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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.

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OCT 20, 1968  
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BOTANICAL LIBRARY



Hunt Bot. Library,  
Carnegie-Mellon University,  
Schenley Park,  
Pittsburgh, Pa., 15213.



**BACK TO PRIVATE OWNERSHIP**—The once-luxurious junk-type Cheng Ho, pictured here at a Pearl Harbor mooring, was returned by the maritime commission Monday afternoon to Otto Degener, acting as agent in the transaction for Mrs. Anne Archbold, former owner. At the outset of the war, Mrs. Archbold turned the Cheng Ho over to the navy for military service. Mr. Degener was one of the scientific expedition which the vessel carried through the South Seas prior to the war. It is indicated that the Cheng Ho will now be drydocked and surveyed for rehabilitation. (Official U. S. navy photo.)

*Hon. Adv. 2/6/47*

# BURDENED WITH WRITS 'Cheng Ho' In Honolulu

THE converted Chinese junk "Cheng Ho," well known in the South Pacific before World War II, has been in legal trouble lately; and at last advice, she was tied up in Honolulu, "restrained" by sufficient attachments, writs, Court orders and what-not to sink her at her berth beside No. 7 Pier.

When war came, she belonged to the Archbold Expedition, which had been doing important scientific work in New Guinea. She was used during the war by the United States Admiralty; and in 1946 or 1947 she was sold by Mrs. Anne Archbold to Mr. Otto Degener, a well-known botanist, and resident of Honolulu. Mr. Degener sold her to the Cheng Ho Trading and Exploring Co., which was incorporated in Honolulu on July 7, 1947, with Mrs. Eric de Bisschop as president and Mr. Degener as secretary-treasurer, to trade between Hawaii and French Oceania. There were changes in the ensuing three months; but apparently in the final agreement, Degener was to receive 4,383 dollars; had the right to make one round-trip in the ship each year for scientific purposes; and the further right to purchase the vessel for 15,000 dollars not later than July, 1952.

Under the command of Captain Eric de Bisschop, the "Cheng Ho" sailed from Honolulu in November, 1947. This picturesque French sailor and writer has been frequently in the Pacific news.

In 1938, he built a two-masted South Pacific type canoe in Honolulu, with a crew of one, took her under sail to France, via the Cape of Good Hope—a

remarkable feat. When war came, he was French Consul in Hawaii; and he got himself into the bad graces of the Allies by adhering to the Vichy Administration. Since then, he has acquired a beautiful South Pacific Island (Eiao, in the Marquesas) and a beautiful wife—the former Constance Consable, a talented artist. Apparently, de Bisschop acquired most of Degener's shares in the Cheng Ho Company, and he, William Scholtz and Harry Brooks between them hold the majority of shares.

The voyage from Honolulu to French Oceania was quite successful. While in Papeete, the "Cheng Ho" was registered under the French flag, with Captain de Bisschop as owner. This started the trouble.

IMMEDIATELY after the Cheng Ho returned to Honolulu, on July 31, 1948, Degener issued a writ of attachment. He claimed that only 500 dollars of his 4,383 dollars had been paid—he sued for the balance. The minority shareholders (some half-dozen, including Degener) took legal action to compel the three majority shareholders to give an accounting; two Hawaiian crew-men lodged a special claim; and eight Tahitian members of the crew sued for wages due.

From then on, the "Cheng Ho" was "under restraint" frequently before various Hawaiian Courts—and was not kindly regarded by the judges, who found the Co.'s legal and financial affairs "extraordinarily complicated." In October, a Court awarded 1,000 dollars each to the Hawaiian crew members as back pay, although de Bisschop claimed they had been fully paid off at Tahiti, and had been allowed to work their passages home to Honolulu. On November 8, the eight Tahitian members of the crew—who had been living ashore in Honolulu, with friends, and whose wages claims had been adjusted—got away to Tahiti as members

of the crew of the unique gaff-rigged, Nova Scotia-built schooner "Ornant" (E. J. Thomas, skipper-owner).

On November 18, another judge ordered that the "Cheng Ho" should remain in Honolulu, pending litigation. The case of the minority against the majority stockholders was due to commence hearing on December 5. A judge said: "I don't want that ship to sail until I see the new registry act." Captain de Bisschop explained that the registration of the ship in Tahiti in his name, instead of that of the Co., was due to a clerical error in the office of the Governor of Tahiti; and every effort was being made to have the error corrected.

In the course of these proceedings, a Honolulu broker officially valued the "Cheng Ho" at 60,000 dollars.



Captain and Mrs. de Bisschop.

PACIFIC ISLANDS MONTHLY—MARCH, 1949

## NOTICE

The undersigned owns option to purchase his former junk-yacht CHENG HO in good condition in 1952 besides other rights, and invites correspondence with reliable interested parties.

—OTTO DEGENER.

## BOOKS

NEW ILLUSTRATED HAWAIIAN FLORA.  
Second Edition, 1192 pages, with 439 plates. (Many Hawaiian plants likewise grow elsewhere in the South Seas) .. 10.00

PLANTS OF HAWAII NATIONAL PARK.  
ILLUSTRATIVE OF PLANTS AND CUSTOMS OF THE SOUTH SEAS.  
Second Edition, with war emergency paper cover. 333 pages, with 146 illustrations .. 12.50

First edition, similar to above, but on superior paper, with coloured frontispiece and board covers .. 10.00

NATURALIST'S SOUTH PACIFIC EXPEDITION: P.I.L. 311 pages, with 156 photos .. 10.00

(It is impossible to return American currency; authentic native artifacts may be accepted in exchange.)

Order from Author: OTTO DEGENER, Waialea, Oahu, Hawaii, U.S.A.

PIM, Sept. 1949, p. 47

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PIM, Dec. 1948, p. 24.



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The junk, under command of Captain de Bisschop, sailed to Tahiti in 1947. There, she was registered in the name of de Bisschop. She returned to Honolulu in July, 1948, and she was found to be the same ship as the one which had been



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To W. G. Hume; Chung; ... all the Tahitian ...



**SAILORS 'ON THE BEACH'**—These six pareu-clad Tahitians helped sail the junk Cheng Ho here from Papeete, arriving in Honolulu on July 31. Because of a legal dispute, which found the junk attached, they are temporarily living at Kailua with Mr. and Mrs. William Riggan. But they're having a wonderful time, they say. Kneeling, left to right, are Tane, Reipo and Edouard. Standing are Roger, Theodore, Makoto. For full names, read the story. (Advertiser photo.)

## 8 Stranded Tahitians Are Broke But Happy

By WALTER CHRISTIE JR.  
Advertiser Staff Writer

The eight Tahitians who sailed the junk Cheng Ho into Honolulu harbor on July 31 are stranded and broke—but they're having a wonderful time. Since the junk was attached last week end, when the sheriff ordered them off the vessel, six of the Tahitians have found their way to the Kailua home of Mr. and Mrs. William Riggan.

They're living comfortably, eating heartily and regularly, and really enjoying their virtually enforced stay in Hawaii.

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The six whom we interviewed are Tane a Teritianebo, Reipo Tuaira, Edouard Toomaru, Roger Johnston, Theodore Tamaru, Tu and Makoto a Faraite. The other two, who have been staying with Otto Degener, are Tapu a Manhea and Manuel Teitoroo.

**TANE, UNLIKE** the others, speaks English, and it's good English at that. In fact, this Tahitian would put to shame about half of Honolulu's "pidgin English" school students.

"Hawaii is a wonderful place," he said, "and it's a beautiful beach. I like it here," he replied.

**TANE AND REIPO** both made pre-war visits to Honolulu, "but I couldn't speak English then," Tane grinned. "I felt lost."

Any of these six Tahitians would make a good story by himself. Take Edouard, for example. He's a veteran of the French navy. During the war, his ship saw duty in Australian waters. He's a well-built, "typically Tahitian" type.

How do they keep busy? Mrs. Riggan answered that. She said they swim, they eat, they play soccer, they sing, they dance, they take naps, they fish, they help with the housework, they work in the yard, they're building an out-rigger. They even take turns baby-sitting (the Riggans have two daughters, one of whom already has a husband).

**MRS. RIGGAN**, although born in Hawaii, is a French Canadian. She is a widow and has two children.

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**A CHARGE OF** "fraudulently converting said proceeds to their own use and purposes" was inquired with the sailors when the petition. The minority stockholders also said they had plants, consigned in the Riggans reason to believe plans were being made to remove the junk and the company's books out of the court's jurisdiction.

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*Hen. Adv. 10/29/48  
Duffel, Archibald, Banks,  
Smith, Press, Juma,  
Robbins, Johnson,  
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Wofford, Will, Soc.  
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The sailors themselves are making the best of it, and they're having a wonderful time, which is just what we said way back in the opening paragraph.

**P. S.** If you're over Kailua-Lanika way, drop by 31 Kailua Road with a carton of cigarettes for the Tahitians. They'll appreciate it. Okey!

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"How does this compare Tahiti?" we asked Tane, pointing toward nearby Honolulu. "It's like home."

"Good swimming. Good fishing. Good fun."

And Mrs. Riggan chuckled good food. The sailors are having a grand time "discovering" such American standbys as hot dogs and pop, and occasionally feasting on breadfruit, raw fish, and other Polynesian standbys.

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Shuff, Tan Chi,  
Wofflet, Will, Soc.  
Oceanists*

*Don't  
photocopy*

Tahiti. The Riggans became acquainted with the sailors when the Cheng Ho arrived with several plants, consigned to the Riggans from her Tahitian kin.

They invited the boys to visit them at their home at 31 Kailua Road. The Riggan home has become a sort of second home for these Tahitians. And everybody quickly realize, is having a whale of a good time, including their host and hostess.

But what about the future? The seamen are broke, and nobody knows yet just how long they'll remain on Oahu.

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P/M*



## MC Here On Search For Otto Degener

That ship is here again!

Harry A. Ayres, regional director here for the U. S. maritime commission, reported Friday that he has just been authorized to deliver the 99-foot junk-type Cheng Ho to Otto Degener—but the catch is that Mr. Degener cannot be located.

Mr. Ayres said that wealthy Mrs. Anne Archbold of Washington, D. C., who had the once-fabulous Cheng Ho built to special design in Hong Kong in 1939, had paid \$1 to the maritime commission and has instructed it to redeliver the craft to Mr. Degener as her agent.

A search of the telephone directory and city directory and investigation through every other available source, the MC representative said, have failed to yield a clue as to the man's whereabouts. Meanwhile, the Cheng Ho—which says its masts and rig were towed from Pearl Harbor to Pier 5—has since the navy has relinquished its use of the Honolulu pier.

To complicate matters further, it was understood last August that the Cheng-Ho was to be given by Mrs. Archbold to the Sea Scouts of Honolulu.

Executive board members of the Honolulu council of Boy Scouts, headed by President Wade Warren Thayer, and committee men and skippers of 10 different sea troops, met at Pier 5-W last Aug. 8 and "decided to accept the gift of the Cheng Ho by Mrs. Anne Archbold, registered owner. . . . A story regarding the acceptance appeared in the Aug. 9 Advertiser.

Whether or not Mrs. Archbold still intends to turn the vessel over to the local group following its redelivery to her agent—provided he can be found—is not quite clear. Mr. Ayres said his knowledge of the vessel's disposition does not go beyond the redelivery point.

Hon. Adv. 12/14/46

## Junk Cheng Ho To Be Sold at Auction Monday

The picturesque Chinese junk Cheng Ho, owned by the Cheng Ho Trading & Exploring Co., will be sold at auction by the U. S. marshal next Monday at noon.

Scene of the sale is Pier 7, where the craft is moored. It is to be sold to meet a court judgment of \$1875 recently awarded by Judge J. Frank McLaughlin.

The judgment is in favor of two seamen who sued to collect back wages and stock in the company earned on a trading voyage to Tahiti last year.

According to Otto F. Heine, U. S. marshal, the Cheng Ho will be without an upset price to the highest bidder. The sale is subject to court approval. Appraised value of the Cheng Ho is \$80,000. It is under French registry.

Hon. Star-Bull 11/22/48  
Dupl. Archbold, Honolulu  
Doc. Oceanistes

## Chinese Junk Cheng Ho to Sail South Seas in Commercial Trade

The once glamorous Chinese junk, Cheng Ho, is again being readied for sea.

In a dockyard at Pier 27, the 99 foot vessel, a veteran of scientific expeditions in the south seas and pacy utility duty in the Hawaiian island area during the war, will again ply the southern seas.

This time she will sail in the Hawaii-French Oceania trade for the Cheng Ho Trading and Exploring Co. Mrs. Eric de Bisschop, wife of the French consul in Honolulu is president of the new company.

The new enterprise will be a combination of trading and scientific research in the south Pacific according to Otto Degener, owner of the junk.

The quaint looking craft was launched in Hongkong in 1929. The owner was then Mrs. Anne Archbold.

The vessel arrived here in April 1941 and was sold to the navy in July 1941 for one dollar.

After receiving an "unsatisfactory" report from the navy as a utility vessel, it was returned to Mr. Degener, agent for Mrs. Archbold, early this year.

Named after a Chinese admiral who sailed to Persia in the 15th century and brought back the first giraffe to China, the Cheng Ho combines ancient and modern sea-going techniques.

Above the waterline, the junk is a replica of Chinese vessels of the 15th century. Below the waterline, she is driven by twin screws, powered by two modern 110 horsepower diesel engines.

The new owner expects his vessel to be ready for sea in a couple of weeks.

Hon. Star-Bull 8/25/47  
Dupl. to Soc. Oceanistes  
Trade And Travel

## Junk Cheng Ho Returns After Trading Voyage

Eight months after she left Honolulu on her first voyage for the Cheng Ho Trading & Exploring Co., Ltd., the junk-type Cheng Ho returned to port Saturday morning and tied up at Pier 7-E. She is home from Tahiti by way of the Marquesas Islands.

When she left Honolulu her cargo area was filled with foodstuffs, notions and other commodities much in demand by residents of French Oceania. Her return cargo was chiefly vanilla beans—about two tons of them.

Capt. Eric de Bisschop, former French consul in Honolulu, is master of the one-time luxury ship which now flies the French flag. He left here with a crew of six and returned with 14, eight of whom joined the Cheng Ho at Tahiti.

Crew members reported that Tahiti now gets only one cargo ship about every six months and that these vessels discharge only 25 or 30 tons of goods. Consequently, the populace suffers "shortage of everything," and prices are high. American cigarettes sell at 60 cents a package, the men reported.

It is expected that the Cheng Ho will be in port about a month before embarking on her No. 2 voyage. She left Tahiti July 8 and spent several days in the Marquesas en route to Honolulu.

Possibility that the junk-type yacht, Cheng Ho owned by Mrs. Anne Archbold of the East coast may continue her war-interrupted scientific work in the Pacific has been indicated by Otto Degener, the owner's agent here, to whom the vessel will be redelivered after wartime service with the navy.

The following news item has been sent to the Mainland regarding the craft, whose arrival here in the spring of 1941 created such a flurry of interest among waterfront circles:

"The Cheng Ho, fabulous 100-foot Chinese junk-yacht in which Mrs. Archbold explored the Pacific in search of rare and useful plants, first with David Fairchild and second with Mr. Degener, is now lying in West Loch, Pearl Harbor.

"Mrs. Archbold, at the advent of the war, offered this vessel to the navy for use as a patrol boat in Hawaiian coastal waters. The Cheng Ho, for her war service, is entitled to fly a proud pennant; but she is sorely wounded.

"Thieves, convicted by court trial, stripped her of some of her belongings. Mr. Degener, who sailed on the Cheng Ho in Filipino waters and knows the vessel well, is now in Honolulu as Mrs. Archbold's agent. He is negotiating with Lt. J. Smith, district coast officer, regarding the possible repair of the Cheng Ho in the hope that she can continue her exploratory work in the Pacific."

Hon. Adv.

Hon. Adv. 8/3/48

Dupl. Soc. Oceanistes

THE CHENG HO AGAIN

IT appears that the ownership of the Chinese junk Cheng Ho is still in dispute between Hawaii interests and the people who took her to Tahiti and transferred her to French registry.

Mr. Otto Degener, of Honolulu, who claims ownership, has given his Power of Attorney to Mr. Oscar Nordman, of Papete, and has instructed him to take certain action. If a case is taken to the courts, it probably will be protracted and bitter.

PIM Feb. 1952

THE CHENG HO AGAIN

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## CHENG HO AGAIN

THE famous cruising junk, Cheng Ho, now engaged in inter-island trade in French Oceania, is back again in the Honolulu Courts.

In 1948, Otto Degener and Mr. and Mrs. de Bisschop (who operate the junk) had a legal battle over ownership. It was settled on December 1, 1948, when Mrs. de Bisschop, for the Cheng Ho Trading Co., signed a series of promissory notes. They became overdue on December 9, 1949, whereupon Otto Degener again filed suit in the Hawaiian circuit court.

PIM Jan. 1950

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The Junk, Cheng Ho.



# South Sea Islands Prove Hard to Get

How Adv. By ELAINE FOGG 10/7/48  
Advertiser Staff Writer

Who has not, in this age of inflation, labor strife and atom bombs dreamed of a remote South Sea isle where he might retire away from it all? Almost everybody has. But the few who have tried translating dream into reality have discovered that South Sea Islands are extremely hard to come by.

They turn out usually to belong to somebody else. The one Capt. Eric de Bisschop "discovered" during his recent South Seas voyage as skipper of the Cheng Ho belongs to France. Barring unforeseen developments, it will continue to belong to France.

BUT APPARENTLY inflation has not yet hit the South Sea islands market. The French government has granted him exclusive rights to the island of Elao (about the size of Lanai) in the Marquesas for the French equivalent of \$20 a year. There is no time limit.

There are a few "strings" attached. He must, for instance, develop upon Elao some activity which will be for the good of the Marquesas as a whole as well as for any benefit to Capt. de Bisschop and his family.

THE SKIPPER says he intends to use it chiefly for extensive study of the fish which abound in that area and to develop the resources which already exist upon the island. These include freshwater springs and a small river, a tiny natural harbor, fertile soil atop a high plateau and a type of hardwood tree found only in French Oceania.

They also include cattle, sheep and pigs—progeny of animals brought there half a century ago

by an ill-fated predecessor of Capt. de Bisschop in developing the island concession. Known to the Cheng Ho's master only as Ozanne, this Frenchman of 50 years ago dreamed of transforming Elao into a thriving plantation and title community.

HIS DREAMS, however, cracked up along with his three-masted schooner in which he was bringing supplies from San Francisco to Tahiti. Financially crippled by the shipwreck, he was forced to abandon both his plans and his island, leaving behind him the livestock and the pattern of a road he had started to build across the plateau.

Nine of the sheep from Elao were put aboard the Cheng Ho to provide fresh meat on the return trip to Honolulu. "I'll admit," Capt. de Bisschop said, "it was hard to kill them—especially that last one. We'd come to consider them as pets. They had never shown any fear of us whatever, even when we first went ashore."

ANOTHER Elao native which came to Honolulu aboard the Cheng Ho is a few-months-old pig which devours canned milk, coconuts or crew members' shoes with equal relish. Piggy is strictly for mascot—at least until he outgrows that role.

Elao is completely uninhabited.

No natives have been known to live there in modern times. However, Capt. de Bisschop said, in scouting over the island he and his men found ruins of pyramids and parts of ancient stone weapons to indicate that the island once had a mysterious population of its own.

"AT THE NORTH side of the plateau," he said, "stands a huge banyan tree. Around the tree is a circle of stones apparently piled there on top one another at one time. Perhaps the tree was a center of worship for the ancient people."

While he explored his island, Capt. de Bisschop said he discovered a number of errors on the charts and maps which had been given him for the inspection trip. As a member of the French Hydrographic society and a man with considerable experience in that type of work, he drew up corrected charts and reports which were submitted to Washington.

ON SEPT. 15, R. A. Simons, chief of the office's section of notice to mariners, wrote to the Cheng Ho skipper:

"Dear Sir: Your very excellent and informative hydrographic report concerning Moruroa atoll has been forwarded to this office from our branch hydrographic office at Honolulu and is acknowledged with thanks."

"The information will be used immediately to correct the charts and sailing directions and will be published on Notice to Mariners 38 dated Sept. 18, 1948. Your cooperation in forwarding such accurate and detailed reports is most appreciated."

ELAO IS ABOUT 35-40 miles from the major island of the Marquesas group, Nukuhiva. The skipper described this group as being actually much more beautiful than the Society Islands, and more primitive.

A lot of people," he said, grinning, "think they want to find a remote isle and get away from it all. But it takes a rare type of human make-up to find happiness or even endurance in such surroundings. The average person left for any length of time on an island like Elao would find the unbroken silence and the loneliness infinitely more nerve-shattering than daily headlines or city traffic or the price of meat."

Capt. de Bisschop said he hopes soon to turn the Cheng Ho's bow south again toward Tahiti and to visit Elao on each of his return trips to Honolulu.

# Cheng Ho Sale Is Called Off

The Cheng Ho Trading & Exploring Co., Ltd., Monday won a week-long race with the U.S. marshal's auctioneer — and had five minutes to spare.

The company's principal asset—the trading junk Cheng Ho—was scheduled to have been sold to the highest bidder at noon to settle an admiralty court libel judgment against it.

A CHECK for \$2,131.80, covering the judgment, sale costs and a territorial claim of \$200 for wharfage, was delivered to clerk of the federal court William Thompson at 11:55 a.m. It arrived just as Marshal Otto Heine was leaving for Pier No. 7 to conduct the sale.

The check was signed by Jamie E. Parsons, a Honolulu marine engine repairman.

THE AUCTION had been ordered last week when the company failed to pay off the \$1,787 awarded as back wages and stock to two former crew members Harold English and Saturnino Malayo. The ship's captain, Eric de Bisschop, twice sought to have the sale postponed while he tried to raise funds to settle the judgment.

Nearly 50 persons were on hand at Pier No. 7, awaiting the auction. None would reveal whether they were prepared to bid for the Hong Kong-built junk.

THE SHIP WAS built as a luxury exploring vessel shortly before the war. It has been owned by the Cheng Ho company since a short time after it was released by the navy from wartime service. It is registered in Tahiti as a French ship and the company intends to use it for south seas trading.

But the lifting of the judgment against the Cheng Ho still didn't clear the colorful vessel for sailing. The ship is held in Honolulu by a circuit court order, pending proof of its registration in Tahiti. And an injunction suit against de Bisschop and other majority stockholders in the company is scheduled to start Dec. 8.

How Adv. 11/30/48  
Dupl. John Redding, La  
Dima, Archibald, La  
Presse, Sec. Oceanists

## LEGAL NOTICES

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
APRIL TERM 1948  
TANE A. TERAMAHU, EDWARD TOOMARU, REIPU TAIRA, ROGER JOHNSTON, MANUEL TEITIOROO, MAIROTO TAPARA, TAPU A. MAHEA, and THEODORE TAIARU TU, Libellants,

The JUNK CHENG HO, her Engines, Tackle, Apparel, Furniture, etc., Respondents.

IN ADMIRALTY  
No. 407  
ORDER  
GOOD CAUSE APPEARING THEREFOR, IT IS ORDERED that process in due form may issue against The JUNK CHENG HO, and that all persons claiming any right title or interest in said vessel, her engines, tackle, apparel, furniture, etc., may be cited to appear before this Court on the 3rd day of September, 1948, at 10 o'clock A.M., and that upon seizure the Marshal shall publish notice in the HONOLULU ADVERTISER on August 23, 1948, of the arrest, the publication to contain the title of the suit, the cause or nature of the claim, the order of the court, the time and place of the return of the warrant and monition, with notice to all persons desiring to appear or that default and condemnation will be ordered, with names of the Marshal and Proctors.

DATED: At Honolulu, T. H., August 23rd, 1948.

(S) J. FRANK McLAUGHLIN  
Judge of the above entitled suit.

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII, TANE A. TERAMAHU, EDWARD TOOMARU, REIPU TAIRA, ROGER JOHNSTON, MANUEL TEITIOROO, MAIROTO TAPARA, TAPU A. MAHEA, and THEODORE TAIARU TU, Libellants vs. The JUNK CHENG HO, her Engines, Tackle, Apparel, Furniture, etc., Respondents. Admiralty No. 407. NOTICE OF ARREST OF PROPERTY. Notice is hereby given that the above named vessel, engines, tackle, apparel, furniture, etc., has been arrested in the above action and is now held in my custody, that the nature of the claim for which it is held, costs of reparation and damages arising from the failure of the master and owner of said vessel to furnish food and shelter, that the amount demanded for wages due is Three Hundred Eighteen Dollars (\$318.00), that the amount demanded for transportation costs of reparation is Six Thousand Four Hundred Seventy Two Dollars (\$6,472.00), that the amount demanded as damages for food and shelter is Forty-eight Dollars (\$48.00), and that the amount demanded for the above named Court at the Federal Building, Honolulu, T. H., on the 3rd day of September, 1948, at 10 o'clock A.M. of the same day, if that day shall be a day of jurisdiction, otherwise on the next day of jurisdiction, the return of default and condemnation will be ordered. OTTO P. HEINE, U. S. Marshal in Charge, WILD & HEINE & Co., Auctioneers, 1000, Honolulu, T. H., Proctors for Libellants.

(Hon. Adv. Aug. 25, 1948)

## Botanist to Use Helicopter To Scale Hawaiian Peak

By Reuters.  
HONOLULU, Feb. 25.—Otto Degener, a botanist, will go flower-picking by helicopter on the isolated top of Namolokama Peak, a plateau surrounded by cliffs so sheer that there is no record that man has ever reached it.

"It's an island in the air," Mr. Degener said. "I have no idea what plants and flowers I'll find. Because of the height and isolation, vegetation should be entirely different from the countryside about the plateau."

Namolokama is 4,000 feet above sea level, about one and a half miles long and a third of a mile wide, on the Hawaiian island of Lanai.



Hon. Adv.

10/7/48

They turn out usually to belong to somebody else. The one Cap Eric de Bisschop "discovered" during his recent South Seas voyage as skipper of the Cheng Ho belongs to France. Barring unforeseen developments, it will continue to belong to France.

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**ANOTHER** Eiao native which came to Honolulu aboard the Cheng Ho is a few-months-old pig which devours canned milk, coconuts or crew members' shoes with equal relish. Piggy is strictly for mascot—at least until he outgrows that role.

Eiao is completely uninhabited.

No natives have been known to live there in modern times. However, Capt. de Bisschop said, in scouting over the island he and his men found ruins of pyramids and parts of ancient stone weapons to indicate that the island once had a mysterious population of its own.

"AT THE NORTH side of the plateau," he said, "stands a huge banyan tree. Around the tree is a circle of stones apparently piled there on top one another at one time. Perhaps the tree was a center of worship for the ancient people."

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Hon. Adv. 11/30/48  
Dupl. John, Robbins,  
Jenna, Archibald, La

Anne Seronde Wed  
In Washington to  
John D. Archbold

**Yale Professor's Daughter,  
Husband Grandson of a  
Standard Oil Founder**

*Special to the Herald Tribune*  
WASHINGTON, Nov. 20.—Miss Anne Lucie Seronde, daughter of Professor Joseph Seronde, of Yale University, and the late Mrs. Dorothy Derbyshire Seronde, was married here today to Mr. John Dana Archbold, son of Mrs. Anne Archbold, in the music room of Hillendale, Mrs. Archbold's Washington home. The Rev. Dr. George P. T. Sargent, Rector of St. Bartholomew's Church, New York,

## Cheng Ho Sale Is Called Off

## LEGAL NOTICES

IN THE UNITED STATES  
DISTRICT COURT FOR THE  
TERRITORY OF HAWAII  
APRIL TERM 1935  
TANE A TERUTAMEHO, EDOUARD  
TOOMARU, KEIPIU TUAIRA, ROGER  
JOHNSTON, MANUEL TEITIO-  
ROGO, MAIROTO A FARAIRE, TA-  
PU A MAAHEA, and THEODORE  
TAIARU TU, Libellants,

VS.  
The Junk CHENG HO, her Engines,  
Tackle, Apparel, Furniture, etc., Re-  
spondent.

IN ADMIRALTY

**ORDER**

**GOOD CAUSE APPEARING HERE**  
FOR CAUSE IS ORDERED, that process in due form may issue against The JUNG CHENG HO, and that all persons claiming any right, title or interest in the real estate, personal property, apparel, furniture, etc., may be cited to appear before this Court on the 3rd day of November, 1942, at 10 o'clock, a.m., and that good cause be shown, and that good cause being shown, the Marshal shall publish notice in the HONOLULU ADVERTISER on August 23, 1942, of the time and place of the hearing, the title of the suit, the cause or nature of the action, the amount demanded, the time and place of the return of the writ, and that the said notice to all persons interested to appear or that default and condemnation will be taken, with names of the Marshal and Protectors.

DATED: At Honolulu, T. H., August  
23rd, 1948.  
(s) J. FRANK McLAUGHLIN.  
Judge of the above entitled

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII, TANEI A. TERITIMAEHO vs. HON. JAMES M. HANAU, JR., ROGER JOHNSON, MANUEL TERITIOO, MAIROTO A. PARARAE and others, Plaintiffs, vs. THE JAPANESE TAIRUI TU, Libellants, vs. THE JAPANESE CHENG HO, her Engines, Tackle, Apparel, and other personal effects, Defendants. No. 407. NOTICE OF ARREST OF PROPERTY. Notice is hereby given that the above mentioned has been arrested and taken into custody and is held in my custody, that the nature of the action is a claim for wages due to the Plaintiff from the Defendant arising from the failure of the master and owner of said vessel to furnish food and shelter to the Plaintiff and that the wages due is Three Hundred Eighteen Dollars (\$318.00), that the amount due to the Plaintiff for the cost of the repatriation is Six Thousand Four Hundred Seventy Two Dollars (\$6,472.00) and that the Plaintiff is entitled to damages for food and shelter is Forty-eight Dollars (\$48.00) per diem beginning April 1, 1948, and that the Plaintiff's legal costs. All persons interested are notified to appear before the above named court at Honolulu, Hawaii, on the 23rd day of September, 1948, at the hour of 10:00 A.M., to show cause why that day shall be set aside for jurisdiction, that on the next day of jurisdiction thereafter, if default and condemnation will be made by the court. SMITH, WILD, BEEBE & CADY, Probation Trust Building, Honolulu, T. H. (Hon. Ad. Aug. 25, 1948).

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By Reuters.  
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N.Y. Times  
Feb. 26, 1952





**BOUND FOR TRUK**, former Japanese fortress in the South Pacific, are the four smiling young men here and the 56 foot ketch Nomad. Zeke DeGrasse, Al Linsch (skipper), Joe Linsch and Robert Hawley. Left to right, left Ala Wai yacht harbor in the Nomad Wednesday afternoon to begin the 60 day voyage.—Star-Bulletin photo.

## News of the Waterfront

### Over the Bounding Main to Truk

By ROBERT L. JOHNSON  
Tahitian music, beer and Hawaiian aloha—what better send-off could a group of young fellows about to sail from Honolulu to Truk in a 56 foot ketch desire?  
And so the ketch Nomad sailed from Ala Wai yacht harbor Wednesday afternoon to begin a 60 day voyage to Truk—that once called impregnable island fortress of the Japanese navy in the south Pacific.  
Skipper of the Nomad is Al Linsch; chief engineer is his brother, Joe. The remainder of the crew: Robert Hawley and Zeke DeGrasse.

#### GOING THREE MONTHS

They won't be back in Honolulu for about three months and will most likely be back without the Nomad. The ketch may remain at Truk for use as an inter-island trader.

Al and Joe will be remembered as two of the crew of the missionary schooner Morning Star VI which sailed for the Marshalls from Kewalo basin earlier this year.  
The Tahitian music mentioned above was provided for the Nomad's sailing by Chief Mate Ralph of the junk Cheng Ho, now at Pier 7, and Ferri, crewman on the 56 foot ketch Tere, moored at the yacht harbor.

#### CHENG HO ATTACHED

Mention of Raipo brings to mind the plight of the Cheng Ho's mate and seven of his people aboard the Cheng Ho.

That vessel has been attached by writ of the circuit court here as a result of a suit brought by Otto Degener, well known Honolulu scientist, against the Cheng Ho Trading & Exploring Co.  
Mr. Degener is suing for \$3,853.37 which he says the company owes him.

Meanwhile the seven Tahitians on the junk are marooned in Honolulu until the matter is settled and the junk allowed to return to Tahiti. They have a few cases of canned food aboard, but no fresh provisions and no American money to buy any.

Mr. Degener has provided some food. Tahitians in Honolulu, interested in their brothers' troubles, are helping too.

**TAHITIAN BEANS**  
2 Tons Available  
\$2.75 per lb. Duty Paid  
GILLET—2242 Kalia Road

Hon. Star Bull. 5/12/48  
Dupl. Soc. Oceansides,  
Governor, Bank  
Indo China, La  
Presse, Papeete, Arch.  
Islands, Borneo, Robinson,  
Paris Fairchild,  
Norfolk, Mantach,  
Big Times Herald

### Trade And Travel

## Cheng Ho Leaves Soon on Trading Mission to Tahiti

She was built in Hong Kong. She cruised the South Seas for many months on a voyage dedicated to science. She went through World War II in navy service. Now the once-palatial junk-type yacht Cheng Ho is about to enter still another phase of her career.

The tri-color flag of France is to be hoisted above her decks, and she is expected to leave some time during the next week for Tahiti. It will be her first voyage under operation by the recently-organized Cheng Ho Trading & Exploring Co., Ltd.

**OTTO DEGENER**, who sailed as guest botanist aboard the Cheng Ho in Fijian waters before the war, announced yesterday that he has resigned his position as secretary-treasurer in the new company "now that it is launched" and has sold his shares of stock to his former partner, Capt. Eric de Bisschop. The latter at one time was French consul in Honolulu.

Although he is no longer connected with the trading part of the company, Mr. Degener said, he retains his right to engage in one exploratory expedition a year aboard the Cheng Ho to the South Seas and his option to purchase the vessel for \$15,000 in July, 1952.

and guest performance will be staged by the Stewart-Swan-Nordt group of dancers, a troupe specializing in the colorful folk dances of the Scandinavian countries. This program will also begin at 7:30.

Hon. Adv. 10/21/47

### Port and Offport

## Junk Cheng Ho Readies To Embark for Tahiti

The Hong Kong-built trading junk Cheng Ho tugged restlessly at her mooring lines, as if she sensed that the legal red tape that held her in port here for four months and one week has at last been cast off.

She was, in fact, scheduled to embark for Tahiti at noon Thursday. Supplies were taken aboard, aloha was said, leis were presented to the nine who will go with her to the South Seas.

**THEN, AT THE** last moment, Capt. Eric de Bisschop said, he received word from the French governor of Tahiti requesting the junk to bring certain supplies which are badly needed in the Society Islands. To comply with that request means a delay of 24, possibly 48 hours in Honolulu, the skipper added.

The Cheng Ho was shifted Thursday morning from Pier 7-W, where she has been moored throughout the settlement of four lawsuits or threatened suits since her arrival from Tahiti last July 31, to Pier 5-A. The shift was reported made to facilitate taking on supplies.

**OF THE NINE** "crew" who will take off with the Cheng Ho this trip, four are pint-sized personnel ranging from 2½ to nine years. And two are women.

In actual crew, the nine-year-old former luxury craft will carry only three: Capt. de Bisschop, William Schultz as engineer, and

Harry Brooks as second engineer. The two women will stand galley duty and generally assist with shipboard duties, they said.

Chief Engineer and Mrs. Schultz are Honolulu residents, now going to Tahiti to make their home. With them are their three children: William, 9; Patricia, 5, and Sheryl, 2½. Mr. and Mrs. Brooks have with them their 2½-year-old daughter, Louise. For both families this will be a first visit to Tahiti.

**PENDING SETTLEMENT** of the court actions, the Schultz family has been living aboard the Cheng Ho, so that the three children feel perfectly at home on her decks and in her cabins. The little boy has been attending Puhukaina school as a third-grader.





Hon. Adv. 10/17/48



**MODERN CRUSOE**—Meet the man who's actually found that South Sea isle on which to hide away and let the worry-ridden world go by. He's Capt. Eric deBischop of the French junk Cheng Ho, pictured with his wife, the former Constance Constable. The captain's island is Elao in the Marquesas, and it's his for \$20 per year for so long as he continues to meet requirements specified by the French government for development of the area. Mrs. deBischop, a talented artist, is currently doing a portrait of Mrs. Ingram M. Stainback, first lady of Hawaii. That's one of her sketches the artist is holding. (Advertiser photo) (Story on Page 4)

## Cheng Ho Sale Is Called Off

Upon acceptance by William F. Thompson, clerk of the federal court of a check for \$2151, the sale at auction of the Cheng Ho, Chinese junk, was called off unofficially today by Otto F. Heine, U. S. marshal.

The money covering judgments and territorial claims for wharfage was tendered at 11:55 a. m. five minutes before the marshal was to have offered the craft for sale at Pier 7.

Mr. Heine said the sale will be officially "off" when he receives a clearance from Mr. Thompson which was to be allowed when the check is certified by the Bishop National bank. The check is signed by Jamie E. Parsons and tendered apparently on behalf of the Cheng Ho Trading & Exploring Co., Ltd.

The Cheng Co., of which Eric deBischop is master, is the chief asset of the trading company. The ship was attached for debt when judgment for back wages was given two seasons by Federal Judge J. Frank M. Goodwin in the territorial court. The claim for wharfage was

## Stockholders' Suit Ties Up Junk Cheng Ho

New litigation arose today in connection with the Cheng Ho, picturesque Chinese junk moored at Pier 7.

This is in the form of a stockholders' suit filed in circuit court.

It seeks an accounting of profits realized in a recent trading trip to Tahiti undertaken by the Cheng Ho Trading & Exploring Co.

The junk type vessel which made the trip is the company's most valuable asset according to the suit.

### CAPTAIN RESTRAINED

Upon filing of the action Circuit Judge John E. Parks issued an order temporarily restraining Eric deBischop, captain of the craft, and others from removing it and other assets of the company from the court's jurisdiction until a final order is made.

Minority share holders charge owners of the controlling interest in the company with fraud and conspiracy.

The suit was brought by Georges Ceran, Otto Deeneer, Hawaii botanist, Leroy K. Peiler, Emilio Ordóñez and Saturnino Malayo against Capt. deBischop, William Scholtz, Harry Brooks, and the corporation.

It is alleged that the respondents in pursuit of an alleged conspiracy fraudulently caused the vessel to be registered under the French flag in the name of Capt. deBischop without the knowledge of other stockholders.

### BOOK JUGGLING CHARGED

Large profits were made by the corporation in the past year it is alleged but no dividends were paid. The profits the petition charges, were dissipated by the respondents who, it is further alleged, manipulated books and affairs of the company for their own benefit.

The petition asks for the appointment of a receiver to take over books and assets of the company pending final disposition of the case.

The Cheng Ho recently figured in suits for debt filed against the company by members of the crew for wages owed them. The vessel was for some time under attachment. Today's action was filed by Winston C. Ingman, attorney.

Hon. Star-Bull  
10/18/48 Archibald,  
Scott, Buss, Banks,  
Robbins, Johnson,  
Inna, Shultz,  
Durham, Tan Chi

Orphel, to John,  
Robbins, Inna, Ra  
Press, Archibalds,  
Soc. Oceanides  
Junk Appraised at  
\$60,000 in Suit

Present value of the Cheng Ho, a Chinese junk moored at Pier 7, was placed at \$60,000 Monday by George M. Goodwin, Honolulu ship surveyor.

Mr. Goodwin testified before Federal Judge J. Frank McLaughlin in an action against the vessel by two Tahitian seamen for alleged non-payment of wages and stock bonus.

Harold English, a crew member, seeks to collect \$1,500 and 15 shares of stock he claims is owed him; and Saturnino Malayo seeks \$1,400 and 14 shares of stock. The Cheng Ho is owned by the Cheng Ho Trading & Exploring Co., Ltd., a corporation organized in the Hawaiian Islands. The suit was filed by the following: Orphel, to John, Robbins, Inna, Ra Press, Archibalds, Soc. Oceanides, Junk Appraised at \$60,000 in Suit, Present value of the Cheng Ho, a Chinese junk moored at Pier 7, was placed at \$60,000 Monday by George M. Goodwin, Honolulu ship surveyor.

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Chief Justice Samuel B. Kemp late Tuesday ordered Circuit Judge Martin Pence of Hilo to hear the latest legal troubles of the Cheng Ho Trading & Exploring Co., Ltd.

**THE ORDER** directed Judge Pence to hold a show-cause hearing in Honolulu next Wednesday. It was issued by the chief justice after stockholders of the firm sat for two hours in the corridor of circuit court trying to find a judge.

They'd been ordered to appear at 11 a. m. before Judge Philip L. Rice. The order, however, was issued by Judge John E. Parks.

**WHEN NEITHER** judge would agree to squeeze the case onto his overloaded calendar, Attorney Bernard H. Levinson appealed to the chief justice.

Minority stockholders of the firm are suing three majority stockholders—Eric deBischop, William Scholtz and Harry Brooks—for a corporate accounting. The minority stockholders complain deBischop, Scholtz and Brooks have used corporation profits and the firm's vessel, the junk Cheng Ho, for their own purposes without accounting to other stockholders. They asked that the company's records and the Cheng Ho be held in the territory by restraining order, and asked for the appointment of a receiver for the firm.

**JUDGE PARKS** signed the restraining order and set the show cause hearing in Judge Rice's court. Apparently he didn't know Judge Rice is wading through a full calendar.

Judge Rice refused to hear the case and Judge Parks said there wasn't room on his calendar for it.

The summoned stockholders sat two hours in the court house corridors, with the company records on their laps.

Hon. Adv. 11/1/48  
Bull, American Consul,  
Archibald, Willie, Rob-  
bins, La Press, Banks J. C.,  
Sungty, PIM





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## Stockholders' Suit Ties Up Junk Cheng Ho

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The junk type vessel which made the trip is the company's most valuable asset according to the suit.

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It is alleged that the respondents in pursuit of an alleged conspiracy fraudulently caused the vessel to be registered under the French flag in the name of Capt. Bisshop without the knowledge of other stockholders.

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Large profits were made by the corporation in the past year it is alleged but no dividends were paid. The profits, the petition charges, were dissipated by the respondents who, it is further alleged, manipulated books and affairs of the company for their own benefit.

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Hon. Star-Bull  
10/18/48, Archibald,  
Scott, Bess, Banks,  
Robbins, Johnson,  
Inna, Shuff,  
Durham, Tan Chi

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Hon. Adv. 11/10/48  
Supt. American Consul,  
Archibald, Willie, Rob-  
bins, La Press, Banks J.-C.,  
Sungty, PIM

Do not print

→ Dupl. to John,  
Robbins, Inna, Ra  
Bess, Archibald,  
2, Oceanis

Hon. Star-Bull 9/21/48  
Hon. Archibald, Scott, Tan Chi  
Bess, Will, Soc. Oceanis





**BACK TO PRIVATE OWNERSHIP**—The once-luxurious junk-type Cheng Ho, pictured here at a Pearl Harbor mooring, was returned by the maritime commission Monday afternoon to Otto Degener, acting as agent in the transaction for Mrs. Anne Archbold, former owner. At the outset of the war, Mrs. Archbold turned the Cheng Ho over to the navy for military service. Mr. Degener was one of the scientific expedition which the vessel carried through the South Seas prior to the war. It is indicated that the Cheng Ho will now be drydocked and surveyed for rehabilitation. (Official U. S. navy photo.)

Hon. Adv. 2/6/47

## Trading Junk Is Ordered to Send Two Seamen Home

Federal Judge J. Frank McLaughlin has ruled that the Cheng Ho trading junk must pay two seamen for the return trip from Tahiti.

**THE COURT** awarded Saturnino Malayo and Harold English their claim for \$150 per month pay at the end of a month-long admiralty hearing.

The two men filed a libel for wages against the ship charging they were hired in Honolulu in July, 1947, and returned in August of this year from a trading trip to Tahiti.

**THEY CLAIM** the Cheng Ho Trading and Exploring Co. promised them pay and one share of stock each per month. Capt. Eric DeBisschop, master of the junk, contended the men were discharged in Tahiti and made the return trip as working passengers. The Cheng Ho sails under French registry.

**JUDGE McLAUGHLIN** ruled the contract was binding and the two men were entitled to pay for the full time of the trip. The court set a value of \$1 per share on the stock and ordered the ship to pay the men at that rate.

Hon. Adv. 10/17/48

## More Evidence Is Sought In Suit for Wages

Federal Judge J. Frank McLaughlin on Monday continued an admiralty suit for wages against the trading junk Cheng Ho until Thursday and asked attorneys to present more evidence.

**SEAMEN** Saturnino Malayo and Harold English are seeking about \$2,000 in wages and 2 1/2 shares of stock in the Cheng Ho Trading and Exploring Co., which they claim is due them as crewmembers on the junk's recent trip to Tahiti.

Judge McLaughlin asked both sides to bring some evidence of wage agreements or settlements into the case when it continues at 9 a. m. Thursday.

The ship, a former luxury yacht, was outfitted in Honolulu in 1947 and sailed to Tahiti under French registry. It returned to Honolulu in late July and since has been embroiled in two legal tangles.

**THE TWO MEN** claim they are owed wages at the rate of \$150 a month from June, 1947, until Sept. 1, this year. They also claim one

share of stock in the Cheng Ho Trading Exporting Co., was promised them for each month they worked.

**THE CLAIMANTS** were members of the crew that sailed the Cheng Ho on its original trading voyage to Tahiti last fall.

Ships captain Eric de Bisschop, claimed the men were discharged in Tahiti and paid off in full and then allowed to work their passage back to Honolulu. The promise of stock in the company has been denied by representatives of the company.

## Cheng Ho Crew Members Win Wage Awards

Two crew members of the Cheng Ho, a Chinese junk owned by the Cheng Ho Trading & Exploring Co., are entitled to wages amounting to about \$1,000 each, according to a decision by Federal Judge J. Frank McLaughlin.

Judge McLaughlin ruled in the case late Friday afternoon after a trial lasting about a month.

The suit was brought by Harold English and Saturnino Malayo, who shipped on the junk from Hawaii to Tahiti in June, 1947.

They returned as crew members in July, 1948.

According to the decision the men are entitled to pay at the rate of \$150 a month.

As part of the award, the men will receive a share of stock each, in accordance with their contract. However, Judge McLaughlin found that the value of stock in the trading company is \$1 a share and does not have a face value of \$100.

It was contended by Capt. Eric de Bisschop, skipper of the vessel that the men were paid off in full in Tahiti and were allowed to work their way back to Honolulu. The ship is registered under the French flag and is moored at Pier 7.

Value of the picturesque junk, well known in Hawaiian waters, was placed at \$60,000 by George M. Goodwin, marine surveyor, a witness in the trial. The value, however, would depend on whether a market could be found for it.

Winston C. Ingram, attorney, represented the crew members.

Bernard H. Levinson was attorney for the company.

Hon. S. B. Bull. 10/16/48  
Supl. to P.M., doc 10/16/48

## Judge Orders Junk Cheng Ho To Stay in Port

Circuit Judge Martin Pence Tuesday ordered the trading junk Cheng Ho held in Honolulu harbor until he is satisfied the vessel's registry has been changed to the name of the Cheng Ho Trading & Exploring Co., Ltd.

**BUT HE DECLINED** to appoint a receiver for the corporation pending litigation between two groups of stockholders. And he refused to hear the company's involved financial and legal controversy himself.

He set the case for trial on its merits for Dec. 8, after Circuit Judge Willson C. Moore returns from vacation. That puts the case—which attorneys said might take "the rest of the calendar year"—before Judge Moore.

The vessel was registered in Tahiti last year in the name of the ship's captain, Eric de Bisschop. That was one of the points on which minority stockholders asked for a corporate accounting, a temporary receiver, and a restraining order.

**DE BISSCHOP** and two others—William Schorr and Harry Brooks—were accused of dissolving the company's profits without accounting to the firm in the action.

Attorney Bernard Levinson, appearing for de Bisschop, said the registry in the captain's name was the result of a clerical error in the office of the governor of Tahiti. He introduced radiograms stating that a new registry was being issued.

"I don't want that ship to sail until I see the new registry act," Judge Pence said.

**THE CORPORATION** and its converted junk have been in federal and circuit courts in legal squabble almost continuously since the ship returned last August from a seven-month trip to Tahiti.

## Junk Appraised at \$60,000 in Suit

Present value of the Cheng Ho, a Chinese junk moored at Pier 7, was placed at \$60,000 Monday by George M. Goodwin, Honolulu ship surveyor.

Mr. Goodwin testified before Federal Judge J. Frank McLaughlin in an action against the vessel by two Tahitian seamen for alleged non-payment of wages and stock bonus.

Harold English, a crew member, seeks to collect \$1,500 and 15 shares of stock he claims is owed him, and Saturnino Malayo seeks \$1,400 and 14 shares of stock. The Cheng Ho is owned by the Cheng Ho Trading & Exploring Co.

Enpl. Governor, The Press,  
Archbold, Bank S. Co.  
Cause



## Two Seamen File for Wages

Two Honolulu seamen, Saturnino Mulayo and Harold English, filed libel in rem for seamen's wages in U. S. district court, asserting that they were signed on the junk here in July, 1947, and discharged here last Wednesday.

ENGLISH ASKS \$1,300 and fifteen \$100 shares of stock in the corporation, and Malays asks \$1,400 and fourteen \$100 shares.

A similar libel is due to come before a Federal Judge J. Frank M. Lewis this morning on behalf of eight Tahitian seamen who have been stranded since the junk's arrival in Honolulu harbor. The Tahitians ask \$6,472 as transportation back to Tefuri, and a half month's wages for each man.

**AN ATTACHMENT** against the Cheng Ho Trading and Exploring Co. was discharged Wednesday after the company paid \$4,000 to Otto Degener in settlement of all his claims.

Winston C. Ingram is attorney for the last two petitioners.

Hon. Adv. 9/3/48  
Archibald, Fraser, Am.  
Lancaster, Tan Chio

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
NAVERINO MALAYSI and  
HAROLD ENGLISH, Librarians, vs.  
The JUNK CHENG HO, Ship Engineer,  
Tackle, Apparel, Furnishings, etc.,  
Respondents. IN ADMIRALTY No. 808

NOTICE OF SALE: HEREBY GIVEN that the June CHENG 102, a vessel purporting to be registered under the Law of the Republic of France, and to have Papers, Tonnage and home port, which vessel is believed but not warranted to be approximately of the dimensions and descriptions set forth below:

Length overall, 86 feet  
Length Water Line, 80 feet  
Beam overall, 24 feet  
Draft, 4 feet

Turn down, 225 Horsepower

Name "Gray"  
 Given "Githage about 125 tons  
 New Vancouver about 190 tons  
 Built in 1904 at Hong Kong, China  
 Registered under the name  
 Imperial with her flag, Tachin, Ap  
 plicant, Fertilizer, etc. will be sent  
 of public nature, under order of the United  
 States District Court in the Territory  
 of Hawaii, on the 20th day of November,  
 1904, at 12 o'clock, there on  
 board the vessel on 20th of 1904, in the  
 Hawaiian Territory of Hawaii, to satisfy  
 a decree dated December 16, 1904 in the  
 above entitled action.  
 Dated at Honolulu, T. H., November

1st Otto F. Heine  
C. S. Marshall  
STEWART C. INGRAM  
435 Marylande Mart Bldg.  
Hennepin T. H.  
Prisoner for Violators  
Chas. Art. Nov. 27, 28, 29, 30, 31, 32

How. Adv. 11/23/48  
Capt. Arnold, Golm.  
Rohlfing, Dean of Har-  
vard, Norflet

## LEGAL NOTICES

The Junk CHENG HSI, Inc. Engines,  
14, 1st, Apparat, Furniture, etc., etc.

### LV ADHERENCE

A. J. FRANK McLAUGHLIN  
Editor

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII, SATURNINO WALA TO AND HAROLD ENGLISH, Plaintiffs vs. The JUNK CHAIRS, INC., Defendant. Appeal. Furniture, etc.

[illegible][illegible]

Am. Adv. 9/14/48  
Publ. P.M., Soc. Oronille  
La Presse, Banque D.C.,  
Gouverneur, Am. Council  
Sarah Dexter, Archibald

## Crew Files Libel Against Junk Cheng Ho

They are Tade a Tecitlacuahu, assistant engineer; Eduardo Tootu, maru, seaman; Reipu Tuxte, bowlsman; Roger Johnston, seaman; Manuel Teitlacuahu, chief engineer; Malroto a Fawate, able seaman; Tade a Machea, steerman; and Thendow Tuxte, TV, seaman.

**THE LABEL** is identified as a "cause of actions (for wages, costs of reparation, damages, etc.)"

The crew members alleged that they were recruited at Jamaica on April 26 by the Cheng Ho Trading & Exploring Co., and sailed the junk here, arriving on July 31.

A writ of attachment was filed against the Hoonitshu company on Aug. 5 by Otto Degener. This case is pending in circuit court. Last Saturday, the crew men were ordered off the vessel by the deputy high sheriff, leaving them "without wages, shelter or food," they assert.

**THEY ASK A HALF** month's wages, listed at \$395, and \$8,472 in transportation costs (including) to getting them back to their homes in Tunisia.

They are represented by the law firm of Smith, Wild, Beebe & Capen, and the Ubel said that some of the information was confirmed by Irving O. Packer, French consul here.

The Junk is at Pier 7.

Home. Adv. 8/24/48  
 Dept. to Soc. Oceanographer,  
 Archibald, Jr., Harold, Talbot, Gov.,  
 Poppy, Robinson, Merrill, John,  
 Banks 2-C, La Press, Ann, Carol,  
 Emma, Wilkerson, Shuff, Tan Ch  
 PIM

## NOTICE

Otto Degenet  
Box 187, Weidling, Ohio

Flora Hawaii. Books 1-4, ed. 2. 1192 illustrated pages for \$1.  
Plants Hawai. Nat. Park illustrative of Plants & Customs South  
Sens. ed. 2. 333 pages for \$1.50.

1941-1942 = 2 141 581 73 11 1

Hon. Adv. 11/20/48 L. J. Will, Lubbock  
So. Oceanides





ONE OF THE WORLD'S MUCH TRAVELED 17 year olds, Michael Kitzmiller, son of Mrs. Virginia Kitzmiller of the University of Hawaii, returned Saturday on the Chinese junk, Cheng Ho, after eight months in Tahiti and Marquesan waters. Michael left Honolulu aboard the yacht Barco de Oro last November to sail around the world. The Barco de Oro sailed from Honolulu to Tahiti so Michael took the first available transportation home. He learned to speak a little French, Tahitian and Tuamotuan in the islands, says he'll go back to sea again soon. —Star-Bulletin photo.

## Two Seamen File for Wages

The junk Cheng Ho Thursday found itself involved in new legal difficulties.

Two Honolulu seamen, Saturnino MALAYO and Harold ENGLISH, filed libel in rem for seamen's wages in U. S. district court, asserting that they were signed on the junk here in July, 1947, and discharged here last Wednesday.

ENGLISH ASKS \$1,500 and fifteen \$100 shares of stock in the corporation, and MALAYO asks \$1,400 and fourteen \$100 shares.

A similar libel is due to come before Federal Judge J. Frank McLaughlin this morning on behalf of eight Tahitian seamen who have been stranded since the junk's arrival in Honolulu harbor. The Tahitians ask \$6,472 as transportation back to Tahiti, and a half month's wages for each man.

AN ATTACHMENT against the Cheng Ho Training and Exploring Co. was discharged Wednesday after the company paid \$4,000 to Otto Degener in settlement of all its claims.

Winston C. Ingman is attorney for the two new petitioners.

Hon. Adv. 9/13/48  
Archibald, Presser, Am.  
usual, Tan Chio

## LEGAL NOTICES

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
SATURNINO MALAYO and HAROLD ENGLISH, Libelants, vs. The Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., Respondent. IN ADMIRALTY No. 408

NOTICE IS HEREBY GIVEN that the Junk CHENG HO, a vessel purporting to be registered under the laws of the Republic of France, and to have Papete, Tahiti as its home port, which vessel is believed but not warranted to be approximately of the dimensions and descriptions set forth below:

Length overall, 98 feet  
Length Water Line, 85 feet  
Beam extreme, 24 feet  
Draft, 9 feet  
Twin Screw Diesel, 225 Horsepower—each  
Make "Gray"  
Gross Tonnage about 125 tons  
Net Tonnage about 100 tons  
Built in 1933 at Hong Kong, China  
Material—Teak and Yaka  
together with her Engines, Tackle, Apparel, Furniture, etc., will be held at public auction, under order of the United States District Court for the Territory of Hawaii, on the 29th day of November, 1948, at 12 o'clock, Noon, on board the said vessel at Pier 7, in Honolulu, Territory of Hawaii, to satisfy a decree dated November 10, 1948 in the above entitled action.

Dated at Honolulu, T. H., November 22nd, 1948.  
(s) Otto F. Heine  
U. S. Marshal  
WINSTON C. INGMAN  
410 Merchandise Mart Bldg.  
Honolulu, T. H.  
Attorney for Libelants.  
(Hon. Adv. Nov. 23, 34, 35, 26, 27, 28, 1948)

Hon. Adv. 11/23/48  
Archibald, Presser, Am.  
usual, Tan Chio

## LEGAL NOTICES

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
SATURNINO MALAYO and HAROLD ENGLISH, Libelants.

The Junk CHENG HO, her Engines, Tackle, Apparel, Furniture, etc., Respondent.

## IN ADMIRALTY.

ORDER FOR PROCESS  
GOOD CAUSE APPEARING THEREFOR, it is ordered that process in due form may be issued against the Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., and that all persons claiming any right, title or interest in said Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., may be cited to appear before this Court on Monday the 30th day of September, 1948, at 10 o'clock A. M., and that upon such seizure the Marshal shall publish notice in the HONOLULU ADVERTISER on the 14th day of September, 1948, of the arrest, the publication to contain the title of the suit, the cause or nature of the action, the amount demanded, the time and place of the return of the motion, with notice to all persons to appear, or that default and condemnation will be entered, with names of Marshal and Protector, and shall post a similar notice in a public manner at the place of trial.  
DATED: Honolulu, T. H., September 13, 1948.

(s) J. FRANK McLAUGHLIN  
Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII SATURNINO MALAYO and HAROLD ENGLISH, Libelants, vs. The Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., Respondent. IN ADMIRALTY No. 408  
NOTICE OF ARREST OF PROPERTY  
Notice is hereby given that pursuant to a Warrant of Seizure and Arrest the property above mentioned has been seized by me and is now held in my custody. That the nature of the action is an Amended Libel in Rem for Seamen's Wages, and that the amount demanded is in full by Two Hundred and Eighty-Five Dollars (\$250.00). All persons interested are notified to appear before the above named Court at the Federal Building, Honolulu, T. H., on the 20th day of September, 1948, at the hour of 10 o'clock A.M. of the same day, if that day shall be a day of jurisdiction, otherwise on the next day of jurisdiction thereafter, or default of judgment may be ordered.

(s) OTTO F. HEINE, U. S. Marshal  
WINSTON INGMAN 410 Merchandise Mart Bldg. Honolulu, T. H. Proctors for Libelants  
(Hon. Adv. Sept. 14, 1948)

Hon. Adv. 9/14/48  
Dupl. P.M., Soc. Occasiones  
La Presse, Bank 2-C,  
Governor, Am. Consul,  
Sarah Dexter, Archibald

## Crew Files Libel Against Junk Cheng Ho

A libel against the Junk Cheng Ho, "her engines, tackle, apparel, furniture, etc.," was filed Monday in federal court on behalf of eight crew members, all of whom are identified as citizens of Tahiti, French Oceania.

They are: Taote a Teritameho, assistant engineer; Edouard Toomaru, seaman; Reipu Tunia, boatswain; Roger Johnston, seaman; Manuel Teitiorono, chief engineer; Marroto a Faraire, able seaman; Tapu a Maahes, seaman; and Theodore Taiarui Tu, seaman.

THE LIBEL is identified as a "cause of actions for wages, costs of repatriation, damages, etc."

The crew members allege that they were recruited at Papete on April 30 by the Cheng Ho Trading & Exploring Co., and sailed the junk here, arriving on July 31.

A writ of attachment was filed against the Honolulu company on Aug. 5 by Otto Degener. This case is pending in circuit court. Last Saturday, the crew men were ordered off the vessel by the deputy high sheriff, leaving them "without wages, shelter or food," they assert.

THEY ASK A HALF month's wages, listed at \$396, and \$6,472 in transportation costs incidental to getting them back to their homes in Tahiti.

They are represented by the law firm of Smith, Wild, Beebe & Cades, and the libel said that some of the information was confirmed by Irving O. Pecker, French consul here.

The junk is at Pier 7.

Hon. Adv. 9/24/48  
Dupl. to Soc. Occasiones,  
Archibald, Presser, Am. Consul,  
La Presse, Bank 2-C,  
Governor, Am. Consul,  
Sarah Dexter, Archibald,  
P.M.

## NOTICE

Undersigned owns option to purchase Cheng Ho in July 1952 for \$15,000. Recorded Bur. Conveyances Doc. No. 51394; and right for 1 round trip from Hon. to South Seas yearly with fellow-scientist.

Otto Degener  
Box 187, Waimanua, Oahu

Flora Hawaii, Books 1-4, ed. 2, 1192 illustrated pages for \$5. Plants How. Nat. Park illustrative of Plants & Customs South Seas, ed. 2, 333 pages for \$2.50.

Order from above.

Hon. Adv. 11/20/48 Dupl. Wild, Archibald,  
Soc. Occasiones



Honolulu Star-Bull. 11/18/48 Dupl. to Mrs. Archibald, Governor Tahiti, La Presse, Banks Indo-China, Robinson, Honolulu, Pac. Isl. Monthly.



SMILES ARE IN EVIDENCE ALL AROUND AS part of the officers and crew of the schooner Ornant prepare to cast off for Tahiti. Seven of the crew are going home to Tahiti. They were former crewmen on the Cheng Ho, tied up in Honolulu harbor since early August by ownership troubles.—Star-Bulletin photo.

## Eight Crew Members of Cheng Ho Extend 'Iaorana' to Honoluluans

Eight Tahitian crew members of the junk Cheng Ho extended their "Iaorana" to the people of Hawaii Wednesday.

"Iaorana" is the Tahitian equivalent of aloha, and the boys gave it with their biggest smiles as they prepared to return to their homes in Tahiti.

They will sail out of Honolulu harbor at 5 this afternoon aboard the schooner Ornant.

The gaff-rigged vessel was chartered for the south Pacific trip by Walter Napoleon, manager of the Waikiki natatorium, and William T. Kemp Sr., a friend.

"It's no business trip," Mr. Napoleon explained. "We're just carrying gifts and the like to our families in Tahiti, and thought it would be a good idea to help the Cheng Ho boys get back home."

### E. J. THOMAS IS OWNER

Captain and owner of the Ornant is E. J. Thomas, a "more or less retired" merchant marine captain. He bought his ship in Florida a little more than a year ago, and sailed it to Hawaii in August.

With a proud tone in his voice, he told the reporters that the Ornant was the only gaff-rigged schooner in the islands. "She was built in Nova Scotia in 1926," he said.

Designed for fast ocean sailing, the Ornant should make this trip in two weeks, he said.

### PLEASED WITH SHIP

The Cheng Ho boys seemed to be well pleased with the schooner they were crewing on. All they could say was "o-o-o-h" when they first came aboard, Captain Thomas said.

When the Ornant returns to Hawaii in about two months, it will be carrying another Tahitian crew. This second group of south Pacific sailors will be on their way to the west coast to pick up a trading vessel purchased by a Tahitian business firm.

First mate during the voyage will be Ted Narramore of the South Sea Shipping Co.

### EXTEND "MAURURU"

The eight Tahitian boys wished to extend their sincere "maururu" (thanks) to the people who befriended them during their stay in Hawaii.

Minor stockholder litigation against the Cheng Ho Shipping Co., tied up their pay for the time that they were here.

In true aloha fashion, many people of Hawaii helped them weather the storm, and the boys are truly grateful.

Hon. Star-Bull. 9/2/48

## Attachment Lifted On Junk Cheng Ho; Settlement Reached

With a suit for alleged debt of \$4,453 discontinued in circuit court, an attachment on the Cheng Ho, a Chinese junk moored at Pier No. 7 has been lifted.

The suit was filed by Otto Degener, Honolulu scientist, against the Cheng Ho Trading & Exploring Co., owners of the vessel.

It was dropped after an out of court settlement was reached for \$4,000 in satisfaction of Mr. Degener's claims, it was disclosed.

Another action for alleged debt brought by eight Tahitian crew members against the owners in the amount of \$397 in wages is pending in federal court. However, negotiations are under way for settlement, it is said.

Dupl. Archibald Robinson, Pac. Isl. Monthly, Soc. O. Oceanists

## Coral Strand, Inc.

Many persons carry a dream throughout life, the dream of someday acquiring a tropical island of their very own. That dream was burst for many thousands of young Americans at war when they stormed up beaches on some Japanese islands and found those atolls very poor substitutes for Paradise.

Nevertheless, the Honolulu Chamber of Commerce still receives letters from Mainland applicants searching for an island idyll. A recent correspondent said he wanted to buy an island of not less than 2,000 acres in the Hawaiian group. The chamber officials probably sobbed out loud as they gave him the facts of island life.

For we in Hawaii sometimes have that dream, too, and for the most part the dreamers are about as frustrated as the candidates from colder climates. The Robinson family did right well with Niihau, but they came early. There was an island or two for sale in the Fiji group recently, but those islands, under another flag, were chiefly valuable for growing limited quantities of coconuts, for copra. And nobody wants to work in Paradise. They want to run around in malos with blossoms in their hair.

Word, therefore, that Eric de Bischopp has acquired this island of Eiao, in the Marquesan group, on an indefinite lease from the French government at \$20 a year, will renew the opportunities for vicarious adventure among countless thousands right here in Hawaii. Eiao, due north of Nukuhiva, where Herman Melville jumped ship and picked up the adventures he later related in "Typee," is the northernmost island of the Marquesas, and is but a few degrees south of the equator. Well watered and fertile it is ready for development. Mr. de Bischopp has a Chinese junk, too, the Chen Ho, in which to make his journey.

What are we all waiting for?

Hon. Adv. Oct 1948

Honolulu Star-Bull. 11/12/48 Dupl. to Mrs. Archibald, Governor Tahiti, La Press, Banks Dubois, China, Robinson, Norfolk, Pac. Isl. Monthly.



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What are we all waiting for? Hon. Adv. Oct 1948





THE CREW OF THE CHENG HO which sailed for Tahiti Friday afternoon where the Chinese junk will make her home port and engage in interisland trading. Passengers and crew to make the trip are, left to right, William Scholtz (holding the 3 month old porker Otto), Harry Brooks, William Scholtz Jr., Captain Eric de Bisschop, Lottie Brooks, Patty Scholtz (playing peek-a-boo), Mrs. Scholtz, Sheryl Scholtz and Mrs. Brooks.—Star-Bulletin photo.

Hon. Star-Bull. 12/11/48 Dupl. Archbold

## News of the Waterfront

### Chinese Junk Cheng Ho Up for Auction Today

The romantic Chinese junk Cheng Ho will add another chapter to its colorful life when it goes to the auction block at noon today.

It is being sold at Pier 7 to meet a court judgment of \$1,879 recently awarded by Judge J. Frank McLaughlin.

The judgment favors two seamen who sued to collect back wages and stock in the Cheng Ho Trading & Exploring Co. earned on a trading voyage to Tahiti last year.

The vessel was launched at Hongkong October 14, 1939, and arrived in Honolulu from the South Seas April 19.

In 1941, its owner, Mrs. Anne Archbold of New York sold the junk to the navy for \$1 but it was "discharged from active duty" in 1946 to return to a frustrated civilian life.

#### HAS CHANGED HANDS

It has changed hands and has been involved in suits but now will be given a chance for a new life "under new management."

According to Otto F. Heine, U. S. marshal, the Cheng Ho will be sold without an upset price to the highest bidder. The sale is subject to court approval.

Appraised value is \$60,000.

OTTO DEGENER'S suit against the Cheng Ho Trading & Exploring Co. was discontinued Wednesday in circuit court, and Circuit Judge A. M. Crilly released an attachment against the junk, Cheng Ho. The settlement reportedly amounted to \$4,000.

The lifting of the attachment makes it possible for eight Tahitian crew members to return to the junk.

The company plans to bring the craft up to shipshape condition and send it back to Tahiti to resume trading.

Hon. Adv. 9/2/48

Dupl. P. H. Archbold, Robbins, Soc. Oceano

## Cheng Ho Tied Up By Court Order

After a hearing in Honolulu Wednesday, Circuit Judge Martin Pence of Hilo, restrained majority stockholders in the Cheng Ho Trading & Exploring Co., from removing the Cheng Ho, Chinese junk from Hawaiian waters.

Until further court order, the craft, now moored at Pier 7 will be required to remain here.

The court indicated the order will not be lifted until satisfactory proof is made that the registry of the vessel under the French flag in the name of Eric de Bisschop, master, has been changed to the name of the company.

At the same time, Judge Pence decided to appoint a receiver to take over assets of the company, pending final hearing in the case. The restraining order was made in connection with an action for a permanent injunction to be heard

on December 8, Judge Pence sat for Circuit

Judge Willson C. Moore who is on the mainland.

Hon. Star-Bull. Dupl. Archbold, Governor, Re Press Bank, S. C. C. Pacific, Robbins, Norfolk Pac. Isl. Monthly, Soc. Oceanoists. 11/18/48

### HONOLULU STAR-BULLETIN, FRIDAY, FEBRUARY 7, 1948



THE 99 FOOT JUNK CHENG HO is back in civilian hands after wartime service with the navy. She was re-delivered Monday by the maritime commission to Otto Degener, agent for Mrs. Anne Archbold of New York City. The craft was built for scientific south sea cruises.—Navy photo.

## Botanist Files Writ Against Trading Firm

Following a petition by Otto Degener, botanist, versus the Cheng Ho Trading & Exploring Co., Judge Willson C. Moore of the fourth circuit court on Aug. 5 issued a writ of attachment to which no return had been filed up to Tuesday afternoon. The writ named Bishop National bank as garnishee.

IN HIS PETITION, Mr. Degener charges that the defendant made a promissory note for the amount of \$4,853 and that five subsequent payments of \$100 each were made, the latest on May 3. The petitioner claims that \$3,853 remains due and that the defendant has "failed, neglected and refused to pay any part of the balance."

Mr. Degener, who is represented by Hughes & Ingman, seeks payment of the principal plus interest, plus costs, plus attorney commissions. Judge Moore has ordered the high sheriff to "attach and safely keep" so much of the defendant's property as is not exempt from attachment.

THE CHENG HO Trading & Exploring Co. was incorporated on July 7, 1947, with Mrs. Eric de Bisschop as president and Mr. Degener as secretary-treasurer, to conduct trade between Hawaii and French Oceania. Such trade was to be carried out with the junk-type vessel Cheng Ho, earlier purchased by Mr. Degener from its former owner, Mrs. Anne Archbold, after the ship was redelivered to her by the navy and maritime commission upon the war's end.

In October, 1947, Mr. Degener announced his resignation as an officer of the new company and the sale of his shares of stock to his former partner, Capt. de Bisschop, one-time French consul in Honolulu. He said at the time that he retained his right to make one exploratory expedition a year aboard the Cheng Ho and his option to purchase the vessel for \$15,000 in 1952.

ABOUT THE SAME time, the French flag was hoisted over the Cheng Ho, and in November she embarked on her first trading mission to Tahiti. She returned from that voyage on July 31 and is now berthed at Pier 7-E. Capt. de Bisschop is in command.

Hon. Adv. 8/11/48 Dupl. Archbold, Governor, Tahiti, Editor, P. H. Archbold, Robbins, P. H. Archbold, Soc. Oceano



## MC Here On Search For Otto Degener

That ship is here again. Harry A. Ayres, regional director for the U. S. maritime commission, reported Friday that he has just been authorized to deliver the 99-foot junk-type Cheng Ho to Otto Degener—but the catch is that Mr. Degener cannot be located.

Mr. Ayres said that wealthy Mrs. Anne Archbold of Washington, D. C., who had the once-famous Cheng Ho built to special design in Hong Kong in 1939, paid \$1 to the maritime commission and has instructed it to redeliver the craft to Mr. Degener as her agent.

A search of the telephone directory and city directory and investigation through every other available source, the MC representative said, have failed to yield a clue as to the man's whereabouts. Meanwhile, the Cheng Ho—which several months ago was towed from Pearl Harbor to Pier 5—has been moved back to Pearl Harbor since the navy has relinquished its use of the Honolulu pier.

To complicate matters further, it was understood last August that the Cheng-Ho was to be given by Mrs. Archbold to the Sea Scouts of Honolulu.

Executive board members of the Honolulu council of Boy Scouts, headed by President Wade Warren Thayer, and committeemen and skippers of 10 different sea-faring clubs met at Pier 5-W last Aug. 8 and "decided to accept the gift of the Cheng Ho by Mrs. Anne Archbold, registered owner. . . . A story regarding the acceptance appeared in the Aug. 9 Advertiser.

Whether or not Mrs. Archbold still intends to turn the vessel over to the local group following its redelivery to her agent—provided he can be found—is not quite clear. Mr. Ayres said his knowledge of the vessel's disposition does not go beyond the redelivery point.

Hon. Adv. 12/14/46

## Junk Cheng Ho To Be Sold at Auction Monday

The picturesque Chinese junk Cheng Ho, owned by the Cheng Ho Trading & Exploring Co., will be sold at auction by the U. S. marshal next Monday at noon.

Scene of the sale is Pier 7, where the craft is moored. It is to be sold to meet a court judgment of \$1,879 recently awarded by Judge J. Frank McLaughlin.

The judgment is in favor of two seamen who sued to collect back wages and stock in the company earned on a trading voyage to Tahiti last year.

According to Otto F. Heine, U. S. marshal, the Cheng Ho will be sold without an upset price to the highest bidder. The sale is subject to court approval. Appraised value of the Cheng Ho is \$60,000. It is under French registry.

Hon. Adv. 11/22/48  
Dupl. Archbold, Norfolk, Va.

## Chinese Junk Cheng Ho to Sail South Seas in Commercial Trade

The once glamorous Chinese junk, Cheng Ho, is again being readied for sea.

In drydock at Pier 27, the 99 foot vessel, a veteran of scientific expeditions in the south seas and navy utility duty in the Hawaiian island area during the war, will again ply the southern seas.

This time she will sail in the Hawaii-French Oceania trade for the Cheng Ho Trading and Exploring Co. Mrs. Eric de Bisschop, wife of the French consul in Honolulu is president of the new company.

The new enterprise will be a combination of trading and scientific research in the south Pacific, according to Otto Degener, owner of the junk.

The quaint looking craft was launched in Hongkong in 1939. The owner was then Mrs. Anne Archbold.

The vessel arrived here in April 1941 and was sold to the navy in July 1941 for one dollar.

After receiving an "unsatisfactory fitness report" from the navy as a utility vessel, it was returned to Mr. Degener, agent for Mrs. Archbold, early this year.

Named after a Chinese admiral who sailed to Persia in the 15th century and brought back the first giraffe to China, the Cheng Ho combines ancient and modern seagoing techniques.

Above the waterline, the junk is a replica of Chinese vessels of the 15th century. Below the waterline, she is driven by twin screws powered by two modern 110 horsepower diesel engines.

The new owner expects his vessel to be ready for sea in a couple of weeks.

Hon. Adv. 11/15/47  
Dupl. to Soc. Oceanists

## Trade And Travel

## Junk Cheng Ho Returns After Trading Voyage

Eight months after she left Honolulu on her first voyage for the Cheng Ho Trading & Exploring Co., Ltd., the junk-type Cheng Ho returned to port Saturday morning and tied up at Pier 7-E. She is home from Tahiti by way of the Marquesas islands.

When she left Honolulu her cargo area was filled with foodstuffs, notions and other commodities much in demand by residents of French Oceania. Her return cargo was chiefly vanilla beans—about two tons of them.

Capt. Eric deBisschop, former French consul in Honolulu, is master of the one-time luxury ship, which now flies the French flag. He left here with a crew of six and returned with 14, eight of whom joined the Cheng Ho at Tahiti.

Crew members reported that Tahiti now gets only one cargo ship about every six months and that these vessels discharge only 25 or 30 tons of goods. Consequently, the populace suffers "shortage of everything," and prices are high. American cigarettes sold at 60 cents a package, the men reported.

It is expected that the Cheng Ho will be in port about a month before embarking on her No. 2 voyage. She left Tahiti July 8 and spent several days in the Marquesas en route to Honolulu.

Possibility that the junk-type yacht Cheng Ho owned by Mrs. Anne Archbold of the East coast may continue her war-interrupted scientific work in the Pacific has been indicated by Otto Degener, the owner's agent here, to whom the vessel will be redelivered after wartime service with the navy.

The following news item has been sent to the Mainland regarding the craft, whose arrival here in the spring of 1941 created such a flurry of interest among waterfront circles:

"The Cheng Ho, fabulous 100-foot Chinese junk-yacht in which Mrs. Archbold explored the Pacific in search of rare and useful plants, first with David Fairchild and second with Mr. Degener, is now lying in West Loch, Pearl Harbor.

"Mrs. Archbold, at the advent of the war, offered this vessel to the navy for use as a patrol boat in Hawaiian coastal waters. The Cheng Ho, for her war service, is entitled to fly a proud pennant; but she is sorely wounded.

"Thieves, convicted by court martial, stripped her of some of her belongings. Mr. Degener, who sailed on the Cheng Ho in Filian waters and knows the vessel well, is now in Honolulu as Mrs. Archbold's agent. He is negotiating with Lt. V. Smith, district craft officer, regarding the possible repair of the Cheng Ho in the hope that she can continue her exploratory work in the Pacific."

Hon. Adv.

## CHENG HO AGAIN

THE famous cruising junk, Cheng Ho, now engaged in inter-island trade in French Oceania, is back again in the Honolulu Courts.

In 1948, Otto Degener and Mr. and Mrs. de Bisschop (who operate the junk) had a legal battle over ownership. It was settled on December 8, 1948, when Mrs. de Bisschop, for the Cheng Ho Trading Co., signed a series of promissory notes. They became overdue on December 9, 1949, whereupon Otto Degener again filed suit in the Hawaiian circuit court.

Hon. Adv. 1/15/50

Otto Degener, author of *Flora Hawaiiana*, addressed the Hawaiian Botanical Society May 5 on "Plant Hunting in Fiji." As guest botanist on Mrs. Anne Archbold's second expedition in her 100-foot junk-yacht, *Cheng Ho*, he discovered the flowers of the new plant family *Degeneriaceae* on the island of Viti Levu. The *Cheng Ho*, sold to the Navy in 1941, has been repurchased by Dr. Degener in Honolulu for use in further explorations in the South Seas. Scientists interested in joining such trips are requested to communicate with Cdr. J. P. Norfleet, Cape May, New Jersey.

Science 2/9/47

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII, SATURNINO MALAYO AND HAROLD ENGLISH, LIBELANTS, vs. THE JUNK CHENG HO, HER Engines, Tackle, Apparel, Furnishings, etc. Respondents. IN ADMIRALTY NO. 402. NOTICE OF SALE. NOTICE IS HEREBY GIVEN THAT THE JUNK CHENG HO, a vessel purporting to be registered under the laws of the Republic of France, and to have Papete, Tahiti as its home port, which vessel is believed but not warranted to be approximately of the dimensions and descriptions set forth below: Length overall, 98 feet; Length Water Line, 85 feet; Beam extreme, 24 feet; Draft, 9 feet; Twin Screw Diesel, 235 Horsepower each; Make "Gray." Gross Tonnage, about 125 tons; Net Tonnage about 100 tons; Built in 1939 at Hong Kong, China. Material—Teak and Yaka together with her Engines, Tackle, Apparel, Furniture, etc., will be sold at public auction, under order of the United States District Court for the Territory of Hawaii, on the 28th day of November, 1948, at 12 o'clock, Noon, on board the said vessel at Pier 7, in Honolulu, Territory of Hawaii, to satisfy a decree dated November 10, 1948 in the above entitled action. Dated at Honolulu, T. H., November 22nd, 1948. (S) O. F. HEINE, U. S. Marshal. WINSTON C. INGMAN, 410 Merchandise Mart Bldg., Honolulu. T. H. Proctor for Libelants. (Hon. Adv. Nov. 23, 24, 25, 26, 27, 28, 1948)

Hon. Adv. 8/3/48

Dupl. Soc. Oceanists

Kicky

That ship is here again!

Harry A. Axtel, regional director here for the U. S. maritime commission, reported Friday that he has just been authorized to deliver the 29-foot junk-type Cheng Ho to Capt. Degener—but the catch is that Mr. Degener cannot be located.

A search of the telephone directory and city directory and investigation through every other available source, the MC representative said, have failed to yield a clue as to the man's whereabouts. Meanwhile, the Cheng Ho—which several months ago was towed from Pearl Harbor to Pearl 3—has been moved back to Pearl Harbor since its battery has recharged. It is one of the Honolulu port.

To communicate matters further, was interrupted last August that the Cheng Ho was to be given by Mrs. Archibald in the Sea Scouts of Kamehameha.

Whether or not Mrs. Archbold still intends to turn the vessel over to the local group following its redelivery to her agent—provided he can be found—is not quite clear. Mr. Ayres said his knowledge of the vessel's disposition does not go beyond the redelivery point.

## Junk Cheng Ho To Be Sold at Auction Monday

Some of the sale is in Pier V, where the craft is moored. It is to be sold to meet a court judgment of \$125,000 awarded by Judge J. Frank McLaughlin.

According to Otto F. Reine, U. S. marshal, the Cheng Ho will be sold without an open price to the highest bidder. The sale is subject to court approval. Appraised value of the Cheng Ho is \$40,000. It is under French registry.

Hon. Sec. Bull. 11/22/98  
Capt. Archbold, No. 1st.  
Det. Dr. Smith

In drydock at Pier 77, the 38 foot vessel, a veteran ex scientific expedition in the south seas and navy military duty in the Hawaiian Coast area during the war, will again ply the southern seas.

The new enterprise will be a combination of trading and scientific research in the south Pacific, according to Otto Degener, owner of the junk.

The quaint looking craft was launched in Hongkong in 1923. The owner was then Mrs. Anne Archibald.

The vessel arrived here in April 1941 and was sold to the navy in July 1941 for one dollar.

He sailed to Persia in the 13th century and brought back the first traffic to China. The Chang Ho combines ancient and modern sailing techniques.

Above the waterline, the junk is replica of Chinese vessels of the 15th century. Below the waterline, he is driven by twin screws powered by two modern 118 horsepower diesel engines.

The new owner expects his treasure to be ready for me in a couple of days.

Home, Sitka Bull 7/25/77  
Appl. to Soc. Oceanic  
Trade And Travel

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Hon. Adv. 8/3/48  
Infel. Soc. Oceanistes

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**T**HE famous trading junk, *Cherry Ho*, now engaged in inter-island trade in French Oceania, is back again in the Honolulu Courts.

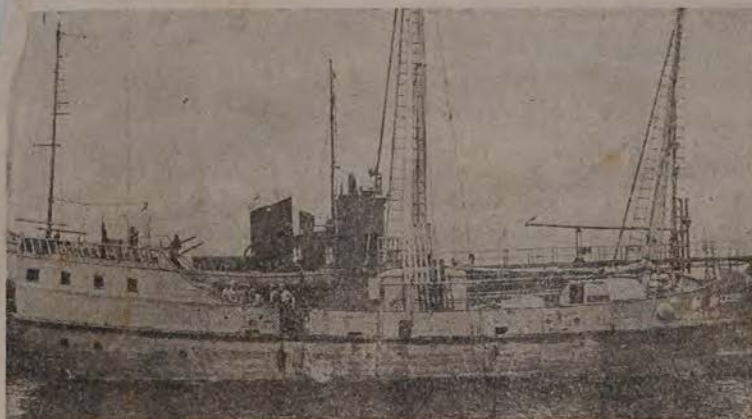
In 1948, Otto Degener and Mr. and Mrs. de Bishop (who operate the joint) had a legal battle over ownership. It was settled on December 3, 1948, when Mrs. de Bishop, for the Cheng Ho Trading Co., signed a series of promissory notes. They became overdue on December 3, 1949, whereupon Otto Degener again filed suit.

P/M Jan. 1750

Uta Degener, author of *Flora Hawaiiana*, addressed the Hawaiian Botanical Society May 5 on "Flora Hunting in Fiji." As guest botanist Mrs. Anne Archibald's second expedition in her 100-foot ketch *Yacht, Cheong Ho*, he discovered the flowers of the new plant family *Desmanaceae* on the island of Viti Levu. The *Cheong Ho*, sold to the Navy in 1941, has been repurchased by Dr. Degener in Honolulu for use in further explorations in the South Seas. Scientists interested in joining such trips are requested to communicate with Cde. J. P. Norbert, Cape May, N. J.

[illegible]





**BACK TO PRIVATE OWNERSHIP**—The once-luxurious junk-type Cheng Ho, pictured here at a Pearl Harbor mooring, was returned by the maritime commission Monday afternoon to Otto Degener, acting as agent in the transaction for Mrs. Anne Archbold, former owner. At the outset of the war, Mrs. Archbold turned the Cheng Ho over to the navy for military service. Mr. Degener was one of the scientific expedition which the vessel carried through the South Seas prior to the war. It is indicated that the Cheng Ho will now be drydocked and surveyed for rehabilitation. (Official U. S. navy photo.)

## Trading Junk Is Ordered to Send Two Seamen Home

Federal Judge J. Frank McLaughlin has ruled that the Cheng Ho trading junk must pay two seamen for the return trip from Tahiti.

**THE COURT** awarded Saturnino Malayo and Harold English their claim for \$150 per month pay at the end of a month-long admiralty hearing.

The two men filed a libel for wages against the ship charging they were hired in Honolulu in July, 1947, and returned in August of this year from a trading trip to Tahiti.

**THEY CLAIM** the Cheng Ho Trading and Exploring Co. promised them pay and one share of stock each per month. Capt. Eric de Bisschop, master of the junk, contended the men were discharged in Tahiti and made the return trip as working passengers. The Cheng Ho sails under French registry.

**JUDGE McLAUGHLIN** ruled the contract was binding and the two men were entitled to pay for the full time of the trip. The court set a value of \$1 per share on the stock and ordered the ship to pay the men at that rate.

*Hon. Adv. 10/17/48*

*Capt. Governor, The Press, Archbold, Bank 3-C., Cause*

## More Evidence Is Sought In Suit for Wages

Federal Judge J. Frank McLaughlin on Monday continued an admiralty suit for wages against the trading junk Cheng Ho until Thursday and asked attorneys to present more evidence.

**SEAMEN** Saturnino Malayo and Harold English are seeking about \$2,000 in wages and 25 shares of stock in the Cheng Ho Trading and Exploring Co., which they claim is due them as crewmembers on the junk's recent trip to Tahiti.

Judge McLaughlin asked both sides to bring some evidence of wage agreements or settlements into the case when it continues at 9 a. m. Thursday.

The ship, a former luxury yacht, was outfitted in Honolulu in 1947 and sailed to Tahiti under French registry. It returned to Honolulu in late July and since has been embroiled in two legal tangles.

**THE TWO MEN** claim they are owed wages at the rate of \$150 a month from June, 1947, until Sept. 1, this year. They also claim one

share of stock in the Cheng Ho Trading Exploring Co., was promised them for each month they worked.

**THE CLAIMANTS** were members of the crew that sailed the Cheng Ho on its original trading voyage to Tahiti last fall.

Ship's captain Eric de Bisschop, claimed the men were discharged in Tahiti and paid off in full and then allowed to work their passage back to Honolulu. The promise of stock in the company has been denied by representatives of the company.

## Cheng Ho Crew Members Win Wage Awards

Two crew members of the Cheng Ho, a Chinese junk owned by the Cheng Ho Trading & Exploring Co., are entitled to wages amounting to \$1,000 each, according to a decision by Federal Judge J. Frank McLaughlin.

Judge McLaughlin ruled in the case late Friday afternoon after a trial lasting about a month.

The suit was brought by Harold English and Saturnino Malayo, who shipped on the junk from Hawaii to Tahiti in June, 1947.

They returned as crew members in July, 1948.

According to the decision, the men are entitled to pay at the rate of \$150 a month.

As part of the award, the men will receive a share of stock each, in accordance with their contract. However, Judge McLaughlin found that the value of stock in the trading company is \$1 a share and does not have a face value of \$100.

It was contended by Capt. Eric de Bisschop, skipper of the vessel that the men were paid off in full in Tahiti and were allowed to work their way back to Honolulu. The ship is registered under the French flag and is moored at Pier 7.

Value of the picturesque junk, well known in Hawaiian waters, was placed at \$50,000 by George M. Goodwin, marine surveyor, a witness in the trial. The value, however, would depend on whether a market could be found for it.

Winston C. Ingman, attorney, represented the crew members.

Bernard H. Levinson was attorney for the company.

*Hon. S. B. Bull. 10/16/48*

*Dupl. to P.M. Soc. 10/16/48*

## Judge Orders Junk Cheng Ho To Stay in Port

Circuit Judge Martin Pence Tuesday ordered the trading junk Cheng Ho held in Honolulu harbor until he is satisfied the vessel's registry has been changed to the name of the Cheng Ho Trading & Exploring Co., Ltd.

**BUT HE DECLINED** to appoint a receiver for the corporation pending litigation between two groups of stockholders. And he refused to hear the company's involved financial and legal controversy himself.

He set the case for trial on its merits for Dec. 8, after Circuit Judge Willson C. Moore returns from vacation. That puts the case—which attorneys said might take "the rest of the calendar year"—before Judge Moore.

The vessel was registered in Tahiti last year in the name of the ship's captain, Eric de Bisschop. That was one of the points on which minority stockholders asked for a corporate accounting, a temporary receiver, and a restraining order.

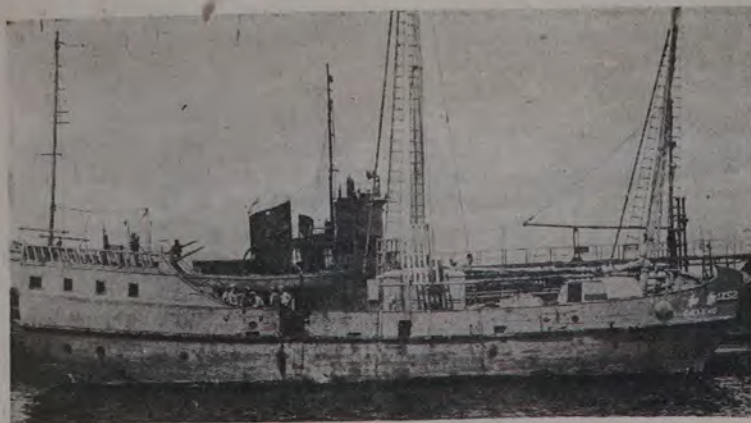
**DE BISSCHOP** and two others—William Schotte and Harry Brooks—were accused of dissipating the company's profits without accounting to the firm in the action.

Attorney Bernard Levinson, appearing for de Bisschop, said the registry in the captain's name was the result of a clerical error in the office of the governor of Tahiti. He introduced radiograms stating that a new registry was being issued.

"I don't want that ship to sail until I see the new registry act," Judge Pence said.

**THE CORPORATION** and its converted junk have been in federal and circuit courts in legal squabble almost continuously since the ship returned last August from a seven-month trip to Tahiti.

*Hon. Adv. 11/12/48*  
*Dupl. Arch. Governor, La Presse, Bank 3-C., T. Ch. Robinson, Morfett, P.M. Will*



# Judge Orders Junk Cheng Ho To Stay in Port

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**BUT HE DECLINED** to appoint a receiver for the corporation pending litigation between two groups of stockholders. And he refused to hear the company's involved financial and legal controversy himself.

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“I don't want that ship to sail until I see the new registry act,” Judge Pence said.

**THE CORPORATION** and its converted junk have been in federal and circuit courts in legal squabble almost continuously since the ship returned last August from a seven-month trip to Tahiti.

## Junk Appraised at \$60,000 in Suit

Present value of the Cheng Ho, a Chinese junk moored at Pier 7, was placed at \$60,000 Monday by George M. Goodwin, Honolulu ship surveyor.

Mr. Goodwin testified before Federal Judge J. Frank McLaughlin in an action against the vessel by two Tahitian seamen for alleged non-payment of wages and stock bonus.

Harold English, a crew member, seeks to collect \$1,500 and 15 shares of stock he claims is owed him, and Saturnino Malayo seeks \$1,400 and 14 shares of stock. The Cheng Ho is owned by the Cheng Ho Trading & Exploring Co.

**BACK TO PRIVATE OWNERSHIP**—The once-luxurious junk-type Cheng Ho, pictured here at a Pearl Harbor mooring, was returned by the maritime commission Monday afternoon to Otto Degener, acting as agent in the transaction for Mrs. Anne Archbold, former owner. At the outset of the war, Mrs. Archbold turned the Cheng Ho over to the navy for military service. Mr. Degener was one of the scientific expedition which the vessel carried through the South Seas prior to the war. It is indicated that the Cheng Ho will now be drydocked and surveyed for rehabilitation. (Official U. S. navy photo.)

## Trading Junk Is Ordered to Send Two Seamen Home

Federal Judge J. Frank McLaughlin has ruled that the Cheng Ho trading junk must pay two seamen for the return trip from Tahiti.

**THE COURT** awarded Saturnino Malayo and Harold English their claim for \$150 per month pay at the end of a month-long admiralty hearing.

The two men filed a libel for wages against the ship charging they were hired in Honolulu in July, 1947, and returned in August of this year from a trading trip to Tahiti.

**THEY CLAIM** the Cheng Ho Trading and Exploring Co. promised them pay and one share of stock each per month. Capt. Eric de Bisschop, master of the junk, contended the men were discharged in Tahiti and made the return trip as working passengers. The Cheng Ho sails under French registry.

**JUDGE McLAUGHLIN** ruled the contract was binding and the two men were entitled to pay for the full time of the trip. The court set a value of \$1 per share on the stock and ordered the ship to pay the men at that rate.

Hon. Adv. 10/17/48

## More Evidence Is Sought In Suit for Wages

Federal Judge J. Frank McLaughlin on Monday continued an admiralty suit for wages against the trading junk Cheng Ho until Thursday and asked attorneys to present more evidence.

**SEAMEN** Saturnino Malayo and Harold English are seeking about \$2,900 in wages and 25 shares of stock in the Cheng Ho Trading & Exploring Co., which they claim is due them as crew members on the junk's recent trip to Tahiti.

Judge McLaughlin asked both sides to bring some evidence of wage agreements or settlements into the case when it continues at 9 a. m. Thursday.

The ship, a former luxury yacht, was outfitted in Honolulu in 1947 and sailed to Tahiti under French registry. It returned to Honolulu in late July and since has been embroiled in two legal tangles.

**THE TWO MEN** claim they are owed wages at the rate of \$150 a month from June, 1947, until Sept. 1, this year. They also claim one

share of stock in the Cheng Ho Trading Exporting Co., was promised them for each month they worked.

**THE CLAIMANTS** were members of the crew that sailed the Cheng Ho on its original trading voyage to Tahiti last fall.

Ships captain Eric de Bisschop, claimed the men were discharged in Tahiti and paid off in full and then allowed to work their passage back to Honolulu. The promise of stock in the company has been denied by representatives of the company.

## Cheng Ho Crew Members Win Wage Awards

Two crew members of the Cheng Ho, a Chinese junk owned by the Cheng Ho Trading & Exploring Co., are entitled to wages amounting to about \$1,000 each, according to a decision by Federal Judge J. Frank McLaughlin.

Judge McLaughlin ruled in the case late Friday afternoon after a trial lasting about a month.

The suit was brought by Harold English and Saturnino Malayo, who shipped on the junk from Hawaii to Tahiti in June, 1947.

They returned as crew members in July, 1948.

According to the decision the men are entitled to pay at the rate of \$150 a month.

As part of the award, the men will receive a share of stock each, in accordance with their contract. However, Judge McLaughlin found that the value of stock in the trading company is \$1 a share and does not have a face value of \$100.

It was contended by Capt. Eric de Bisschop, skipper of the vessel that the men were paid off in full in Tahiti and were allowed to work their way back to Honolulu. The ship is registered under the French flag and is moored at Pier 7.

Value of the picturesque junk, well known in Hawaiian waters, was placed at \$60,000 by George M. Goodwin, marine surveyor, a witness in the trial. The value, however, would depend on whether a market could be found for it.

Winston C. Inman, attorney, represented the crew members. Bernard H. Levinson was attorney for the company.

Hon. S. B. Bull. 10/16/48  
Dupl. to P.M. Soc. Bannister





**BACK TO PRIVATE OWNERSHIP**—The once-luxurious junk-type Cheng Ho, pictured here at a Pearl Harbor mooring, was returned by the maritime commission Monday afternoon to Otto Degener, acting as agent in the transaction for Mrs. Anne Archbold, former owner. At the outset of the war, Archbold turned the Cheng Ho over to the navy for military service. Mr. Degener was one of the scientific expedition which the vessel carried through the South Seas prior to the war. It is indicated that the Cheng Ho will now be drydocked and surveyed for rehabilitation. (Official U. S. navy photo.)

*Hon. Adv. 2/6/47*  
**Trading Junk Is Ordered to Send Two Seamen Home**

Federal Judge J. Frank McLaughlin has ruled that the Cheng Ho trading junk must pay two seamen for the return trip from Tahiti.

**THE COURT** awarded Saturday Malaya and Harold English their claim for \$150 per month, plus at the end of a month-long admiralty hearing. The two men filed a libel for wages against the ship charging they were hired in Honolulu in July, 1947, and returned in August of this year from a trading trip to Tahiti.

**THEY CLAIM** the Cheng Ho Trading and Exploring Co. promised them pay and one share of stock each per month. Capt. Eric DeBisschop, master of the junk, contended the men were discharged in Tahiti and made the return trip as working passengers. The Cheng Ho sails under French registry.

**JUDGE McLAUGHLIN** ruled the contract was binding and the two men were entitled to pay for the full term of the trip. The court set a value of \$1 per share on the stock and ordered the ship to pay the men at that rate.

*Hon. Adv. 10/17/48*

*Capt. DeBisschop, The Cheng Ho, Archbold, Bank J.C., Counsel*

**More Evidence Is Sought In Suit for Wages**

Federal Judge J. Frank McLaughlin on Monday continued an admiralty suit for wages against the trading junk Cheng Ho until Thursday and asked attorneys to present more evidence.

**SEAMEN**—Saturday Malaya and Harold English are seeking about \$2,000 in wages and 20 shares of stock in the Cheng Ho Trading & Exploring Co., which they claim is due them as crewmembers on the junk's recent trip to Tahiti.

Judge McLaughlin asked both sides to bring some evidence of wage agreements or settlements with the crew when it continues at 3 p. m. Thursday.

The ship, a former luxury yacht, was outfitted in Honolulu in 1947 and sailed to Tahiti under French registry. It returned to Honolulu in late July and since has been embroiled in two legal tangles.

**THE TWO MEN** claim they are owed wages at the rate of \$150 a month from June, 1947, until Sept. 1. This week they also claim one share of stock in the Cheng Ho Trading Exploring Co. was promised them for each month they worked.

**THE CLAIMANTS** were members of the crew that sailed the Cheng Ho on its original trading voyage to Tahiti last fall.

Ship captain Eric de Bisschop, claimed the men were discharged in Tahiti and paid off in full and then allowed to work their passage back to Honolulu. The promise of stock in the company has been denied by representatives of the company.

**Cheng Ho Crew Members Win Wage Awards**

Ten crew members of the Cheng Ho, a Chinese junk owned by the Cheng Ho Trading & Exploring Co. are entitled to wages amounting to about \$1,500 each, according to a decision by Federal Judge J. Frank McLaughlin.

Judge McLaughlin ruled in the case last Friday afternoon after a trial lasting about a month.

The suit was brought by Harold English and Saturday Malaya, who abjured on the junk from Hawaii to Tahiti in June, 1947.

They returned as crew members in July, 1948.

According to the decision, the men are entitled to pay at the rate of \$150 a month.

As part of the award, the men will receive a share of stock worth in accordance with their contract. However, Judge McLaughlin found that the value of stock in the trading company is \$1 a share and does not have a face value of \$100.

It was contended by Capt. Eric de Bisschop, skipper of the vessel that the men were paid off in full in Tahiti and were allowed to work there was born in Honolulu. The ship is registered under the French flag and is owned at Papeete.

Value of the antiquated junk, well known in Hawaiian waters, was placed at \$2,000 by George M. Goodwin, marine surveyor, a witness in the trial. The value, however, would depend on whether a market could be found for it.

Winston C. Ingram, attorney, represented the crew members. Bernard H. Levinson was attorney for the company.

*Hon. Adv. Bull. 10/16/48*  
*Capt. de Bisschop, The Cheng Ho*

**Judge Orders Junk Cheng Ho To Stay in Port**

Circuit Judge Martin Pence Tuesday ordered the trading junk Cheng Ho held in Honolulu harbor until he is satisfied the owner's registry has been changed to the name of the Cheng Ho Trading & Exploring Co., Ltd.

**BUT HE DECLINED** to appoint a receiver for the corporation pending litigation between two groups of stockholders. And he refused to hear the company's involved financial and legal controversy himself.

He set the case for trial on its merits for Dec. 8 after Circuit Judge William C. Moore returns from vacation. That puts the case—which attorneys said might take "the rest of the calendar year"—before Judge Moore.

The vessel was registered in Tahiti last year in the name of the Cheng Ho Trading & Exploring Co., Ltd. That was not one of the points on which minority stockholders asked for a corporate accounting, a temporary receiver, and a restraining order.

**DE BISSCHOP** and two others—William Schmitt and Harold English—were named as defendants in the suit in the action.

Attorney Bernard Levinson, appeared for de Bisschop, said the registry in the name of the Cheng Ho Trading & Exploring Co., Ltd. is the result of the decision of the court in the case of the Cheng Ho Trading & Exploring Co., Ltd. and is a new registry was being issued.

"I don't want that ship to sail until I see the new registry act," Judge Pence said.

**THE CORPORATION** and its converted junk have been in federal and circuit courts in legal squabble almost continuously since the ship returned last August from a seven-month trip to Tahiti.

*Hon. Adv. 11/18/48*  
*Capt. de Bisschop, The Cheng Ho, Archbold, Bank J.C., Counsel*

## Cheng Ho Leaves Soon on Trading Mission to Tahiti

She was built in Hong Kong. She cruised the South Seas for many months on a voyage dedicated to science. She went through World War II in navy service. Now the once-palatian junk-type yacht Cheng Ho is about to enter still another phase of her career.

The tri-color flag of France is to be hoisted above her decks, and she is expected to leave some time during the next week for Tahiti. It will be her first voyage under operation by the recently-organized Cheng Ho Trading & Exploring Co., Ltd.

OTTO DEGENER, who sailed as guest botanist aboard the Cheng Ho in Fijian waters before the war, announced yesterday that he has resigned his position as secretary-treasurer in the new company "now that it is launched" and has sold his shares of stock to his former partner, Capt. Eric deBisschop. The latter at one time was French consul in Honolulu.

Although he is no longer connected with the trading part of the company, Mr. Degener said, he retains his right to engage in one exploratory expedition a year aboard the Cheng Ho to the South Seas and his option to purchase the vessel for \$15,000 in July, 1952.

Hon. Adv., 10/21/47



**BOUND FOR TRUK**, former Japanese fortress in the South Pacific, are the four smiling young men here and the 50 foot ketch Nomad. Zeke DeGrasse, Al Linsch (skipper), Joe Linsch and Robert Hawley, left to right, left Ala Wai yacht harbor in the Nomad Wednesday afternoon to begin the 60 day voyage.—Star-Bulletin photo.

## News of the Waterfront

### Over the Bounding Main to Truk

By ROBERT L. JOHNSON  
Tahitian music, beer and Hawaiian aloha—what better send-off could a group of young fellows about to sail from Honolulu to Truk in a 50 foot ketch desire?

And so the ketch Nomad sailed from Ala Wai yacht harbor Wednesday afternoon to begin a 60 day voyage to Truk—that once called impregnable island fortress of the Japanese navy in the South Pacific.

Skipper of the Nomad is Al Linsch; chief engineer is his brother, Joe. The remainder of the crew: Robert Hawley and Zeke DeGrasse.

### GONE THREE MONTHS

They won't be back in Honolulu for about three months and will most likely be back without the Nomad. The ketch may remain at Truk for use as an inter-island trader.

Al and Joe will be remembered as two of the crew of the missionary schooner Morning Star VI which sailed for the Marshalls from Kewalo basin earlier this year.

The Tahitian music mentioned above was provided for the Nomad's sailing by Chief Mate Raipo of the junk Cheng Ho, now at Pier 7, and Terri, crewmen on the 36 foot ketch Terc, moored at the yacht harbor.

### CHENG HO ATTACHED

Mention of Raipo brings to mind the plight of the Cheng Ho's mate and seven of his people aboard the Cheng Ho.

That vessel has been attached by writ of the circuit court here as a result of a suit brought by Otto Degener, well known Honolulu scientist, against the Cheng Ho Trading & Exploring Co.

Mr. Degener is suing for \$3,233.87 which he says the company owes him.

Meanwhile the seven Tahitians on the junk are marooned in Honolulu until the matter is settled and the junk allowed to return to Tahiti. They have a few cases of canned food aboard, but no fresh provisions and no American money to buy any.

Mr. Degener has provided some food. The Honolulu Chamber of Commerce is helping too.

**TAHITIAN VANILLA BEANS**  
2 Tons Available  
\$2.75 per lb. Duty Paid  
GILBERT—2242 Kalia Road

Hon. Star-Bull. 8/12/48  
Suppl. Sec. Oceansides,  
Governor, Bank  
Indo China, La  
Presse, Papeete Arch.  
bold Bruma, Robbins,  
Sain's Fairchild,  
Norfolk, Maitach,  
Big Times Herald

### Port and Offport

Hon. Adv., 10/18/48

## Junk Cheng Ho Readies To Embark for Tahiti

The Hong Kong-built trading junk Cheng Ho tugged restlessly at her mooring lines, as if she sensed that the legal red tape that held her in port here for four months and one week has at last been cast off.

She was, in fact, scheduled to embark for Tahiti at noon Thursday. Supplies were taken aboard, aloha was said, leis were presented to the nine who will go with her to the South Seas.

THEN, AT THE last moment, Capt. Eric de Bisschop said, he received word from the French governor of Tahiti requesting the junk to bring certain supplies which are badly needed in the Society Islands. To comply with that request means a delay of 24, possibly 48 hours in Honolulu, the skipper added.

The Cheng Ho was shifted Thursday morning from Pier 7-W, where she has been moored throughout the settlement of four lawsuits or threatened suits since her arrival from Tahiti last July 31, to Pier 6-A. The shift was reported made to facilitate taking on supplies.

OF THE NINE "crew" who will take off with the Cheng Ho this trip, four are pint-sized personnel ranging from 2½ to nine years. And two are women.

In actual crew, the nine-year-old former luxury craft will carry only three: Capt. de Bisschop, William Scholtz as engineer, and

Harry Brooks as second engineer. The two women will stand galley duty and generally assist with shipboard duties, they said.

Chief Engineer and Mrs. Scholtz are Honolulu residents, now going to Tahiti to make their home. With them are their three children: William, 9; Patricia, 5, and Sheryl, 2½. Mr. and Mrs. Brooks have with them their 3½-year-old daughter, Louise. For both families this will be a first visit to Tahiti.

### PENDING SETTLEMENT OF

the court actions, the Scholtz family has been living aboard the Cheng Ho, so that the three children feel perfectly at home on her decks and in her cabins. The little boy has been attending Puhukaina school as a third-grader





THE CREW OF THE CHENG HO which sailed for Tahiti Friday

afternoon when the Chinese junk will make her home port and engage in international trading. Passengers and crew to make the trip are, left to right, William Scholtz (holding the 3 month old parrot Otto), Harry Brooks, William Scholtz Jr., Captain Eric de Binschop, Lague Brooks, Patty Scholtz (playing piano), Mrs. Scholtz, Albert Scholtz and Mrs. Brooks. Star-Bulletin photo.

Hon. Star-Bull. 12/11/48. Dupl. Archibald

## News of the Waterfront

### Chinese Junk Cheng Ho Up for Auction Today

The romantic Chinese junk Cheng Ho will add another chapter to its colorful life when it goes to the auction block at noon today. It is being sold at Pier 7 to meet a court judgment of \$1,879 recently awarded by Judge J. Frank McLaughlin.

The judgment favors two seamen who need to collect back wages and stuck in the Cheng Ho Trading & Exploring Co., earned on a trading voyage to Tahiti last year.

The vessel was launched at Hongkong October 11, 1932, and arrived in Honolulu from the South Seas April 18.

In 1941 its owner, Mrs. Anne Archibald of New York sold the junk to the navy for \$1 but it was discharged from active duty in 1946 to return to a frustrated civilian life.

**HAS CHANGED HANDS**  
It has changed hands and has been involved in suits but now will be given a chance for a new life "under new management."

According to Otto F. Degener, U.S. marshal, the Cheng Ho will be sold without an upset price in the highest bidder. The sale is subject to court approval. Appraised value is \$95,000.

**OTTO DEGENER'S** suit against the Cheng Ho Trading & Exploring Co. was discontinued Wednesday in circuit court, and Circuit Judge A. McCreedy returned an attachment against the junk Cheng Ho. The settlement reportedly amounted to \$4,000.

The filing of the attachment makes it possible for eight Tahiti crew members to return to the junk.

The company plans to bring the craft up to shipshape condition and send it back to Tahiti to resume trading.

Hon. Arch. 9/23/48  
Capt. P.M. Archibald, Robbins, Soc. Oceania

## Cheng Ho Tied Up By Court Order

After a hearing in Honolulu Wednesday, Circuit Judge Martin Pence of Hilo, restrained majority stockholders in the Cheng Ho Trading & Exploring Co. from removing the Cheng Ho Chinese junk from Hawaiian waters.

Until further court order, the craft, now moored at Pier 7, will be required to remain here.

The court indicated the order will not be lifted until satisfactory proof is made that the registry of the vessel under the French flag in the name of Eric de Binschop, master, has been changed to the name of the company.

At the same time, Judge Pence decided to appoint a receiver to take over assets of the company pending final hearing in the case. The restraining order was made in connection with an action for a permanent injunction to be heard on December 8.

Judge Pence sat for Circuit

Judge William C. Moore who is on the mainland.

Hon. Star-Bull.  
Dupl. Archibald, Governor,  
La Press, Banks, S.C.,  
Punch, Robbins, Moffat,  
Pac. Tel. News, etc., Soc.  
Oceania. 11/18/48

## Botanist Files Writ Against Trading Firm

Following a petition by Otto Degener, botanist, versus the Cheng Ho Trading & Exploring Co., Judge William C. Moore of the fourth circuit court on Aug. 5 issued a writ of attachment to which no return had been filed up to Tuesday afternoon. The writ named Bishop National Bank as guarantor.

**IN HIS PETITION**, Mr. Degener charges that the defendant made a promissory note for the amount of \$4,352 and that five subsequent payments of \$100 each were made, the latest on May 3. The petitioner claims that \$3,833 remains due and that the defendant has "failed, neglected and refused to pay any part of the balance."

Mr. Degener, who is represented by Hughes & Ingman, seeks payment of the principal plus interest, plus costs, plus attorney's commissions. Judge Moore has ordered the high sheriff to "attach and safely keep" in custody of the defendant's property as is not exempt from attachment.

**THE CHENG HO** Trading & Exploring Co. was incorporated on July 7, 1945, with Mrs. Eric de Binschop as president and Mr. Degener as secretary-treasurer, to conduct trade between Hawaii and French Oceania. Such trade was to be carried out with the junk type vessel Cheng Ho, earlier purchased by Mr. Degener from its former owner, Mrs. Anne Archibald, after the ship was redelivered to her by the navy and maintenance commission upon the war's end.

In October, 1947, Mr. Degener announced his recognition as an officer of the new company and the sale of his shares of stock to his former partner, Capt. de Binschop, now-time French consul in Honolulu. He said at the time that he retained his right to make one exploratory expedition a year aboard the Cheng Ho and his option to purchase the vessel for \$125,000 in 1952.

**ABOUT THE SAME** time, the French flag was hoisted over the Cheng Ho, and in November she embarked on her first trading mission to Tahiti. She returned from that voyage on July 27 and is now berthed at Pier 7-E. Capt. de Binschop is in command.

Hon. Arch. 8/11/48  
Dupl. Archibald, Governor,  
Tahiti, Roberts, P.M., Soc. Oceania

HONOLULU STAR-BULLETIN, FRIDAY, FEBRUARY 7, 1948



THE 36 FOOT JUNK CHENG HO is back in civilian hands after wartime service with the navy. She was re-delivered Monday by the maritime commission in Otto Degener, agent for Mrs. Anne Archibald of New York City. The craft was built for scientific south sea cruises-Navy photo.

## Cheng Ho Leaves Soon on Trading Mission to Tahiti

The tri-color flag of France is she is expected to leave some time during the next week for Tahiti. It will be her first voyage under co-sponsorship by the recently organized Cheng Ho Trading & Exploring Co., Ltd.

and guest performance will be staged by the Stewart-Sew-Net-Den group of dancers, a troupe specializing in the colorful folk dances of the Scandinavian countries. This program will also begin at 7:30.

Hon. Adm. 10/21/47



BOUND FOR TRIP. Incoming Japanese fishing boats in the South Pacific get the four smiling young men boys and the 56 foot ketch Nomad. Zuko Itoharu. Al Linsenb (skipper); Joe Linsenb and Robert Hawley left in right; left: Ala Wai yacht harbor in the Nomad Wednesday afternoon to begin the 56 day voyage.—Star Bulletin photo.

## News of the Waterfront

### Over the Bounding Main to Truk

Tattooed thugs, beer and Hawaiian slangs—what better send-off could a group of young fellows expect to sail from Honolulu to Tiki in a 30-foot yacht? Review?

And on the ketch Nomad sailed from Ala Wai yacht harbor Wednesday afternoon to begin a 30 day cruise to Tonga—what once called innumerable island harbors of the Japanese navy in the south Pacific.

They won't be back in Honolulu for about three months and will most likely be back without the Norram. The ketch may remain at Yona but act as an inter-island trader.

Al and Joe will be remembered as two of the crew of the missionary schooner Morning Star VI which sailed for the Marshalls from Kwajalein earlier this year.

The Yablian music mentioned above was provided for the Nomad's setting by Chief Main Batjag of the punk Ching Ho, now at Floor 7, and Tset, co-owner on the 11th floor Kitch Tern, married at the time.

The plight of the Cheng Mi's mate and seven of his people aboard the Chinese ship.

That vessel has been attacked by well over the aircraft must have as a result of a wall brought by the Japanese, well known Honolulu scientist, against the Cheng Ho Statue & Tanching C.

Mr. Greiner is suing for \$1,051.57 which he says the company owes him.

Meanwhile the seven Taffians on the bank are welcomed in Minnesota until the matter is settled and the boat allowed to return to Taffels. They have a few cases of canned food aboard, but no fresh

provisions and an American story  
in 1907.

Mr. Douglas has provided me with information in Minnesota, including in their brothers' credit with existing too.

TAHITIAN  
VANILLA BEANS  
2 Tons Available  
\$1.75 per lb. Duty Paid  
SICLETY—2242 Kalia Road

How. Ste. Bull. 9/12/48  
Capt. Joe Camacho  
Governor, Rank  
into China, La  
Presse, Pappy Arch  
old Duma, Ruth  
Miss Fairchild,  
Norfolk, Massach,  
Big Times & Herald

Port and Offport *Honolulu, Adv. 12/10/48*  
**Junk Cheng Ho Readies  
 To Embark for Tahiti**

The Hong Kong-built trading junk Chenk Ho tugged restlessly at her mooring lines, as if she sensed that the legal red tape that held her in port here for four months and one week has at last been cast off.

She was, in fact, scheduled to embark for Tahiti at noon Thursday. Supplies were taken aboard, Alphas were read, lists were presented to the nine who will go with her to the South Sea.

Harry Brooks as second engineer. The two women will stand galley duty and generally assist with shipboard duties, they said.

**THEN, AT THE** last moment, Capt. Eric de Busshep said, he received word from the French governor of Tahiti requesting the link to bring certain supplies which are badly needed in the Society islands. To comply with that request means a delay of 24, possibly 48 hours in Honolulu, the skipper added.

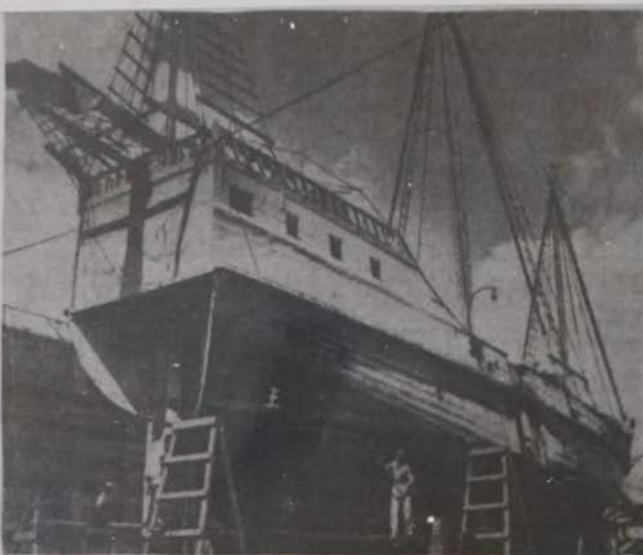
The Cheong Ho was shifted Thursday morning from Pier 1-W where she has been moored throughout the settlement of four lawsuits or threatened suits since her arrival from Tahiti last July 21, to Pier 3-A. The shift was reported made to facilitate taking on supplies.

OF THE NINE "crew" who will take off with the Cheng Ha this trip, four are post-aided persons and ranging from 2½ to six years. And two are women.

In actual crew, the nine-year-old former luxury craft will carry only three: Capt. de Blanche, William Schmitt as engineer, an

**PENDING SETTLEMENT** — In the court actions, the Scholtz family has been living aboard the Cheng Ho, so that the three children feel perfectly at home on her decks and in her cabins. The little boy has been attending Peabody school as a third-grader.





**TO SAIL AGAIN FOR SCIENCE**—The once-luxurious *Cheng Ho* which spent throughout the war with the navy went up on drydock at Inter-Island Steam Navigation Co.'s Drydock No. 2, Pier 27, yesterday to be put back into ship-shape for postwar Pacific cruising. The drydock workers are pictured scraping off assorted submarine life as a preliminary to recasting her hull. After reconsecrating, the *Cheng Ho* will operate for the Cheng Ho Trading & Exploring Co. in a commercial-scientific venture between here and French Oceania. (Advertiser photo.)

## Cheng Ho Readied For New Adventures

Adventure is dead, you say? Well, you'd better duck when you say it to the man who has been World War I combat ace, scientist-explorer, skipper, French consul in Honolulu, shipwrecked three times that he can recall offhand, boat-builder, outwitted of some business-like pirates in Formosa—and now is setting ready to launch into a brand new adventure involving the fabulous junk *Cheng Ho*.

**ERIC DE BUSHOP** took time out from sweeping barnacles off the ship's bottom yesterday to give his reporter an idea of what his latest venture is all about. The *Cheng Ho*, it might be explained, is high and dry in Inter-Island No. 2 drydock at Pier 27.

Otto Degener, who recently purchased the junk from Mrs. Anne Archibald following its redelivery by the navy and maritime commission to the former owner, came down from his perch on deck to join the conversation.

**THIS NEW VENTURE**, it seems, is wrapped up in the *Cheng Ho* Trading & Exploring Co., incorporated last July 7. Mrs. De Bushop, the former Conference Committee, is president and Mrs. Degener, secretary-treasurer of the new concern, organized to conduct trade between Hawaii and French Oceania.

The enterprise, however, is not to be wholly commercial. Mr.

Degener said he has reserved the after cabin and its private bath for himself and other scientists who will conduct study and research among the South Pacific islands, at which the *Cheng Ho* calls.

**BUILT IN HONG KONG** in 1923, the luxurious vessel made an extensive scientific expedition in the Pacific before arriving in Honolulu in 1941 and being overtaken by war. Mr. Degener was a member of that expedition.

It was with another junk-type ship, some 18 years ago, that Capt. de Bushop was shipwrecked off Formosa and obliged to take cover for a long period to avoid death at the hands of pirates. He finally managed to build a new junk and aboard that began a three-year cruise of the Pacific, studying currents, fish migrations and other scientific phenomena for the French Geographical society.

**JUNK NO. 2** came to an untimely end, and the records of those three years' work were lost when the vessel was dashed to pieces on the rocks off Molokai

during a storm. Newspaper accounts at the time report that Capt. de Bushop and his scientist companions, Joseph Taitbout, and his days were "disturbed chiefly on candle tallow."

The two research scientists picked a tent down at Ala Moana and set to work on a new craft, this time a built-in-hunter canoe, called *Kaumika*. And on March 7, 1937, a few months after their Molokai mishap, the two took off for France.

**BY MID-JUNE** winds and currents had carried the mysterious craft more than 3,000 miles in French Oceania. From there the *Kaumika* headed for South Africa, rounded the Cape of Good Hope and eventually made port in France.

There Capt. de Bushop acquired still a fourth vessel. Mrs. Archibald was with him when he assumed suit in French suit to go on that voyage, but it was another voyage destined for an unhappy ending. Off Portugal the *Cheng Ho* craft was run down by a sardine boat one night. The vessel, and everything aboard was lost, but the de Bushops miraculously were rescued.

**IN JULY, 1941**, the skipper was appointed French consul at Honolulu. Two months before, the *Cheng Ho* had arrived in port here. But at that time Capt. de Bushop didn't dream that one day he'd be reading her to put to sea again in the interests of science.

A seven-man crew, all of whom have interests in the new company, will be aboard the *Cheng Ho*

when she sets forth on her new career, the skipper said. He thinks she should be back in ship-shape within two or three weeks.

**WITH THREE SETS** of sails, twin diesel engines and a fuel capacity giving her a cruising range of 12,000 miles, the one-time luxury junk can take the Pacific to stride either under sail or under power.

The skipper and Mr. Degener figure she ought to be able to make a round trip between Honolulu and one of her proposed ports of call in about six weeks.

## Just About PEOPLE Where They Are—What They're Doing

Need South, explorer and world adventurer who arrived here in sight for a series of lectures, has a crowded calendar which only will allow a minimum of personal engagements.

Mr. South is the son of the nationally prominent Dr. South of the San Francisco peninsula.

**HIS MOTHER IN LAW** is Mrs. Anne Archibald, Washington, D.C., who was in Honolulu shortly before the war. It was Mrs. Archibald who built the *Cheng Ho* which recently became involved in litigation here.

The junk, now owned by Eric de Bushop and the Cheng Ho Trading & Exploring Co., Ltd., was brought to Honolulu by Mrs. Archibald in 1941. She was then conducting the Pacific were threatened.

The ship had been destined for exploration in the South Seas.

She was sold for \$1 by Mrs. Archibald early in the war to the U. S. government and was used at Pearl Harbor as a training ship. The junk later was bought by Eric de Bushop and his company. It has been used for commercial purposes. The litigation involved a suit for a corporate account. This suit was dismissed last Tuesday by the court. Honolulu friends of Mr. South's mother and of Mrs. Archibald hope to maintain him should arrive.

*Honolulu Star-Bulletin*, 12/14/42

## Cheng Ho Back in Court

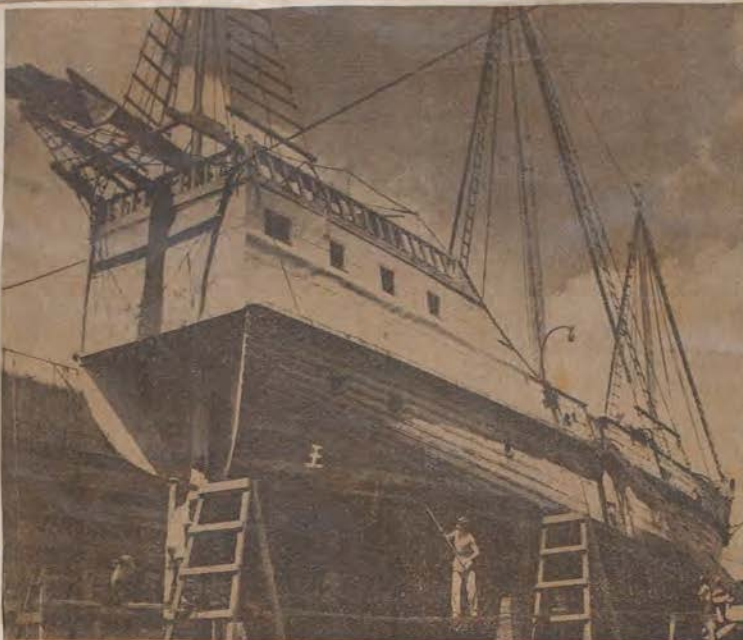
The *Cheng Ho*, once fabulous, exciting junk, now engaged in inter-island trade to French Oceania, is back in the Honolulu courts.

**OTTO DEGENER**, one-time capt. owner of the craft, filed an action against the *Cheng Ho* Trading Co., Ltd., seeking payment of \$2,118.50 on promissory notes signed by officers of the company.

The suit charged that six promissory notes totaling from \$121.50 to \$2,118.50 are overdue. They were signed Dec. 8, 1941, by Mrs. Constantine de Bushop, president of the company, and William Schultz, secretary.

**THE NOTES** all belong to Degener, according to the suit. They were signed as part of the settlement of a long legal battle in both Hawaii and Federal courts. All notes became overdue on Dec. 7, 1942.

The suit was filed by David N. Ingman, attorney for Degener.



**TO SAIL AGAIN FOR SCIENCE**—The once-luxurious Cheng Ho which served throughout the war with the navy went up on drydock at Inter-Island Steam Navigation Co.'s Drydock No. 2, Pier 27, yesterday to be put back into ship-shape for postwar Pacific cruising. The drydock workers are pictured scrapping off assorted submarine life as a preliminary to recaulking her hull. After reconditioning, the Cheng Ho will operate for the Cheng Ho Trading & Exploring Co. in a commercial-scientific venture between here and French Oceania. (Advertiser photo.)

## How. Adv. 8/23/47 Cheng Ho Readied For New Adventures

Adventure is dead, you say? Well, you'd better duck when you say it to the man who has been World War I combat ace, scientist-explorer, skipper, French consul in Honolulu, shipwrecked three times that he can recall offhand, boat-builder, outwiter of some business-like pirates in Formosa—and now is getting ready to launch into a brand new adventure involving the fabulous junk Cheng Ho.

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Otto Degener, who recently purchased the junk from Mrs. Anne Archbold following its redelivery by the navy and maritime commission to the former owner, came down from his chores on deck to join the conversation.

**THE NEW VENTURE**, it seems, is wrapped up in the Cheng Ho Trading & Exploring Co., incorporated last July 7. Mrs. De Bisschop, the former Constance Constable, is president and Mrs. Degener secretary-treasurer of the new concern, organized to conduct trade between Hawaii and French Oceania.

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**JUNK NO. 2** came to an unhappy end, and the records of those three years' work were lost when the vessel was damaged and burned in the Formosa incident.

during a storm. Newspaper accounts at the time report that Capt. de Bisschop and his scientist companion, Joseph Tattibouet, had for days "only subsisted chiefly on candle tallow."

The two French scientists pitched a tent down at Ala Moana and set to work on a new craft, this time a double-hulled canoe called Kaimiloa. And on March 7, 1937, a few months after their Molokai mishap, the two took off for France.

**BY MID-JUNE** winds and currents had carried the motorless craft more than 5,000 miles, to Soerabaja, Java. From there the Kaimiloa headed for South Africa, rounded the Cape of Good Hope and eventually made port in France.

There Capt. de Bisschop acquired still a fourth vessel. Mrs. de Bisschop was with him when he put to sea that time, but it was another voyage destined for an unhappy ending. Off Portugal the de Bisschop craft was run down by a sardine boat one night. The vessel and everything aboard was lost, but the de Bisschops miraculously were rescued.

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A seven-man crew, all of whom are interested in the new commercial and scientific venture, will be aboard the Cheng Ho.

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## Just About PEOPLE Where They Are— What They're Doing

Nicol Smith, explorer and world adventurer who arrives here tonight for a series of lectures, has a crowded calendar which only will allow a minimum of personal engagements.

Mr. Smith is the son of the socially prominent Sue Smith of the San Francisco peninsula.

**HIS MOTHER IN LAW** IS Mrs. Anne Archbold of Washington, D.C. who was in Honolulu shortly before the war. It was Mrs. Archbold who built the Chinese junk Cheng Ho which recently became involved in litigation here. The junk, now owned by Eric de Bisschop and the Cheng Ho Trading and Exploring Co., Ltd. was brought to Honolulu by Mrs. Archbold in October 1940 when conditions in the Pacific were threatening.

The ship had been destined for exploration in the South Seas.

She was sold for \$1 by Mrs. Archbold early in the war to the U. S. government and was used at Pearl Harbor as a training ship.

The junk later was bought by the de Bisschop interests and since has been used for commercial purposes. The litigation involved an suit for a corporate accounting. This suit was dismissed last Tuesday, halting an auction.

Honolulu friends of Mr. Smith's mother and of Mrs. Archbold hope to entertain him when he arrives.

How. Star-Bull. 12/11/48

## How. Adv. 1/16/50 Cheng Ho Back in Court

The Cheng Ho, once fabulous cruising junk, now engaged in inter-island trade in French Oceania, is back in the Honolulu courts.

**OTTO DEGENER**, one-time part owner of the craft, filed an assumpsit suit in circuit court put to sea that time, but it was another voyage destined for an unhappy ending. Off Portugal the de Bisschop craft was run down by a sardine boat one night. The vessel and everything aboard was lost, but the de Bisschops miraculously were rescued.

The suit charged that six promissory notes ranging from \$131.58 to \$1,116.50 are overdue. They were signed Dec. 6, 1948, by Mrs. Constance de Bisschop, president of the company, and William Scholtz, secretary-treasurer.

**THE NOTES** all belong to Degener, according to the suit. They were signed as part of the settlement of a legal battle in both circuit and federal courts. All notes became overdue on Dec. 7, 1949.

The suit was filed by David N. Ingman, attorney for Degener.





ONE OF THE WORLD'S MUCH TRAVELED 12 year olds, Michael Kitzmiller, son of Mrs. Virginia Kitzmiller of the University of Hawaii, returned Saturday on the Chinese junk, Cheng Ho, after eight months in Tahitian and Marquesan waters. Michael left Honolulu aboard the yacht Barco de Oro last November to sail around the world. The Barco hit financial difficulties in Tahiti so Michael took the first available transportation home. He learned to speak a little French, Tahitian and Tuomoutian in the islands, says he'll go back to sea again soon. Star-Bulletin photo.

## Two Seamen File for Wages

The junk Cheng Ho Thursday found itself involved in new legal difficulties. Two Honolulu seamen, Saturnino Malayo and Harold English, filed bill in rem for seamen's wages in U. S. district court, asserting that they were signed on the junk here in July, 1947, and discharged here last Wednesday.

ENGLISH ASKS \$1,500 and fifteen \$100 shares of stock in the corporation, and Malayo asks \$1,400 and fourteen \$100 shares.

A similar bill is due to come before Federal Judge J. Frank McLaughlin this morning on behalf of eight Tahitian seamen who have been stranded since the junk's arrival in Honolulu harbor. The Tahitians ask \$6,472 as transportation back to Tahiti, and a half month's wages for each man.

AN ATTACHMENT against the Cheng Ho Trading and Exploring Co. was discharged Wednesday after the company paid \$4,000 to Otto Degener in settlement of all his claims.

Winston C. Ingman is attorney for the two new petitioners.

Hon. Adv. 9/3/48  
Archibald, Phoebe Ann.  
Counsel, Tan Chio

## LEGAL NOTICES

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
SATURNINO MALAYO and HAROLD ENGLISH, Libellants, vs. The Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., Respondent. IN ADMIRALTY NO. 408.

NOTICE OF SALE  
NOTICE IS HEREBY GIVEN that the Junk CHENG HO, a vessel purporting to be registered under the laws of the Republic of France, and to have Peapeete, Tahiti as its home port, which vessel is believed but not warranted to be approximately of the dimensions and descriptions set forth below:

Length overall, 98 feet  
Length Water Line, 85 feet  
Beam extreme, 24 feet  
Draft, 9 feet  
Two Screw Diesel, 225 Horsepower

each Make "Gray"  
Gross Tonnage about 125 tons  
Net Tonnage about 100 tons  
Built in 1938 at Hong Kong, China  
Material—Teak and Xiala  
Equipped with her Engines, Tackle, Apparel, Furniture, etc., will be sold at public auction, under order of the United States District Court for the Territory of Hawaii, on the 20th day of November, 1948, at 12 o'clock, Noon, on board the said vessel at Pier 7, in Honolulu, Territory of Hawaii, to satisfy a decree dated November 10, 1948 in the above entitled action.

Dated at Honolulu, T. H., November 22nd, 1948.  
(s) Otto F. Heine  
S. Marshall  
WINSTON C. INGMAN  
410 Merchandise Mart Bldg.  
Honolulu, T. H.  
Petitioner for Libellants.  
(Hon. Adv. Nov. 23, 24, 25, 26, 27, 28, 1948)

Hon. Adv. 11/23/48  
Dupl. Archibald, John,  
Robbins, Dean of Hon.  
Vars. Moffat

## LEGAL NOTICES

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII  
SATURNINO MALAYO and HAROLD ENGLISH, Libellants, vs. The Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., Respondent. IN ADMIRALTY No. 408.

GOOD CAUSE APPEARING THEREFOR, it is ordered that process in due form may issue against the Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., and that all persons claiming any right, title or interest in said Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., may be cited to appear before this Court on Monday the 30th day of September, 1948, at 10 o'clock A. M., and that upon such seizure the Marshal shall publish notice in the HONOLULU ADVERTISER on the 15th day of September, 1948, of the arrest, the publication to contain the title of the suit, the cause or nature of the action, the amount demanded, the time and place of the return of the monition, with notice to all persons to appear at that default and condemnation will be ordered, with names of the Marshal and Precinct, and shall read a similar notice in a public manner at the place of trial.  
DATED: Honolulu, T. H., September 12, 1948.

(s) J. FRANK McLAUGHLIN  
Judge  
United States District Court

IN THE UNITED STATES DISTRICT COURT FOR THE TERRITORY OF HAWAII SATURNINO MALAYO and HAROLD ENGLISH, Libellants, vs. The Junk CHENG HO, Her Engines, Tackle, Apparel, Furniture, etc., Respondent. IN ADMIRALTY No. 408. NOTICE OF ARREST OF PROPERTY.  
Notice is hereby given that pursuant to a Warrant of Seizure and Arrest the property above mentioned has been seized by me and is now held in my custody, that the nature of the action is an Amended Libel in Rem for Seamen's Wages, and the amount demanded is a total of Fifty-Two Hundred and Eighty-Five Dollars (\$528.00).

All persons interested in said vessel appear before the above named Court at the Federal Building, Honolulu, T. H., on the 20th day of November, 1948, at the hour of 10 o'clock A.M. of the same day, if that day shall be a day of jurisdiction, otherwise on the next day of jurisdiction thereafter, in default of judgment will be ordered in OTTO F. HEINE vs. U.S. Marshal, WINSTON C. INGMAN, 410 Merchandise Mart Bldg., Honolulu, T. H., Petitioners for Libellants.  
(Hon. Adv. Sept. 24, 1948)

Hon. Adv. 9/14/48  
Dupl. P.M., Soc. Oceanistes  
La Presse, Bank 2-C,  
Governor, Am. Consul,  
Sarah Dexter, Archibald

## Crew Files Libel Against Junk Cheng Ho

A libel against the Junk Cheng Ho, "her engines, tackle, apparel, furniture, etc.," was filed Monday in federal court on behalf of eight crew members, all of whom are identified as citizens of Tahiti, French Oceania.

They are Tane a Teritameho, assistant engineer; Edouard Toomaru, seaman; Reimu Tuiara, boatswain; Roger Johnson, seaman; Manuel Teitioroo, chief engineer; Meiroto a Faraire, able seaman; Tapu a Maahoa, seaman; and Theodore Taiarui Tu, seaman.

THE LIBEL is identified as a "cause of actions for wages, costs of repatriation, damages, etc."

The crew members allege that they were recruited at Peapeete on April 30 by the Cheng Ho Trading & Exploring Co., and sailed the junk here, arriving on July 31.

A writ of attachment was filed against the Honolulu company on Aug. 5 by Otto Degener. This case is pending in circuit court. Last Saturday the crew men were ordered off the vessel by the deputy high sheriff, leaving them "without wages, shelter or food," they assert.

THEY ASK A HALF month's wages, listed at \$396, and \$6,472 in transportation costs incidental to getting them back to their homes in Tahiti.

They are represented by the law firm of Smith, Wild, Beebe & Cades, and the libel said that some of the information was confirmed by Irving O. Pecker, French consul here.

The junk is at Pier 7.

Hon. Adv. 9/24/48  
Dupl. to Soc. Oceanistes,  
Archibald, J. J. Herald, Albert Jov.,  
Pafy, Robinson, Merrill, John,  
Bank 2-C, La Presse, Am. Consul,  
Buna, Withrocks, Sheff, Tan Chi,  
P.M.

## NOTICE

Undersigned owns option to purchase Cheng Ho in July 1952 for \$15,000. Recorded Bur. Conveyances Doc. No. 51394, and right for 1 round trip from Hon. to South Seas yearly with fellow scientist.

Otto Degener  
Box 167, Waihala, Oahu

Flora Hawaii, Books 1-4, ed. 2, 1193 illustrated pages for \$6.  
Plants Haw. Nat. Park illustrative of Plants & Customs South Seas, ed. 2, 333 pages for \$2.50.

Order from above

Hon. Adv. 11/20/48 Dupl. Will, Archibald,  
Soc. Oceanistes

## Carroll urges Kapiolani Park garden

A five-acre botanical garden in Kapiolani Park was proposed yesterday by John S. Carroll, Republican candidate for City Council.

Carroll told residents of the Arcadia, an apartment building condominium for retired persons, that the garden would benefit more residents and visitors than the City hibiscus garden on Paki Street—"its location is a secret."

"The cost for such a botanical garden would be nominal, maintenance would not be expensive," he said, pointing out that the City "spent \$100,000 to rebuild the tennis complex for the benefit of a few hundred players at most."

"I AM positive that we could interest professional landscapers and planners to design and plant such a garden without charge.

"This project, although seemingly small in the order of things as large as a \$20 million stadium or a \$1 billion public transit system, is still an important consideration.

Carroll lamented "our City planners have apparently resigned themselves to the victory of concrete over grass, of asphalt over shrubbery or glass and profits over trees."

Carroll proposed that the City make the most of "the largest oasis" in Honolulu, Kapiolani Park.

"I WOULD like to see, within its borders, a garden of Hawaiian flowers and plants of such beauty and profusion that it would become a mecca for all lovers of beauty.

"Progress is usually unlovely," Carroll said, labeling the buildings covering Honolulu as "a concrete blight."

"The small areas set aside for greenery look as artificial as they appear pathetic," he said of the attempts of builders to offset concrete with plantings.

Carroll named the new Capitol as an example of the blight. "On close inspection, it appears to resemble a new type of steel furnace," he said.



Prof. Donald P. Watson, one of the nation's foremost horticultural educators, formerly head of the Division of Ornamental Horticulture at Michigan State University, has recently joined the staff of the Cooperative Extension Service of the State of Hawaii.

For the 1963-1964 academic year as a visiting professor in the College of Tropical Agriculture at the University of Hawaii, he taught the physiology of flower crops, conducted research with anthuriums, passion fruit, macadamias and plumerias and worked closely with the ornamental horticultural industry in Oahu, Maui and in Hawaii counties. In December 1964 he returned as a permanent faculty member to the Department of Horticulture at UH.

Dr. Watson has prepared a series of columns on Hawaiian plants which will be published in the Better Living section of the Sunday Star-Bulletin and Advertiser.

## Orchid experts offering tour of Foster Garden

An orchid tour open to the public without charge will be conducted from 2 to 3 p.m. Sunday at Foster Garden by Mr. and Mrs. Frank D. Johnston.

The Johnstons have grown and collected orchids in Australia, Mexico and other areas in the southwestern United States.

They have written for national and foreign horticultural publications, including the American Orchid Society Bulletin published at the Botanical Museum of Harvard University.

They are particularly interested in the cultivation of orchids in natural settings and preserving species that are disappearing because of the construction now going on here.

### With division

by Pfc. Edwin T. Kiki  
of Mr. and Mrs. Sam  
30 B. Hassinger  
to the 1st  
nam,



**ORCHID EXPERT** — Frank D. Johnston examines one of the orchid plants growing off a tree in the Lyon Orchid Garden at Foster Garden on North Vineyard Boulevard.



Oscar Nordmark  
I found out  
had been insur-  
ing for sinking  
a ship to collect  
insurance. He  
made the "mistake"  
of sinking it in too  
shallow water.  
Barrels of cargo  
brought up by  
divers - had they  
filled with  
rocks!

CS

ADRESSE TÉLÉGRAPHIQUE :

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 17th 1952

Mr. Otto Degener  
Mokuleia Beach  
Waialua Oahu T.H.

Dear Mr. Degener

I telegraphed you that Mr. Hoppenstedt never made any translation of the documents, and I showed Mr. Calamy your telegram.

Mr. Calamy says the main thing for Mr. Degener is to take the vessel over in July and that's all to be done.

I am in contact with the Notary Public, and I told him of your affair, and he says when the time comes for me to take all papers and documents to him, as he has already found some shaky deals with Maitre Hoppenstedt.

If we have to take another Lawyer, he will appoint the right one.

Again I wish all the best

Very Sincerely

Oscar G. Nordman

*Oscar*



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

HONOLULU, HAWAII

March 27, 1952

Mr. Otto Degener  
Makawao, Maui

Dear Mr. Degener:

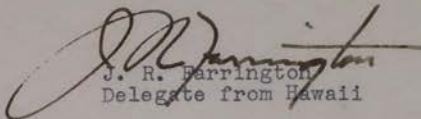
I am forwarding your letter of March 20th to my office in Washington with the request that they determine through the State Department what steps can be taken to enable you to obtain reconsideration of the action of the French authorities in denying you a visa to enter Tahiti.

I will submit also your request that an investigation be undertaken of the affair "Cheng Ho."

I will ask my office to write you directly the result of this inquiry inasfar as I will be absent from Washington for the next ten days.

With kindest regards, I am

Sincerely yours,



J. R. Farrington  
Delegate from Hawaii

cc-Mrs. Turner

C/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 Révillon, Paris. Je sais que cette lecture vous aidera à recevoir une vraie conception de cette affaire. L'étude de la correspondance entre les 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 pleines 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 capables 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, 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 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 Fapeete, 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.  
(Stamps 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 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 ou 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 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 847-249 (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 freté le 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. 26, 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 donne 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 originellement 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 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 honteuses 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:

"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 spécifiée, 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 agrément dans ce contrat que je devais déposer \$15,000 comme garentie "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 drapeau 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, appartiennent pour 100% à un Américain. Cette ordonnance arbitraire ne me déroberait 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 à une 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 thèque et camphrier, il a vendu ou abandonné de l'équipement précieux, 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 dérelict, et maintenant ils voulaient me dérober de \$15,000.

c) Le fait soupçonneux que l'affrèteur français Oscar Nordman de Tahiti refuse de signer un contrat commercial avec moi, concernant nos droits respectifs dans une nouvelle compagnie commerciale autour du Cheng Ho, jusqu'à ce qu'il ait reçu 51% des parts ou intérêts, comme le Gouvernement de Tahiti avait exigé de moi. Ce manque de confiance pourrait être justifié quand je recus le rapport suivant d'un ami, récemment revenu de

Tahiti. Il écrit: "Je suppose que vous connaissiez les vagues soupçons que chacun en Tahiti ait pour Oscar ----- Quoiqu'ils l'estiment, ils toujours croient qu'il a laissé couler bas le bateau à cause de l'assurance et le temps qu'il a passé dans le prison fut juste récompense." Il y a aussi une allusion à un jugement de deux années de prison dans le magazine "Pacific Islands Monthly," imprimé en Australie, concernant Oscar Nordman.

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 recus la nouvelle par la poste à New York quelques semaines plus tard), et l'impossibilité d'arriver en Tahiti pour arranger une vraie repropriation, avec des conseils legaux, du Cheng Ho, selon le contrat spécifique, le 7 juillet, 1952.

VIII) Monsieur l'Ambassadeur francais à Washington fait des allusions à mes "attaques violentes" contre l'Administration Francaise 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 francais Eric deBisschop, deporté, regardé comme alien indesirable par le Gouvernement des Etats-Unis, a defraudé mes associés et moi d'une telle mesure qu'il etait defendeur dans les Cours Federale et Territoriale en Hawaii deja en 1948.

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 americain et appartenant à une compagnie Americaine, incorporee en Hawaii), comme sa propriété sous le drapeau FRANCAIS.

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 avocat parlant anglais? Comment lui communiquer l'affaire et comment combattre legalement des puissantes forces politiques dans une langue étrangère? Ce delai de 6 mois, etait-il necessaire?

e) Quand le deporté et Ex-Consul Francois etait absent dans les Iles Australes, Monsieur le Gouverneur de Tahiti reunait son Cabinet, le 11 juin, 1952. Nous apprenons qu'à cette reunion etaient presents au moins 1) le notaire Lejeune, 2) le Chef des Douanes, 3) le Chef de Services Politiques et Administratives, 4) le Capitaine de Fort et 5) Monsieur GALLOIS, qui etait Membre du Conseil Privé de Monsieur le Gouverneur et affreteur du Cheng Ho pour 2,500 francs coloniaux francais (valant beaucoup plus que le franc francais en usage en Europe). Ces hommes - soit involontairement ou non - je 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 meme temps Degener devait delaisser 51% des parts ou interets à un Francais qui, autrefois, avait passé deux années en prison pour quelques assurance trompeuse, concernant avoir coulé au bas un bateau.

Si un homme comme Hoppenstedt, avec une connaissance assez primitive de la legislation, comme c'est evident 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, habités par des races indigènes, soient convaincus pour leurs crimes. La race blanche perd sa 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 deBisshop sont - - - - - tout à fait privés en caractère, concernant une commerciale affaire. - - - - -". 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 3 ans, jusqu'à présent.

Par conséquence, je demande des dommages pour mes pertes injustes par le Gouvernement Française, non par Monsieur deBisshop 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.

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CONSULAT GÉNÉRAL DE FRANCE  
À SAN FRANCISCO

740 TAYLOR STREET  
TÉLÉPHONE TUXEDO 5-0771

PRIÈRE DE RAPPELER LE NUMÉRO  
IN REPLYING REFER TO NUMBER

A 111/A 56 - 634

March 1, 1952

Mr. Otto DEGENER  
P.O. Box 187  
Waialua  
Oahu,  
T.H.

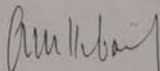
Dear Sir:

I regret to inform you that your visa for Tahiti  
has not been granted.

I am in possession of your money-order of \$ 5,00  
which covers for \$ 2,50 the air-mail postage to New Caledonia  
and Tahiti. Kindly let me have the sum of \$ 8,00 representing  
the difference to cover the fee of your visa to New Caledonia.

As soon as I receive the said amount, I will be glad  
to send you back your passport properly visaed.

Truly yours,



The Consul General of France



gJ

CONSULAT GENERAL DE FRANCE  
A SAN FRANCISCO

PREMIER DE RAPPELER LE NUMERO  
IN REPLYING REFER TO NUMBER

} A 111/A 56 -308

February 1st, 1952

Mr. Otto Degener  
P.O. Box 187  
Waialua  
Oahu,  
T. H.

Dear Sir:

I wish to inform you that your visa for New Caledonia  
has been granted for one year.

I have not yet received the Governor's decision  
regarding your visa application for French Oceania and I will  
let you know as soon as I receive it.

Truly yours,

The Consul General of France

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AGREEMENT

THIS INDENTURE, made and entered into this 7<sup>th</sup> day of July, 1947, by and between the CHENG HO TRADING AND EXPLORING COMPANY, LIMITED, a Hawaiian 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 promoter 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 re-purchase the said yacht, CHENG HO, from the said corporation five years after the execution of these presents for the sum of FIFTEEN THOUSAND DOLLARS (\$15,000.00); 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, 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 7<sup>th</sup> day of July, 1947.

CHENG HO TRADING AND EXPLORING COMPANY,  
LIMITED,

By:

Its

President

Its

Secretary - Treasurer

Otto Degener  
OTTO DEGENER

TERRITORY OF HAWAII, )  
: SS.  
CITY AND COUNTY OF HONOLULU. )

On this 7<sup>th</sup> day of July, 1947, before me appeared  
ERIC DE BISSCHOP 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 DE BISSCHOP and OTTO DEGENER acknowledged the instrument to be the free act and deed of said corporation.

Hattie Pang Lee  
Notary Public, First Judicial Circuit  
Territory of Hawaii.

My Commission expires June 30, 1949.

TERRITORY OF HAWAII, )  
: SS.  
CITY AND COUNTY OF HONOLULU. )

On this 7<sup>th</sup> 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.

Entered of Record this 16th day of August A. D. 1948 at 2:38 o'clock P.M. and compared. Mark N. Hucklestein, Registrar of Conveyances.

M. W. Chang Clerk



BUREAU OF CONVEYANCES  
TERRITORY OF HAWAII

Honolulu, Hawaii  
March 28, 1955

The foregoing is a true photostatic copy of the record, recorded  
in the Bureau of Conveyances of the Territory of Hawaii, in liber  
2156 on pages 247 - 249.

Attest:

*Immanuel Stein*

REGISTRAR OF CONVEYANCES  
FOR THE  
TERRITORY OF HAWAII

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