Governor's Privy Council. M. Gallois let the Cheng Ho pile up on the coral reef, sustaining grave damage. In general, deBisschop's control of the Cheng Ho got the vessel in such a condition that he violated most of the provisions in my contract mentioned under Article 4 above. He injured the vessel far in excess of the 15,000 dollar option price.
9. When I gave notice of my desire to take possession of the Cheng Ho, deBisschop demanded that I deposit 15,000 dollars in the Bank of Indo-China as proof of my sincerity. There is no statement anywhere that I must deposit my cash in any particular bank. As Indo-China was even then in the throes of Civil War, I refused to leave my cash there. Instead I left (and I sent proof of my action to the French Ambassador in Washington) twice the amount, namely 30,000 dollars, at the commercial bankers C&A Auffmordt & Co., New York City.
10. To settle this mess once for all, I flew from Washington to Europe, engaging a cabin on "La Marseillaise" for Nov. 10, 1952, to take me via Ceylon to Tahiti. When I reexamined word, however, from Tahiti that I could not claim the Cheng Ho before establishing a new company in which a Frenchman owned at least 51% of the shares (also a breach of contract as is the vessel's francization by fraud), I canceled my passage. I am now remaining in Europe, awaiting further developments.
11. This fiction that a Frenchman must own 51% of Cheng Ho shares is based supposedly on the fact that the vessel was registered under the French flag (an act of fraud exposed in both Federal and Circuit Courts in Honolulu and acknowledged by the French Government itself). This 51% French ownership, by the way, is not required by French law at all as was shown by the test case of the "Vega", where an American citizen owns the vessel 100% even though she flies the French flag. I believe this dictatorial demand from me by dishonest petty French Government Officials

in Tahiti (unknown to Officials in Paris), is merely an attempt to steal the Cheng Ho "legally" from me, by getting all controlling interest, now that Paris prevented their attempt to steal the vessel outright. 12. Because of the fraudulent action by ex-Consul Eric deBisschop and his coconspirators in the French Government, not once but repeatedly, in the attempt to steal the Cheng Ho from me and in the attempt to "retain" in excess of 3,000 dollars belonging to me and other residents of Hawaii whom I represent, I naturally demand damages of 63,000 dollars from the French Government.

Tahiti, the Marquesas and Indo-China are French areas associated in the American mind as being close together. When your Ministre de la France d'Outre-Mer appoints men of such low calibre to Tahiti, the average American tax payer naturally assumes, and justly so, that equally mediocre men have been appointed to office in Indo-China. Until his Excellency Ministre-President Mayer removes such dishonest men from office and corrects the wrong they have done to American citizens is it not rather futile and embarrassing for him to travel to Washington seeking cash from American taxpayers such as I to pay 65% of the expenses in Indo-China? How much of it will be stolen there? Is it not better to use the money in Korea instead? I am not the only one who will ask such questions. The Cheng Ho swindle, in which past and present French Government Officials are concerned is known in Washington Government Circles as well as those in Paris due to my just complaints.

Yours sincerely,



Dr. Otto Degener

Falkau b. Titisee,
Baden, Zone française d'Allemagne.
March 17, 1953.

L'Editeur,
La Presse,
Papeete, Tahiti.

Dear Sir:

I wish to draw your attention to the following announcement appearing 28 Fevrier 1953 in the "Journal Officiel des Etablissements Français de l'Océanie":

AVIS

Cheng-Ho Trading and Exploring Cy Ltd.

Pour répondre à certaines rumeurs locales et articles diffamatoires parus dans une certaine Presse Etrangère, la Cheng-Ho Trading and Exploring Cy a l'honneur d'informer le public que le navire Cheng-Ho:

- 1° est toujours sa propriété exclusive,
- 2° qu'il fut français, et le reste,
- 3° qu'il n'est en ce moment immobilisé que par suite du mauvais état de ses moteurs.

Eric de Bisschop.
Directeur général.

The above notice states lies! My letter of 26 April 1952 explains the Cheng Ho situation up to that date. Here are the developments since that time:

Before July 1952 my advocates and I gave notice to the Cheng Ho Trading & Exploring Cy and to Eric deBisschop and its other officers that I demanded back my former vessel, the Cheng Ho, according to the contract registered by the Government in Honolulu as Liber 2156 pages 247-249. According to this contract I receive for 15,000 the Cheng Ho in the condition given in the following important paragraph:

"The Cheng Ho shall be transferred and delivered to the said Otto Degener in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

As evidence of good faith, the Company (practically deBisschop) demanded that I deposit 15,000 dollars, the option price, in the Bank of Indo-China. At the time, there was much in the newspapers about a state of civil war in that country. There is no requirement anywhere that I deposit that sum of money in that Bank. I therefore did not do so. Instead, however, I left double the amount on deposit, that is 30,000 dollars, at the Commercial Bankers, C.A. Auffmordt & Co., New York City. But, you will remember, in the first eight months of deBisschop's captaincy of the Cheng Ho, her appraised valuation deteriorated from 75,000 dollars to only ~~60,000~~ 60,000 dollars. Since then he has further ripped out passenger cabins, allowed the vessel to run on the reef and, whenever short of money, sold equipment belonging to the vessel. Also, he registered her under the French flag by fraud. In other words, deBisschop, by his mismanagement and thefts and swindles, injured the vessel far more than the 15,000 dollars, the price for which I am to pay for her in her former condition. His Excellency, the French Ambassador in Washington, and other officials, have proof of my deposit of more than 15,000 dollars cash in a bank in New York.

Let me remind you that I was granted a visa to visit New Caledonia, where I own nothing. But where the swindler deBisschop owes me and associates a debt of over 3,000 dollars cash and must return the Cheng Ho to me under contract, I was denied a visa by your Government to visit your is-

lands. Everyone knows this was an act of sabotage to prevent an American citizen from regaining his property. We know the disgrace of Anziani to Tahiti. This injustice by apparently associates of the swindler Eric de-Bisschop in the French Government was so plain and disturbing that the State Department and Delegate Farrington of the United States, and General Koenig of France intervened in my behalf. Shortly after, I was granted a visa for three months to visit your beautiful islands. I enclose the two letters as proof. Please return them to me.

Instead of traveling from my home in Hawaii to Tahiti, however, I flew to Washington and Paris to complain further about the Cheng Ho swindle. I received word from Tahiti that I could get possession of the Cheng Ho only if I first gave 51 percent. of shares or actions in a new Cheng Ho Company to a Frenchman. This is a breach of contract! Why should I give more than half of the vessel that belongs to me to anyone else? It belongs to me. There is no law I must do so. The vessel "Vega" as recent Court Action in Paris proved, belongs to an American citizen such as I, and he has her under the French flag and owns her 100 percent. My contract states the Cheng Ho must be returned to me "free of all - - - incumbrances." Loss of half the vessel is an incumbrance. It is even more than that. It is theft.

In conclusion, I am in constant communication with Paris officials, such as M. Tony Révillon, le Secrétaire D'Etat aux Affaires Economiques, as the enclosed postal receipts show. The Cheng Ho case is now listed as Petition Nr. 62 before your Government in Paris. The notice printed 28 February 1953 in the Journal Officiel over the signature of Eric deBisschop is probably printed by him in an attempt to sell the Cheng Ho to some unsuspecting buyer. I would advise you to print in your paper to prospective buyers of the Cheng Ho: Caveat Emptor, or else they may be buying a vessel that will not belong to them, and the deporté Eric may leave Tahiti with their money. Please remember, the United States Immigration Service did not deport him from America without good reason.

May I ask you, please, to return the letters from M. Révillon, Gen. Koenig and Del. Farrington to me again? They are enclosed as proof of my statements.

Yours sincerely,

Dr. C. H. Degener

Falkau b. Titisee,
Baden, Germany, French Zone.
March 21, 1953.

Joseph R. Farrington, Delegate from Hawaii,
House of Representatives,
Congress of the United States,
Washington, D. C.

Dear Mr. Farrington:

Just to keep you up-to-date on the Cheng Ho swindle:

According to my option contract registered in Liber 2156, pages 247 - 249, at the Bureau of Conveyances in Honolulu Aug. 16, 1948, I was to receive the Cheng Ho in July 1952 for payment of 15,000 dollars. The important paragraph reads: "The said Cheng Ho shall be transferred and delivered to the said Otto Degener in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

Attorney Ingman and I officially gave notice to the Cheng Ho Trading & Exploring Company and to its Officers including the swindler and deporté Eric deBisschop at the proper time that I would exercise my option. The notice was acknowledged by deBisschop. Then to prove my good faith, it was demanded that I deposit 15,000 dollars, the option price, in the Bank of Indo-China. There is no statement anywhere that I must deposit my cash in any particular bank. As Indo-China, particularly at that time was in the throes of Civil War, I refused to leave my cash there. Instead I left (and I sent proof of my action to the French Ambassador in Washington) twice the amount, namely 30,000 dollars, at the commercial bankers C.A. Auffmordt & Co., New York City.

You may remember that after the first eight months of deBisschop's stewardship of the Cheng Ho, the appraised value of the vessel had depreciated from 75,000 dollars to but 60,000. That was over five years ago. Since that time this vandal has ripped out teak and camphor wood cabins, let the vessel pile up on the coral reef, sold or given away valuable equipment, and neglected to drydock her when necessary to prevent shipworm injury.

Under Attorney Ingman's advice, I met all requirements to take over the Cheng Ho, even leaving a cash bank deposit twice that required, as mentioned above. Former French Consul deBisschop and cronies in the French Government Service, are guilty of a breach of contract on innumerable counts, for example, despoiling the vessel far more than the 15,000 option price and fraudulently registering her under the French flag (certainly an incumbrance is that act, as they maintain^{it} requires me to surrender 51 percent of the shares to a French citizen).

You may also remember that I requested a visa to visit New Caledonia. I likewise requested one for Tahiti, to attend to the Cheng Ho swindle and to collect a debt of over 3,000 dollars owing me and other American citizens resident in Hawaii Nei. I was granted permission to remain in New Caledonia for one year but in Tahiti, where assets exceed 63,000 dollars belonging to me and other Americans were being held by the former French Consul deBisschop, I was refused entry! Then through your kind intervention with the State Department in Washington and high Government Officials in Paris, I was finally granted a visa to visit Tahiti for three months.

Falkau b. Titisee,
Baden, Germany, Zone française.
March 15, 1953.

Dear M. Révillon:

I wish to draw your attention to the fact that in the "Journal Officiel des Etablissements Français de l'Océanie" for 28 February 1953, page 103, appears the following:

AVIS

Cheng-Ho Trading and Exploring Cy Ltd.

Pour répondre à certaines rumeurs locales et articles diffamatoires parus dans une certaine Presse étrangère, le Cheng-Ho Trading and Exploring Cy a l'honneur d'informer le public que le navire Cheng-Ho:

- 1°/ est toujours sa propriété exclusive,
- 2°/ qu'il fut français, et le reste,
- 3°/ qu'il n'est en ce moment immobilisé que par suite du mauvais état de ses moteurs.

Eric de Bisschop.
Directeur général.

It is disgraceful that the Official Journal prints this notice signed by Ex-Consul Eric deBisschop, known swindler and deporté from the United States. Does this not continue to show that certain French Government Officials of France d'Outre-Mer are still conspiring to swindle me, an American citizen out of his property?

Now that I have read this notice, I am wondering whether I am not wasting time and money peacefully waiting here in the French Zone of Germany for the just and fair settlement of my Petition No. 62 (du 22 Juin 1952) before M. le Ministre de la France d'Outre-Mer. Does M. le Ministre in Paris know that evidently his own employes in the Pacific allowed the swindler deBisschop to publish these lies about the ship Cheng Ho?

Please let me remind you that in three distinct ways have French Government Officials helped deBisschop in his continued attempt to steal the Cheng Ho:

1°/ In the Office of the Governor of Tahiti, deBisschop was able fraudulently to register the Cheng Ho under the French flag as his own property. This act appeared during Court proceedings in Honolulu, Hawaii.

2°/ Dr. Otto Degener, former owner of the Cheng Ho and owner of the option contract (registered as Liber 2156 pages 247-249, August 16, 1948, in Honolulu) enabling him to take possession of the Cheng Ho under certain conditions wished to visit Tahiti to attend to Cheng Ho matters and to collect money owed him and associates by deBisschop and associates. Dr. Degener was granted a visa to visit New Caledonia, where he owns no assets. But where he owns assets in excess of 60,000 U.S. Dollars, in the possession of the swindler deBisschop, a visa was denied! This obviously was an act of sabotage by French Government Officials to prevent an American citizen from receiving justice.

3°/ And now, February 28, 1953, for a third time! French Govern-

ment Officials, by printing lies about the status of the Cheng Ho in the Journal Officiel des Etablissements Français de l'Océanie, evidently again aid the deporté Eric deBisschop in his attempt to steal the Cheng Ho from her rightful owner, Dr. Otto Degener!;

I am reporting this recent act of wrong toward an American citizen by French Officialdom in the Pacific to Delegate Farrington and to the State Department in Washington for record.

May I request your Government to correct the statement in the Journal Officiel of the 28 February 1953 in an early issue and mail me several copies for transmittal to Washington. I request also that you let me know how soon Petition No. 62 will be adjudicated in my favor. To expedite this matter should I again send out an up-to-date report about the Cheng Ho swindle to the three hundred Deputés of your Assemblée Nationale in Paris and a complete report from the very beginning to the five hundred Members of my Congress in Washington? So long as I must wait here or near Washington for the denouement of this French swindle and have nothing else to occupy my time, I may as well do so.

Please send me an early reply.

Sincerely yours,

Otto Degener

Dr. Otto Degener

ADRESSE TELEGRAPHIQUE :
OCEANIC
PROVISIONS POUR NAVIRES
ET
AGENT
LIGNES DE NAVIGATION

SERVICE DE RAVITAILLEMENT MARITIME

MAISON NORDMAN
FOURNISSEUR - SHIPCHANDLER
PAPEETE - TAHITI

CABLE ADDRESS
OCEANIC
SHIP'S SUPPLIES
SHIPPING AGENT

AGENT IN TAHITI FOR PACIFIC ISLANDS MONTHLY

March 4, 1952

Dear Mr. Degener

I have your letter of February 6, and I understand that you have abandoned the "Cheng Ho" for the claim of \$60,000.00. I think it is the only way for you to do.

Enclosed please find a part of the JOURNAL OFFICIEL of Tahiti, where M. Eric de Bischoff has an ad. about the Cheng Ho Trading & Exploring Co Ltd. it is explanatory -

The vessel is still anchored in the bay waiting for events.

With best wishes to you
Sincerely Oscar

January 10, 1953

Dear Mr. Degener

Your letter dated December 13/52 just received - It is from the Botanical Garden Museum, Konigin, Luisi Strasse 6, Berlin - Wahlen, Germany - N.S. Zone -

Now, de Bisschop, is here, and I had a long talk with him, and I used 3rd degree stuff, to get some information -

I want you to tell me, is it exact that you have against the "Cheng Ho" \$7,500.00. and is it first mortgage, if so let me know, as quick as possible - because de Bisschop, says that he has taken a mortgage of Frs. 1 million 800 thousand francs - Gallois, has 500.000 and more against the vessel.

Soon I get this information, I will seize the vessel, for the payment of \$7,500.00 - but I will not do it, unless it is you that comes first.

2

I want you to know, that to start a Court procedure, needs money, can you forward on to me enough to start -.

We must act quickly, as the 'Cheng Ho' is deteriorating rapidly, she had'nt been on dry dock since last february.

de Bisschop, is to defend him self, but I rather see you come to Tahiti so and I can get together, and do what we can!

So please let me know as soon as you get my letter

Faithfully

Oscar

Hotel National
FRANKFURT/MAIN
Copy

Hauptpostlagernd,
Freiburg i. Br.
Allemagne, Zone française.
Jan. 15, 1953

Dear Mr. Révillon:

Thank you for your kind letter of
Dec. 22 regarding the Cheug Ho.

With the Cheug Ho now in almost
derelict condition due to her continuous
illegal possession under the French
flag by a group of past and present
French Government Officials, there
is no purpose in my traveling to
Tahiti. I am therefore on my way,
leisurely, back to Washington to
press my claim. That is what I
have been advised to do.

My next address will be Freiburg.

Sincerely,
Dr. Otto Degener

J'ajoute que je n'entends pas répondre au dernier paragraphe de la lettre du pétitionnaire dont le caractère ne saurait échapper à votre attention.

Veuillez agréer, monsieur le président, l'assurance de ma haute considération.

Le ministre de l'agriculture,
Signé: CAMILLE LAURENS.

Pétition n° 62 du 22 juin 1952. — M. Otto Degener, Waialua, Oahu (Hawaï), U. S. A., se plaint des agissements malhonnêtes d'un citoyen français et demande réparation.

Cette pétition a été renvoyée le 7 novembre 1952 au ministre de la France d'outre-mer, sur le rapport fait par M. Minjoz, au nom de la commission du suffrage universel, des lois constitutionnelles, du règlement et des pétitions.

Réponse de M. le ministre de la France d'outre-mer.

Paris, le 28 novembre 1952.

Monsieur le président,

Vous avez bien voulu me transmettre aux fins d'examen une pétition de M. Otto Degener, citoyen américain, résidant aux Iles Hawaï, qui se plaint, d'une part, de ce qu'un visa d'entrée à Tahiti lui ait été refusé par les autorités locales, d'autre part, des agissements de ses coassociés pour l'exploitation commerciale en Océanie de la jonque « Cheng Ho » sur laquelle il possède des droits.

J'ai l'honneur de vous faire connaître que le gouverneur des Etablissements français de l'Océanie à qui avait été communiquée précédemment une première requête de M. Degener, adressée directement au département de la France d'outre-mer, m'a informé à la date du 21 juillet dernier, qu'il avait accordé à l'intéressé le visa d'entrée à Tahiti qu'il sollicitait. M. Degener a donc déjà reçu satisfaction sur le premier point qui fait l'objet de sa pétition.

En ce qui concerne, par ailleurs, les conflits qui l'opposent, en Océanie, à M. de Hirschop ou à d'autres personnes, pour la propriété ou l'exploitation de la jonque « Cheng Ho », le gouverneur des Etablissements français de l'Océanie, à qui des renseignements avaient été demandés sur cette affaire, a fait savoir qu'il s'agissait d'un différend d'ordre commercial qui relevait uniquement de la compétence des tribunaux de Papeete et auquel, bien entendu, l'administration ne peut que rester étrangère.

Contrairement aux allégations de M. Degener, l'autorité administrative locale n'a nullement pris part dans ce différend. Seule, la francisation de la jonque « Cheng Ho », intervenue par erreur à la suite des démarches faites par M. de Hirschop, pourrait être reprochée au service des douanes de Papeete, mais cette erreur matérielle a été réparée aussitôt qu'elle a été connue.

Veuillez agréer, monsieur le président, l'expression de ma haute considération.

Le ministre,
Signé: PIERRE PÉLUMIER.

ASSEMBLEE NATIONALE

• • •

Secrétariat Général
de la Présidence

Paris, le 21 JANV 1953

Monsieur,

J'ai l'honneur de vous adresser, sous ce pli, la
réponse de M. le ministre de la France d'outre-mer
à votre pétition enregistrée sous le n° 62.

Cette réponse a été publiée au Journal Officiel à la
suite du compte-rendu in extenso de la séance du 20 JANV 1953
(Débats Parlementaires).

Veuillez agréer, Monsieur, l'assurance de mes distin-
gués sentiments.

Le Secrétaire Général de l'Assemblée
Nationale et de la Présidence,

André Blais

Monsieur Otto DEGENER
WIALUA
OAHU
(Hawai)
U. S. A.

Villa Noap,
Falkau bei Titisee,
Baden, Germany, French 3
Jan. 1, 1953.

Monsieur Tony Révillon:
Le Secrétaire d'Etat aux Affaires Économiques,
41 Quai Branly, Paris.

Dear M. Révillon:

Copy

I received, forwarded from my home in Hawaii, a letter dated Nov. 7, 1952, from Le Secrétaire Général de l'Assemblée Nationale et de la Présidence. therein, the Secretary has very kindly enclosed a printed circular which reads:

Pétition No. 62
du 22 juin 1952.

M. Otto Degeuer, Waialea, Oahu (Hawaii), U. S. A., se plaint des agissements malhonnêtes d'un citoyen français et demande réparation.

M. Minjoz, rapporteur.

Rapport. La Commission décide de renvoyer cette pétition à l'examen de M. le Ministre de la France d'Outre-Mer.
(Renvoi au Ministre de la France d'Outre-Mer.)

Because of your Government's decision to act upon my Petition No. 62 regarding the Cheng Ho swindle by past and present French Government Officials, I am postponing my return to Washington, D.C. Though I have little faith in these Officials in Tahiti, I have every confidence in the Officials in Paris. I see therefore no purpose, if action on Petition No. 62 is not postponed, unreasonably long, in writing members of my Congress to press my claim for damages.

I shall remain at the above address about two months. Please write me approximately when my petition will be acted upon, as my plans for travel depend upon it. I cannot return to Hawaii until this matter is settled in my favor.

Does M. Minjoz know what has transpired since July 1952? That I am to turn over 51% of the shares of a new Cheng Ho Company to a French citizen because the Cheng Ho was registered fraudulently by past and present French Government Officials under the French flag? This excuse to rob me of half the vessel and of entire control based on fraud, is a farce. And while these Tahiti swindlers still deprive me of my vessel, it is becoming a derelict in their hands! I refuse to accept my vessel in that condition and demand her value, which is \$60,000. This amount represents her appraised value of \$75,000 at the time I surrendered her over to the Cheng Ho Trading & Exploring Company Incorporated in Honolulu minus the option price (\$15,000) I was ready to pay for her return to me in July 1952 according to contract. Sincerely yours,
Dr. Otto Degeuer

Capey

Villa Hoeb,
Salbau bei Titisee,
Baden, Allemagne,
French Zone.
Feb. 2, 1953.

Secrétariat Général de la Présidence,
Assemblée Nationale, Paris.

Dear Sir:

Thank you for your letter of Nov. 7, 1952, informing me of "Petition No 62 du 22 juin 1952" for "l'examen de M. le Ministre de la France d'Outre-Mer."

I left my home in Waialua, Oahu, Hawaii, last May for New York and Washington, D.C., to complain as you know to Government Officials about the Chey Ho "swindler." I then came to Europe, with the purpose of sailing in November from Marseille on the "Marseillaise" for Tahiti to take possession of my vessel the "Chey Ho" according to the contract which I entered into July 1952.

I postponed my sailing when I learned that local and foreign Government Officials in Tahiti will not let me take possession of my vessel until I first give to a French citizen 51% of the shares of a new Chey Ho Company. The excuse for this new attempt to swindle me out of half my vessel and out of entire control of her is based on the fact that the Chey Ho is registered under the French flag. This reasoning is a farce because the registration of the Chey Ho under the French flag was perpetrated by fraud by the swindler and former French Consul Eric de Brochhoff in the office of the Governor of Tahiti.

While the Chey Ho is still under illegal francization and still illegally kept from me, it is being allowed to deteriorate to such an extent that I cannot accept her in her present condition. Thus, instead of traveling to Tahiti, I was slowly on my way back to Washington, D.C. Here I planned sending printed letters of complaint, as I had to the Députés of the Assemblée Nationale, to my Congressmen, demanding \$60,000 damages from the French Government.

Because of your kindness in bringing forth the Petition No 62 in my behalf, I have given up my plan to travel to Washington at this time. Instead, I shall remain at the above address for the next two months, hoping that the Petition will be acted upon favorably by that time.

Sincerely yours,
Dr. Otto Spegner

Stark umrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

Einlieferungsschein

Gegenstand = S E-Stf)	(Abkürzungen + umseitig)				
	DM (in Ziffern)	PF	Nachnahme	DM (in Ziffern)	PF
an gegebener Wert oder ein- gezahlter Betrag					
Emp- fänger	M. Tony Revilla				
Bestim- mungsort	Paris				
	Frankreich				



Einlieferungs- Nr.	Gewicht kg g
724	

Postannahme

[Signature]

2. 0. 22. CPA.

C 62 Dis A 7

ASSEMBLÉE NATIONALE

Tony Révillon
15, place Malesherbes
-Paris 17^e-

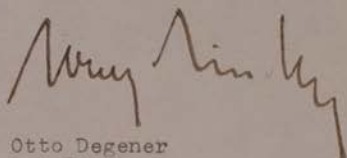
PARIS, LE 4 février 1953

Monsieur,

Selon votre désir, je transmets
votre lettre à M. Jacquinet, Ministre
de la France d'Outre-Mer.

Je ne manquerai pas de vous
communiquer sa réponse.

Veuillez agréer, Monsieur,
l'assurance de ma considération la
plus distinguée.



Monsieur le Docteur Otto Degener
"Villa Hosp" Jalkau bei Titisee
BADEN

(Germany French Zone)

Caspy

Villa Hosp, Falkau bei Tübingen,
Baden, Germany, French zone.
Feb. 6, 1953.

Dear M. Rivillon

I enclose a letter I received yesterday from Tahiti, and now do not know what to do! Does not mean that the Deputies of the Assemblée Nationale with the Petition No 62 are sincere in wishing to protect me from the Cheug Ho swindle in which present and past Government Officials in Tahiti are still involved? But does it not mean that they have little control over the actions of their employees in Tahiti?

Why is this swindler Eric de Bischoff running around loose and not in jail after illegally registering a vessel under the French flag as his own property? Would other Nations allow such a thief freedom? How can he and M. Gallon both mortgage the "Cheug Ho" when the vessel belongs to me according to contract and not to them?

Should I wait for justice from Paris, or should I send out my petition, as American citizen and tax payer, to each of my 500 members of Congress? Should I ask that the U. S. Government pay me my claim of \$60,000 from moneys appropriated for France?

You know the situation in Paris and Tahiti. Please advise me.

Yours sincerely,
Dr. Otto Degener

ASSEMBLÉE NATIONALE

Tony Révillon
15, place Malesherbes
PARIS

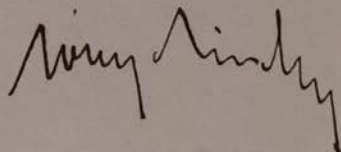
PARIS, LE 19 Février 1953

Monsieur,

J'interviens à nouveau,
selon votre désir, auprès de
M. le Ministre de la France
d'Outre-Mer, auquel je demande
de me fournir les renseignements
que vous désirez connaître. Je
lui transmetts copie de vos lettres

Dès que sa réponse me
sera parvenue, je ne manquerai
pas de vous la transmettre;

Veuillez agréer,
Monsieur, l'expression de mes
sentiments les plus distingués.



Dr. Otto Degener
Villa Hosp
Falkau bei Titisee
BADEN
(Zone Française d'Allemagne)

ASSEMBLÉE NATIONALE



PARIS 31

Dr. Otto Degener

Villa Hosp

Falkau bei Titisee

BADEN

(Allemagne)

Zône Française



M. Alexis Bernast, subdivisionnaire des travaux publics, est désigné pour remplir les fonctions de commissaire-enquêteur.

Papeete, le 14 février 1953.

Pour le gouverneur et p.o. :

Le secrétaire général,

G. SULLY.

PARTIE NON OFFICIELLE

ANNONCES JUDICIAIRES

Etude de M^{re} COCHIN et RICHECŒUR, Avocats-Défenseurs.

Assistance judiciaire.

D'un jugement rendu contradictoirement entre les parties par le Tribunal Civil de première instance de Papeete le 17 octobre 1952, enregistré et signifié,

Entre; Madame Temariivahine-Imanono a MAITIRAI, épouse TATARATA, demeurant à Papeete,

Ayant M^{re} COCHIN ET RICHECŒUR pour avocats-défenseurs.

Et: Monsieur Jules TATARATA, garde-champêtre, demeurant à Papeete,

Il appert que le divorce a été prononcé d'entre les époux MAITIRAI-TATARATA aux torts et griefs exclusifs du mari.

Pour extrait conforme :

RICHECŒUR.

ANNONCES DIVERSES

AVIS

A compter du jeudi 19 février 1953, les bureaux de la Caisse Agricole seront provisoirement installés dans un immeuble sis rue des Beaux-Arts en face du tennis de Fei-Pi.

AVIS

Deuxième insertion

Suivant acte sous seing privé enregistré à Papeete le 2 Février 1953, Folio 66, Numéro 626.

Monsieur DROLLET Achille, commerçant à Papeete,

A vendu à Monsieur NALBANDIAN Alexandre, demeurant à Arue,

Le fonds de commerce exploité à Papeete (Fautaua) en ce compris tous les éléments corporels et incorporels dudit fonds.

L'entrée en jouissance de l'acquéreur a été fixée au 12 Janvier 1953.

Le vendeur :

A. DROLLET.

BANQUE DE L'INDOCHINE

SUCCURSALE DE PAPEETE

SITUATION au 31 janvier 1953 de la Succursale de la Banque de l'Indochine à Papeete.

ACTIF

Avoirs extérieurs.	296.779.845 75
Compte courant du Trésor	10.438.951 »
Avance statutaire au Gouvernement	1.000.000 »
Avances locales et portefeuille.....	130.262.736 14
Succursales et Agences.....	5.531.224 91
Comptes d'ordre et divers	2.272.494 65
	<u>446.025.253 48</u>

PASSIF

Billets en circulation.....	198.494.480 »
Comptes courants, dépôts et créditeurs divers.....	200.152.748 25
Succursales, agences et correspondants	1.510.956 70
Comptes d'ordre et divers	45.867.068 53
	<u>446.025.253 48</u>

Papeete, le 18 février 1953.

Le Directeur de la Succursale :

M. VIENNE.

OFFICE DE GESTION & DE COMPTABILITÉ

FENG TAI & Cie

SARL.

Capital: 900.000 Francs.

Par réunion extraordinaire du 24 janvier 1953, la collectivité des associés a décidé la dissolution anticipée de la société.

Elle confère tous pouvoirs à Madame AH LAN pour procéder à la liquidation amiable.

Elle fixe le siège de la liquidation à Papeete, siège de la société.

La gérante,

Madame AH LAN.

AVIS

Cheng-Ho Trading and Exploring Cy Ltd.

Pour répondre à certaines rumeurs locales et articles diffamatoires parus dans une certaine Presse étrangère, la Cheng-Ho Trading and Exploring Cy a l'honneur d'informer le public que le navire Cheng-Ho :

- 1° est toujours sa propriété exclusive,
- 2° qu'il fut francisé, et le reste,
- 3° qu'il n'est en ce moment immobilisé que par suite du mauvais état de ses moteurs.

Eric de BISSCHOP.

Directeur général.

Syndicat des Gens de Mer**Capitaines, Etat-Major de Pont et Machine**

Copie conforme du procès-verbal de renouvellement du Bureau administratif du Syndicat des Gens de Mer (Capitaines, Etat-Major de Pont et de Machine) à Papeete, pour l'année 1953.

Secrétaire général : TAPOTOFARERANI Louis
 Secrétaire-adjoint : COLOMBANI Antoine
 Trésorier : DOYEN René
 Trésorier-adjoint : COULON Germain

Commission de Contrôle :

Membre : AMARU Marcel
 — AËARU ARTHUR
 — TEIHOTUA Jean
 — TEMARII Teai
 — ORBECK Norris

Conseil d'administration :

Membre : MONALQUE
 — VOIRIN ALFRED.

Le Secrétaire Général,
 L. TAPOTOFARERANI.

EN VENTE A L'IMPRIMERIE DU GOUVERNEMENT**Calendrier pour 1953**

Prix en feuille : 5 francs.

Code du Travail

Prix broché : 15 francs.

AFFICHE**Tarif des transports par trucks - Ile Tahiti.**

Prix : 10 francs.

AFFICHE**Loi sur la répression de l'ivresse publique et sur la police des débits de boissons.**

Prix : 10 francs.

ARRETE n° 446 bis t.p., du 22 avril 1949 portant réglementation sur la police de la circulation et du roulage (prix broché) 10 fr.

Stark umrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

Einlieferungsschein

Gegenstand + S. E. Bf)	(Abkürzungen + umseitig)				
	DM (in Ziffern)	PF	Nach- nahme	DM (in Ziffern)	PF
an angegebener Wert oder ein- gezahlter Betrag					
Emp- fänger	Mineral de Préhistoire				
Bestim- mungsort	Paris.				



Einlieferungs- Nr.	Gewicht kg	g
720		

Postannahme

7

2. 49. 32. CPA1.

C 62 Die A 7

RADIOGRAM

INTER ISLAND

The Pioneer Inter Island
Wireless Company of the
World

Established Oct. 31, 1899



Operated by the
Mutual Telephone Company

Main Office at 1139 Alakea St.
Honolulu, T. H.

Stations at Hilo, Wailuku,
Lihue, Lanai, Kaunakakai

NR-20M-1

RECEIVED — AT MUTUAL WIRELESS OFFICE

AT

NO 3 CM 33 PAPEETE VIA RCA 8 1000

LT DEGENER
MAKAWAOMAU

RECEIVED YOUR TWO TELEGRAMS MAINLY CONSUL REFUSING VISA MUST HAD
INTRODUCTION FROM HERE STOP AIRMAILED SEVERAL INTERESTED LETTERS
STOP PROBABLY I HAVE TO COME TO HONOLULU AWAITING YOUR DECISION

NORDMAN

PHONED-CM/AG

Mr. Degener
ES. MAR 9 6 11 AM '53

MINISTÈRE
DE LA
FRANCE D'OUTRE-MER

*Copie sent
Bertol*

13 MAR 1953

LE MINISTRE

871/CAO/CP

Monsieur le Ministre et Cher Collègue,

Par lettre du 19 Février 1953, vous avez bien voulu attirer à nouveau mon attention sur le cas de M. Otto DEGENER, citoyen américain résident aux Iles Hawaï, qui se trouve actuellement à Baden (zone française d'Allemagne).

M. DEGENER s'était plaint dans le courant de l'année dernière auprès de vous-même et de différents Parlementaires, d'une part d'un refus de visa d'entrée à Tahiti qui lui avait été opposé par le Gouverneur des Etablissements de l'Océanie, d'autre part des agissements de ses coassociés pour l'exploitation commerciale en Océanie de la jonque "CHENG-HO" sur laquelle il possède des droits. Il avait adressé également à l'Assemblée Nationale une pétition dans laquelle il reprenait l'exposé des faits portés directement à votre connaissance et à celle d'un certain nombre de personnalités politiques.

J'ai l'honneur de vous faire parvenir sous le présent pli, copie de la réponse faite par mon prédécesseur à M. le Président de l'Assemblée Nationale au sujet de la pétition de M. DEGENER. Je ne puis que confirmer les termes de cette lettre qui faisait état des renseignements communiqués par le Gouverneur des Etablissements de l'Océanie. M. DEGENER a obtenu un visa d'entrée à Tahiti, comme il le demandait. En ce qui concerne les conflits qui l'opposent en Océanie à M. de BISSCHOP ou à d'autres personnes, pour

.../...

la propriété ou l'exploitation de la jonque "CHENG-HO",
il s'agit d'un litige d'ordre purement commercial qui
relève uniquement de la compétence des tribunaux de Papeete
et auquel l'Administration ne peut que rester étrangère.

Veuillez agréer, Monsieur le Ministre et Cher
Collègue, l'assurance de ma considération très distinguée..

amities
Jaumard

Signé: JAUMARD

Monsieur TONY REVILLON
Député de l'Ain - Ancien Ministre
Assemblée Nationale
Palais Bourbon
P A R I S

Transmis à Monsieur Otto Degener, avec l'assurance de
mes sentiments les plus distingués. .

Muy Lin

Mr. Bertol: This is a copy of a letter I have:

Ministère de la France d'Outre-Mer

13 Mar 1953

Le Ministre

871/CAB/GP

Monsieur le Ministre et Cher Collègue,

Par lettre du 18 Février 1953, vous avez bien voulu attirer l'attention sur le cas de M. Otto DEGENER, citoyen américain résidant aux Iles Hawai, qui se trouve actuellement à Baden (zone française d'Allemagne).

M. DEGENER s'était plaint dans le courant de l'année dernière auprès de vous-même et de différents Parlementaires, d'une part d'un refus de visa d'entrée à Tahiti qui lui avait été opposé par le Gouverneur des Etablissements de l'Océanie, d'autre part des agissements de ses coassociés pour l'exploitation commerciale en Océanie de la jonque "CHENG-HO" sur laquelle il possède des droits. Il avait adressé également à l'Assemblée Nationale une pétition dans laquelle il reprenait l'exposé des faits portés directement à votre connaissance et à celle d'un certain nombre de personnalités politiques.

J'ai l'honneur de vous faire parvenir sous le présent pli, copie de la réponse faite par mon prédécesseur à M. le Président de l'Assemblée Nationale au sujet de la pétition de M. DEGENER. Je ne puis que confirmer les termes de cette lettre qui faisait état des renseignements communiqués par le Gouverneur des Etablissements de l'Océanie. M. Degener a obtenu un visa d'entrée à Tahiti, comme il le demandait. En ce qui concerne les conflits qui l'opposent en Océanie à M. de BISSCOP ou à d'autres personnes, pour la propriété ou l'exploitation de la jonque "CHENG-HO", il s'agit d'un litige d'ordre purement commercial qui relève uniquement de la compétence des tribunaux de Papeete et auquel l'Administration ne peut que rester étrangère.

Veuillez agréer, Monsieur le Ministre et Cher Collègue, l'assurance de ma considération très distinguée.

(Signed) Jacquinet

Monsieur TONY REVILLON
Député de l'Ain - Ancien Ministre
Assemblée Nationale
Palais Bourbon
à PARIS

Transmis à Monsieur Otto Degener, avec l'assurance de mes sentiments les plus distingués.

Signed illegibly

Mr. Bertol: With this came a carbon copy stating as follows:

PETITION No 62 du 20 Avril 1952

M. Otto DEGENER, citoyen américain résidant aux Iles Hawai se plaint, d'une part de ce qu'un visa d'entrée à Tahiti lui ait été refusé par les Autorités locales, d'autre part des agissements de ses coassociés pour l'exploitation commerciale en Océanie de la jonque "CHENG HO" sur laquelle il possède des droits.

Cette pétition a été renvoyée le 7^{ème} Novembre 1952 au Ministre de la

France d'Outre-Mer sur la rapport fait par M. MINJOZ, au nom de la Commission du suggrage universel, du reglement et des petitions.

Reponse de M. le Ministre de la France d'Outre-Mer.

Monsieur le President,

Vous avez bien voulu me transmettre aux fins d'examen une petition de M. Otto DEGENER, citoyen americain, resident aux Iles Hawai, qui se plaint, d'une part de ce qu'un visa d'entree a Tahiti lui ait ete refuse par ~~les~~ les Autorites locales, d'autre part des agissements de ses coassocies pour l'exploitation commerciale en Oceanie de la jonque "CHENG-HO" sur laquelle il possede des droits.

J'ai l'honneur de vous faire connaitre que le Gouverneur des Etablissements Francais de l'Oceanie q'qui avait ete communiquee precedemment une premiere requete de M. DEGENER adressee directement au Departement de la France d'Outre-Mer, m'a informe a la date du 24 Juillet dernier, qu'il avait accorde a l'interesse le visa d'entree a Tahiti qu'il sollicitait. M. DEGENER a donc deja recu satisfaction sur le premier point qui fait l'objet de sa petition.

En ce qui concerne par ailleurs les conflits qui l'opposent, en Oceanie, a M. deBISSCHOP ou a d'autres personnes, pour la propriete ou l'exploitation de la jonque "CHENG-HO", le Gouverneur des Etablissements Francais de l'Oceanie, a qui des renseignements avaient ete demandes sur cette affaire, a fait savoir qu'il s'agissait d'un differend d'ordre commercial qui relevait uniquement de la competence des tribunaux de Papeete et auquel, bien entendu, l'Administration ne peut que rester etrangere.

Contrairement aux allegations de M. DEGENER, l'Autorite Administrative locale n'a nullement pris parti dans ce differend. Seule, la francisation de la jonque "CHENG-HO", intervenue par erreur a la suite des demarches faites par M. deBISSCHOP, pourrait etre reprochee au service des Douanes de Papeete, mais cette erreur materielle a ete reparaee aussitot qu'elle a ete connue.

Veuillez agreer, Monsieur le President, l'expression de ma haute consideration.

(Signed) Pierre Pflimlin

Falkau b. Titisee,
Baden, Zone française d'Allemagne.
March 17, 1953.

L'Editeur,
La Presse,
Papeete, Tahiti.

Dear Sir:

I wish to draw your attention to the following announcement appearing 28 Fevrier 1953 in the "Journal Officiel des Etablissements Français de l'Océanie":

AVIS

Cheng-Ho Trading and Exploring Cy Ltd.

Pour répondre à certaines rumeurs locales et articles diffamatoires parus dans une certaine Presse Étrangère, la Cheng-Ho Trading and Exploring Cy a l'honneur d'informer le public que le navire Cheng-Ho:

- 1° est toujours sa propriété exclusive,
- 2° qu'il fut français, et le reste,
- 3° qu'il n'est en ce moment immobilisé que par suite du mauvais état de ses moteurs.

Eric de Bisschop.
Directeur général.

The above notice states lies! My letter of 20 April 1952 explains the Cheng Ho situation up to that date. Here are the developments since that time:

Before July 1952 my advocates and I gave notice to the Cheng Ho Trading & Exploring Cy and to Eric deBisschop and its other officers that I demanded back my former vessel, the Cheng Ho, according to the contract registered by the Government in Honolulu as Liber 2158 pages 247-249. According to this contract I receive for 15,000 the Cheng Ho in the condition given in the following important paragraph:

"The Cheng Ho shall be transferred and delivered to the said Otto Degener in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

As evidence of good faith, the Company (practically deBisschop) demanded that I deposit 15,000 dollars, the option price, in the Bank of Indo-China. At the time, there was much in the newspapers about a state of civil war in that country. There is no requirement anywhere that I deposit that sum of money in that Bank. I therefore did not do so. Instead, however, I left double the amount on deposit, that is 30,000 dollars, in the Commercial Bankers, C.A. Auffmordt & Co., New York City. But, you remember, in the first eight months of deBisschop's captaincy of the Cheng Ho, her appraised valuation deteriorated from 75,000 dollars to only 60,000 dollars. Since then he has further ripped out passenger cabins, allowed the vessel to run on the reef and, whenever short of money, sold equipment belonging to the vessel. Also, he registered her under the French flag by fraud. In other words, deBisschop, by his mismanagement and threats and swindles, injured the vessel far more than the 15,000 dollars, the price for which I am to pay for her in her former condition. His Excellency, the French Ambassador in Washington, and other officials, have proof of my deposit of more than 15,000 dollars cash in a bank in New York.

Let me remind you that I was granted a visa to visit New Caledonia, where I own nothing. But where the swindler deBisschop owes me and associates a debt of over 3,000 dollars cash and must return the Cheng Ho to me under contract, I was denied a visa by your Government to visit your is-

lands. Everyone knows this was an act of sabotage to prevent an American citizen from regaining his property. We know the disgrace of Anziani to Tahiti. This injustice by apparently associates of the swindler Eric de-Bisschop in the French Government was so plain and disturbing that the State Department and Delegate Farrington of the United States, and General Koenig of France intervened in my behalf. Shortly after, I was granted a visa for three months to visit your beautiful islands. I enclose the two letters as proof. Please return them to me.

Instead of traveling from my home in Hawaii to Tahiti, however, I flew to Washington and Paris to complain further about the Cheng Ho swindle. I received word from Tahiti that I could get possession of the Cheng Ho only if I first gave 51 percent. of shares or actions in a new Cheng Ho Company to a Frenchman. This is a breach of contract! Why should I give more than half of the vessel that belongs to me to anyone else? It belongs to me. There is no law I must do so. The vessel "Vega" as recent Court Action in Paris proved, belongs to an American citizen such as I, and he has her under the French flag and owns her 100 percent. My contract states the Cheng Ho must be returned to me "free of all - - - - incumbrances." Loss of half the vessel is an incumbrance. It is even more than that. It is theft.

In conclusion, I am in constant communication with Paris officials, such as M. Tony Révillon, le Secrétaire D'Etat aux Affaires Economiques, as the enclosed postal receipts show. The Cheng Ho case is now listed as Petition Nr. 62 before your Government in Paris. The notice printed 28 February 1953 in the Journal Officiel over the signature of Eric deBisschop is probably printed by him in an attempt to sell the Cheng Ho to some unsuspecting buyer. I would advise you to print in your paper to prospective buyers of the Cheng Ho: Caveat Emptor, or else they may be buying a vessel that will not belong to them, and the deporté Eric may leave Tahiti with their money. Please remember, the United States Immigration Service did not deport him from America without good reason.

May I ask you, please, to return the letters from M. Révillon, Gen. Koenig and Del. Farrington to me again? They are enclosed as proof of my statements.

Yours sincerely,

Dr. Otto Segeuer

Lieber Otto!

Vor gestern Abend erzählte mir meine Mutter, daß Du imprinted in den Bestand getreten bist und Du nun Dein junges Glück in Falkau genießt. Meinen herzlichsten Glückwunsch und meine besten Wünsche für die Zukunft. Es wäre nett, wenn Du hier nochmal vorbeisuchen würdest.

Vor 14 Tagen bin ich erst von einem fast 4-monatigen Afrika-reise zurückgekehrt. Es war nicht sehr interessant und auch öfentlich. Ich wurde alles noch dieses Jahr auf meinem Land, welches ich bereits angemessen habe, eine Tabakpflanzung statuen. Hierzu will ich schon in die ersten Juli-hälfte wieder ausreisen. Ich habe draupon viele sehr nette Menschen kennen und fand bereitwilligst die Unterstützung für meine

Haus bei General-Bourgeois, am Rte. Alt.-Rte. de
Regency und auch von Provinz-Bourgeois u. Bezirks-
Administratoren, die ich alle habe besuchen können. Ich habe
nun erstattet bis noch einige Verhandlungen mit den
deutschen Behörden, aber ich bin überzeugt, daß alles noch
bald klappen wird.

Es ist nett, daß Sie an die 500.- erinnern. Ich von
Ih. aber sehr dankbar, wenn Sie noch etwas helfen könnten,
da ich im Moment noch nicht disponieren kann. Gib'
mir nun bitte Ihre Adresse jeweils auf!

Von heute sehr herzlich Grüße an Jd. u. unbekannt.
Bitte auch an Ihre Eltern vom Hause Lauenbrück!

Ihre
Miel

ASSEMBLÉE NATIONALE



21 III 53 = PARIS 34 =

Dr. Otto Degener

Villa Hosp

~~LE BAN DE THURSEE~~

BADEN

(Zone Française d'Allemagne)





EXP. TONY REVILLON
DÉPUTÉ - PALAIS-BOURBON
PARIS

Copy +

Salleau St. Trézee,
Baden, Germany,
Zone + Leave sick
March 21, 1953.

Dear M. Révillon:

Unlike the swindler Eric de Bisschop,
my actions regarding the Chey Ho case
are frank and open. Enclosed is a copy
of a letter I have mailed my representa-
tive in Washington, the Honorable
Mr. Harrington.

Other letters protesting the Chey Ho
swindle and the waste of taxpayers'
money in French Colonies perhaps,
evidenced by Angieris & de Bisschop,
will stream to Washington from my
pen.

When will France put her colonial
house in order so the American public
can have confidence in the proper
use of gifts and loans?

Were it not urgent of our President
attended to this urgent domestic
matter before leaving for his intended
trip to Washington?

Yours sincerely
Otto Degener

Stark umrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

Einlieferungsschein

Gegenstand z. B. B.H.	(Abkürzungen & umschriebe)			
	DM (in Ziffern)	PI (in Ziffern)	Nachnahme	DM (in Ziffern)
an gegebener Wert oder ein- gezahlter Betrag				
Empfänger	Mingoz			
Bestimmungsort	Paris			

Postvermerke

Einlieferungs- Nr.	Gewicht kg	g
779		

Postannahme

Tagesstempel



2. 40 Pf. DM 5

C 62 Dia A 7

Falkau b. Mitisee,
Baden, Frenen Gene,
Germany.
April 4, 1953.

Dear Mr. Farrington:

My wife and I are in the Black Forest, watching the coming of Spring and "fuming" about the present state of the Cheng Ho fiasco.

The enclosed paper, perhaps with an all-too-long introduction, gives the Cheng Ho story up-to-date. Perhaps it is suitable for printing in the Star-Bulletin in view of the locale, ship and people involved. I am not the only Haw. resident who was shareholder of the Cheng Ho Trading & Exploring Co. Should Mr. Allen chose to print the article in the Mag. Section, I should like to know so beforehand as then I need tear-sheets in numbers.

If the French Government ignores settlement of my claim, I plan to send tear sheets or otherwise printed sheets of the scandal to every one of your colleagues in Congress and to newspapers in the States.

If I am to delete your name in my Cheng Ho account, please let me know.

By the way, in Frankfurt some months ago I happened to sit next to a stranger in a bus. I was astounded to see him wear a feather hat band. I naturally spoke to him and found he was Mr. Erdman of Hon. on a trip around the World with Mrs. Erdman!

Aloha,

Otto Degeuer

Falkau b. Titisee,
Baden, French Zone, Germany.
April 5, 1953.

Mr. Tallman,
French Desk,
State Department,
Washington, D. C.

Dear Mr. Tallman:

You may remember I came from Hawaii to Washington to complain to you about the Cheng Ho swindle, whereby the former French Consul in Honolulu, deported as an undesirable alien, registered the vessel under the French flag as his own property. This fraud was perpetrated, as established in both Territorial and Federal Courts in Honolulu, "in the Office of the Governor of Tahiti." I left you documents and clippings about the affair. The vessel, you may remember, was rightfully under the American flag and belonged to the Cheng Ho Trading & Exploring Company, incorporated in Honolulu and belonging mostly to American citizens.

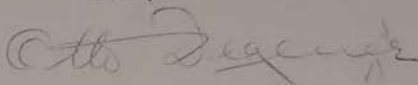
Before I sold the junk-yacht Cheng Ho to the Company for shares, I retained the option to buy her back for 15,000 dollars in July 1952.

The enclosed article gets you up-to-date on this swindle. I don't see why I should allow these men in Tahiti to cheat me and, as no one else evidently can or will help me, will plan to help myself.

I am writing articles like the enclosed and am distributing them to our Members of Congress, to newspapers and magazines. Perhaps in my fight for my rights I will induce some of our Legislators to review our policy of granting funds to France. Perhaps much of their begging is 95% hoaxing the American public. Why not use cash, to be ear-marked for France, for more energetic combat in Korea or elsewhere where the risk of graft is less.

Naturally, I should be most grateful if the State Department helped in this swindle, but hardly think they would bother with my comparatively unimportant problem in these times.

Aloha,



Dr. Otto Degener

Falkau b. Titisee,
Baden, Germany,
Zone française.
April 6, 1953.

His Excellency, The Ambassador,
French Embassy,
Washington, D. C.

Dear Sir:

Enclosed is a popular summary of the Cheng Ho swindle perpetrated by past and present petty French Government Officials in Tahiti.

I am now in Europe where I had come on my way to Tahiti to take over my vessel, the Cheng Ho, according to contract on July 7, 1952. When the Tahiti Government Officials put further obstacles in my way, I cancelled my passage from Marseille. I am, however, remaining within easy access of Paris to facilitate payment of my claim of 63,000 U. S. dollars.

May I request that you join other officials in Washington to urge the French Government to pay my claim without too much delay for the theft of my vessel? I am eager to return to my botanical studies in Hawaii but feel I cannot do so until I have aroused popular opinion through letters and articles for my just cause.

Yours sincerely,

Otto Degener

Dr. Otto Degener

P.S. I have already written Mr. Harrington, my Delegate to Congress, and the State Dept. I now plan to write a Member of Congress after another in similar style to the way I wrote the Deputy after another of the Senate Committee Medicine about a year ago.

Falkau b. Titisee,
Baden, Zone française,
Allemagne.
April 9, 1953.

Pierre Plimlin,
Ministre de la France D'Outre-Mer,
Paris, France.

Dear M. Plimlin:

Regarding the Cheng Ho scandal it is not at all a question whether I, an American citizen, am to be allowed to trade in French waters or not. Why should I? The vessel is American and so am I? My complaint is that past and present French Government Officials, fraudulently and contrary to contract, ruined and stole my property. My claim for damages from the French Government comes to 63,000 dollars.

A summary of the swindle, for more popular reading, is enclosed. I, as American Federal Tax Payer, am mailing similar copies to Members of my Congress requesting they use their influence with your Ambassador in Washington and with your Government in Paris to see that justice is done. May I request that you join them? I fear you were duped by deBischoff and his unscrupulous friends in Tahiti about the truth of this case.

It is futile in my opinion for France to ask for monetary help for Indo China from American tax payers so long as one of these tax payers is being swindled by Government Officials in neighboring Tahiti. After France has put her house in order in Tahiti and cleaned up corruption there, only then is she prepared to try to convince the American Tax Payer, whose wishes are followed by Congress, that there is any purpose in investing money in Indo China. With corruption rampant in the Pacific - you may remember the earlier cement scandal in Tahiti under Amziani and how it was "white washed" - France's arguments are not very persuasive to an American businessman.

I shall remain in the neighborhood of Paris to facilitate settlement of my claim. Thereafter I shall return to Hawaii to continue with my botanical studies.

Yours very truly,

Otto Degener

Dr. Otto Degener

Felka b. Titisee,
Baden, Zone française,
Allemagne.
April 9, 1953.

Erile Blennet,
Secrétariat Général de la Présidence,
Assemblée Nationale,
Paris, France.

Dear Sir:

I just recently received your letter of January 21 regarding the Cheng Ho swindle by past and present French Government Officials in Tahiti. This letter was addressed to me to my home in Haislus, Hawaii, and slowly followed me across Europe to my present address. I left Hawaii almost a year ago for Washington to complain about the swindle to your Ambassador, to the State Department and to a few Members of my Congress particularly interested in foreign loans. Then I came to Europe, ready to sail last November on the "Marseillaise" for Ceylon and Tahiti to take back my vessel according to contract. When, however, I realized that your Officials were insincere and merely wanted to get me to Tahiti to cheat me out of another 15,000 dollars, I canceled my passage. I am consequently remaining in Europe, within easy access of Paris, to facilitate the payment of my just claim from your Government.

Regarding the Cheng Ho Scandal the Tahiti swindlers evidently are trying to get Paris to believe I am interested in trading in French Oceania. That is nonsense. Why should I? I speak practically no French. The vessel is rightfully American and I am American also. My complaint is that past and present French Government Officials, fraudulently and contrary to contract, ruined and stole my property. My claim for damages from the French Government comes to \$63,000, and I want payment.

A summary of the swindle, for more popular reading, is enclosed. I as American Tax Payer am mailing similar copies to Members of my Congress requesting their influence with your Ambassador in Washington and with your Government in Paris to see that justice is done. I likewise want each one of them to give the article to the editor of their home town newspaper.

As I mentioned to some one before, the average person is honest. It is merely a question of time for me to get the facts before a sufficient number of people to win my case. Popular opinion will not tolerate this outrage. You do not realize how much France's condoning this swindle, known in a number of Washington circles, lowers confidence.

May I request that you join the others in protesting the Cheng Ho swindle, and turn the enclosed article over to the editor of your home newspaper for printing?

Yours sincerely,

Otto Degen

Falkau b. Titisee,
Baden, Germany, French Zone.
April 10, 1953.

The Honorable Mr. Staseen,
Washington, D. C.

Dear Sir:

I wish to draw your attention to the fact that past and present French Government Officials in Tahiti are swindling me and a few other American citizens resident in Hawaii. Last summer I left copies of contracts and letters with the French Desk of our State Department. If you need additional facts, they or I can supply them.

As a Federal Tax Payer, I request that you lodge a protest with the French Ambassador and, after reading the enclosed account, forward it to the editor of your home newspaper. It may be a timely article now that France wants us to take over 65% of her costs in Indo China!

Perhaps a review of the Cheng Ho case will show that France is not now worthy of more cash grants from us, at least until she can show us that corruption no longer occurs rampant in her Colonies in the Pacific. Why waste our cash among a gang of greedy officials when it can be used without waste in the fight against Communism elsewhere?

As Territorial Tax Payer I have recently written the Hon. Mr. Farrington from Hawaii.

Respectfully yours,

Dr. Otto Degener

Falkau b. Titisee,
Baden, Zone française,
Allemagne.
April 10, 1953.

L'Honorable M. Jean Medecin,
Assemblée Nationale,
Paris, France.

Dear Sir:

Last summer I left Hawaii and flew to Washington to complain about the Cheng Ho Swindle to my State Department, to the Hon. Mr. Farrington, to a few other Members of Congress and to Members of the Assemblée Nationale. I thought France, alone, could clean up her scandal. As a result of my complaints, the Governor of Tahiti (it was "in the Office of the Governor of Tahiti" that ex-Consul Aric deBisschop fraudulently registered the American vessel Cheng Ho under the French flag as his own property) was shamed into granting me a three months visit to Tahiti.

I left Washington for Europe to sail in November on the "Marseillaise" to Ceylon, and then ultimately to Tahiti. I then learned that the Government Officials in Tahiti, contrary to my option contract whose every requirement I was ready to fulfill July 7, 1952, were eager to take 15,000 dollar option money from me and for that I would receive but 4% of my vessel the Cheng Ho, now due to their vandalism little more than a derelict. I canceled my passage and waited patiently in Europe awaiting the results of an investigation by your Assemblée Nationale.

I now find that the Ministère de la France d'Outre-Mer considers that since he has granted me a visa to visit Tahiti, the case of the Cheng Ho Swindle is ended so far as the French Government is concerned. He is also under the impression, perhaps duped by the deporté deBisschop and corrupt officials in Tahiti, that I am interested in using the Cheng Ho for trade in French waters. That is absurd. Why should I? The vessel is rightfully American and so am I.

In short, my complaint in last past and present French Government Officials, fraudulently and contrary to contract, ruined and stole my property. My claim for damages from the French Government comes to 63,000 dollars, and I want payment without too much delay. I left Hawaii the middle of May and came to Europe to fight for justice and I am losing patience. If we Americans are to be swindled by French Officials it will be my advice to my countrymen to avoid France as a vacation land and instead visit equally fascinating Hawaii under the U.S.A.

Because of my shock that the Ministère de la France d'Outre-Mer should uphold a deporté like deBisschop in this swindle, I am beginning to write to every one of the Members of my Congress - there are about 500 - asking them to use their influence with your Government. I am also sending them a copy more or less similar to the one here enclosed. This is a summary of the swindle written in easy style. I am asking each member, after studying it, to mail it to the editor of his home town newspaper for printing. Public opinion should bring results. May I request that you join this group to put an end to corruption by French Officials in the South Seas so that Americans and their interests will be safe there? The Ministère de la France d'Outre-Mer may think the Cheng Ho Scandal in which past and present French Officials are concerned is closed. He will find that he is mistaken.

I feel the Députés of the Assemblée Nationale tried to be fair in this matter but that they themselves have been tricked by deBisschop and his corrupt associates in Government Circles.

I am remaining close to Paris to facilitate settlement of my claim.

Sincerely,

Bitte sorgfältig aufbewahren!

Der Absender wird gebeten, das unversendete Teil selbst zurückzusenden.

Einführungsschein

Gegenstand (z. B. B-BD)	(Gegenstand vollständig sicher A)			
	Stk (in Ziffern)	Stk (in Ziffern)	Stk (in Ziffern)	Stk (in Ziffern)
Empfänger Name und Adresse	Hr. Dr. G. Hoff			
Bestimmungsort	Breslau, Val. F. Str.			

Postvermerke



CFM. 24000. 8. 22

Einführungs- Nr.	Gewicht kg
229	

Postannahme

[Signature]

C 62, DIN A 7
(V, 3 Anl. 28)

Basel, 12.IV.1953, Missionsstr.17

Lieber Herr Kollege:

Besten Dank für Ihre Nachricht vom 9. und die freundliche Einladung. Vor Ihrer Reise wird ein Treffen also wohl kaum noch möglich sein. Sie haben recht, das muss vorher genau verabredet werden. Am besten warten wir dann Ihre Rückkehr ab und Sie teilen mir Tag und Stunde mit, die Ihnen am besten passen. Gewiss können Sie mir auch die Züge mitteilen und wieviel Zeit dort zu einem schönen Spaziergang übrig bleibt. Leider wird der Schnee bis dahin fortgetaut sein, den der kleine Alberto ~~Schneux~~^{bis} so sehr gern sehen möchte.

Das Publikationsdatum von Heft X/2 der Revista ist Oktober 1952. Mittlerweile hat Herr Hatteway geschrieben und die 10\$ nach Stuttgart geschickt. Er erwartet 38 Exemplare. Das wäre das alleräusserste einschliesslich der ganzen Revistanummern, dann bliebe mir nur noch ein ganz kleiner Rest für Nachbestellungen. Soll ich alles noch verfügbare an Herrn H. schicken?

Haben Sie schon den LEPTURUS veröffentlicht? In Heft X/4, das nun an die Reihe kommt, wäre noch Platz für eine Diagnose oder sonst eine kurze, Südamerika interessierende Mitteilung. Grössere deutschsprachige Zeitungen in der Schweiz wären etwa?

DER BUND, Bern, NEUE ZUERCHER ZEITUNG, Zürich, BASLER NACHRICHTEN, Basel, NATIONALZEITUNG, Basel. Wenn ich Ihnen betr. einer Publikation in einer dieser oder anderen Zeitungen ~~geben~~ einen Rat geben soll, tue ich es gern, müsste aber erst genau wissen, worum es sich handelt.

Ich habe noch das Verzeichnis Ihrer Bücher. Wenn Sie sich von einem Inserat in der REVISTA etwas versprechen, so könnte ich auf dem nächsten Umschlag, der gedruckt wird, einen Abdruck veranlassen. Ich kann auch in der neuen Basler Bot. Gesellschaft Ihr Inserat herumreichen lassen. Geben Sie Rabatt für Wiederverkäufer?

Mit freundlichen Grüssen und Empfehlungen an Ihre Frau ^{Emahlin}

Ihr

Herten

Falkau, b. Titisee, Baden,
French Zone, Germany.
June 16, 1953.

Dear M. de Montalembert,

I have your letter of June 6 before me. I realize you are not too least involved in the Cheng Ho swindle, but I also feel that you are interested to see justice done. You no doubt know that deBisschop has a criminal record, way back in France. Our Immigration Dept., in Honolulu knows about it, and this had a lot to do with his repatriation from the U.S.

Your idea that the case "seems to come under the authority of the Courts in Papeete, exclusively" is wrong. It is hopeless going to the Papeete Courts for justice because deBisschop is a past French Government official, is chummy with E. Bertrand, managed to get illegal aid from one Tahiti Governor in registering the Cheng Ho under his name as owner under the French flag, managed to get another Tahiti Governor to sabotage my timely visit to Tahiti to fight for my interests, and has chartered out the Cheng Ho to M. Gallois, Member of the Governor's Privy Council. You see past and present French Government Officials in Tahiti are all involved in a vessel that is doing a lucrative trading business in French waters. The swindle by these past and present French Officials is so flagrant that a petty Tahiti Court, even if it had jurisdiction (which I very much doubt) would feel obliged to "white wash" Colonial Officialdom. A foreigner, esp. an American, would have no chance also, my Honolulu attorney for me and associates tried to sue deBisschop for a 3,000 debt in Papeete. He naturally got a French Papeete attorney to represent us. This, Henry Hoppenstedt, merely swindled us out of the 150 dollar fee. We have tried to get others in Tahiti to collect the 3,000 dollar debt, giving a contingency fee of one-third. We can't get Court action from any one against deB.

Anyway, the Cheng Ho case (not the trivial 3,000 dollar collection) belongs in an International Court - I was advised to take it up with the U.N. in New York but consider that advice silly as the case is too trivial when it involves less than 100,000 dollars - because the Cheng Ho is a U.S. vessel rightfully that was illegally put under the French flag. The laws of two nations are involved, not only those of France.

Due to the Cheng Ho swindle I have spent a small fortune on lawyers' and Court fees five or six years ago, and since. To get back my 60,000 plus dollars why should I hire attorney's again and be obliged to pay them 20,000 dollars or half the stock of a new Cheng Ho Trading Co., when the injustice is so plain that any one, even a lay man - can understand it? I need no lawyers and no Court.

I am writing my complaints in personal letters to my Senators in Washington and to the Députés in Paris. I am a Federal taxpayer and I have a perfect right to protest that I am forced to give cash (through a Congressional Grant) to France while French Officials in Tahiti are practically picking my pockets of 60,000 dollars. It is not up to me to pay lawyers' fees any more. It is up to the U.S. Government to protect her citizens, and I am one of these.

It is merely a case of bringing the Cheng Ho swindle before the public to get justice. I have no silly ideas that just because a little Archipelago in the Pacific is overrun with riffraff and tries to rob me

Falkau b. Titisee, Baden,
French Zone, Germany.
April 16, 1953.

The Honorable Senator Byrd,
Senate Office Building,
Washington, D. C.

Dear Sir:

I am an American citizen resident in Hawaii. Last summer I left home to fly to Washington to complain to the State Department, to Delegate Farrington and to a few other ^{people} ~~show~~ the French were denying me a visa to visit Tahiti in an attempt to sabotage my protecting my interests there. This difficulty involved mainly repossession of my vessel Cheng Ho, appraised at 75,000 dollars, and fraudulently registered under the French flag as belonging to the former French Consul Eric deBisschop. The vessel is rightfully American and belonged to an American company incorporated in Honolulu in which I was leading shareholder.

The enclosed article is a summary of the swindle, dressed up a bit with a ~~Fiji~~ introduction to make it suitable if you wish to pass it on to your "home town" newspaper for publication. As a Federal Tax Payer I protest the giving of any more funds or largess to France until, instead of condoning the robbing of Americans, she protects them and their rights. And I believe the American public - whose taxes go to France in one way or another - has the right to know the story.

The French Government Officials, past and present, have perpetrated and condoned this swindle from its very beginning and through all its stages with the result that my assets (and those of a number of Americans I represent) are being stolen and ruined. I am therefore demanding payment from the French Government of my claim for 63,000 dollars. I hope you will use your influence with the French Ambassador in Washington to see that action is taken without too much delay.

Of course I was one more gullible American five years ago who was "taken for a ride" by a slick Frenchman and his cronies in the French Government, and resent the approaching success of their conspiracy. If these petty French Officials in Tahiti do succeed, I lose a small fortune to them that rightfully belongs to me. This is personal harm. But in this there is also harm for the American public as a whole. By the French I will be considered just a typical gullible American, increasing still more the European idea that we Americans can be cheated right and left with impunity and that our Nation is lax in standing up for the rights of her citizens.

Yours sincerely,

at first sight.

ASSEMBLÉE NATIONALE



29 IV 53 == PARIS 31 ==

Monsieur Otto DEGENER

FALKAU

b. Titisee

29 IV 53 == PARIS 31 ==
BADEN

Zone Française



PARIS, LE 7 Mai 1953

Cher Monsieur,

J'ai bien reçu votre lettre et la documentation qui y était jointe et que j'ai étudiée avec la plus grande attention.

Malheureusement, c'est - me semble-t-il - à la suite de la première expédition du " CHANG-HO " à Tahiti, et alors que vous avez découvert les opérations frauduleuses auxquelles se serait livré le Capt. Eric de Bisschop qu'il aurait fallu agir avec énergie pour défendre vos droits et ceux de vos co-associés.

Le fait que la jonque ait été détériorée et ait perdu une grande partie de sa valeur entre 1947 et la date prévue pour l'exercice de votre droit de reprise me paraît relever du domaine commercial et non du domaine parlementaire, et j'avoue ne pas voir très nettement ce qu'il me serait possible de faire à ce sujet.

Croyez que je le regrette vivement et veuillez recevoir, cher Monsieur, les assurances de mes sentiments les meilleurs.



P. BILLOTTE,
député de la Côte d'Or

M. Otto DEGENER -

Falken b. Titisee, Baden,
Zone Graueuse, Allemagne.
May 11, 1953.

Dear Mr. Pflimlin:

I just returned from a two-weeks stay in Italy where, besides sight-seeing, I could write confidential letters about the Cheng Ho frigate to Washington without danger of having them censored or destroyed by occupation forces in Germany. Now, while in Germany, I have your kind letter of April 27 before me.

I am now continuing to write to my 96 Congressmen in Washington about the Cheng Ho swindle by French Government Officials in Tahiti. I enclose a list of them in case you wish to write them why you were unable to resolve the case with fairness and justice. I believe it shows that the Government in Paris simply cannot control her appointments in the Colonies and that if the Foreign Relations Committee of Congress had granted Pres. Mayer funds for so-called war against Communism in Indo-China, Paris would have been unable to keep such money out of the clutches of such appointees as Ausimaris, Bisschopas, Galois, Hoffmanns et al. My warning has, I believe, made Washington more careful and has saved us U.S. Tax Payers a goodly sum.

After completing my letters to my Congressmen I shall start writing my complaints to the 221 Republican and 211 Democrats in the House of Representatives until my claim is settled with fairness and the swindlers properly punished. I mailed my first magazine article about the Cheng Ho scandal to "Illustrated" in London. But as you can see from the enclosed letter

Picture Post
Hulton Brass Ltd.
43 Shoe Lane,
London, E.C.4
mailed 5/24/53

ASSEMBLEE NATIONALE



31= 15 V 53 = PARIS 31=

Monsieur le Docteur Otto DEGENER

Falkau b. Titisee

BADEN Zone française Allemagne

May 16 1953

My dear M. Billotte:

I returned from a two week stay in Italy - where I could write Washington unhindered by possible censoring of my mail - and now have your kind letter of May 7 before me.

The Chev Hs scandal does not involve business activities but the fraudulent actions of past and present Government Officials ^{in Italy with the result that I have been robbed of my assets.} ~~in the past and stealing the Chev Hs.~~ #0. What is so amazing is that apparently the Ministry of Finance in France should protect men like de Bisschop ~~in his case in France~~ (who has two previous records in France before 1934 and was subject to deportation by a friendly government. When men like Amizade (of recent scandal fame) de Bisschop, Hapfenstedt et al., can feather their nests at the expense of honest Americans is it not my duty as an American citizen to warn Congress against doling out American cash to similar French officials in the South Seas? And have I not the right, if France ignores my \$63,000 claim, to ask that Washington pay me that sum from any future appropriation gathered from the American Tax Payer ~~for that purpose~~ that appropriation leaves America?

~~I have fought since May, a year ago, and shall continue.~~ ~~I tried to get justice by hiring an attorney in Tahiti, and nine months later, out of \$100. I now do not know what else to do but to complain to my legislators in Congress, until the Paris Government ^{settles} my claim or Washington pays me out of a French appropriation.~~ I spent every morning writing letters to Washington and then but none. ^{continue this project} I kept this project ~~off~~ for years ~~for years~~ indefinitely. Yesterday ~~Senator~~ Senator Tobey of New Hampshire was recipient of my complaint.

Stark unrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

Einlieferungsschein

Gegenstand (z. B. Bf.)	(Abkürzungen s. umseitig)				
	DM (in Ziffern)	PI	Nachnahme	DM (in Ziffern)	PI
an gebener Wert oder ein- gezahlter Betrag					
Empfänger	T. Reville				
Bestimmungsort	Paris France				

Postvermerke



Einlieferungs- Nr.	Gewicht kg	g
735		

Postannahme

[Signature]

2. 49. 31. CPM

C 42 Din A 7

Wm D. Lockhart
3905 Reservoir Road
Washington D.C.
4-00



AIR LETTER

**VIA AIR MAIL
PAR AVION**

Mrs. Otto Degenert
Falkenbergstrasse 2
Baden, Germany -
French zone -

MESSAGE MUST APPEAR ON INNER SIDE ONLY
NO TAPE OR STICKER MAY BE ATTACHED

IF ANYTHING IS ENCLOSED, THIS LETTER
WILL BE SENT BY ORDINARY MAIL

FIRST FOLD

SECOND FOLD

FOLD SIDES OVER AND THEN FOLD BOTTOM UP AND SEAL.
NO OTHER ENVELOPE SHOULD BE USED.

3905 Reservoir Road Washington D.C.
Dear Otto I am delighted I have the little picture of you. I see how
attractive she looks. I hope you will both be coming. This was soon
Charlie Chaplin's new head of his division which he is trying to
improve after years of neglect. I have a letter for Fenton Kilhenny
of the man who supervised the building of the Chin. Ho. Ho. Ho. with us the
1st year like the old Captain took over. He says he has tried to buy her.
He wants to use her for shipping between Okinawa, Formosa & Hong Kong. He says
he had a broker who wanted to loan him purchase money but could not find out
who owned the junk! He wants to know what you are going to do with the junk
now in Tahiti. I would love much there is left of her. I hope your book
about the South Seas has been printed. I will try to find Tucker Abbott.
I hope I see is making a good recovery. The you can come to Honduras.
Michael Smith is there making a film of the Islands. He & Sarah Wilder
want us to go out there this summer. I had a magnificent Super Palm
in the Swamp that flowered two years ago. It was dying. The floods backed
up in there & stayed for a month. So the palms died but the baylons gave
the others which I planted to take their place. Have heard that Mr Robert
Montgomery of Coconut Grove Gardening has died. Fenton Kilhenny's address is
Naval Operations Div. 8108 Army Trail. Also-719 P.O. Box. San Francisco. Calif.
You want to write him. Best wishes to you both. Always,

CONSULAT GÉNÉRAL DE FRANCE

A SAN FRANCISCO

740 TAYLOR STREET

TÉLÉPHONE TUXEDO 5-0771

PRIERE DE RAPPELER LE NUMERO
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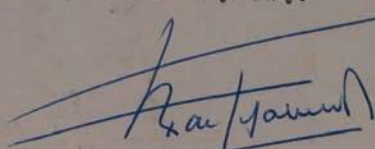
June 6, 1953

Dear Mr. Degener,

I acknowledge receipt of your letter dated April 20, regarding your litigation with Mr. de Bishop, as to the proprietorship of the junk type vessel "CHENG HO" reported to be in Tahiti (French Oceania).

I am unable to be of further assistance to you in this matter which seems to come under the authority of the Courts in Papeete, exclusively.

Yours very truly.



Max de Montalembert
Vice-Consul

Mr. Otto Degener
Falken b. Titisee
Baden, Germany.

Dr. Otto Spegner,
Falkau & Titisee,
Baden, Germany.

Brief
First
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Luft Post

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CIT
AMTLICHES ITALIENISCHES REISEBÜRO
MÜNCHEN 2 BRIENNER STRASSE 9
Telefon 26124, 26122

Mr. David Ingram,
Young Building,
Honolulu, Hawaii,
U. S. America.

Dear Mr. Degener:

June 9

Your letter of recent date has been received and, in Senator Ives' absence from Washington, I am acknowledging it in his behalf.

At the present time, Senator Ives is in Geneva, Switzerland, where he is presiding over the International Labor Organization conference. He is also chairman of the U. S. delegation, an assignment he undertook at the express request of President Eisenhower.

Your letter will be brought to the Senator's attention upon his return to Washington.

Sincerely yours,

Emily C. Davis

Emily C. Davis,
Executive Secretary to
SENATOR IRVING M. IVES

ECD:pm

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

TC NO. 68045
R-III/R-IV
French

EMBASSY OF FRANCE
IN THE UNITED STATES

GE/rb
No. 357

Washington, June 15, 1953

The Embassy of France presents its compliments to the Department of State and has the honor to refer to the latter's note of April 16, 1953 concerning the dispute between Mr. Otto Degener, an American citizen, and some French nationals living in Papeete, in regard to the ownership of the vessel Cheng Ho.

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. de Bisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do, had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. de Bisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. de Bisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merits of the dispute between Mr. Degener and Mr. de Bisschop; the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However, that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France avails itself of the occasion of this note to renew to the Department of State the assurances of its very high consideration.

[Initialed]

[Stamp of the Embassy of France]

Congress of the United States
House of Representatives
Washington, D. C.

June 15, 1953

Dr. Otto Degener
Falkau b. Titisee
Baden, French Zone
Germany

Dear Dr. Degener:

This is in reply to your letter of April 4.

I find after informal discussion with officials of the State Department that their attitude toward your difficulties now is identical with that expressed in their letter of April 30, 1952. They still feel that the proper place to settle your problem is in the courts and offer every assurance that in the event you pursue this course that they will do everything possible to protect you in your rights as an American citizen.

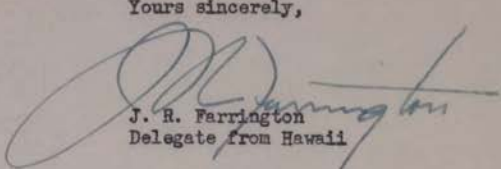
I believe that prior to the time some decision is reached on the legal aspects of the case the publication of some of the allegations you make in your article "The Good Ship Cheng Ho" would be unwise and probably libelous.

I am, therefore, returning your article together with your clippings.

I will be glad to have you keep me informed of any further developments in the case.

With kindest regards and best wishes, I am

Yours sincerely,



J. R. Farrington
Delegate from Hawaii

Dept. State, Washington. June 18, 1953.

My dear Senator Kennedy:

Mr. Morton has referred to me for reply your communication of June 5, 1953, with which you transmit, with a request for a report, a letter which you have received from Mr. Otto Degener, written at Falkau bei Titisee, Baden, Germany, on May 20, 1953. Attached to Mr. Degener's letter is a typewritten summary of his case, accompanied by four pictures of the vessel Cheng Ho and a news clipping.

The text of the typewritten summary corresponds with that of a paper sent by Mr. Degener to the Department in April of this year for its information. He stated at that time that he was writing such articles and distributing them to Members of Congress, newspapers and magazines.

Essentially, Mr. Degener's problems appear to be (1) that of enforcing his right to exercise an option which he considers he has to repurchase the Cheng Ho for 15,000 dollars from the Cheng Ho Trading & Exploring Company, and (2) that of attempting to recover for damages and deterioration said to have been sustained by the vessel in recent years. These are private matters in regard to which it would seem that Mr. Degener should be guided by legal counsel, preferably counsel versed in matters of maritime law. In addition there is a question of a debt of 3,000 dollars owed by Mr. Eric deBischopp. It is not clear from the file that Mr. Degener has as yet exhausted available means of legal remedy. No basis for a claim against the French Government is apparent.

As respects allegations on Mr. Degener's part of irregularities on the part of French officials, past and present, it is suggested that while Mr. Degener is in Europe he might visit the American Embassy at Paris for the purpose of discussing the matter.

Mr. Degener's letter, the photographs, and the news clipping are returned in accordance with your request, a copy of the letter itself having been retained for the Department's files.

Sincerely yours,
(Signed) Allyn C. Donaldson
Director
Office of Protective Services

Dear Dave: Here you have copies of two letters, both about the same, regarding the Cheng Ho case from the State Department. Perhaps you should keep them for your files.

I am eager to push the collection of the 150 dollars from Hoppenstedt and the more or less 3,000 dollar loan from the deBischopp-Constable faction on the contingency basis. Can you "exhaust available means of legal remedy"; whatever those means may be? Also the Pahoe case and the Mokuleia tenant who ran off without paying you the rent? The major Cheng Ho case I am playing with myself through Paris.

We are retaining Falkau b. Titisee, Baden, Germany, as our "home" address even though we shall be in Frankfurt for a couple of weeks. We are to see the U.S. Consul about Mrs. Degener's entry into the U.S., as a prospective citizen. Everything is going well.

We may remain in Europe over Christmas, giving my wife chance to be with her parents at that time.

Hope all goes well with the Ingman clan.

Aloha,

OTB
July 25, 1953

ASSEMBLÉE NATIONALE

B/Bi

Sec. Div.

PARIS, LE 19 Juin 1953

Monsieur Otto DEGENER

JALKAN b/Titisee
(Baden) Z.O.F. (Allemagne)

Monsieur,

Je vous prie de bien vouloir trouver ci-jointe en retour une lettre qui est arrivée par erreur à mon adresse et qui certainement ne m'était pas destinée.

Veuillez agréer, Monsieur, mes salutations distinguées.


A. KRIEGER, député

Annexe

Waterfront**Degener Plans Suit to Regain
Cheng Ho From Tahiti French**

By PETE GILMAN

Star-Bulletin Waterfront Reporter

Dr. Otto Degener, the disputed owner of the famed Chinese junk Cheng Ho, has returned to Hawaii with plans to bring a damage suit against the French Government in Tahiti.

The botanist returned from Europe recently with his wife and they have settled down in Dr. Degener's Mokuleia Beach home.

Degener said he wants to get his Cheng Ho back. It is in Paapeete, Tahiti, where it has been held for the last few years under a multitude of legal abstractions including debts, liens and disputed ownership.

The vessel, built in Hong Kong, was brought here from Tahiti in 1941 by Mrs. Anne Archbold, its owner. She turned it over to the Navy during the war. It was used later as a scientific exploration vessel and then as a copra carrier with the Cheng Ho Trading Company.

WROTE FOR VISAS

"I wrote for visas to enter New Caledonia and Tahiti," Degener said. He explained the Governor of New Caledonia granted him permission to enter. But the Governor of Tahiti, whose office had registered the Cheng Ho "fraudulently under the French flag as owned by a former French consul in Honolulu," denied him permission to set foot in Tahiti, Degener claims.

Degener said he "smarted under this injustice" and left Hawaii for Washington to complain to Delegate Joseph R. Farrington and the State Department. As a result, he says, the Governor of Tahiti withdrew his objection and granted him permission to enter Tahiti.

Later while in Europe, Degener learned from the French Government in Tahiti that he could repossess the Cheng Ho if:

1—He pay \$15,000 for her in her present dilapidated condition.

2—The vessel remain under French flag.

3—He turn over 51 per cent of the shares and rights to a "certain Frenchman."

Degener claims all these stipulations are false. He claims further that "although the Governor of Tahiti has been forced to grant me a visa, he is making it impossible for me to accept the Cheng Ho in accordance with a contract registered at the Bureau of Conveyances in Honolulu."

Degener said he is consequently canceling his plans to go to Tahiti and instead "is bringing suit against the French Government."

MARRIED BOTANIST

Degener said while studying botany in Berlin, he met and married another botanist, the former Dr. L. Hansen, of the Botanical Garden and Museum of Berlin.

For their honeymoon, they visited the walled-city of Dubrov-

nik, in Communist Yugoslavia.

Degener said the city has a wonderful charm and beauty but the harsh domination of communism can be felt throughout. He said it was similar, climatically, to Canton Island.

Farmers are letting the beauty of the land go to rot, Degener said, because under communism the land is no longer their own and they won't take special care of government land.



Washington about the
case. I hope you
Le Conseiller Technique,
Ministere de la Justice,
Paris, France.

C/o American Express Cie.,
Frankfurt/Main, Allemagne,
August 18, 1953.

Scandal.
Dr. Otto Degener

Dear Sir:

I know Paris is as eager as I to end the deplorable AFFAIRE CHENG HO now transpiring in Tahiti. I am therefore adding this communication to ~~my~~ my earlier one of Aug. 7, 1953, in answer to your kind letter dated July 31. May I suggest that you study the correspondence and copies of contracts and documents now in the files of Tony Fvillon, le Secrétaire d'Etat aux Affaires Economiques, 41 Quai Branly, Paris. It will help you get proper perspective of the case. Study of correspondence between Tahiti Government Officials and His Excellency, the Ambassador of France, Washington, would also be helpful, showing how the colonial officials in Tahiti are prejudiced against the American botanist and teacher Degener in favor of an interesting swindler who in France spent 2 terms in jail and was acquitted of murder, and who in Hawaii was subject to deportation as an undesirable alien. Consul Dupont of Washington, D.C., knows this man and can likewise inform you of his true character.

Though I have lived in the South Seas since 1922, I have never been in Tahiti. Nevertheless, I am very familiar with conditions there so far as Cheng Ho matters are concerned due to a.) returned and disillusioned members of the crew of the Cheng Ho (to whom I in good faith had sold shares of the Cheng Ho Trading & Exploring Company and whose interests I in part still legally represent), b.) reports from returned American travelers from Tahiti and, c.) answers from other individuals whom I had charged with specific questions before their departure for Tahiti. I am therefore able to dispel the false impressions held by His Excellency, the Ambassador of France in Washington, as expressed in a letter dated June 15, 1953. With the purpose of correcting the Ambassador's impressions, emanating obviously from ex-Consul deBisschop and his friends in the Colonial Service in Tahiti, I here give the translation from the original French into English for your study, followed by my reactions.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. deBisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France ----- of its very high consideration.
((Stamp of the Embassy of France))

From the above letter from the French Ambassador we do not learn WHY the Governor of Tahiti first refused the botanist Degener a visit to Tahiti. The Governor of New Caledonia, by the way, where Degener owns no assets, had granted him a visa good for one year. We strongly suspect that some of the following considerations were strongly involved in preventing, and after protests had accumulated, in delaying as long as possible Degener's visit to Tahiti where his assets lie:

1. According to U.S. Federal Court Proceedings (Judge McLaughlin presiding Oct. 1948) and Territorial Circuit Court Proceedings (Judge Pence presiding Nov. 1948) the vessel Cheng Ho, appraised originally at 75,000 U.S. dollars, had been fraudulently registered under the French flag in the name of Eric deBisschop "in the office of the Governor of Tahiti" when the vessel actually belonged to an American company incorporated in Honolulu, Hawaii, with mostly American citizens as shareholders.

2. The former French Consul and deporté Eric deBisschop owed Degener (and others whom he represents) a debt in excess of \$3,000, and accumulated interest.

3. Degener owned the option to repossess his vessel Cheng Ho July 7, 1952 for 15,000 dollars according to a contract registered by the Registry of Conveyances for the Territory of Hawaii in Book 2156, pages 247-249 (of which M. Tony Révillon has a photostatic copy). This contract in part reads: "The CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessaries thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

4. Ex-Consul deBisschop had long chartered the Cheng Ho for the sum of 2,500 French COLONIAL Francs per day in Tahiti to M. Gallois, Member of the Governor's Privy Council (according to a Tahiti letter of June 26, 1952.).

5. Degener asked for the visa to Tahiti as early as Nov. 28, 1951 to arrange for repossession of the Cheng Ho July 7, 1952 as per contract and was not informed of its granting by the French Consulate in San Francisco until May 26, 1953. The latter reached him early in June. Thus the French Government in Tahiti delayed 6 months in granting the request and gave Degener just a month to leave New York City to reach far distant Tahiti before July 7 when repossession of the Cheng Ho was due. This delay may have been unavoidable and quite innocent, but it does smack of chicanery and continuation of sabotage begun when Degener was originally refused a visa to visit Tahiti to protect his assets there.

6. Quoting from a letter written by the Tahiti shiphandler Oscar Mordman about Cheng Ho developments, dated Papeete, Tahiti, June 12, 1952, we read: "At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur GALLOIS, the following favorable conclusions were reached. According to another letter, this one from Marcel Lejeune, Notaire, Papeete, of same date, we hear: "Pour avoir une connaissance plus complète de cette affaire, j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin réunir à son Cabinet, en ma présence, le Chef du Service des Douanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affréteur du bateau." From the same letter of M. Lejeune, we learn that Eric deBisschop at the time of the meeting was away in the Austral Islands. Whether Governor Petitbon was present at this meeting of his cabinet I do not know. We do know, however, that the Notary Lejeune was present when the 1.) Customs Chief, the 2.) Chief of Political and Administrative Affairs, the 3.) Harbor Master and 4.) Governor Petitbon's Privy Councillor Gallois (who also represented ex-Consul deBisschop and was charterer of the Cheng Ho), unanimously or not I do not know, concocted the following confiscatory and shameful conditions to trick me gracefully of the Cheng Ho after I had prevented (through my protests to the honest Officials in Paris) the deporté and ex-Consul Eric deBisschop from stealing my vessel by more direct means. Here are the conditions which, had I signed, would have given me practically nothing for the very nice sum of 15,000 U.S. dollars:

"1.- The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

(a) In accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maître Lejeune, Notary on or before 7 July 1952.

(b) Further, in keeping with the agreement, the Cheng Ho will be turned over to Mr. Otto Degener, or his authorized representative, free of all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

----- The Government recognizes the transfer to the french flag legal and the vessel will so remain. -----."

As I mentioned before in my article "The Good Ship Cheng Ho" there is no agreement anywhere in the contract that I was to deposit 15,000 dollars as guarantee of good faith in any special bank. As Indo China was already at that time in the throes of Civil War, I instead deposited twice the amount at commercial bankers in New York, sending proof of my action to the French Ambassador in Washington. Yet these French Officials in Tahiti demand that I retain under the french flag the American vessel Cheng Ho, fraudulently put under the french flag by the convict deBisschop. This is certainly an incumbrance to me, an American citizen, and contrary to my option contract registered Aug. 16, 1948 by the Registry of Conveyances. These french Officials in Tahiti also require that I form a new trading company around the Cheng Ho, and to surrender 51% of the shares or interest of this company to a frenchman. Why? Even the vessel "Vega" in the South Seas which flies the French flag legally belongs 100% to an American citizen. This arbitrary ruling not only robs me of more than half the vessel but all control of her. Furthermore, accumulating reports from Tahiti prove that the once valuable Cheng Ho has greatly deteriorated and never can be reconditioned to anything near the state required by contract. DeBisschop had not only damaged her by \$15,000 during the first eight months of his stewardship of the vessel illegally as his property under the French flag. Since that time he has ripped out the teak and camphor wood cabins, sold or given away valuable equipment, allowed her (while chartered by M. Gallois) to run aground upon the coral reef, and neglected timely drydocking to prevent shipworm damage.

The shameful demand of June 11, 1952 subjects me to incumbrances contrary to contract and to confiscation of property. What then do I get for my \$15,000?

7. I had paid \$310 passage money to Messageries Maritimes to take me from Marseille to Ceylon on my first stage to Tahiti. I had shipped botanical equipment from the New York Botanical Garden to Marseille to the steamer and had shipped other equipment from the Bishop Museum in Honolulu to Ceylon for me to pick up on my arrival there. Nevertheless, I cancelled my passage, with a 14% refund loss. Why did I do so to the great surprise of the French Ambassador in Washington? The reasons are:

a. The confiscatory demands (mentioned above) of Governor Petitbon's cabinet.

b. The accumulated evidence that the French had by vandalism, neglect and pilfering allowed the Cheng Ho to become little more than a derelict and now wanted to shake me down for \$15,000.

c. The suspicious fact that the french shiphandler Oscar Nordman of Tahiti refused to sign a business contract with me regarding our respective rights in a new Cheng Ho Trading Company UNTIL he had received, as demanded of me by the Tahiti Government, 51% of shares or interest; this lack of confidence was found justified when I received the following report from a friend recently returned from Tahiti. He writes "I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscar even though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution." There is likewise an allusion to a former 2 year prison sentence in the magazine "Pacific Islands Monthly," published in Australia.

d. The evident unfriendliness of the Governor in delaying by 6 months the granting of my visa to visit Tahiti, the confiscatory demands (men-

tioned above) made June 11, 1952 in Tahiti (of which I received notice by mail in New York weeks later), and the impossibility of my reaching Tahiti to arrange for proper repossession with legal advice of the Cheng Ho, as the contract specified, on July 7, 1952.

8. The French Ambassador in Washington alludes to my "violently attacking" the French Administration in Tahiti and my "malicious aspersions on the good faith and impartiality of the magistrates of Tahiti" in my letter of March 24, 1953. Considering what happened, the Ambassador should really be surprised that I was so mild and patient and delayed my attack 5 or 6 years. The reasons for these "attacks" are rather self-evident from the above. Nevertheless, to avoid possible confusion, I repeat them:

a. The former French Consul Eric deBisschop, a ~~déporté~~ considered by the U.S. Government an undesirable alien, swindled me and associates to such an extent that he was defendant in Federal and Territorial Courts in Hawaii as far back as 1948.

b. The "Office of the Governor of Tahiti" enables ex-Consul deBisschop to fraudulently register the \$75,000 Cheng Ho (flying the U.S. flag and belonging to an American Company incorporated in Hawaii) as his own property under the FRENCH flag.

c. The Governor of Tahiti (after Degener and associates in vain hire the Tahiti lawyer Hoppenstedt to represent them in Tahiti Court against the ex-Consul) denies Degener a visa to visit Tahiti to personally fight for his rights.

d. After complaints about this injustice to officials in Paris and Washington, Degener was reluctantly granted a three months visa for Tahiti, the notice reaching him in New York after a delay of about 6 months and scarcely a month before he should be in Tahiti to repossess his vessel July 7, 1952? How get to this God-forsaken island, redolent of piracy, find an English-speaking lawyer, acquaint him of the facts, and legally fight powerful political forces in a foreign language? Was this 6 months delay necessary?

e. With the ~~déportés~~ and French ex-Consul absent in the Austral Islands, the Governor of Tahiti convened his Cabinet June 11, 1952, at which meeting we learn were present at least the 1.) Notary Lejeune, 2.) Chief of Customs, 3.) Chief of Political and Administrative Service, 4.) Harbor Master, and 5.) M. Gallois who is a Member of the Governor's Privy Council and charterer of the Cheng Ho for 2,500 French Colonial francs (which stand far higher than French francs used in Europe). These men, whether unanimously or not I do not know, in no way question the validity of Degener's option yet demand that Degener pay \$15,000 for the vessel (which deBisschop and Gallois changed into a near-derelict) and at the same time turn over 51% of the shares or interest to a Frenchman who once spent 2 years in jail for some insurance swindle involving the sinking of some vessel.

f. When a man like Henri Hoppenstedt, with a rather elementary legal training as is evident from the descriptive list of Pacific Island attorneys on file in some American Consular Offices, can practice in Tahiti Courts after duping his American clients of \$150 he accepted for a case, how good are Tahiti Courts?

g. I have lived long enough in the South Seas to know that it is difficult for white people and especially white officials in some foreign Colonies inhabited by colored races to be convicted of wrong-doing. The white race loses "face" or prestige. When a Governor of Tahiti, about the time the Cheng Ho swindle started, got involved in a scandal appertaining to the purchase of enormous quantities of unwanted cement, were Courts in Tahiti competent to handle the case? The Official was quietly transferred from the Colony. What chance, then, has an American citizen in a Tahiti Court against French Officials who must be "white washed" of all blame?g

h. I doubt that French Courts have jurisdiction over major elements in the Cheng Ho swindle as the vessel is rightfully American and merely illegally registered as French.

8. The French Ambassador in Washington states that "The quarrels of Mr. Degener and Mr. deBisschop are - - - - - strictly private in character, involving a commercial dispute - - - - -." This statement is nonsense as the above facts show. French Consuls, Governors, Cabinet Ministers and Privy Councillors in Papeete, Tahiti, have all had their fingers in the Cheng Ho pie from its beginning, about six years ago, to the present time.

In conclusion, therefore, I request damages for my unjust losses from the French Government, not from deBisschop whom I could have handled in Honolulu as before with my own lawyer adequately had he not had backing, accidental or otherwise, of French Government Officials in Tahiti.

Sincerely,

Dr. Otto Degener

VI-19-1953.

Dear Otto:

Went out to your ~~xxx~~ Mokuleia place just after the tidal wave someti a last winter and it didn't come near the house. Went out again about a month ago. Both times I have gone out, not only to collect, but to take a quick gander at the place; so that I could write and tell you it was all there. It seems to be other than that the yard looks kinda like a jungle and the pond is gone to pot. Infact, if you'll pardon my saying it, the pond looks even worse than when the little demon Dotys played in it!....if that is possible. However I think that it will be in good shape ~~when~~ after you are back a short while and with little having happened that a little back-breaking maintenance with shovel, lawnmower and garden hose won't fix.

May we presume you are coming back in September? I expect to whip by the NYBotGard about August 1 or 2. Drop me a line and let me know.

Another thing I have been going to do is send you a few nice one dollar bills and see if I couldn't persuade you to obtain some stamps of the different countries you go through for the kiddies. We are stamp collecting together. Personally I only go in for stamps put out pre 1940 and prefer pre 1900...figuring that so darn many of those put out since were put out for stamp collectors and not for postage. If I don't forget I'll enclose a bill or to....feel expansive right now...just landed a 11,617 dollar Atomic Energy Research Grant. It isn't so much that but I took the Fiji book along last summer and enjoyed it immensely. Also haven't forgotten the deal on the Hillebrand and have been getting a tremendous amount of use out of it in working up our stoll material.

Which reminds me that I spent about 2 hours over cool beer talking to a captain Carlson who had been the last skipper of the Cheng Ho. He was handling one of the Donald Boats on the Marquesas run and had just been off the Cheng Ho about five days. While I don't remember any of the details I was impressed with the favorable attitude toward your case which Governor Petition showed. Carlson was apparently a square guy having nothing to do with the sad situation. I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscar...even though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution. Last time I saw the Cheng Ho...sounds like a lead line in a song....she was tide up out toward the reef from the main anchorage area and presumably they were just gonna let her sit and rot there until the title was cleared up. Haven't had anything new on here since away last fall and so presume you are away ahead of me there.

Doty's are still holding forth in the same old shack on Correa Road. Don't forget us...we got lotsa cool beer in the house. Wish I had some now. I'm right in the middle of a long manuscript report of last summer's stoll venture. I hate it, it is a mess, it ain't properly done, it is very incomplete, and it'll be a stinker. Writing this is just a pleasant little diversion for a few moments.

Amy has finished her house in Kealekekua and has issued invitations to visit all around. Haven't gotten there yet though I had a happy few days in Hawaii between semesters.

We look forward to seeing Mrs. Doctor Degner this fall, until then and with thanks for the swell letter of last winter, I remain with Aloha. *myself*

In reply to your letter of June first, let me report to you that I am bringing it with the enclosures which you included to the attention of the highest responsible officials here to whom I know it will be of great interest and from whom I am sure it will receive careful attention.

June 20, 1953

Sincerely yours,

Leverett H. Saltonstall

Leverett Saltonstall
United States Senator

LS:g

Falken b. Titisee, Baden,
Zone française, Germany.
June 26, 1953.

Dear Mr. Farrington:

Thank you for your informational letter of June 15,

I am sending my revised blurb about "The Good Ship Cheng Ho" to attorney Ingman to check if it contains libelous statements. He knows the swindle details and has in his possession the more important legal papers dealing with the case. I name no one except deBisschop and Hoppenstedt at all "violently." deB. could not sue for libel after his actions. Should you ever see Prof. Irving Pecker, long our French Consul, he could tell you, off the record, of deB's past prison life in France (Cannes or Cannes, I have forgotten, about 1933) and how he was acquitted of murder. Our own Hon. Immigration Service (Mr. Moss, I believe) likewise has pertinent facts about his past. Though deBisschop is charming and most interesting, his activities have been "shady" for years.

Henri Hoppenstedt could not sue for libel either as he accepted from Ingman 150 dollars belonging to me and associates under false pretenses. Ingman has the correspondence. H. was to collect the 3,000 dollar ISOU. deB. owes me and these half dozen or so fishermen, carpenters, mechanics, and delivery truck drivers. To simplify legal procedure, all these little sums stand under my name for collection purposes. Here, though comparatively trivial to me, the collection of this sum means a lot to the others. Can not the State Department, officially not of course, advise how this modest problem is settled with fairness? That would, in a way, be a test case to show whether I, an American, can get justice in the larger Cheng Ho case should I go to Court.

Ingman and I failed in getting this 3,000 dollar problem into a French Court. We got swindled, ** you see, with attorney Hoppenstedt. Then I tried to hire Lejeune in Tahiti with no success; and instructed Oscar Nordman in Tahiti to find some one to represent us. There is never any action. Evidently the community is so small that the French there stick together against an American. How can the State Department then help me? Our Consul Haring of New Caledonia, our nearest representative to Tahiti, was of no material help to us when we wrote him for aid.

Regarding the Cheng Ho case I can only express my opinion (without having had the chance to ask an attorney's advice) that I see no justification for running to a French Court when the ship is rightfully American and I don't recognize that French Law is involved. Federal and Terr. Courts in Honolulu showed that deB. fraudulently registered the vessel as his own property under the French flag and a letter from a French Official verifies this fact in stating that deB. had duped the Governor. That the Governor was duped is questionable when we remember (the article appeared in Pacific Islands Monthly) that about that time Gov. Anziani of Tahiti was removed from Office for buying enormous quantities of cement for Tahiti that was never used. The allegation is that he had his finger in the pie and feathered his nest from the Government sale.

To follow the French official's suggestion that I take my troubles to a French Court would be tantamount to saying that the vessel is honestly French when it is not! I would lose my battle at the very start. The swindle as I see it (before Ingman's advice) must either be fought the way I am fighting now - stirring up public opinion among the more honest Parisian officials against the deB. clique in Tahiti - or go to a U.S. Court or International one. I was advised to write the U.N., but to me that is useless as they have more important matters to deal with.

It is impertinent of Gov. Petitbon to dictate to me that I must pay 15,000 dollars for the now derelict Cheng Ho, must keep her under the French flag and must turn over 51% of the shares to a Frenchman! The vessel was rightfully mine since Jan'y 1952 on, and I shall do with my property as I see fit within the framework of U.S. Law. He, whose Member of the Privy Council chartered the vessel from deB., has no business butting into the case except under the fraud by canceling the French registration and deB.'s ownership.

The beauty of the American way of life is that we resent being swindled and feel that when a penny of our tax money is used by our Government we have the right to approve or disapprove how such cash is spent. So long as France allows her officials to rob me of my assets, I see no reason why any of my cash should go to Paris as loans. When B.P.B. Museum's Gregory and U. of Haw.'s Crawford "gamed up on me" in 1927, I hammered away against the two because of that injustice and was eventually successful. I expect deB. to bite the dust in time similarly. The case is not simply one of cash, but involves resentment at being duped as well. If my present method brings no results, in Hon. I may get Paradise of the Pacific to print an inexpensive brochure about the case and scatter them widely among newspapers and periodicals-

I think it best (unless I hear from Ingman to the contrary) to continue, perhaps with milder wording, my demand for payment of my 60,000 dollar claim. The French can easily contact me here in the French Zone of the Black Forest to dicker with me. I would probably be satisfied to end the whole mess if they haul down the French flag, return the derelict Cheng Ho to me, have an impartial appraiser (not French) evaluate the vessel, and then pay me the difference between present value and the 60,000 dollars that otherwise should come to me. I am prepared within a couple of months to send a Captain to Tahiti to hire a crew and haul the vessel out of French waters. When you consider the cash, time and travel I spent on this case, I am the loser anyway.

I wish to thank you again for your interest. I only hope the State Department can help on the trivial 3,000 dollar loan as test case to see if the Cheng Ho swindle would be solved with justice in a Court of Law.

Aloha,

Falkau b. Titisee, Baden,
French Zone, Germany.
June 27, 1953.

Mr. Tallman, French Desk,
State Department,
Washington, D. C.

Dear Mr. Tallman:

In a letter dated June 15, Mr. Farrington, Delegate from Hawaii, writes me that regarding the various aspects of Capt. Eric deBisschop's swindles, I should go to Court and that our Government would protect me in my rights as an American citizen. There are three problems, starting with the least important, as follows:

1. My attorney Ingman, Honolulu, hired for me and for other residents of Hawaii (I think they are Harold English, Roy Peiler, Emilio Ordonez and -- Malayo) the Tahiti Attorney Henri Hoppenstedt to collect about 3,000 dollars that deBisschop has been owing us for the last five years or so. Hoppenstedt asked for a 100 dollar fee to translate documents of U.S. Court proceedings in Honolulu involving the debt and Cheng Ho swindle from English into French. Then he asked for another 50, which he promptly received. After getting possession of copies of important Cheng Ho contracts, Court documents and some originals and the 150 dollars, he just strung us along and finally even stopped answering our letters. I then had the Tahiti ship-chandler Oscar Nordman, as my agent, visit Hoppenstedt and ask for the translations he presumably had made. Nothing had been done. Henri Hoppenstedt had simply taken out 150 under false pretenses. In a letter in Attorney Ingman's files (David Ingman, Young Bldg., Honolulu, T.H.) he admits he never made the translations.

2. DeBisschop and associates owes me and the above mentioned men an I. O.U., of about 3,000 dollars and interest for about five years. This debt, to facilitate collecting, is under my name. As mentioned above, Ingman tried to get the Tahitian attorney Hoppenstedt to take the case to Court in Tahiti. Nothing came of it. I tried to hire a "Maitre Lejeune" in Tahiti. Nothing happened. I even tried to get Oscar Nordman to hire some Tahiti attorney of his choice for us, with no avail. I suspect the French attorneys in Papeete all stick together and will not help an American go to Court against another Frenchman, particularly one like deB. who was French Consul. They are not a reliable lot there. Even the well known Oscar Nordman, according to an article in Pacific Islands Monthly, spent two years of his youth in jail because of some escapade involving the theft of a vessel.

3. DeBisschop, deported from Honolulu by our Immigration Service in Honolulu as an undesirable alien, was able to fraudulently register the Cheng Ho as his own property under the French flag in the Office of the Governor of Tahiti, deB. is a former French Consul, his wife and he are intimate friends of Consul Raoul Bertrand. DeB., also, years ago ingratiated himself into the good graces of the late Pétain. Though he has a prison record in France, he is an interesting and convincing talker. He chartered out the Cheng Ho to M. Gallois, Member of the Governor's Privy Council. The Cheng Ho is apparently the best and most useful cargo vessel for Tahiti, and deB. seems to have the protection of the Governor if the latter first tried to prevent my coming to Tahiti (though I was welcome in New Caledonia where deB. owes me nothing). The Governor evidently considers the Cheng Ho option contract perfectly valid, as it is, yet in another breath will let me have the Cheng Ho in its present dilapidated state (contrary to contract) only if I pay 15,000 dollar option price and turn over 51% of the shares or ownership to Oscar Nordman, a past prison inmate!

As you know, I have tried legal means for getting justice against deB. in Tahiti. I even asked our Consul Haring to help with no effective results. I feel it is hopeless to use such procedure and that popular opinion stirred up by me in honest Paris Government circles against the injustices in Tahiti is the only means left open to me. Also, I am a Federal Tax Payer and so long as French Gov. Officials in Tahiti are tricking me, I feel I have a perfect right protesting to Washington against any more cash going to France in the form of "loans" or largesse.

As I consider the Cheng Ho rightfully an American vessel fraudulently put under the French flag, I certainly do not consider a French Court the proper Court for legal action. It should be an American Court or perhaps an international one.

I have your list of Tahiti attorneys.

I am of course eager for any suggestions, but really doubt that the U.S., can help me in a foreign court, especially in Tahiti. If you will unofficially tell me how to handle the trivial 150 dollar and 3,000 dollar problems first, I will instruct attorney Ingman in Honolulu to go ahead with them first. Anyway, there half a dozen U.S. citizens are involved. Then after these two "test cases" are successfully fought, I will have experience as to how to follow through with the more important Cheng Ho case.

I am a bit disillusioned with lawyers and also their fees and feel that in such a clear case of swindling as the Cheng Ho case shows, it is merely necessary for me to "squawk" before responsible officials in Paris to get justice. It is merely a matter of time, and I have plenty of that.

Sincerely,

Jalbau b. Titisee,
Baden, Germany.
June 30, 1953.

Dear Dave:

Enclosed are two letters. Please read them and if they are not of a libelous character airmail them off to their ultimate destination. If they are libelous I wish you would note what is so and return to me for revision.

Due to similar letters, I have finally heard from Harrington in Washington who says that if I go to Court, the State Department will do everything in its power to protect my interests as a U. S. citizen. I am willing to go to Court for the \$3000 I. O. U. as a "test case" to see if there is any use tackling the cheap Ho problem in Court.

By the way, as I consider LeB's francization illegal I believe going to a French Court against him would just about indicate that we consider the francization legal. Thus half the battle would be lost at the very beginning.

What's new on the swindler Mrs Paher? Can you collect my rent from her on contingency basis?

When will you go after my rent on the other case - the family in my Molania house previous to Paher?

All goes well here except that my wife has not yet reached her quota entry. We two had 2 weeks in Italy

at a cost of \$250 for the both of us, including
trips and hotel and meals from soup to
nuts. We hear Dalmatia is extremely inex-
pensive, and may go there to economize
for the expensive trek across the States
to T. H. Nevertheless, the above address
will suffice for our mail. We will have
it forwarded naturally from Galzan
and later return to Galzan.

Aloha to the Dugman clan and to
Grace.

Otto Degener

P.S. I hope the enclosed cheque
will cover the fee on libel advice.

O.D.

Falkau b. Titisee, Baden,
French Zone, Germany.
July 19, 1953.

The Hon. Senator Kennedy,
Senate Office Building,
Washington, D. C.

My dear Senator Kennedy:

I just received your valued letter of June 24
regarding the Cheng Ho swindle.

I have written the French Desk of the State Department asking how I
can bring suit regarding losses of the Cheng Ho affair in a Court other
than the one in Tahiti, as suggested by the French who would naturally
be prejudiced against an American in favor of their own colonial offici-
als and citizens. I have also written my attorney in Honolulu, Mr. David
Ingman, to study the affair anew. I am eagerly awaiting replies, due to
distance often a matter of some weeks.

As Mr. Donaldson suggests, I plan to visit our Embassy in Paris on my
way home via Spain and the Azores.

I recently heard from my friend Prof. Maxwell Doty of the University
of Hawaii, back from botanizing in Tahiti. He writes:

"I presume you are well aware of the gentle suspicion everyone in
Tahiti has for Oscar . . . even though they like him they still feel he
sunk that boat for the insurance and the time he spent in the jug was
just retribution."

Oscar Nordman is the man whom Governor Petitbon of Tahiti selected
June 11, 1952, as my prospective partner provided I pay 15,000 dollars
for the damaged Cheng Ho, leave the vessel under the French flag, and
turn 51% of the shares or interest in the vessel over to Mr. Nordman.

What chance would a gullible American botanist like me ever have with
such a partner? DeBisschop has a criminal record, and now I was to be
forced to accept as partner another man with a shady past. When the
Governor uses such morally poor judgement I still feel that no French
Court in Tahiti would give me a fair trial but merely "white wash" local
French Officials. Popular opinion in Paris if stirred up by me,
on the other hand, might shame such men into disgorging their loot.
Whether the Governor was sincere in making his choice and believing
it a wise one, I do not know.

Many thanks again for your very kind help.

Sincerely yours,
HERNICE B. BISSCHOP

Falken b. Titisee, Baden,
French Zone, Germany.
July 3, 1953.

The Honorable Senator J. F. Kennedy,
Senate Office Building,
Washington, D. C.

Dear Senator Kennedy:

I just received your very kind letter of June 5
about the "Cheng Ho" swindle. Many thanks.

Your drawing the attention of the appropriate authorities in Wash-
ington to conditions in this case should stimulate the Assemblée Na-
tionale to respect the rights there of American citizens. Perhaps con-
ditions in the neighboring colony of Indo China were similarly corrupt
and prompted a disillusioned, illiterate native population to follow
an insane ideology.

The solution of the Cheng Ho case may force France to appoint offi-
cials of higher calibre to her Colonies. Honest officials who can use
test and psychology rather than force paid for by the American Tax
Dollar should win people like the Indonesians to our side. With the
present policy I fear we are alienating most subject Colored Races.

Many thanks again.

Yours sincerely,

Ch. Titisee

Dept. State, Washington July 6, 1953

My dear Senator Saltonstall: Mr Morton has referred to me for reply your communication of June 20, 1953, with which you transmit, with a request for a report, a letter which you have received from Mr. Otto Degener, written at Falkau bei Titisee, Baden, Germany, on June 1, 1953. Attached to Mr. Degener's letter is a typewritten summary of his case, accompanied by four pictures of the vessel Cheng Ho and a news clipping.

The text of the typewritten summary corresponds with that of a paper sent by Mr. Degener to the Department in April of this year for its information. He stated at that time that he was writing such articles and distributing them to Members of Congress, newspapers, and magazines. The Honorable John F. Kennedy has also communicated with the Department regarding Mr. Degener's case.

The Department has been in communication with the American Embassy at Paris and the Embassy of the French Republic in this city in behalf of Mr. Degener.

Essentially, Mr. Degener's problems appear to be (1) that of enforcing his right to exercise an option which he considers he has to repurchase the Cheng Ho for 15,000 dollars from the Cheng Ho Trading & Exploring Company, and (2) that of attempting to recover damages and deterioration said to have been sustained by the vessel in recent years. These are private matters in regard to which it would seem that Mr. Degener should be guided by legal counsel, preferably counsel versed in matters of maritime law. In addition there is a question of a debt of 3,000 dollars owed by Mr. Eric de Bischoff. It is not clear from the file that Mr. Degener has as yet exhausted available means of legal remedy. No basis for a claim against the French Government is apparent.

As respects allegations on Mr. Degener's part of irregularities on the part of French officials, past and present, it is suggested that while Mr. Degener is in Europe he might visit the American Embassy at Paris for the purpose of discussing the matter.

Mr. Degener's letter, the photographs, and the news clipping are returned in accordance with your request, a copy of the latter itself having been retained for the Department's files.

Sincerely yours,
(Signed) Allyn C. Donaldson
Director
Office of Protective Services

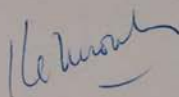
LE CHEF DE CABINET

Monsieur,

Le Président Paul REYNAUD, a bien reçu votre lettre avec les documents joints.

Il les transmet à nouveau auprès du Ministre des Affaires Etrangères.

Je vous prie de croire, Monsieur, à mes sentiments distingués.-



REMOULARIA.-

Monsieur Otto DEGENER
Falkau b. Titisee, BADEN
Zone Française Allemagne

Falken b. Titisee, Baden,
Zone française, Germany.
July 17, 1953.

The Hon. Mr. Leverett Saltonstall,
Senate Office Building,
Washington, D. C.

My dear Senator Saltonstall:

I wish to thank you most gratefully for
your kind interest regarding the Cheng Ho swindle in Tahiti.

By the way, my friend Prof. Maxwell Doty of the University of
Hawaii, back from botanizing in Tahiti, just wrote me:

"I presume you are well aware of the gentle suspicion everyone
in Tahiti has for Oscar . . . even though they like him they still
feel he sank that boat for the insurance and the time he spent in
the jug was just retribution."

Oscar Nordman is the man whom Governor Petitbon of Tahiti select-
ed June 11, 1952, as my prospective partner provided I pay 15,000
dollars for the damaged Cheng Ho, leave the vessel under the French
flag, and turn over 51% of the shares or interest in the vessel to
Mr. Nordman.

What unusual demands for a Governor to exact!

Yours sincerely,

Otto Degener

Falken b. Titisee, Baden,
French Zone Germany.
July 20, 1953.

The Hon. Senator Seltonstall,
Senate Office Building,
Washington, D. C.

My dear Senator Seltonstall:

I just received your informational letter
of July 9 regarding the Cheng Ho swindle. Many thanks for it.

Following a letter, dated June 15, from the Hon. Mr. Farrington, my
Delegate to Congress from Hawaii, I have written the French Desk of the
State Department asking how I can bring suit regarding this affair in a
Court other than the one in Tahiti (as suggested by the French). Such a
Court, I fear, would hardly be just to an American. I have likewise
written my Attorney, David Ingman of Honolulu, to look into the affair
afresh. Neither have yet answered me.

I am taking the liberty of sending a copy of the July 6 letter of
Mr. A.C. Donaldson, Department of State, to Attorney Ingman for his
guidance. On my way back to the States, I shall go via Paris to visit
our Embassy as you suggest.

I am presently trying to translate my book about Fiji and the Cheng
Ho Expedition into German for possible publication in Europe. If the
French eventually cheat me after all, I shall add a Chapter about "Cheng
Ho Piracy" to my translation. Writing about this fiasco should get the
feeling of frustration and injustice out of my system.

Many thanks again for your very kind help. I am expectantly awaiting
my Honolulu attorney's answer.

Yours sincerely,

Carl L. Engler

Falkau B. 111599
Baden, Germany

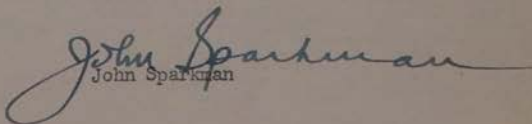
Dear Dr. Degener:

July 20, 1953

Thank you very much for your recent letter regarding the difficulty you are encountering regarding repossession of your vessel, Cheng Ho.

I wish to assure you that I appreciate your writing me and calling this matter to my attention.

Sincerely,


John Sparkman

ASSEMBLÉE NATIONALE

RÉPUBLIQUE FRANÇAISE

LIBERTÉ - ÉGALITÉ - FRATERNITÉ

PARIS, LE 21 Juillet 1953

Docteur Otto DEGENER
Falkau b. Titisee, Baden

Zone française

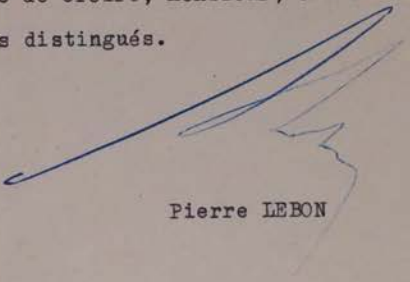
- Allemagne -

Monsieur,

J'ai pris connaissance du mémoire que vous
m'avez adressé en date du 16 Juin.

Je pense que le mieux, puisque vous habitez dans
la zone française, serait d'y prendre contact avec les Au-
torités du Haut Commissariat pour le saisir de votre cas.

Je vous prie de croire, Monsieur, à l'assurance
de mes sentiments très distingués.



Pierre LEBON

ASSEMBLÉE NATIONALE

PARIS, LE 22 juillet 1953

JOSEPH WASMER
Député du Haut-Rhin

Monsieur le Dr. Otto DEGENER,

FALKAU bei Titisee

(Baden)

Votre lettre du 11.7.53

Monsieur,

Monsieur WASMER est obligé de s'absenter
pour raison de santé.

Il pourra sans doute vous répondre début
octobre.

Veuillez agréer, Monsieur, l'assurance de
mes sentiments distingués.

C. Grole

Secrétaire.

Prière d'adresser la correspondance { à MULHOUSE: 54, Quai du Fossé
à PARIS: Assemblée Nationale, Palais Bourbon

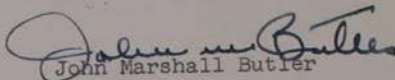
Dear Dr. Degener:

I have your letter and summary sheet of your difficulty in connection with the Cheng Ho and Captain Eric de Bisschop.

July 24, 1953

An inquiry concerning your claim is being initiated and as soon as I have some information for you, I shall write you again.

Very sincerely yours,


John Marshall Butler

JMB:ec

H. ALEXANDER SMITH, N. J., CHAIRMAN
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PHILIP R. RODGERS, STAFF DIRECTOR

United States Senate

COMMITTEE ON
LABOR AND PUBLIC WELFARE

July 29, 1953

Mr. Otto Deaener
Falken b. Titisee, Baden,
French Zone, Germany

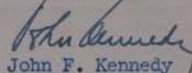
Dear Mr. Deaener:

This will acknowledge and thank you for your
letter which arrived in my office today.

I want you to know that I have taken up the
matter about which you wrote with the appropriate
Government office. I will write you again as soon
as I have further word.

Assuring you of my wish to be of all possible
assistance to you, I am

Sincerely yours,


John F. Kennedy

DEPARTMENT OF STATE
WASHINGTON



In reply refer to
L/C 951.537 Cheng Ho
SS/7-2453

July 31 1953

My dear Senator Butler:

The receipt is acknowledged of your letter of July 24, 1953, and its enclosures, relating to the claim of Dr. Otto Degener, Falkau b. Titisee, Baden, French Zone, Germany, against the Government of France growing out of his failure to recover possession of the vessel Cheng Ho.

The enclosures to your letter are in substantial accord with documents previously submitted to the Department by Dr. Degener and by other members of the Congress. In presenting the documents to the Department, Dr. Degener stated that he prepared the documents for distribution among members of the Congress, newspapers and magazines. A brief summary of the pertinent facts, as reported to the Department, is enclosed for your information.

It would seem to be reasonably clear from the unverified facts as reported to the Department and as understood by it that the claim is a private one susceptible of adjudication in the competent French courts and that they are not such as would warrant the Department in bringing the matter again to the attention of the French Government until Dr. Degener has exhausted the legal remedies reportedly open to him in the French courts and has made a satisfactory showing that he has suffered a denial of justice in the French courts as that term is understood under the recognized principles of international law and practice.

The enclosures

The Honorable
John Marshall Butler,
United States Senate.

The enclosures to your letter are, in accordance with your request, herewith returned.

Sincerely yours,

Herman Phleger
The Legal Adviser

Enclosures:

1. Letter of July 4, 1953,
from Dr. Degener, with
enclosures.
2. Summary of facts, with
copy of note from French
Embassy dated June 15, 1953.

31 JUIL 1953

MINISTÈRE
DE LA JUSTICE

Monsieur,

Par lettre du 2 juillet 1953, vous avez bien voulu appeler mon attention sur un litige relatif au navire "Cheng-Ho", actuellement stationné à Taniti.

J'ai l'honneur de vous faire connaître que j'ai saisi de cette affaire M. le Ministre de la France d'Outre-Mer.

Veillez agréer, Monsieur, l'assurance de ma considération distinguée.

Pour le Garde des Sceaux
Le Conseiller Technique



Docteur Otto DEGENER
Falkenberg, HAIN
Allemagne

Aug 1953

(This is a translation made by the State Department of an Embassy of France letter dated June 15, 1953, Washington. I think you should have a copy in your files so that you can more easily with justice and the Cheng Ho swindle.)

The Embassy of France presents its compliments to the Department of State and has the honor to refer to the latter's note of April 18, 1953 concerning the dispute between Mr. G. Legener, an American citizen, and some French nationals living in Papeete, in regard to the seizure of the vessel Cheng Ho.

In April 1953, Mr. Legener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him or the Governor of French Oceania and setting forth his contentions with Mr. de Lencquesaing in regard to the junk Cheng Ho.

On August 7, 1953, after intervention by said Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reserved his decision and that Mr. Legener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his opponent, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the administration must remain aloof.

This information was given to Mr. Legener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American Botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do, had no further grounds for reclamations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. de Lencquesaing in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give for real notice to the French Government that it must pay him 53,000 dollars compensation under a threat of a protest to influential members of the Congress of the United States.

The attitude of Mr. Legener and Mr. de Lencquesaing are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invited the attention of the Department of State to the pretentious character of Mr. Legener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injurious caused by one of its nationals.

The French Government refrains from advancing any opinion on the merits of the dispute between Mr. Legener and Mr. de Lencquesaing; the object of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the veracity of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disrespectful towards France, have not appeared worthy of attention of the Overseas Minister. The only channel open to Mr. Legener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Legener.

The Embassy of France avails itself of the occasion of this note to renew to the Department of State the assurance of its very high consideration.

(Initialed)

(Stamp of the Embassy of France)

MINISTÈRE
DE LA JUSTICE

CABINET
DU
GARDE DES SCEAUX



Docteur Otto DEGENER

les
Fran Erbacher Hof
an Dieburg/Hessen

forwarded by
The American Express Co. Inc.
FRANKFURT, Germany
V. Valmus Anlage
E 15 G 1034 1-52

AMBASSADE DE FRANCE
A LONDRES

N° 164

about Aug 5, 1953

The Ambassador begs to acknowledge
receipt of your letter of 23rd. July 1953.

which is receiving his attention.

Dr Otto Degener,
Falkau b. Titisee
Baden,
French Zone, Germany.

Le Garde des Sceaux,
le Conseiller Technique,
Ministère de la Justice,
Paris, France.

1. American Express Co.,
Frankfurt / Main, Germany.
Aug. 7, 1953.

Dear Sir:

I wish to thank you for your letter of July 31 regarding the "Chung Ho" scandal. It was forwarded to me to Frankfurt, where Mrs. Segner and I had ~~come to come~~ ~~it with my~~ ~~Constitutional~~ ~~undelated~~ ~~matters~~.

I am not prejudiced against France - my great grandfather Hermann, by the way, was from Bielefeld for Brunswick - but only against the little clique of past and present Government Officials located in Tahiti who are swindling me out of my assets. I am simply obliged to fight for justice, and, as I am no advocate, I know of no other practicable way except to draw ~~attention~~ ~~to~~ the attention of my legislators ~~to~~ in Washington to the facts.

So long as Paris is ~~hesitating~~ ~~by~~ righting the wrong, I do not wish the Chung Ho to become a cause célèbre which will harm ~~France~~ ~~in~~ France in America by adverse notoriety. Therefore, on receiving word July 9 that Pres. Reynaud had contacted the Ministère des Affaires Étrangères about the case, I have discontinued my appeal to Members of my Congress en gros. If Tahiti, however, is too independent from Paris to enable the payment of my claim, I plan to continue my petitions for justice individually to my Congressmen individually, renewing that my claim be paid from some coming loan to France before that loan ever leaves America - a report

I recently ~~received~~ ^{received} from an American traveler in Tahiti ~~that~~ ^{that} the man whom Governor Petitbon had selected as recipient of 57% of shares or interest in the Chung Ho (contrary to contract) spent two years in jail due to some insurance trouble involving the sinking of a vessel!

European plants

collected by Dr. Otto Degener, 1952

Sammler Nr.	Name	Anzahl der Exemplare
22,423	Sparganium erectum L.	1
22,424	Orchis strictifolia Opitz	1
22,428	Sedum villosum L. †	2
22,429	Rhododendron ponticum L.	1
22,435	Rhododendron ponticum L.	1
22,438	Orchis strictifolia Opitz	1
22,443	Ulex europaeus L.	1
22,444	Gunnera sp.	1
22,446	Digitalis purpurea L.	1
22,447	Hypericum androsaemum L.	2
22,451	Vaccinium myrtillus L.	2
22,452	Arctostaphylos uva ursi (L.) Spr.	2
22,453	Deschampsia flexuosa (L.) Trin.	2
22,454	Lycopodium alpinum L.	2
22,455	Linnaea borealis L.	1
22,456	Matricaria maritima L.	3
22,457	Arctostaphylos alpina (L.) Sprengel	4
22,458	Carduus crispus L.	2
22,459	Antennaria dioica (L.) Gaertn.	2
22,460	Lathyrus pratensis L.	1
22,461	Hieracium cf. alpinum L.	1
22,462	Potentilla norvegica L.	1
22,463	Juncus trifidus L.	3
22,464	Papaver radicatum Rottböll	2
22,465	Diapensia lapponica L.	2
22,466	Papaver radicatum Rottböll	1
22,467	Loiseleuria procumbens (L.) Desv.	3
22,468	Bidens connatus Mühlenberg	3
22,469	Veronica spicata L.	2
22,470	Sedum telephium L.	1
22,471	Viola tricolor L. subsp. arvensis (Murr) Gaud. 1	2
22,472	Trifolium arvense L.	2
22,473	Trifolium campestre Schreb.	3
22,474	Centaurea scabiosa L.	2
22,475	Calluna vulgaris (L.) Hull	2
22,476	Hieracium sp.	2
22,477	Ribes uva-crispa L.	2
22,478	Iberis umbellata L.	1
22,479	Equisetum hiemale L.	2
22,480	Campanula persicifolia L.	1
22,481	Lamium purpureum L.	1
22,482	Thymus serpyllum L.	1
22,483	Potentilla erecta (L.) Hampe	2
22,484	Melampyrum nemorosum L.	2
22,485	Hypericum quadrangulum L.	1
22,486	Betula pendula Roth	4
22,487	Juniperus communis L.	2
22,488	Galium mollugo L.	3
22,489	Prunella vulgaris L.	3
22,490	Trifolium medium L.	1
22,491	Galium verum L.	2
22,492	Hieracium umbellatum L.	3
22,492 b	Thymus serpyllum L.	2
22,493	Succisa pratensis Moench	3
22,494	Vicia silvatica L.	1
22,495	Centaurea scabiosa L.	2
22,496	Hypericum perforatum L.	2
22,497	Agrimonia eupatoria L.	2
22,498	Cirsium acaule (L.) Scop.	2
22,499	Artemisia campestris L.	3

This copy corrects the opinion of the French Ambassador in Washington about the Cheng Ho case. I hope you already and just denouncement to this picayune Tahiti scandal.

C/o American Express Cie.,
Frankfurt/Main, Allemagne,
August 18, 1953. will bring a
Le Conseiller Technique,
Ministère de la Justice,
Paris, France.

Dr. Otto Degener

Dear Sir:

I know Paris is as eager as I to end the deplorable AFFAIRE CHENG HO now transpiring in Tahiti. I am therefore adding this communication to ~~that~~ my earlier one of Aug. 7, 1953, in answer to your kind letter dated July 31. May I suggest that you study the correspondence and copies of contracts and documents now in the files of Tony Revillon, le Secrétaire d'Etat aux Affaires Economiques, 41 Quai Branly, Paris. It will help you get proper perspective of the case. Study of correspondence between Tahiti Government Officials and His Excellency, the Ambassador of France, Washington, would also be helpful, showing how the colonial officials in Tahiti are prejudiced against the American botanist and teacher Degener in favor of an interesting swindler who in France spent 2 terms in jail and was acquitted of murder, and who in Hawaii was subject to deportation as an undesirable alien. Consul Dupont of Washington, D.C., knows this man and can likewise inform you of his true character.

Though I have lived in the South Seas since 1922, I have never been in Tahiti. Nevertheless, I am very familiar with conditions there so far as Cheng Ho matters are concerned due to a.) returned and disillusioned members of the crew of the Cheng Ho (to whom I in good faith had sold shares of the Cheng Ho Trading & Exploring Company and whose interests I in part still legally represent), b.) reports from returned American travelers from Tahiti and, c.) answers from other individuals whom I had charged with specific questions before their departure for Tahiti. I am therefore able to dispel the false impressions held by His Excellency, the Ambassador of France in Washington, as expressed in a letter dated June 15, 1953. With the purpose of correcting the Ambassador's impressions, emanating obviously from ex-Consul deBisschop and his friends in the Colonial Service in Tahiti, I here give the translation from the original French into English for your study, followed by my reactions.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. deBisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France ----- of its very high consideration.
((Stamp of the Embassy of France))

From the above letter from the French Ambassador we do not learn WHY the Governor of Tahiti first refused the botanist Degener a visit to Tahiti. The Governor of New Caledonia, by the way, where Degener owns no assets, had granted him a visa good for one year. We strongly suspect that some of the following considerations were strongly involved in preventing, and after protests had accumulated, in delaying as long as possible Degener's visit to Tahiti where his assets lie:

1. According to U.S. Federal Court Proceedings (Judge McLaughlin presiding Oct. 1948) and Territorial Circuit Court Proceedings (Judge Pence presiding Nov. 1948) the vessel Cheng Ho, appraised originally at 75,000 U.S. dollars, had been fraudulently registered under the French flag in the name of Eric deBisschop "in the office of the Governor of Tahiti" when the vessel actually belonged to an American company incorporated in Honolulu, Hawaii, with mostly American citizens as shareholders.

2. The former French Consul and deporté Eric deBisschop owed Degener (and others whom he represents) a debt in excess of \$3,000, and accumulated interest.

3. Degener owned the option to repossess his vessel Cheng Ho July 7, 1952 for 15,000 dollars according to a contract registered by the Registry of Conveyances for the Territory of Hawaii in Book 2156, pages 247-249 (of which M. Tony Pavillon has a photostatic copy). This contract in part reads: "The CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other neccessaries thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

4. Ex-Consul deBisschop had long chartered the Cheng Ho for the sum of 2,500 French COLONIAL Francs per day in Tahiti to M. Gallois, Member of the Governor's Privy Council (according to a Tahiti letter of June 26, 1952).

5. Degener asked for the visa to Tahiti as early as Nov. 28, 1951 to arrange for repossession of the Cheng Ho July 7, 1952 as per contract and was not informed of its granting by the French Consulate in San Francisco until May 26, 1953. The latter reached him early in June. Thus the French Government in Tahiti delayed 6 months in granting the request and gave Degener just a month to leave New York City to reach far distant Tahiti before July 7 when repossession of the Cheng Ho was due. This delay may have been unavoidable and quite innocent, but it does smack of chicanery and continuation of sabotage begun when Degener was originally refused a visa to visit Tahiti to protect his assets there.

6. Quoting from a letter written by the Tahiti shipchandler Oscar Nordman about Cheng Ho developments, dated Papeete, Tahiti, June 12, 1952, we read: "At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur GALLOIS, the following favorable conclusions were reached. According to another letter, this one from Marcel Lejeune, Notaire, Papeete, of same date, we hear: "Pour avoir une connaissance plus complete de cette affaire, j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin reunir a son Cabinet, en ma presence, le Chef du Service des Duanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affreteur du bateau." From the same letter of M. Lejeune, we learn that Eric deBisschop at the time of the meeting was away in the Austral Islands. Whether Governor Petitbon was present at this meeting of his cabinet I do not know. We do know, however, that the Notary Lejeune was present when the 1.) Customs Chief, the 2.) Chief of Political and Administrative Affaires, the 3.) Harbor Master and 4.) Governor Petitbon's Privy Councillor Gallois (who also represented ex-Consul deBisschop and was charterer of the Cheng Ho), unanimously or not I do not know, concocted the following confiscatory and shameful conditions to trick me gracefully of the Cheng Ho after I had prevented (through my protests to the honest Officials in Paris) the deporté and ex-Consul Eric deBisschop from stealing my vessel by more direct means. Here are the conditions which, had I signed, would have given me practically nothing for the very nice sum of 15,000 U.S. dollars:

"1.- The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

- (a) In accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maitre Lejeune, Notary on or before 7 July 1952.
- (b) Further, in keeping with the agreement, the Cheng Ho will be turned over to Mr. Otto Degener, or his authorized representative, free of all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

- - - - - The Government recognizes the transfer to the french flag legal and the vessel will so remain. - - - - - ."

As I mentioned before in my article "The Good Ship Cheng Ho" there is no agreement anywhere in the contract that I was to deposit \$15,000 dollars as guarantee of good faith in any special bank. As Indo China was already at that time in the throes of Civil War, I instead deposited twice the amount at commercial bankers in New York, sending proof of my action to the French Ambassador in Washington. Yet these French Officials in Tahiti demand that I retain under the french flag the American vessel Cheng Ho, fraudulently put under the french flag by the convict deBisschop. This is certainly an incumbrance to me, an American citizen, and contrary to my option contract registered Aug. 16, 1948 by the Registry of Conveyances. These French Officials in Tahiti also require that I form a new trading company around the Cheng Ho, and to surrender 51% of the shares or interest of this company to a frenchman. Why? Even the vessel "Vega" in the South Seas which flies the French flag legally belongs 100% to an American citizen. This arbitrary ruling not only robs me of more than half the vessel but all control of her. Furthermore, accumulating reports from Tahiti prove that the once valuable Cheng Ho has greatly deteriorated and never can be reconditioned to anything near the state required by contract. DeBisschop had not only damaged her by \$15,000 during the first eight months of his stewardship of the vessel illegally as his property under the French flag. Since that time he has ripped out the teak and camphor wood cabins, sold or given away valuable equipment, allowed her (while chartered by M. Gallois) to run aground upon the coral reef, and neglected timely drydocking to prevent shipworm damage.

The shameful demand of June 11, 1952 subjects me to incumbrances contrary to contract and to confiscation of property. What then do I get for my \$15,000?

7. I had paid \$310 passage money to Messageries Maritimes to take me from Marseille to Ceylon on my first stage to Tahiti. I had shipped botanical equipment from the New York Botanical Garden to Marseille to the steamer and had shipped other equipment from the Bishop Museum in Honolulu to Ceylon for me to pick up on my arrival there. Nevertheless, I cancelled my passage, with a 14% refund loss. Why did I do so to the great surprise of the French Ambassador in Washington? The reasons are:

a. The confiscatory demands (mentioned above) of Governor Petitbon's cabinet.

b. The accumulated evidence that the French had by vandalism, neglect and pilfering allowed the Cheng Ho to become little more than a derelict and now wanted to shake me down for \$15,000.

c. The suspicious fact that the french shiphandler Oscar Nordman of Tahiti refused to sign a business contract with me regarding our respective rights in a new Cheng Ho Trading Company UNTIL he had received, as demanded of me by the Tahiti Government, 51% of shares or interest; this lack of confidence was found justified when I received the following report from a friend recently returned from Tahiti. He writes "I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscar even though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution." There is likewise an allusion to a former 2 year prison sentence in the magazine "Pacific Islands Monthly," published in Australia.

d. The evident unfriendliness of the Governor in delaying by 6 months the granting of my visa to visit Tahiti, the confiscatory demands (men-

tioned above) made June 11, 1952 in Tahiti (of which I received notice by mail in New York weeks later), and the impossibility of my reaching Tahiti to arrange for proper repossession with legal advice of the Cheng Ho, as the contract specified, on July 7, 1952.

8. The French Ambassador in Washington alludes to my "violently attacking" the French Administration in Tahiti and my "malicious aspersions on the good faith and impartiality of the magistrates of Tahiti" in my letter of March 24, 1953. Considering what happened, the Ambassador should really be surprised that I was so mild and patient and delayed my attack 5 or 6 years. The reasons for these "attacks" are rather self-evident from the above. Nevertheless, to avoid possible confusion, I repeat them:

a. The former French Consul Eric deBisschop, a déporté considered by the U.S. Government an undesirable alien, swindled me and associates to such an extent that he was defendant in Federal and Territorial Courts in Hawaii as far back as 1948.

b. The "Office of the Governor of Tahiti" enables ex-Consul deBisschop to fraudulently register the \$75,000 Cheng Ho (flying the U.S. flag and belonging to an American Company incorporated in Hawaii) as his own property under the FRENCH flag.

c. The Governor of Tahiti (after Degener and associates in vain hire the Tahiti lawyer Hoppenstedt to represent them in Tahiti Court against the ex-Consul) denies Degener a visa to visit Tahiti to personally fight for his rights.

d. After complaints about this injustice to officials in Paris and Washington, Degener was reluctantly granted a three months visa for Tahiti, the notice reaching him in New York after a delay of about 6 months and scarcely a month before he should be in Tahiti to repossess his vessel July 7, 1952? How get to this God-forsaken island, redolent of piracy, find an English-speaking lawyer, acquaint him of the facts, and legally fight powerful political forces in a foreign language? Was this 6 months delay necessary?

e. With the dépôts and French ex-Consul absent in the Austral Islands, the Governor of Tahiti convened his Cabinet June 11, 1952, at which meeting we learn were present at least the 1.) Notary Lejeune, 2.) Chief of Customs, 3.) Chief of Political and Administrative Service, 4.) Harbor Master, and 5.) M. Gallois who is a Member of the Governor's Privy Council and charterer of the Cheng Ho for 2,500 French Colonial francs (which stand far higher than French francs used in Europe). These men, whether unanimously or not I do not know, in no way question the validity of Degener's option yet demand that Degener pay \$15,000 for the vessel (which deBisschop and Gallois changed into a near-derelict) and at the same time turn over 51% of the shares or interest to a Frenchman who once spent 2 years in jail for some insurance swindle involving the sinking of some vessel.

f. When a man like Henri Hoppenstedt, with a rather elementary legal training as is evident from the descriptive list of Pacific Island attorneys on file in some American Consular Offices, can practice in Tahiti Courts after duping his American clients of \$150 he accepted for a case, how good are Tahiti Courts?

g. I have lived long enough in the South Seas to know that it is difficult for white people and especially white officials in some foreign Colonies inhabited by colored races to be convicted of wrong-doing. The white race loses "face" or prestige. When a Governor of Tahiti, about the time the Cheng Ho swindle started, got involved in a scandal appertaining to the purchase of enormous quantities of unwanted cement, were Courts in Tahiti competent to handle the case? The Official was quietly transferred from the Colony. What chance, then, has an American citizen in a Tahiti Court against French Officials who must be "white washed" of all blame?g

h. I doubt that French Courts have jurisdiction over major elements in the Cheng Ho swindle as the vessel is rightfully American and merely illegally registered as French.

8. The French Ambassador in Washington states that "The quarrels of Mr. Degener and Mr. deBisschop are - - - - - strictly private in character, involving a commercial dispute - - - - -." This statement is nonsense as the above facts show. French Consuls, Governors, Cabinet Ministers and Privy Councillors in Papeete, Tahiti, have all had their fingers in the Cheng Ho pie from its beginning, about six years ago, to the present time.

In conclusion, therefore, I request damages for my unjust losses from the French Government, not from deBisschop whom I could have handled in Honolulu as before with my own lawyer adequately had he not had backing, accidental or otherwise, of French Government Officials in Tahiti.

Sincerely,

Dr. Otto Degener

*Mr. Rothwell. I need very
Naturally documents
letters & documents
back. O.D.*

C/o American Express Co.,
Frankfurt/Main, Allemagne.
August 18, 1953.

Le Conseiller Technique,
Ministère de la Justice,
Paris, France.

Dear Sir:

I know Paris is as eager as I to end the deplorable AFFAIRE CHENG Ho now transpiring in Tahiti. I am therefore adding this communication to my earlier one of Aug. 7, 1953, in answer to your kind letter dated July 31. May I suggest that you study the correspondence and copies of contracts and documents now in the files of M. Tony Révillon, le Secrétaire d'Etat aux Affaires Economiques, 41 Quai Branly, Paris. It will help you get proper perspective of the case. Study of correspondence between Tahiti Government Officials and His Excellency, the Ambassador of France, Washington, would also be helpful, showing how the colonial officials in Tahiti are prejudiced against the American botanist and teacher Degener in favor of an interesting French swindler who in France spent 2 terms in jail and was acquitted of murder, and who in Hawaii was subject to deportation as an undesirable alien. Consul Dupont of Washington, D.C., knows this man and can likewise inform you of his true character.

Though I have lived in the South Seas since 1922, I have never been in Tahiti. Nevertheless, I am very familiar with conditions there so far as Cheng Ho matters are concerned due to a.) returned and disillusioned members of the crew of the Cheng Ho (to whom I in good faith had sold shares of the Cheng Ho Trading & Exploring Company and whose interests I in part still legally represent), b.) reports from returned American travelers from Tahiti and, c.) answers from other individuals whom I had charged with specific questions before their departure for Tahiti. I am therefore able to dispel the false impressions held by His Excellency, the Ambassador of France in Washington, as expressed in a letter dated June 15, 1953. With the purpose of correcting the Ambassador's impressions, emanating obviously from ex-Consul deBisschop and his friends in the Colonial Service in Tahiti, I here give the translation from the original French into English for your study, followed by my reactions.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO:

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Government of French Oceania and setting forth his contentions with Mr. deBisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his partner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, be-

ing enabled to go to Oceania to defend his interests, as he had at first shown the desire to do, had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However, that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France - - - of its very high consideration
(Stamp of the Embassy of France))"

From the above letter from the French Ambassador we do not learn WHY the Governor of Tahiti first refused the botanist Degener a visit to Tahiti. The Governor of New Caledonia, by the way, where Degener owns no assets, had granted him a visa good for one year. We strongly suspect that some of the following considerations were strongly involved in preventing and, after protests had accumulated, in delaying as long as possible Degener's visit to Tahiti where his assets lie:

1. According to U.S. Federal Court Proceedings (Judge McLaughlin presiding Oct. 1948) and Territorial Circuit Court Proceedings (Judge Pence presiding Nov. 1948) the vessel Cheng Ho, appraised originally at \$75,000, had been fraudulently registered under the French flag in the name of Eric deBisschop "in the office of the Governor of Tahiti" when the vessel actually belonged to an American company incorporated in Honolulu, Hawaii, with mostly American citizens as shareholders.

2. The former French Consul and déporté Eric deBisschop owed Degener (and others whom he represents) a debt in excess of 3,000 dollars, and accumulated interest.

3. Degener owned the option to repossess his vessel Cheng Ho July 7, 1952 for \$15,000 according to a contract registered by the Registry of Conveyances for the Territory of Hawaii in Book 2156, pages 247 - 249 (of which M. Tony Révillon has a photostatic copy). This contract in part reads: "The CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engines,

machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

4. Ex-Consul deBisschop had long chartered the Cheng Ho for the sum of 2,500 French COLONIAL Francs per day in Tahiti to M. Gallois, Member of the Governor's Privy Council (according to a Tahiti letter of June 26, 1952).

5. Degener asked for the visa to Tahiti as early as Nov. 28, 1951 to arrange for repossession of the Cheng Ho July 7, 1952 as per contract and was not informed of its granting by the French Consulate in San Francisco until May 26, 1953. The letter reached him early in June. Thus the French Government in Tahiti delayed 6 months in granting the request and gave Degener just a month to leave New York City to reach far distant Tahiti before July 7 when repossession of the Cheng Ho was due. This delay may have been unavoidable and quite innocent, but it does smack of chicanery and continuation of sabotage begun when Degener was originally refused a visa to visit Tahiti to protect his assets there.

6. Quoting from a letter written by the Tahiti shiphandler Oscar Nordman about Cheng Ho developments, dated Papeete, Tahiti, June 12, 1952, we read: "At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur GALLOIS, the following favorable conclusions were reached." According to another letter, this one from Marcel Lejeune, Notaire, Papeete, of same date, we hear: "Pour avoir une connaissance plus complete de cette affaire, j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin reunir a son Cabinet, en ma presence, le Chef du Service des Douanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affreteur du bateau." From the same letter of M. Lejeune, we learn that Eric deBisschop at the time of the meeting was away in the Austral Islands. Whether Governor Petitbon was present at this meeting of his cabinet I do not know. We do know, however, that the Notary Lejeune was present when the 1.) Customs Chief, the 2.) Chief of Political and Administrative Affairs, the 3.) Harbor Master and 4.) Governor Petitbon's Privy Counciler GALLOIS (who also represented ex-Consul deBisschop and was charterer of the Cheng Ho), unanimously or not I do not know, concocted the following confiscatory and shameful conditions to trick me gracefully of the Cheng Ho after I had prevented (through my protests to the honest Officials in Paris) the depots and ex-Consul Eric deBisschop from stealing my vessel by more direct means. Here are the conditions which, had I signed, would have given me practically nothing for the very nice sum of 15,000 U.S. dollars:

"1.- The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

(a) In accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maitre Lejeune, Notary on or before 7 July 1952.

(b) Further, in keeping with the agreement, the Cheng Ho will be returned over to Mr. Otto Degener, or his authorized representative, free of all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

- - - - - The Government recognizes the transfer to the french flag legal and the vessel will so remain. - - - - -."

As I mentioned before in my article "The Good Ship Cheng Ho" there is no agreement anywhere in the contract that I was to deposit 15,000 dollars as guarantee of good faith in any special bank. As Indo China was already at that time in the throes of Civil War, I instead deposited

twice the amount at commercial bankers in New York, sending proof of my action to the French Ambassador in Washington. Yet these French Officials in Tahiti demand that I retain under the French flag the American vessel Cheng Ho, fraudulently put under the French flag by the convict de-Bisschop. This is certainly an incumbrance to me, an American citizen, and contrary to my option contract registered Aug. 16, 1948 by the Registry of Conveyances. These French Officials in Tahiti also require that I form a new trading company around the Cheng Ho, and to surrender 51% of the shares or interest of this company to a Frenchman. Why? Even the vessel "Vega" in the South Seas which flies the French flag legally belongs 100% to an American citizen. This arbitrary ruling not only robs me of more than half the vessel but all control of her. Furthermore, accumulating reports from Tahiti prove that the once valuable Cheng Ho has greatly deteriorated and never can be reconditioned to anything near the state required by contract. DeBisschop had not only damaged her by 15,000 dollars during the first eight months of his stewardship of the vessel illegally as his property under the French flag. Since that time he has ripped out the teak and camphor wood cabins, sold or given away valuable equipment, allowed her (while chartered by M. Gallois) to run aground upon the coral reef, and neglected timely drydocking to prevent shipworm damage.

The shameful demand of June 11, 1952 subjects me to incumbrances contrary to contract and to confiscation of property. What then do I get for my 15,000 dollars?

7. I had paid \$310 passage money to Messageries Maritimes to take me from Marseille to Ceylon on my first stage to Tahiti. I had shipped botanical equipment from the New York Botanical Garden to Marseille to the steamer and had shipped other equipment from the Bishop Museum in Honolulu to Ceylon for me to pick up on my arrival there. Nevertheless, I cancelled my passage, with a 14% refund loss. Why did I do so to the great surprise of the French Ambassador in Washington? The reasons are:

a. The confiscatory demands (mentioned above) of Governor Patitbon's cabinet.

b. The accumulated evidence that the French had by vandalism, neglect and pilfering allowed the Cheng Ho to become little more than a derelict and now wanted to shake me down for \$15,000.

c. The suspicious fact that the French shiphandler Oscar Nordman of Tahiti refused to sign a business contract with me regarding our respective rights in a new Cheng Ho Trading Company UNTIL he had received, as demanded of me by the Tahiti Government, 51% of shares or interest; this lack of confidence was found justified when I received the following report from a friend recently returned from Tahiti. He writes "I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscar even though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution." There is likewise an allusion to a former 2 year prison sentence in the magazine "Pacific Islands Monthly," published in Australia.

d. The evident unfriendliness of the Governor in delaying by 6 months the granting of my visa to visit Tahiti, the confiscatory demands (mentioned above) made June 11, 1952 in Tahiti (of which I received notice my mail in New York weeks later), and the impossibility of my reaching Tahiti to arrange for proper repossession with legal advice of the Cheng Ho, as the contract specified, on July 7, 1952.

e. The French Ambassador in Washington alludes to my "violently attacking" the French Administration in Tahiti and my "malicious aspersions on the good faith and impartiality of the magistrates of Tahiti" in my letter of March 24, 1953. Considering what happened, the Ambassador should really be surprised that I was so mild and patient and delayed my attack 5 or 6 years. The reasons for these "attacks" are rather self-evident from

the above. Nevertheless, to avoid possible confusion, I repeat them:

a. The former French Consul Eric deBisschop, a déporté considered by the U. S. Government an undesirable alien, swindled me and associates to such an extent that he was defendant in Federal and Territorial Courts in Hawaii as far back as 1948.

b. The "Office of the Governor of Tahiti" enables ex-Consul deBisschop to fraudulently register the \$75,000 Cheng Ho (flying the U.S. flag and belonging to an American Company incorporated in Hawaii) as his own property under the FRENCH flag.

c. The Governor of Tahiti (after Degener and associates in vain hire the Tahiti lawyer Hoppenstedt to represent them in Tahiti Court against the ex-Consul) denies Degener a visa to visit Tahiti to personally fight for his rights.

d. After complaints about this injustice to officials in Paris and Washington, Degener was reluctantly granted a three months visa for Tahiti, the notice reaching him in New York after a delay of about 6 months and scarcely a month before he should be in Tahiti to repossess his vessel July 7, 1952. How get to this God-forsaken island, redolent of piracy, find an English-speaking lawyer, acquaint him of the fact, and legally fight powerful political forces in a foreign language? Was this 6 months delay necessary?

e. With the déporté and French ex-Consul absent in the Austral Islands, the Governor of Tahiti convened his Cabinet June 11, 1952, at which meeting we learn were present at least the 1.) Notary Lejeune, 2.) Chief of Customs, 3.) Chief of Political and Administrative Service, 4.) Harbor Master, and 5.) M. Gallois who is a Member of the Governor's Privy Council and charterer of the Cheng Ho for 2,500 French Colonial francs (which stand far higher than French francs used in Europe). These men, whether unanimously or not I do not know, in no way question the validity of Degener's option yet demand that Degener pay \$15,000 for the vessel (which deBisschop and Gallois changed into a near-derelict) and at the same time turn over 51% of the shares or interest to a Frenchman who once spent 2 years in jail for some insurance swindle involving the sinking of some vessel.

f. When a man like Henri Hoppenstedt, with a rather elementary legal training as is evident from the descriptive list of Pacific Island attorneys on file in some American Consular Offices, can practice in Tahiti Courts after duping his American clients of \$150 he accepted for a case, how good are Tahiti Courts?

g. I have lived long enough in the South Seas to know that it is difficult for white people and especially white officials in some foreign Colonies inhabited by colored races to be convicted of wrong-doing. The white race loses "face" or prestige. When a Governor of Tahiti, about the time the Cheng Ho swindle started, got involved in a scandal appertaining to the purchase of enormous quantities of unwanted cement, were Courts in Tahiti competent to handle the case? The Official was quietly transferred from the Colony. What chance, then, has an American citizen in a Tahiti Court against French Officials who must be "white washed" of all blame?

h. I doubt that French Courts have jurisdiction over major elements in the Cheng Ho swindle as the vessel is rightfully American and merely illegally registered as French.

8. The French Ambassador in Washington states that "The quarrels of Mr. Degener and Mr. deBisschop are - - - strictly private in character, involving a commercial dispute - - -." This statement is nonsense as the above facts show. French Consuls, Governors, Cabinet Ministers and Privy Councillors in Papeete, Tahiti, have all had their fingers in the Cheng Ho pie from its beginning, about six years ago, to the present time.

In conclusion, therefore, I request damages for my unjust losses from the French Government, not from deBisschop whom I could have handled in Honolulu as before with my own lawyer adequately had he not had backing, accidental or otherwise, of French Government Officials in Tahiti.

Sincerely,

Dr. Otto Degener

G/o American Express Cie.,
Frankfurt/Main, Allemagne.
Aug. 18, 1953.

Le Conseiller Technique,
Ministère de la Justice,
Paris, France.

Monsieur: Je suis rassuré que Paris est aussi intéressé que moi de finir cette déplorable affaire "Cheng Ho" qui maintenant transpire en Tahiti. C'est pourquoi j'ajoute cette communication à la précédente d'août 7, 1953, en réponse à votre gentille lettre datée mai 31. Je voudrais bien vous demander à étudier la correspondance et les copies des contrats et des documents qui sont maintenant dans les dossiers de M. Tony Fivillon, Paris. Je sais que cette lecture vous aidera à recevoir une vraie conception de cette affaire. L'étude de la correspondance entre des fonctionnaires du gouvernement de Tahiti et son Excellence, L'Ambassadeur de France, Washington, pourrait aussi aider, en montrant comment les fonctionnaires du gouvernement en Tahiti sont pleins de préjugés contre le botaniste et professeur américain Degener, en faveur d'un intéressant trompeur français qui a passé deux termes en prison en France et qui fut acquitté d'assassinat et en Hawaï était sujet à déportation comme alien désagréable. Consul Dupont de Washington, D.C., connaît cet homme et, lui aussi, pourrait vous informer sur son vrai caractère.

Quoique j'aie vécu dans l'Océanie depuis 1922, je n'ai jamais été en Tahiti. Néanmoins, je connais profond les conditions dans ces régions en tant qu'elles regardent les affaires "Cheng Ho," par suite
a) des membres de l'équipage du "Cheng Ho", retournés et désillusionnés,
b) des rapportes des voyageurs américains, retournés de Tahiti, et
c) des réponses d'autres individus qui j'avais chargés de poser des questions spécifiques avant leur départ pour Tahiti.

C'est pourquoi je suis capable à disperser des impressions fausses, tenues par son Excellence, l'Ambassadeur de France à Washington, comme elles sont exprimées dans une lettre datée juillet 15, 1953. Avec l'intention de corriger les impressions de M. l'Ambassadeur, cautes, comme il semble, par l'Ex-Consul de Bisschop et ses amis en Tahiti, je vous donne ici la lettre (en anglais comme traduit pour les Membres de la Senat en Washington), originale en français, que vous veuillez bien étudier.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. de Bisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$63,000 compensation under a threat of a protest to influential members of the Congress of the United States.

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The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs, responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France - - - - of its very high consideration.

((Stamp of the Embassy of France))

De la lettre dessus mentionnée de M. l'Ambassadeur français nous n'apprenons pas POURQUOI le Gouverneur de Tahiti a d'abord refusé une visite à Tahiti à Degener. Le Gouverneur de la Calédonie Nouvelle, d'ailleurs, où Degener ne possède de fortune, lui avait accordé un visa valable une année. Nous soupçonnons fortement que quelque unes des considérations suivantes n'eussent gravement contribué à empêcher et, après que les réclamations eussent accumulé, à retarder aussi longtemps que possible la visite de Degener à Tahiti ou sa fortune est déposée: 1) Selon les procédures du "U.S. Federal Court" (Juge McLaughlin président oct. 1948) et du "Territorial Circuit Court" (Juge Pence président nov. 1948) la jonque Cheng Ho, originalement appréciée à U.S. \$75,000, avait frauduleusement été enregistrée sous le drapeau français au nom d'Eric deBisschop "dans le bureau du Gouverneur de Tahiti". Cela fut fait pendant que le bateau appartenait à une compagnie américaine, incorporée en Honolulu, Hawaii, dont les actionnaires étaient pour la plupart des citoyens américains.

II) Eric deBisschop, Ex-Consul français et député, était le débiteur de Degener (et d'autres personnes qu'il représente) d'une somme de plus de

\$3,000 et des intérêts accumulés.

III) Degener possédait une option de regagner sa jonque Cheng Ho le 7 juillet, 1952, pour la somme de \$15,000, selon un contrat enregistré par la Registration des Conveyances pour le territoire de Hawaii, livre 2156, pages 247-249 (dont M. Tony Révillon possède une copie photostatique). Ce contrat se lit, en partie: "La jonque Cheng Ho doit être délivrée et transférée au dit Degener en cas que cette option soit faite, ensemble avec ses machines, machinerie, mature, canots, ancres, cables, grément, ameublement et toutes les autres nécessités jointes, appartenant au bord, et exempt de tous liens, prétentions, impôts, et hypothèques d'aucune sorte."

IV) Ex-Consul de Bisschop avait depuis longtemps frété la jonque Cheng Ho pour la somme de 2,500 francs coloniaux français par jour, en Tahiti, à M. Gallois, "Membre du Conseil Privé de M. le Gouverneur" (selon une lettre de Tahiti de juin 26, 1952).

V) Degener appliqua pour un visa d'entrée pour Tahiti déjà nov. 28, 1951, pour arranger la répossession du Cheng Ho pour le 7 juillet, 1952, selon le contrat. Mais ce n'était que mai 26, 1952, qu'il fut informé par le Consulat Français à San Francisco que le visa d'entrée lui avait été accordé au commencement de juin. De cette manière le Gouvernement en Tahiti avait retardé pour 6 mois l'application. Ce fait donna à Degener seulement un mois pour quitter New York City pour gagner Tahiti, si loin situé, avant le 7 juillet, quand la répossession du Cheng Ho devait avoir lieu. Peut-être que ce retard fut inévitable et tout innocent, mais on croit sentir de la chicane et la continuation du sabotage, commencé quand Degener fut originalement refusé un visa d'entrée pour Tahiti pour y protéger ses possessions.

VI) Citant d'une lettre écrite par l'affréteur Oscar Nordman de Tahiti sur les développements concernant le Cheng Ho, datée le 12 juin, 1952, Papeete, Tahiti, nous lisons: "A une réunion, tenue ce matin (11 juin 1952) dans le cabinet de Monsieur le Gouverneur Petitbon entre l'employé du Gouvernement Français et l'agent de M. de Bisschop, Monsieur GALLOIS, les favorables décisions furent obtenues." Selon une autre lettre, celle-ci par Marcel Lejeune, notaire, Papeete, de la même date, nous entendons: "Pour avoir une connaissance plus complète de cette affaire j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin réunir à son Cabinet en ma présence le Chef du Service des Douanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affréteur du bateau." De la même lettre de M. Lejeune nous apprenons que M. de Bisschop était absent dans les Iles Australes au temps de cette réunion. Je ne sais pas si Monsieur le Gouverneur Petitbon était présent à cette réunion de son cabinet. Nous savons, cependant, que le notaire Lejeune était présent quand 1) le Chef du Service des Douanes, 2) le Chef de service des Affaires Politiques et Administratives, 3) le Capitaine du Port et 4) le ^{Secrétaire} Secrétaire Privé de Monsieur le Gouverneur Petitbon, GALLOIS (qui représentait aussi l'Ex-Consul de Bisschop et qui était affréteur de la jonque Cheng Ho) - involontairement ou non, je ne sais pas - ont fabriqué la confiscation suivante et les conditions honteuses pour me pousser avec grâce de la jonque Cheng Ho, après que j'eusse empêché (par mes protestations chez les fonctionnaires honnêtes à Paris) que le départ et Ex-Consul Eric de Bisschop ne volât ma jonque par des manières plus directes. Voici les conditions, qui - si j'avais signé - ne m'auraient données en réalité RIEN pour la grande somme de \$15,000:

"1), Le Gouvernement a agréé à permettre que l'option - maintenant tenue par Monsieur Otto Degener - à acheter la jonque Cheng Ho, eut lieu au date spécifique, c'est-à-dire le 7 juillet, 1952, aux conditions suivantes:

a) En accordance de l'agrement notifié dans l'option d'acheter, la somme de U.S. \$15,000 doit être déposée 'en escrow' à la Banque de l'Indo-Chine, aux mains de maître Lejeune, notaire, le 7 juillet, 1952 ou avant ce date.

b) Depuis, en accordance avec cet agrement, le Cheng Ho sera délivré

à Monsieur Otto Degener ou son représentant autorisé, exempt de tous charges.

c) Monsieur le Gouverneur va approuver la formation d'une compagnie dans laquelle Monsieur Oscar G. Nordman tiendra 51% des actions de compagnie ou intérêts et Monsieur Otto Degener tiendra 49% de telles actions ou intérêts.

- - - - Le Gouvernement legalise le transfert au drapeau français et le bateau en restera. - - - -."

Comme j'ai mentionné d'abord dans mon article "La Bonne Jonque Cheng Ho"; il n'y a aucun agrement dans ce contrat que je devais déposer \$15,000 comme garantie "de bonne foi" dans une banque spéciale. L'Indo-Chine étant à ce temps déjà dans les agonies d'une guerre civile, je déposais la double somme chez des banquiers commerciaux à New York, et j'envoyais les preuves de mes actions à Monsieur l'Ambassadeur à Washington. Néanmoins, ces fonctionnaires en Tahiti, demandent que je maintienne sous le drapeau français la jonque américaine Cheng Ho qui avait été frauduleusement mise sous les drapeaux français par le trompeur de Bisschop. Cela est vraiment une exigence pour moi, un citoyen américain, et contraire à mon contrat d'option, enregistré août 16, 1948, par la registration de conventions. Ces fonctionnaires en Tahiti demandent aussi que je crée une nouvelle compagnie commerciale avec le Cheng Ho, et que je délaisse 51% des parts ou intérêts de cette compagnie à un Français. Pourquoi? Même le bateau "Vega" dans l'Océanie, qui porte le drapeau français légalement, appartient pour 100% à un Américain. Cette ordonnance arbitraire ne me dérobe seulement de plus d'un moitié du bateau mais aussi de tout le contrôle. Puis, des rapports croissants de Tahiti prouvent que la jonque Cheng Ho, autrefois si précieuse, a beaucoup détérioré et ne peut jamais être refaite dans la condition demandée par le contrat. De Bisschop ne l'a seulement endommagée par \$15,000 pendant les premiers 8 mois quand il affrétait ce bateau illégalement comme sa propriété sous le drapeau français. Depuis ce temps il a enlevé les cabines en bois de theca et camp-hier, il a vendu ou abandonné de l'équipement précieux, XXXX il l'a souffert (pendant qu'elle était affrétée par Monsieur Gallois) de courir sur un récif de coraux, et il a négligé de mettre le bateau au sec en bon temps pour empêcher du dommage par le ver de bateau.

VII) L'ordonnance outrageuse de juin 11, 1952 m'expose à des obstacles contraires au contrat et à confiscation de propriété. Qu'est-ce donc que je reçois pour mes \$15,000?

J'avais payé \$310 passage aux Messageries Maritimes pour me prendre de Marseille à Ceylon, sur ma première station pour Tahiti. J'avais envoyé de l'équipement botanique de New York Botanical Garden à Marseille, au bord du bateau de vapeur, et j'avais envoyé d'autres équipements du Musée Bishop à Honolulu à Ceylon que j'avais intention d'aller chercher à mon arrivée. Néanmoins j'annulai mon passage, avec une perte de 14%. Pourquoi ai-je agi de cette manière? À la grande surprise de Monsieur l'Ambassadeur français à Washington? Voici les motifs:

a) Les ordonnances confiscantes (mentionnées auparavant) du Cabinet de Monsieur le Gouverneur Petitbon.

b) Les preuves augmentées que les Français avaient - par vandalisme, négligence et de petits larcins - souffert que le Cheng Ho devint à peu près défectueux, et maintenant ils voulaient me dérober de \$15,000.

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d) La mauvaise grace evidente du Gouverneur qui retardait pour 6 mois à accorder mon visa pour une visite en Tahiti, les demandes confiscantes (mentionnées auparavant) exprimées le 11 juin, 1952 en Tahiti (dont je reus la nouvelle par la poste à New York quelques semaines plus tard), et l'impossibilité d'arriver en Tahiti pour arranger une vraie reappropriation, avec des conseils legaux, du Cheng Ho, selon le contrat spécifique, le 7 juillet, 1952.

VIII) Monsieur l'Ambassadeur français à Washington fait des allusions à mes "attaques violentes" contre l'Administration Française en Tahiti et à mes "calomnies malicieuses contre la bonne foi et l'impartialité des Magistrats de Tahiti" dans ma lettre de mars 24, 1953. En considerant ce qui s'est passé, Monsieur l'Ambassadeur devrait vraiment etre surpris que je fusse si honnête et patient et que j'eusse retardé mes attaques pour 5 ou 6 années. Les motifs de ces attaques devraient etre evidents de ce que j'ai expliqué. Mais pour eviter aucune confusion je les repete:

a) L'Ex-Consul français Eric deBisschop, deporté, regardé comme alien indésirable par le Gouvernement des Etats-Unis, a defraudé mes associés et moi d'une telle mesure qu'il était defendeur dans les Cours Federale et Territoriale en Hawaii déjà en 1948.

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c) Le Gouverneur de Tahiti (apres que Degener et ses associés avaient en vain engagé l'avocat Hoppenstedt en Tahiti à les représenter dans la Cour de Justice de Tahiti contre l'Ex-Consul) refuse à Degener un visa pour visiter Tahiti afin de combattre en personne pour ses droits.

d) Apres des plaintes sur cette injustice chez des fonctionnaires à Paris et Washington, Degener recut - contre-cœur - un visa pour Tahiti, dont la nouvelle le joint à New York, apres un retard de presque 6 mois. C'était à peine un mois avant qu'il dut etre en Tahiti pour regagner sa jonque Cheng Ho, le 7 juillet 1952. Comment atteindre cette île isolée, odoriferante de piraterie? Comment trouver un ^{ami} parlant anglais? Comment lui communiquer l'affaire et comment combattre legalement des puissantes forces politiques dans une langue étrangère? Ce delai de 6 mois, était-il necessaire?

e) Quand le deporté et Ex-Consul Français était absent dans les Iles Australes, Monsieur le Gouverneur de Tahiti reunit son Cabinet, le 11 juin, 1952. Nous apprenons qu'à cette reunion étaient presents au moins 1) le notaire Lejeune, 2) le Chef des Douanes, 3) le Chef de Services Politiques et Administratives, 4) le Capitaine de Port et 5) Monsieur GALLOIS, qui était Membre du Conseil Privé de Monsieur le Gouverneur et affreteur du Cheng Ho pour 2,500 francs coloniaux français (valant beaucoup plus que le franc français en usage en Europe). Ces hommes - soit involontairement ou non - ne ne sais pas - d'aucune maniere doutent la validité de l'option de Degener. Mais ils demandent que Degener paye \$15,000 pour le bateau (que deBisschop et Gallois avaient à-peu-pres rendu abandonné). Au même temps Degener devait delaisser 51% des parts ou interets à un Français qui, autrefois, avait passé deux années en prison pour quelques assurances trompeuses, concernant avoir coulé au bas un bateau.

f) Si un homme comme Hoppenstedt, avec une connaissance assez primitive de la legislation, comme c'est evident d'une liste des Juges et avocats

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de l'Océanie dans les dossiers de quelques bureaux consulaires américains peut faire sa profession dans les Cours de Tahiti, après avoir dupé ses clients américains par \$150 qu'il recut pour une cause, combien valent donc les Cours en Tahiti?

g) J'ai vécu assez longtemps dans l'Océanie pour savoir que c'est difficile que la race blanche et surtout des fonctionnaires blancs dans quelques colonies étrangères, habitées par des races indigènes, soient convaincus pour leurs crimes. La race blanche perd son autorité ou prestige. Si un Gouverneur de Tahiti, au temps que l'affaire Cheng Ho commençait, était engagé dans un scandale concernant l'achat d'une énorme quantité de ciment inutile, les Cours en Tahiti étaient-elles alors compétentes de traiter cette affaire? L'employé fut tranquillement transféré de la colonie. Quelle chance aurait un citoyen américain dans une Cour en Tahiti contre des fonctionnaires français qui doivent être délivrés de tout blâme?

h) Je doute que les Cours Françaises n'aient la juridiction sur les éléments majeurs de l'Affaire Cheng Ho parce que le bateau est américain légalement et seulement illégalement enregistré comme français.

IX) Monsieur l'Ambassadeur Français à Washington confirme "que les conflits de Monsieur Degener et Monsieur deBisschop sont - - - - tout à fait privés en caractère, concernant une affaire commerciale. - - v-." Cette confirmation n'est pas correcte, comme nous avons montré par les faits mentionnés. Des consuls français, gouverneurs, ministres du Cabinet et Conseillers privés à Papeete, Tahiti, tous avaient leurs doigts dans l'affaire Cheng Ho dès le commencement, à peu près 6 ans, jusqu'à présent.

Par conséquence, je demande des dommages pour mes pertes injustes par le Gouvernement Française, non par Monsieur deBisschop que j'aurais pu suffisamment poursuivre par mon juge à Honolulu, comme autrefois, s'il n'avait pas été aidé - par hasard ou d'une autre manière - par des fonctionnaires de Gouvernement Français à Tahiti.

C/o American Express Co.,
Frankfurt/Main, Allemagne.
Aug. 18, 1953.

Le Conseiller Technique,
Ministre de la Justice,
Paris, France.

Monsieur: Je suis rassuré que Paris est aussi intéressé que moi de finir cette déplorable affaire "Cheng Ho" qui maintenant transpire en Tahiti. C'est pourquoi j'ajoute cette communication à la précédente d'août 7, 1953, en réponse à votre gentille lettre datée mai 31. Je voudrais bien vous demander d'étudier la correspondance et les copies des contrats et des documents qui sont maintenant dans les dossiers de M. Tony Rivillon, Paris. Je sais que cette lecture vous aidera à recevoir une vraie conception de cette affaire. L'étude de la correspondance entre des fonctionnaires du gouvernement de Tahiti et son Excellence, L'Ambassadeur de France, Washington, pourrait aussi aider, en montrant comment les fonctionnaires du gouvernement en Tahiti sont pleins de préjugés contre le botaniste et professeur américain Degener, en faveur d'un intéressant trompeur français qui a passé deux termes en prison en France et qui fut acquitté d'assassinat et en Hawaii était sujet à déportation comme alien désagréable. Consul Dupont de Washington, D.C., connaît cet homme et, lui aussi, pourrait vous informer sur son vrai caractère.

Quoique j'aie vécu dans l'Océanie depuis 1922, je n'ai jamais été en Tahiti. Néanmoins, je connais à fond les conditions dans ces régions en tant qu'elles regardent les affaires "Cheng Ho," par suite
a) des membres de l'équipage du "Cheng Ho", retournés et désillusionnés,
b) des rapports des voyageurs américains, retournés de Tahiti, et
c) des réponses d'autres individus qui j'avais chargés de poser des questions spécifiques avant leur départ pour Tahiti.

C'est pourquoi je suis capable de disperser des impressions faussées, tenues par son Excellence l'Ambassadeur de France à Washington, comme elles sont exprimées dans une lettre datée juillet 15, 1953. Avec l'intention de corriger les impressions de M. l'Ambassadeur, causées, comme il semble, par l'Ex-Consul de Bisschop et ses amis en Tahiti, je vous donne ici la lettre (en anglais comme traduit pour les Membres de la Senat en Washington), originale en français, que vous voudrez bien étudier.

"The Embassy of France presents its compliments ----- in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. de Bisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Peepete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do had no further grounds for recriminations.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him \$62,000 compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs, responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merit of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France - - - - - of its very high consideration.
((Stamp of the Embassy of France))

De la lettre dessus mentionnée de M. l'Ambassadeur français nous n'apprenons pas POURQUOI le Gouverneur de Tahiti a f'abord refusé une visite à Tahiti à Degener. Le Gouverneur de la Calédonie Nouvelle, d'ailleurs, où Degener ne possède pas de fortune, lui avait accordé un visa valable une année. Nous soupçonnons fortement que quelque unes des considérations suivantes n'eussent gravement contribué à empêcher et, après que les réclamations eussent accumulé, à retarder aussi longtemps que possible la visite de Degener à Tahiti où sa fortune est déposée:

I) Selon les procédures du "U.S. Federal Court" (Juge McLaughlin président oct. 1948) et du "Territorial Circuit Court" (Juge Pence président nov. 1948) la jonque Cheng Ho, originalement appréciée à U.S. \$75,000, avait frauduleusement été enregistrée sous le drapeau français au nom d'Eric deBisschop "dans le bureau du Gouverneur de Tahiti". Cela fut fait pendant que le bateau appartenait à une compagnie américaine, incorporée en Honolulu, Hawaii, dont les actionnaires étaient pour la plupart des citoyens américains.

II) Eric deBisschop, Ex-Consul français et déporté, était le débiteur de Degener (et d'autres personnes qu'il représente) d'une somme de plus de

\$3,000 et des interets accumulés.

III) Degener possédait une option de regagner sa jonque Cheng Ho le 7 juillet, 1952, pour la somme de \$15,000, selon un contrat enregistré par la Registration des Conveyances pour le territoire de Hawaii, livre 2136, pages 247-249 (dont M. Tony Revillon possède une copie photostatique). Ce contrat se lit, en partie: "La jonque Cheng Ho doit être délivrée et transférée au dit Degener en cas que cette option soit faite, ensemble avec ses machines, machinerie, mature, canots, ancres, cables, grément, ameublement et toutes les autres nécessités jointes, appartenant au bord, et exempt de tous liens, prétentions, impôts, et hypothèques d'aucune sorte."

IV) Ex-Consul de Bisschop avait depuis longtemps freté la jonque Cheng Ho pour la somme de 2,500 francs coloniaux français par jour, en Tahiti, à M. Gallois, Membre du Conseil Privé de M. le Gouverneur (selon une lettre de Tahiti de juin 26, 1952).

V) Degener appliqua pour un visa d'entrée pour Tahiti déjà nov. 28, 1951, pour arranger la repossesion du Cheng Ho pour le 7 juillet 1952, selon le contrat. Mais ce n'était que mai 26, 1952, qu'il fut informé par le Consulat Français à San Francisco que le visa d'entrée lui avait été accordé au commencement de juin. De cette manière le Gouvernement en Tahiti avait retardé pour 6 mois l'application. Ce fait donna à Degener seulement un mois pour quitter New York City pour gagner Tahiti, si loin situé, avant le 7 juillet, quand la repossesion du Cheng Ho devait avoir lieu. Peut-être que ce retard fut inévitable et tout innocent, mais on croit, sentant de la chicane et la continuation du sabotage, commencé quand Degener fut originalement refusé un visa d'entrée pour y protéger ses possessions.

VI) Citant d'une lettre écrite par l'affréteur Oscar Nordman de Tahiti sur les développements concernant le Cheng Ho, datée le 12 juin, 1952, Papeete, Tahiti, nous lisons: "A une réunion, tenue ce matin (11 juin 1952) dans le cabinet de Monsieur le Gouverneur Petitbon entre l'employé du Gouvernement Français et l'agent de M. de Bisschop. Monsieur GALLOIS, les favorables décisions furent obtenues." Selon une autre lettre, celle-ci par Marcel Lejeune, notaire, Papeete, de la même date, nous entendons: "Pour avoir une connaissance plus complète de cette affaire j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin réunir à son Cabinet en ma présence le Chef du Service des Douanes, le Chef de service des Affaires Politiques et administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affréteur du bateau." De la même lettre de M. Lejeune nous apprenons que M. de Bisschop était absent dans les Iles Australes au temps de cette réunion. Je ne sais pas si Monsieur le Gouverneur Petitbon était présent à cette réunion de son cabinet. Nous savons, cependant, que le notaire Lejeune était présent quand 1) le Chef du Service des Douanes, 2) le Chef de service des Affaires Politiques et Administratives, 3) le Capitaine du Port et 4) le Conseil Privé de Monsieur le Gouverneur Petitbon, GALLOIS (qui représentait aussi l'Ex-Consul de Bisschop et qui était affréteur de la jonque Cheng Ho) - involontairement ou non, je ne sais pas - ont fabriqué la confiscation suivante et les conditions honneuses pour me pousser avec grace de la jonque Cheng Ho, après que j'eusse empêché (par mes protestations chez les fonctionnaires honnêtes à Paris) que le déporté et Ex-Consul Eric de Bisschop ne volât ma jonque par des manières plus directes. Voici les conditions, qui - si j'avais signé - ne m'auraient données en réalité RIEN pour la grande somme de \$15,000:

- a) Le Gouvernement a agréé à permettre que l'option - maintenant tenue par Monsieur Otto Degener - à acheter la jonque Cheng Ho, eut lieu au date spécifiée, c'est-à-dire le 7 juillet, 1952, aux conditions suivantes:
 - a) En accord avec de l'agrement notifié dans l'option d'acheter, la somme de U.S. \$15,000 doit être déposée 'en escrow' à la Banque de l'Indo-Chine, aux mains de maître Lejeune, notaire, le 7 juillet, 1952 ou avant ce date.
 - b) Depuis, en accord avec cet agrement, le Cheng Ho sera délivré

à Monsieur Otto Degener ou son représentant autorisé, exempt de charges. 4

c) Monsieur le Gouverneur va approuver la formation d'une compagnie dans laquelle Monsieur Oscar G. Nordman tiendra 51% des actions de compagnie ou intérêts et Monsieur Otto Degener tiendra 49% de telles actions ou intérêts.

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b) Le Bureau de Monsieur le Gouverneur de Tahiti permet à l'Ex-Consul deBisschop à registrer frauduleusement le Cheng Ho, valant U.S. \$75,000 (portant le drapeau américain et appartenant à une compagnie américaine, incorporée en Hawaii), comme sa propriété sous le drapeau FRANÇAIS.

c) Le Gouverneur de Tahiti (après que Degener et ses associés avaient en vain engagé l'avocat Hoppenstedt en Tahiti à les représenter dans la Cour de Justice de Tahiti contre l'Ex-Consul) refuse à Degener un visa pour visiter Tahiti afin de combattre en personne pour ses droits.

d) Après des plaintes sur cette injustice chez des fonctionnaires à Paris et Washington, Degener recut - contre-occur - un visa pour Tahiti, dont la nouvelle le joint à New York, après un retard de presque 6 mois. C'était à peine un mois avant qu'il dut être en Tahiti pour regagner sa jonque Cheng Ho, le 7 juillet 1952. Comment atteindre cette île isolée, odoriférante de piraterie? Comment trouver un avocat parlant anglais? Comment lui communiquer l'affaire et comment combattre légalement des puissantes forces politiques dans une langue étrangère? Ce délai de 6 mois, était-il nécessaire?

Quand le déporté et Ex-Consul Français était absent dans les Iles Australes, Monsieur le Gouverneur de Tahiti reunit son Cabinet, le 11 juin, 1952. Nous apprenons qu'à cette réunion étaient présents au moins 1) le notaire Lejeune, 2) le Chef des Douanes, 3) le Chef de Services Politiques et Administratives, 4) le Capitaine de Port et 5) Monsieur GALLOIS, qui était Membre du Conseil Privé de Monsieur le Gouverneur et affreteur du Cheng Ho pour 2,500 francs coloniaux français (valent beaucoup plus que le franc français en usage en Europe). Ces hommes - soit involontairement ou non - je ne sais pas - d'aucune manière doutent la validité de l'option de Degener. Mais ils demandent que Degener paye \$15,000 pour le bateau (que deBisschop et Gallois avaient à-peu-pres rendu abandonné). Au même temps Degener devait déléguer 51% des parts ou intérêts à un Français qui, autrefois, avait passé deux années en prison pour quelques assurances trompeuses, concernant avoir oculé au bus un bateau.

f) Si un homme comme Hoppenstedt, avec une connaissance assez primitive de la législation, comme c'est évident d'une liste des juges et avocats

de l'Océanie dans les dossiers de quelques bureaux consulaires américains peut faire sa profession dans les Cours de Tahiti, après avoir dupé ses clients américains par \$150 qu'il recut pour une cause, combien valent donc les Cours en Tahiti?

g) J'ai vécu assez longtemps dans l'Océanie pour savoir que c'est difficile que la race blanche et surtout des fonctionnaires blancs dans quelques colonies étrangères, habitées par des races indigènes, soient convaincus pour leurs crimes. La race blanche per son autorité ou prestige. Si un Gouverneur de Tahiti, au temps que l'affaire Cheng Ho commençait, était engagé dans un scandale concernant l'achat d'une énorme quantité de ciment inutile, les Cours en Tahiti étaient-elles alors compétentes de traiter cette affaire? L'employé fut tranquillement transféré de la colonie. Quelle chance aurait un citoyen américain dans une Cour en Tahiti contre des fonctionnaires français qui doivent être délivrés de tout blâme?

h) Je doute que les Cours Françaises n'aient la juridiction sur les éléments majeurs de l'Affaire Cheng Ho parce que le bateau est américain légalement et seulement illégalement enregistré comme français.

IX) Monsieur l'Ambassadeur Français à Washington confirme "que les conflits de Monsieur Degener et Monsieur deBisschop sont - - - - - tout et fait privés en caractère, concernant une affaire commerciale. - - - - -" Cette confirmation n'est pas correcte, comme nous avons montré par les faits mentionnés. Des consuls français, gouverneurs, ministres du Cabinet et Conseillers privés à Papete, Tahiti, tous avaient leurs doigts dans l'affaire Cheng Ho dès le commencement, à peu près 6 ans, jusqu'à présent.

Par conséquence, je demande des dommages pour mes pertes injustes par le Gouvernement Française, non par Monsieur deBisschop que j'aurais pu suffisamment poursuivre par mon Juge à Honolulu, comme autrefois, s'il n'avait pas été aidé - par hasard ou d'une autre manière - par des fonctionnaires de Gouvernement Français à Tahiti.

Letter 2

C/o American Express Cie.,
Frankfurt/Main, Allemagne.
August 18, 1953.

Le Conseiller Technique,
Ministère de Justice,
Paris, France.

Dear Sir:

I know Paris is as eager as I to end the deplorable AFFAIRE CHENG HO now transpiring in Tahiti. I am therefore adding this communication to my earlier one of Aug. 7, 1953, in answer to your kind letter dated July 31. May I suggest that you study the correspondence and copies of contracts and documents now in the files of M. Tony Révillon, le Secrétaire d'Etat aux Affaires Economiques, 41 Quai Branly, Paris. It will help you get proper perspective of the case. Study of correspondence between Tahiti Government Officials and His Excellency, the Ambassador of France, Washington, would also be helpful, showing how the colonial officials in Tahiti are prejudiced against the American botanist and teacher Degener in favor of an interesting French swindler who in France spent 2 terms in jail and was acquitted of murder, and who in Hawaii was subject to deportation as an undesirable alien. Consul Dupont of Washington, D.C., knows this man and can likewise inform you of his true character.

Though I have lived in the South Seas since 1922, I have never been in Tahiti. Nevertheless, I am very familiar with conditions there so far as Cheng Ho matters are concerned due to a.) returned and disillusioned members of the crew of the Cheng Ho (to whom I in good faith had sold shares of the Cheng Ho Trading & Exploring Company and whose interests I in part still legally represent), b.) reports from returned American travelers from Tahiti and, c.) answers from other individuals whom I had charged with specific questions before their departure for Tahiti. I am therefore able to dispel the false impressions held by His Excellency, the Ambassador of France in Washington, as expressed in a letter dated June 15, 1953. With the purpose of correcting the Ambassador's impressions, emanating obviously from ex-Consul deBisschop and his friends in the Colonial Service in Tahiti, I here give the translation from the original French into English for your study, followed by my reactions.

"The Embassy of France presents its compliments - - - in regard to the ownership of the vessel CHENG HO!

In April 1952 Mr. Degener applied to the Ministry of Foreign Affairs and the Ministry of Overseas France, as well as to the National Assembly, protesting against the refusal of a visa for him by the Governor of French Oceania and setting forth his contentions with Mr. deBisschop in regard to the junk Cheng Ho.

On August 7, 1952, after intervention by this Embassy, the Governor of French Oceania informed the Ministry of Overseas France of the conditions under which he had refused the visa and said that he had reversed his decision and that Mr. Degener had been informed that the visa requested had been granted him.

Furthermore, with regard to the dispute between the person concerned and his copartner, the Minister of Overseas France informed the President of the National Assembly, in reply to a question of the latter, that the matter concerned a purely commercial dispute within the sole competence of the Courts of Papeete, from which, of course, the Administration must remain aloof.

This information was given to Mr. Degener by the Ministry of Overseas France and by this Embassy.

It was therefore permissible to think that the American botanist, being enabled to go to Oceania to defend his interests, as he had at first shown the desire to do so had no further grounds for recriminations.

B. Marceau, Marcellin, before, further, 'L'Express in Paris.

(3 more lines here
page 1 p. 2)

This copy
corrects the
opinion of the
Ambassador in
Washington
about the Cheng
Ho case.

Nevertheless, on March 24, 1953, he sent the Minister of Overseas France a second letter, in which he violently attacked the French Administration and declared that he would not use the visa that had been granted him. He did not intend, he said, to institute against Mr. deBisschop in the Courts of Tahiti, whose impartiality he questioned, an action which he declared he was sure beforehand of losing. He would prefer to give formal notice to the French Government that it must pay him 63,000 dollars compensation under a threat of a protest to influential members of the Congress of the United States.

The quarrels of Mr. Degener and Mr. deBisschop are, as the Minister of Overseas France made clear to the National Assembly, strictly private in character, involving a commercial dispute in which the French Government cannot intervene in any capacity and which can be settled only by judicial tribunals.

The Embassy of France invites the attention of the Department of State to the gratuitous character of Mr. Degener's malicious aspersions on the good faith and impartiality of the magistrates of Tahiti, who have never been called upon to settle the Cheng Ho case. It seems too easy to challenge the competence of a foreign court, even before applying to it, on the pretext that it does not offer adequate guarantees of impartiality and then to make the Government of the country to which such court belongs responsible for the injuries caused by one of its nationals.

The French Government refrains from advancing any opinion on the merits of the dispute between Mr. Degener and Mr. deBisschop, the attempt of the American national to transfer a private dispute to the international and political plane can only inspire certain doubts as to the cogency of some of his claims. However that may be, these last claims, expressed furthermore, in terms very disobliging towards France, have not appeared worthy of attention to the Overseas Minister. The only channel open to Mr. Degener to assert them has always been and still is to apply to the competent jurisdiction of French Oceania.

The Embassy of France would appreciate it if the Department of State would be good enough to communicate these views to Mr. Degener.

The Embassy of France - - - of its very high consideration.

((Stamp of the Embassy of France))"

From the above letter from the French Ambassador we do not learn WHY the Governor of Tahiti first refused the botanist Degener a visit to Tahiti. The Governor of New Caledonia, by the way, where Degener owns no assets, had granted him a visa good for one year. We strongly suspect that some of the following considerations were strongly involved in preventing, and after protests had accumulated, in delaying as long as possible Degener's visit to Tahiti where his assets lie:

1. According to U.S. Federal Court Proceedings (Judge McLaughlin presiding Oct. 1948) and Territorial Circuit Court Proceedings (Judge Pence presiding Nov. 1948) the vessel Cheng Ho, appraised originally at 75,000 U.S. dollars, had been fraudulently registered under the French flag in the name of Eric deBisschop "in the office of the Governor of Tahiti" when the vessel actually belonged to an American company incorporated in Honolulu, Hawaii, with mostly American citizens as shareholders.

2. The former French Consul and deporté Eric deBisschop owed Degener (and others whom he represents) a debt in excess of 3,000 dollars, and accumulated interest.

3. Degener owned the option to repossess his vessel Cheng Ho July 7, 1952 for 15,000 dollars according to a contract registered by the Registry of Conveyances for the Territory of Hawaii in Book 2156, pages 247-249 (of which M. Tony Révillon has a photostatic copy). This contract in part reads: "The CHENG HO shall be transferred and delivered to the said OTTO DEGENER in event such option is exercised, together with her engines, machinery, masts, boats, anchors, cables, tackle, furniture and all other necessities thereunto appertaining and belonging on board and free of all liens, claims, taxes and incumbrances of any nature whatsoever."

4. Ex-Consul deBisschop had long chartered the Cheng Ho for the sum of 2,500 French COLONIAL Francs per day in Tahiti to M. Gallois, Member of the Governor's Privy Council (according to a Tahiti letter, June 26, 52.)

5. Degener asked for the visa to Tahiti as early as Nov. 28, 1951 to arrange for repossession of the Cheng Ho July 7, 1952 as per contract and was not informed of its granting by the French Consulate in San Francisco until May 26, 1953. The latter reached him early in June. Thus the French Government in Tahiti delayed 6 months in granting the request and gave Degener just a month to leave New York City to reach far distant Tahiti before July 7 when repossession of the Cheng Ho was due. This delay may have been unavoidable and quite innocent, but it does smack of chicanery and continuation of sabotage begun when Degener was originally refused a visa to visit Tahiti to protect his assets there.

6. Quoting from a letter written by the Tahiti shipchandler Oscar Nordman about Cheng Ho developments, dated Papeete, Tahiti, June 12, 1952, we read: "At a meeting held in the office of Governor Petitbon this morning (11th of June 1952) between the official of the French Government and deBisschop's agent, Monsieur GALLOIS, the following favorable conclusions were reached. According to another letter, this one from Marcel Lejeune, Notaire, Papeete, of same date, we hear: "Pour avoir une connaissance plus complete de cette affaire, j'ai vu Monsieur le Gouverneur Petitbon qui a bien voulu ce matin reunir a son Cabinet, en ma presence, le Chef du Service des Douanes, le Chef de service des Affaires Politiques et Administratives, le Capitaine du Port et Monsieur GALLOIS, actuel affreteur du bateau." From the same letter of M. Lejeune, we learn that Eric deBisschop at the time of the meeting was away in the Austral Islands. Whether Governor Petitbon was present at this meeting of his cabinet I do not know. We do know, however, that the Notary Lejeune was present when the 1.) Customs Chief, the 2.) Chief of Political and Administrative Affairs, the 3.) Harbor Master and 4.) Governor Petitbon's Privy Councilor Gallois (who also represented ex-Consul deBisschop and was charterer of the Cheng Ho), unanimously or not I do not know, concocted the following confiscatory and shameful conditions to trick me gracefully of the Cheng Ho after I had prevented (through my protests to the honest Officials in Paris) the deporte and ex-Consul Eric deBisschop from stealing my vessel by more direct means. Here are the conditions which, had I signed, would have given me practically nothing for the very nice sum of 15,000 U.S. dollars:

"1-. The Government has agreed to allow the option now held by Mr. Otto DEGENER to purchase the vessel "CHENG HO" to be exercised on the specified date, that is 7 July 1952, subject to the following conditions:

(a) In accordance with the agreement set down in the option to buy, the sum of U.S. 15,000 dollars must be deposited in escrow at the Banque de l'Indo-Chine, in care of Maitre Lejeune, Notary on or before 7 July 1952.

(b) Further, in keeping with the agreement, the Cheng Ho will be turned over to Mr. Otto Degener, or his authorized representative, from all incumbrances.

(c) The Governor will approve the formation of a company in which Mr. Oscar G. Nordman, will hold 51% of the shares or interest and Mr. Otto Degener will hold 49% of such shares or interest.

- - - - - The Government recognizes the transfer to the french flag legal and the vessel will so remain. - - - - -"

As I mentioned before in my article "The Good Ship Cheng Ho" there is no agreement anywhere in the contract that I was to deposit 15,000 dollars as guarantee of good faith in any special bank. As Indo China was already at that time in the throes of Civil War, I instead deposited twice the amount at commercial bankers in New York, sending proof of my action to the French Ambassador in Washington. Yet these French Officials in Tahiti demand that I retain under the French flag the American vessel Cheng Ho, fraudulently put under the French flag by the convict deBisschop. This is certainly an incumbrance to me, an American citizen, and contrary to my option contract registered Aug. 16, 1948 by the Registry of Conveyances. These French Officials in Tahiti also require that I form a new trading company around the Cheng Ho, and to surrender 51% of the shares or interest of this company to a Frenchman. Why? Even the vessel "Vega" in the South Seas which flies the French flag legally be-

longs 100% to an American citizen. This arbitrary ruling only robs me of more than half the vessel but all control of her. Furthermore, accumulating reports from Tahiti prove that the once valuable Cheng Ho has greatly deteriorated and never can be reconditioned to anything near the state required by contract. DeBisschop had not only damaged her by 15,000 dollars during the first eight months of his stewardship of the vessel illegally as his property under the French flag. Since that time he has ripped out the teak and camphor wood cabins, sold or given away valuable equipment, allowed her (while chartered by M. Gallois) to run aground upon the coral reef, and neglected timely drydocking to prevent shipworm damage.

The shameful demand of June 11, 1952 subjects me to incumbrances contrary to contract and to confiscation of property. What then do I get for my 15,000 dollars?

7. I had paid 310 dollars passage money to Messageries Maritimes to take me from Marseille to Ceylon on my first stage to Tahiti. I had shipped botanical equipment from the New York Botanical Garden to Marseille to the vessel and had shipped other equipment from the Bishop Museum in Honolulu to Ceylon for me to pick up on my arrival there. Nevertheless, I cancelled my passage, with a 14% refund loss. Why did I do so to the great surprise of the French Ambassador in Washington? The reasons are:

a. The confiscatory demands (mentioned above) of Governor Petitbon's cabinet.

b. The accumulated evidence that the French had by vandalism, neglect and pilfering allowed the Cheng Ho to become little more than a derelict and now wanted to shake me down for 15,000 dollars.

c. The suspicious fact that the French shiphandler Oscar Nordman of Tahiti refused to sign a business contract with me regarding our respective rights in a new Cheng Ho Trading Company UNTIL he had received, as demanded of me by the Tahiti Government, 51% of shares or interest; this lack of confidence was found justified when I received the following report from a friend recently returned from Tahiti. He writes "I presume you are well aware of the gentle suspicion everyone in Tahiti has for Oscareven though they like him they still feel he sank that boat for the insurance and the time he spent in the jug was just retribution." There is likewise an allusion to a former 2 year prison sentence in the magazine "Pacific Islands Monthly," published in Australia.

d. The evident unfriendliness of the Governor in delaying by 6 months the granting of my visa to visit Tahiti, the confiscatory demands (mentioned above) made June 11, 1952 in Tahiti (of which I received notice by mail in New York weeks later), and the impossibility of my reaching Tahiti to arrange for proper repossession with legal advice of the Cheng Ho, as the contract specified, on July 7, 1952.

8. The French Ambassador in Washington alludes to my "violently attacking" the French Administration in Tahiti and my "malicious aspersions on the good faith and impartiality of the magistrates of Tahiti" in my letter of March 24, 1953. Considering what happened, the Ambassador should really be surprised that I was so mild and patient and delayed my attack 5 or 6 years. The reasons for these "attacks" are rather self-evident from the above. Nevertheless, to avoid possible confusion, I repeat them:

a. The former French Consul Eric deBisschop, a *déporté* considered by the U.S. Government an undesirable alien, swindled me and associates to such an extent that he was defendant in Federal and Territorial Courts in Hawaii as far back as 1948.

b. The "Office of the Governor of Tahiti" enables ex-Consul deBisschop to fraudulently register the 75,000 dollar Cheng Ho (flying the U.S. flag and belonging to an American Company incorporated in Hawaii) as his own property under the FRENCH flag.

c. The Governor of Tahiti (after Degener and associates in vain hire the Tahiti lawyer Hoppenstedt to represent them in Tahiti Court against the ex-Consul) denies Degener a visa to visit Tahiti to personally fight for his rights.

d. After complaints about this injustice to officials in Paris and

Washington, Degener was reluctantly granted a three months visa for Tahiti, the notice reaching him in New York after a delay of about 6 months and scarcely a month before he should be in Tahiti to repossess his vessel July 7, 1952. How get to this God-forsaken island, redolent of piracy find an English-speaking lawyer, acquaint him of the facts, and legally fight powerful political forces in a foreign language? Was this 6 months delay necessary?

e. With the déporté and French ex-Consul absent in the Austral Islands, the Governor of Tahiti convened his Cabinet June 11, 1952, at which meeting we learn were present at least the 1.) Notary Lejeune, 2.) Chief of Customs, 3.) Chief of Political and Administrative Service, 4.) Harbor Master, and 5.) M. Gallois who is a Member of the Governor's Privy Council and charterer of the Cheng Ho for 2,500 French Colonial francs (which stand far higher than French francs used in Europe). These men, whether unanimously or not I do not know, in no way question the validity of Degener's option yet demand that Degener pay 15,000 dollars for the vessel (which deBisschop and Gallois changed into a near-derelict) and at the same time turn over 51% of the shares or interest to a Frenchman who once spent 2 years in jail for some insurance swindle involving the sinking of some vessel.

f. When a man like Henri Hoppenstedt, with a rather elementary legal training as is evident from the descriptive list of Pacific Island attorneys on file in some American Consular Offices, can practice in Tahiti Courts after duping his American clients of 150 dollars he accepted for a case, how good are Tahiti Courts?

g. I have lived long enough in the South Seas to know that it is difficult for white people and especially white officials in some foreign Colonies inhabited by colored races to be convicted of wrong-doing. The white race loses "face" or prestige. When a Governor of Tahiti, about the time the Cheng Ho swindle started, got involved in a scandal appertaining to the purchase of enormous quantities of unwanted cement, were Courts in Tahiti competent to handle the case? The Official was quietly transferred from the Colony. What chance, then, has an American citizen in a Tahiti Court against French Officials who must be "white washed" of all blame?

h. I doubt that French Courts have jurisdiction over major elements in the Cheng Ho swindle as the vessel is rightfully American and merely illegally registered as French.

8. The French Ambassador in Washington states that "The quarrels of Mr. Degener and Mr. deBisschop are --- strictly private in character, involving a commercial dispute ---" This statement is nonsense as the above facts show. French Consuls, Governors, Cabinet Ministers and Privy Councillors in Papeete, Tahiti, have all had their fingers in the Cheng Ho pie from its beginning, about six years ago, to the present time. damages

In conclusion, therefore, I request for my unjust losses from the French Government, not from deBisschop whom I could have handled in Honolulu as before with my own lawyer adequately had he not had backing, accidental or otherwise, of French Government Officials in Tahiti.

Sincerely,

Otto Degener

C/o American Express Co.,
Frankfurt/Main, Germany.
Aug. 19, 1953.

My dear Senator Kennedy:

Thank you for your recent letter.

I received a transcription of the French Ambassador's complaint of my actions in the Cheng Ho case. I enclose a copy of it, with my reply appended. I sent the original to the Ministère de Justice in Paris.

This letter of mine is so much the same as my article in "The Good Ship Cheng Ho" that you will hardly have time and interest to wade through it. It shows that I successfully attacked the swindler deBieschop in Territorial and Federal Courts in Honolulu and received, as expected, justice there; but that I wisely gave up this procedure upon his digging in in Tahiti and getting the aid of Governors, Cabinet Ministers and Privy Counsellors in Tahiti who all have stained their fingers in the Cheng Ho pie from its beginning about six years ago to the present time.

The Minister of Justice in Paris is evidently too responsible a person to permit flagrant abuse by French Courts now that his attention has been drawn to this case. Perhaps he will set the stage for such action by me or make it unnecessary for me to go to Court after all. Incidentally, my lawyers Ingman & Ingman of Honolulu have not yet answered me.

Sincerely,

Ch. H. Ingman

August 21, 1953

Treasurer, Territory of Hawaii
Territorial Office Building
Honolulu, T. H.

Attention: Mr. Williams

Dear Sir:

Re: Cheng Ho Trading & Exploring Co., Ltd.

Re our conversation of today, will you please delay any action re the above corporation until the end of this year? We are representing a client who is involved in a litigation with this corporation.

Very truly yours,

INGMAN & INGMAN

David N. Ingman

DNI:gy

Dear Mr. Dupont. <sup>Am Exp Co.
Grandmont Aug 22/1953</sup>

Due to the strike the
mails don't get to Paris,
and it is important
that the Ministère de la
Justice get my letter
with all the facts about
the Cheng Ho case before
coming to a decision.
I bet diplomatic mail
gets to Paris so can't
you enclose this letter
to him in your pouch?
You also know the
Cheng Ho story.

I find the Ambassador
duped by the Tahitians,
has dealt with me in

kindly. He should realize that I am also smarting under the insult of being first refused a visa - like a common man criminal, and

EXEMPTS from a letter sent by the American Booksellers Association to those publishers* NOT listed in the 1962 TLA and BOOKS IN PRINT.

"At the present time there is only one quick way to find out whether or not a book is in print and that is to look it up in BOOKS IN PRINT, the index to the Publishers' Trade List Annual.

"If a book is not listed there, inexperienced clerks (of whom there are hundreds) erroneously report the book out of print. Or a bookseller must take time from selling books to work laboriously over the Cumulative Book Index (provided he owns a Cumulative Book Index) year by year to trace the book.

"Given then he is often unable to report to his customer whether or not the book is still in print if it is issued by a publisher not in the Publishers' Trade List Annual. Very few booksellers have a complete file of separate catalogues of all publishers.

"In either case, sales are lost and unnecessary time is consumed.

"The Directors of the American Booksellers Association feel there is only one remedy to the high cost of reference work and the

justice from the U.S. public by writing to all the larger newspapers as he did in the "1952 News Record," published in N.Y. City. I am getting impatient

United States Senate
WASHINGTON, D. C.

Wednesday - August 26, 1953

Mr. Otto Degener
c/o American Express Company
Frankfurt/Main, Germany

Dear Mr. Degener:

In the absence of Senator Kennedy who is away from Washington following the adjournment of Congress, I am taking the liberty of acknowledging your letter of the 19th.

I am sure the Senator will be interested in the up-to-date information contained in your letter, which I will bring to his attention immediately upon his return to the office.

With kind regards, I am

Sincerely yours,

T. J. Reardon, Jr.

T. J. Reardon, Jr.
Administrative Assistant

TJR:mb

DEPARTMENT OF STATE
WASHINGTON



In reply refer to
L/C 951.537 Cheng Ho, SS/
8-2453.

August 27 1953

My dear Senator Butler:

The receipt is acknowledged of your letter of August 24, 1953, enclosing a copy of a letter of August 18, 1953, sent by Dr. Otto Degener to Le Conseiller Technique, Ministère de Justice, Paris, France, regarding the "Affaire Cheng Ho".

Your letter and its enclosure have been associated with the other documents previously submitted to the Department by Dr. Degener.

Sincerely yours,

For the Secretary of State:

Benedict M. English
Acting Legal Adviser

The Honorable

John Marshall Butler,

United States Senate.

Le 28 Août 1953

Monsieur,

Votre lettre est bien parvenue au
Général de GAULLE.

Il me charge de vous en accuser
réception et de vous dire l'attention avec
laquelle il en a pris connaissance.

Veuillez agréer, Monsieur, l'expression
de mes sentiments distingués.

J. de Gaulle

Monsieur Otto DEGENER
Falkau b. Titisee
BADEN. Zone française
Allemagne

ASSEMBLÉE NATIONALE

RÉPUBLIQUE FRANÇAISE

LIBERTÉ - ÉGALITÉ - FRATERNITÉ

Lucien de GRACIA

Député de la Gironde

Maire d'ARCACHON

RM/MF

ARCACHON, le 3 Septembre 1953

Monsieur le Docteur Otto DEGENER
C/O American Express Cie
FRANKFURT/MAIN
(GERMANY)

Docteur,

J'ai l'honneur d'accuser réception de votre lettre du 10 Août qui a retenu toute mon attention, ainsi que le dossier que vous avez bien voulu me communiquer.

J'interviens auprès de M. le Ministre des Affaires Etrangères à toutes fins utiles et ne manquerai pas de vous informer de sa réponse à cet égard.

Veuillez croire, Docteur, aux assurances de ma parfaite considération.

L. de GRACIA
Député-Maire

ASSEMBLÉE NATIONALE

Lucien de GRACIA

Député de la Gironde
Maire d'ARCACHON

3000
POSTES
C. 8749

12 K 55 = PARIS - 31 =

1901 145 01

Monsieur le Docteur Otto DEGENER

C/o Américan Express Cie

~~FRANKFURT / MAIN~~

(GERMANY)

Munich
Amnappats 1

ASSEMBLÉE NATIONALE

ANDRÉ MORICE

6, Rue Cimmarosa - PARIS 16^e

*30F
POSTES
C. 8749

12 K 55 = PARIS 31 =

American Express Co
München

Monsieur Otto DAGENER

~~Falkau b. Tivisco, Bade~~

~~ZONE FRANÇAISE d'ALLEMAGNE~~

1901 145 01

Allemagne

Falckau L. Titsee,
Baden, Zone française, Allemagne
Sept. 28, 1953.

Cofay

M. le Ministre,
De la France d'Outre-Mer,
Paris, France.

Dear Sir:

I am looking passage for myself and Mrs. Degener to get us to New York City shortly before Christmas. I hope you will settle the Chang Ho claim before January 1 so that we need not reside in Washington to ask for additional help and can continue to ~~our~~ home in Hawaii.

Because the attention of men of unquestioned honesty in Paris is now focused on the Chang Ho scandal in Tahiti and, I believe, Mr. Pfinlin's error in not bringing it to a just and courageous denouement, I am no longer actively writing my complaints to members of my Congress. ~~Not~~ fighting for justice in the Chang Ho case has kept me away from my home in Hawaii since May a year ago and has been most expensive. I cannot wait indefinitely. I believe, therefore, if the claim is not settled by January, I should save ^{myself} further time and labor for myself by having the entire history of the case printed in pamphlet form in an edition of about 1,000 and ^{with it} petition my Congress to pay me my claim out of some appropriation intended for France.

Please keep me informed of your progress. I shall remain in the French Zone of Germany so that your representative can more readily contact me.

Sincerely, Dr. Otto Degener

Falkau b. Titisee, Baden,
Zone francise, Allemagne.
Oct. 9, 1953.

My dear M. Berthet:

The enclosed article, written mainly for Members of my Congress after my plea for Justice was ignored by French Officials like the Ambassador and the Ministre de la France d'Outre-Mer, explains how past and present French Government Officials have been conspiring with the déporté and former French Consul Eric deBisschop to swindle me out of my vessel Cheng Ho (valued at U.S. 75,000 dollars) and other assets. Because of this outrage I respectfully demand payment of 63,000 dollars damages, as of July 7, 1952, with interest, from the French Government.

Since May a year ago, I have been complaining about the Cheng Ho swindle to a few Members of my Congress (including the Committee on Foreign Relations), to the U.S. State Department and to some of your colleagues. They then kindly aided me with a visa for Tahiti, first apparently withheld by the Governor of Tahiti to sabotage my repossession of my vessel. This had been fraudulently registered under the French flag as the property of ex-Consul deBisschop "in the Office of the Governor of Tahiti" some time before. But granting me a belated visa does not end the Cheng Ho scandal nor the responsibility of the French Government.

(and many more people are being deceived by her)
This article, as well as the one in answer to the Ambassador's letter, also explains why my claim comes to 63,000 dollars and why I as American Tax Payer feel it silly for America to send France any more funds until this claim is paid. Can we trust France with the expenditure of funds so long as her present Government tolerates a swindle like that of the Cheng Ho? Look at the Anziani-cement scandal in Tahiti, and now that of the Cheng Ho!

To many of us it seemed absurd for former Minister-Pres. Mayer to go to Washington last Spring seeking money from the American Tax Payer for expenses in Indo China so long as French Officials are practically robbing an American Tax Payer of a ship in neighboring Tahiti. Letting the Cheng Ho case drag on in this picayune way year after year will not earn for France America's greater confidence.

May I request that you help the Ministres de la Justice, des Affaires Étrangères and de la France d'Outre-Mer punish the bold swindlers in Tahiti and see that I am reimbursed for my unjust losses? When my claim is settled, I am ready to sign a release, report to Washington that the Cheng Ho case is ended, and return to my home in Hawaii to continue my botanical researches.

Sincerely,

THE NEW YORK BOTANICAL GARDEN
BRONX PARK
NEW YORK 58, N. Y.

CHAIRMAN OF THE BOARD
JOSEPH R. SWAN
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R. GORDON WASSON
DIRECTOR
WILLIAM J. ROBBINS

October 2, 1953
Air Mail

Dr. Otto Degener
Villa Hosp.
Falkaub. Titisee
Baden
Germany

Dear Dr. Degener:

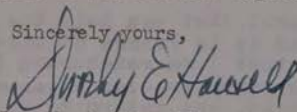
Dr. Robbins brought me the postal card which he had received from you, indicating you and Mrs. Degener are enjoying a happy sojourn in Yugoslavia.

In discussing your present location, we both thought that an article on the flora of the chalky region around Dubrovnik would make an interesting and valuable contribution to The Garden Journal - if we could prevail upon you to prepare it.

Will you accept this assignment?

With kind personal regards to you and Mrs. Degener,

Sincerely yours,



Dorothy E. Hansell
Editor, The Garden Journal

DEH:md

Empfangschein Récépissé Ricevuta

für

pour

per

Frankomark
Timbre-poste
Francobollo

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Gegenstand
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Wertangabe oder Betrag
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à
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F. 18.11.53-10Unterschrift des Postbeamten
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* von gründerzeit
* pour ses premiers de droit
* se est case

Der in der Schraffierung leer bleibende Raum ist mit starken waagrechten Strichen (—) auszufüllen. Ist keine Eintragung zu machen, so sind die Striche durch die ganze Schraffierung zu ziehen.

Les espaces non utilisés des hachures doivent être barrés d'un fort trait horizontal (—). S'il n'y a pas de chiffres à indiquer, le trait sera tiré à travers toute la hachure.

Gli spazi dello sgraffio non occupati da cifre devono essere riempiti con una forte linea orizzontale (—). Se non vi sono indicazioni da fare, la linea deve essere tracciata su tutto lo sgraffio.

P 3154 - III. 43.

A 6 (148 x 105). - Qu. O 65.

AG/AQ/

PARIS, LE 19 OCTOBRE 1953.

Cher Monsieur,

J'ai bien reçu votre lettre du 10 Octobre 1953.

La question que vous me soumettez n'est pas de ma compétence et me semble relever des Tribunaux.

Vous savez que la Constitution Française prévoit la séparation des Pouvoirs Judiciaires et des Pouvoirs législatifs, ce qui ne permet pas aux parlementaires d'intervenir dans les affaires de ce genre.

Veuillez agréer, Cher Monsieur, l'expression de mes sentiments les meilleurs.

Monsieur OTTO DEGENER
Jalkau B. Titisee
BADEN

Zone Française
(Allemagne)

Albert Gazier

ALBERT GAZIER
Député - Ancien Ministre



Société Anonyme au Capital de 6.000.000 de frs.

R. C. Seine 210.603 B

C. C. Postal Paris 242-53

Tél. : ELYsées 98-31

DIRECTION

LE FIGARO

14, Rond-Point des Champs-Élysées - Paris-8^e

Paris, ce 20 Octobre 1953.

Monsieur Otto DEGENER
Falkau B. TITISEE, Baden
ALLEMAGNE (zone française)

Monsieur,

Mr. Pierre Brisson a pris connaissance de votre dossier. Malheureusement LE FIGARO ne peut pas intervenir dans des litiges intéressant des individus. Il ne peut s'immiscer dans l'action judiciaire en cours.

Nous vous retournons vos documents comme vous nous le demandez et vous prions d'agréer, avec nos regrets, l'expression de nos sentiments distingués.

LA SECRETAIRE DE LA DIRECTION :

J. Falkau

To assist:

*Reçu
L'éditeur
L'éditeur
Paris.*

Agence France Presse

Stark umrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

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Stark umrandeten Teil selbst ausfüllen!

Schein sorgfältig aufbewahren!

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an- gegebener Wert oder ein- gezahlter Betrag				
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Einlieferungs-Nr.	Gewicht kg	g
814	15	

Postannahme

Stuty

C 62 Din A 7

ASSEMBLÉE NATIONALE



70 X 53 = PARIS-31 =

Monsieur OTTO DEGENER

~~Adresser à: Titulaire~~

21/11 fruiting BADEN
----- (Zone Française)
(ALLEMAGNE)
Stepf 15-64

ASSEMBLÉE NATIONALE



70 X 53 = PARIS 31 =

Monsieur Otto DEGENER

~~WATIALUA~~

OAHU

(Hawaii)

40 Botanical Garden
Königin U. S. A.
Berlin-Dahlem
Germany

AFFAIRES ÉTRANGÈRES

LE MINISTRE

Loich.

Paris, le

12 NOV. 1953

Monsieur le Député et cher ami,

Comme suite à votre intervention, j'ai l'honneur de vous faire savoir que le litige qui oppose M. DEGENER, citoyen américain et M. Eric de BISSHOP, de nationalité française, n'est pas inconnu des services de mon Département ni de ceux du Ministère de la France d'Outre-Mer.

Ce litige est d'ordre purement commercial et privé; M. Otto DEGENER a du reste été invité à se pourvoir devant les tribunaux locaux des Etablissements français d'Océanie, lesquels sont, sans nul doute, disposés à étudier le bien fondé des réclamations de l'intéressé.

M. DEGENER ne saurait considérer que le différend dont il s'agit mette en jeu le gouvernement français "étant donné les fonctions officielles de la partie adverse". En effet, si M. Eric de BISSHOP a bien été agent consulaire

Monsieur Joseph SCHAFF
Député de la Moselle
Palais-Bourbon
P A R I S.

...

de France à Honolulu avant 1945, ce ressortissant français
n'a plus, depuis la fin de la dernière guerre mondiale,
aucun lien avec le Ministère des Affaires Etrangères.

Je vous prie d'agréer, Monsieur le Député et
cher ami, les assurances de ma haute considération et de
mes bien cordiaux sentiments./.

Bidaud

Bitte sorgfältig aufbewahren!
Der Absender wird gebeten, den umsendeten Teil selbst auszufüllen.

Einlieferungsschein

Gegenstand (z. B. E. & S.)			
(Abkürzungen s. umschliegendes A.)			
an- gegebener Wert oder ein- schätzbarer Betrag	FLA	Nach- nahme	FLA
	(in Ziffern)		(in Ziffern)
Emp- fänger	De Villon		
Bestim- mungsort	Paris VII		

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Einlieferungs- Nr.	Gewicht	
	kg	g
762		



Postannahme

+ C 62, DIN A 7
(V, 2 Anl. 23)

PARIS, LE 19 Novembre 1953

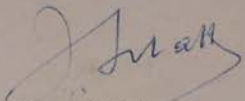
(1)

Monsieur,

J'ai l'honneur de vous faire parvenir, ci-inclus, la réponse que le Ministre compétent m'a adressé à la suite de mon intervention.

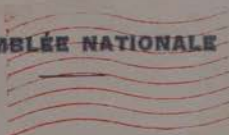
Si vous jugez les renseignements fournis incomplets, je vous prierais de bien vouloir me retourner la lettre annexée avec vos observations.

Veillez croire, Monsieur, à l'assurance de mes sentiments les plus dévoués.


Député-Maire

(J. Schaff)

ASSEMBLÉE NATIONALE



21 X 53 = PARIS 31 =

Monsieur le Docteur Otto DEGENER
C/O American Express Cie

~~Villa Hopp~~
MÜNCHEN

24
n Freiburg

falkau
Le Tintin
(Allemagne)

Gef. 67

Basen

L'Hon. M. T. Schaff Freiburg / Br., Allemagne.
Dec. 6, 1953.

My dear M. Schaff:

Copy

Mrs. Degeuer and I have been doing a little travelling recently, and your letter of Nov. 19 recently caught up with us here in Freiburg. *Zone française*! Next week we shall be in Holland, and from December 17 on, until the Cheng Ho case is settled, at 24 East 82 Street, New York City.

If France cannot settle the Cheng Ho claim with justice perhaps by an appropriation through the ^{responsible} ~~Assemblée Nationale~~ ^{Government Officials in Tahiti} ~~Assemblée Nationale~~ if not by forcing the ~~Assemblée Nationale~~ ^{Government Officials in Tahiti} to make restitution, I had planned to approach Members of the United Nations in New York and Members of my Congress in nearby Washington. The latter could certainly add a "rider" ^{stipulating} ~~demanding~~ the payment of this claim to a bill appropriating ~~some~~ a loan to France. It would put an end for ever to this distasteful affair that certainly leaves us Americans with the idea that if conditions are so corrupt in one of ~~the~~ ^{our} Colony of France they may be equally corrupt elsewhere.

I herewith enclose facts about the case. ^{When} ~~enclosed documents~~ ^{the letters as best} in New York I shall translate ~~the letters as best~~ I can into French and write you again. They are in English to facilitate their study by my sewer hapselators in Washington.

Thank you again for your interest in wishing to end this imbroglio.

Should you have any other questions, I shall be glad to answer them. Sincerely,

Dr. Otto Degeuer
by letter or, if you wish, to your Consul
agent in New York.



Copy

RMS. *Nieuw Amsterdam,*
Dec. 15, 1953.

Holland-America Line

Dear Sir:

Regarding the "Cheng Ho" swindle
by past & present French government
Officials in Tahiti, please note that
my new address will be

24 East 82 St.,

New York City, N. Y.

If you cannot settle the Cheng
Ho claim of approximately \$63,000,
plus additional interest, soon, I plan
to petition the 300 or so Members
of my Congress in Washington to
add a "rider" (demanding payment
of the claim) to a Bill appropri-
ating funds for France before those
funds leave the United States. If
the government of France can-
not straighten out ^{these} dishonest
actions in Tahiti, I imagine I
must thus ask my own Govern-
ment to correct the injustice.

Please send me a progress report
of my claim so far as your Depart-
ment is concerned.

Sincerely,
Dr. Otto Sauer