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DATED APRIL 17 th 1900

INSTRUMENT OF CESSION

CHIEFS OF TUTUILA

to

UNITED STATES GOVERNMENT

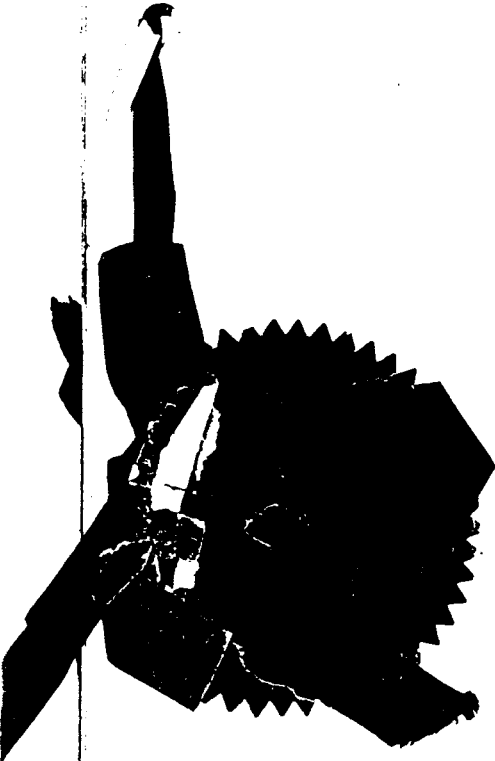
TRANSLATION in ENGLISH LANGUAGE  
with DEED IN SAMOAN LANGUAGE

EDWIN W. CURR.  
SOLICITOR  
SAMOA.

File with Treaty U.S., Gt. Britain, Germany of Dec 2, 1899  
& note on Envelope. A.H.B.



See President's letter to  
July 21, 1922, to the  
Chief of Staff.



CERTIFICATE OF INTERPRETATION.

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I, Edwin W Gurr of Apia in Samoa, Barrister and Solicitor of the Supreme Court of Samoa, of Her Britannic Majesty's Deputy Commissioner's Court for the Western Pacific and an Attorney of the Court of the United States Consulate-General for Samoa do hereby declare :-

1. That I have a competent knowledge of the English and of the Samoan Languages.
  2. That the translation herein is a true translation and interpretation of the Instrument of Cession in the Samoan Language attached hereto.
  3. That prior to the execution and delivery of the said Instrument of Cession, the subject matter of it was thoroughly explained by me to the Representatives of the People of Tutuila at several meetings, and that the representatives whose names are there to subscribed voluntarily and freely executed the same.
- In witness whereof I have hereunto placed my hand on this 19th day of April in the year 1900 A.D.

*E. W. Gurr*

Signed by the said E. W. GURR

in the presence of

*B. D. Tilley*

*Commander, U. S. Navy*

*Commandant U. S. Naval Station, Tutuila*

( Translation )

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING ! !

WHEREAS the Governments of Germany, Great Britain, and of the United States of America have on divers occasions recognized the sovereignty of the government and people of Samoa and the Samoan Group of Islands as an independent State : AND WHEREAS owing to dissensions, internal disturbances, and civil war the said Governments have deemed it necessary to assume the control of the legislation and administration of said State of Samoa: AND WHEREAS the said Governments have on the sixteenth day of February 1900 by mutual agreement determined to partition said State: AND WHEREAS the Islands hereinafter described being part of the said State have by said arrangement amongst the said Governments been severed from the parent State and the Governments of Great Britain and of Germany have withdrawn all rights hitherto acquired claimed or possessed by both or either of them by Treaty or otherwise to the said Islands in favor of the Government of the United States of America : AND WHEREAS for the promotion of the peace and welfare of the people of said Islands, for the establishment of a good and sound Government, and for the preservation of the rights and property of the inhabitants of said Islands, the Chiefs, rulers and people of thereof are desirous of granting unto the said Government of the United States full power and

and authority to enact proper legislation for and to control the said Islands and are further desirous of removing all disabilities that may be existing in connection therewith and to ratify and to confirm the grant of the rule of said Islands heretofore granted on the 2nd day of April 1900 NOW KNOW YE :-

1. That we, the Chiefs whose names are hereunto subscribed, by virtue of our office as the hereditary representatives of the people of said Islands in consideration of the premises hereinbefore recited and for divers good considerations us hereunto moving, have CEDED, TRANSFERRED, AND YIELDED UP, unto Commander B. F. Tilley of U.S. " Abarenda " the duly accredited representative of the Government of the United States of America in the Islands hereinafter mentioned and described for and on behalf of the said Government ALL THOSE the ISLANDS of TUTUILA and AUNUU and all other Islands, rocks, reefs, forashores, and waters lying between the thirteenth degree and the fifteenth degree of south latitude and between the one hundred and seventy first degree and the one hundred sixty seventh degree of west longitude from the Meridian of Greenwich together with all sovereign rights thereunto belonging and possessed by us TO HOLD the said ceded territory unto the Government of the United States of America TO ERECT the same into a separate District to be annexed to the said Government to be known and designated as the District of " Tutuila ".

2. The Government of the United States of America shall respect and protect the individual rights of all people dwelling in Tutuila to their lands and other property in said District, but if the said Government

shall

shall require any land or any other thing for Govern-  
-ment uses, the Government may take the same upon pay-  
-ment of a fair consideration for the land or other  
thing to those who may be deprived of their property  
on account of the desire of the Government.

3. The Chiefs of the towns will be entitled to re-  
-tain their individual control of the separate towns,  
if that control is in accordance with the laws of the  
United States of America concerning Tutuila, and if  
not obstructive to the peace of the people and the ad-  
-vancement of civilization of the people, subject also  
to the supervision and instruction of the said Govern-  
-ment. But the enactment of legislation and the Gene-  
-ral Control shall remain firm with the United States  
of America.

4. An investigation and settlement of all claims  
to title to land in the different divisions or distri-  
-cts of Tutuila shall be made by the Government.

5. We whose names are subscribed below do hereby  
declare with truth for ourselves, our heirs, and re-  
-presentatives by Samoan Custom, that we will obey and  
owe allegiance to the Government of the United States  
of America.

IN WITNESS WHEREOF WE HAVE HEREUNTO SUBSCRIBED  
OUR NAMES AND AFFIXED OUR SEALS ON THIS 17th DAY OF  
APRIL 1900 A. D.

FOFO and AITULAGI

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1	TUI TELE	*	of	LEONE
2	FAIIVAE	*	of	LEONE
3	LETULI	*	of	ILILILI
4	FUIMAONO	*	of	AOLOAU
5	SATELE	*	of	VAILOA
6	LEOSO	*	OF	LEONE
7	OLO	*	of	LEONE

8 NAMOA \* of AITULAGI  
 9 MALOATA \* of AITULAGI  
 10 TUNAITAU \* of PAVAI  
 11 LUALEMANA \* of ASU  
 12 AMITUAGAI \* of ITUAU  
 SUA and VAIFANUA

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13 PELE \*  
 14 MAUGA \*  
 15 LEIATO \*  
 16 FAUMUINA \*  
 17 MASANIAI \*  
 18 TUPUOLA \*  
 19 SOLIAI \*  
 20 MAUGA \*

The foregoing Instrument of Cession was duly signed by LEOSO in the presence of and at the request of the CHIEFS and representatives of the Division of Fofu and Aitulagi and by PELE in the presence of and at the request of the CHIEFS and representatives of the Division of Sua and Vaifanua in Tutuila in conformity with a Samoan Custom as to signatures to documents in my presence at Pagopago on the 17th day of April 1900 A. D. immediately prior to the raising of the United States Flag at the United States Naval Station, Tutuila.



A Barrister of the Supreme Court of Samoa

UA IA LATOU UMA UA MAUA LENEI TUSI, SI O MATOU ALOFA !!  
 INA O sa talia ma faatuna e Malo Tetele o Siamani ma  
 Peletania Tele, ma Amelika i aso ua mavae le pule o le  
 Malo ma le Nuu o Samoa, ua ilogaina foi o le Atunuu o  
 Samoa o le Malo e tasi lea : INA O tupu pea fofinauaiga  
 ma fefemisaiga ma taua ua taofi Malo Tetele e tatau ina  
 i a latou ua avea le pule o tulafono ma feau a le Malo  
 o Samoa mo i latou lava. INA UA finagalo faatasi Malo Ta-  
 -etele ma ua vavaeseina nei Motu ua tusia i lalo mai le  
 Atunuu o Samoa, ua faafoisia e Malo Peletania Tele ma  
 Siamani la laua pule ua maua ai ona o feagaiga fealofani  
 poo isi feagaiga ma ua tuuina atu lea pule i le Malo o  
 le Unaitē State o Amelika: INA UA faatupuina le fealo-  
 -fani ma le nofolelei o nuu o Atunuu nei, ina ia faavae-  
 -ina le Malo lelei ma le malosī, ina ia taofi pea tagata  
 o lena atunuu la latou pule taitoatasi i mea eseese e i  
 ai, UA MANANAO ALII, faipule, ma tagata o lena atunuu,  
 ia foai atu i le Malo o le Unaitē Setete o Amelika le aia  
 atoatoa ina ia faia o le Malo tulafono ma le tonu, ua pu-  
 -le tonu foi i Atunuu lena, ua mananao foi latou ona ave-  
 -ese mea uma ua faalavelaveina i lena pule, ua fia faamau  
 foi ma toe faia le foai atu o le pule i Atunuu lena i le  
 aso 2 o Aperila 1900.

O LENEI; IA SILAFIA OUTOU !!

1. O i matou, Alii ua tusia le matou igoa i lalo o le-  
 -nei tusi, ona o matou tofiga, o sui lea o nuu o Atunuu  
 lena ua faatatau ma le tu-faasamoa, ona o mataupu uma  
 ua tusia muamua, ma nisi mea eseese lelei ua faatupu ai  
 nei le matou loto, matou te to atu, ma avatu, ma fosi atu  
 ia Commander B. F. Tilley o le Manua o le Unaitē Setete  
 o Amelika o le Abaranda lea, o le sui tonu lea o le Malo  
 o le Unaitē Setete o Amelika i Atunuu nei ua tusia i lalo  
 mo le Malo o Amelika O MOTU UMA o TUTUILA ma AUNUU, ma  
 nisi motu uma ma papa, ma aau, ma iliti tai, ma vai ma



aloalo o loo i le va o 13 tikeri ma le 15 tikeri o latitude saute, i le va foi o 171 tikeri ma 167 tikeri o west longitude e tutusa ma le Meridian o Greenwich, ua atoa foi ma pulo mamalu o loo nei ia te matou. Ia taofia nuu, lena ua foai atu ai nei e le Malo o le Unaitete Setete o Amelika e fai ma nuu ua sosoo ai ma le Malo o Amelika ua ilogaina o le nuu o Tutuila.

2. O le Malo o le Unaitete Setete o Amelika, latou te faamamalu ma tausii le pulu taitoatasi o tagata uma o loo nonofó nei i Tutuila i o latou fanua ma nisi mea a e manao le Malo se fasi elegele poo isi mea ina ia faaogaina lea fanua poo lea mea mo le galuga o le Malo e mafai le Malo ona ave mo latou fasi fanua poo isi mea ua manao ai le Malo pe a totogi atu le Malo tupa e tusa ma le fanua poo isi mea i a latou ua le iloa ai le fanua poo isi mea ona o le manao o le Malo.

3. Ua mafai alii o aai esese ona taofi pea la latou pulu taitoatasi i aai taitasi, pe a tatau lea pulu ma tulafono o le Unaitete Setete o Amelika, pe a le faalavelaveina le nofolelei o nuu, ma le filimu o tagata ma le solomua i le faamalamalamaina o nuu, a e tausii pea ma faatonu atu pea le Malo i a latou. A o le faiga o tulafono ma le pulu aoao e tumau pea lea i le Malo o le Unaitete Setete o Amelika.

4. Ole a faia e le Malo i aso a sau nei surga o fanua ma faaiuina foi pulu o fanua esese i Itumalo esese.

5. O i matou alii Samoa ua tusia lo matou igoa i-lalo, matou te tautino atu ma le faamaoni o i matou, ma matou sui ma sulii e tusa ma le tu e masani ai Samoa, matou te usiusitai ma gauai atu i le Malo o le Unaitete Setete o Amelika

UA MOLIMAUINA nei, matou te tusi lo matou igoa ma faa-pipii lo matou faailoga i le aso 17 o le masina o Aprila i le tausaga 1900

	Tofa ma	aitulagi
x	Tuitele	Leone
x	Faiava	Leone
x	Letuli	Flili
x	Trimaono	aolau
x	Satele	Vaiava
x	Leoo	Leone
x	Olo	Leone
x	Hamoa	aitulagi
x	Malota	aitulagi
x	Tunaitau	Parai
x	Lualemama	aasu
x	amitapai	Ituan

Sua male Vaifanua  
 Pele +  
 Mauga x  
 Teiato x  
 Faumua x  
 Masani'ai x  
 Tupuola x  
 Solia'i x  
 Fauga +

The foregoing Instrument of Cession (pages 1, 2, 3 & 4) was duly signed by Deoso in the presence of and at the request of the Chiefs and representatives of the Division of Tofo and Ahilagi, and by Pele in the presence of and at the request of the Chiefs and representatives of the Division of Sua and Vaifanua in Tutuila in conformity with a Samoan Custom as to signatures to documents in my presence at Pago Pago on the 17<sup>th</sup> day of April 1900 immediately prior to the Raising of the United States Flag at the United States Naval Station, Tutuila.

*W. G. Gurr*  
 a Barrister of the Supreme Court  
 of Samoa.