

CHOO, Plaintiff
v.
PONG, Defendant
Civil Action No. 25
Trial Division of the High Court
Yap District
October 26, 1961

Action to determine ownership of certain stone money in Tamiil Municipality, in which plaintiff claims ownership as transferee of *gidigen* in connection with his marriage. The Trial Division of the High Court, Chief Justice E. P. Furber, held that transfer of stone money to party entirely cut off transferor's rights to it, and that any effort transferor made thereafter to transfer money to another or to confirm his ownership in it had no legal effect.

1. Yap Custom—Stone Money

Where one transfers stone money to another, transferor's rights in it are entirely cut off and any effort he may make thereafter to transfer stone money to third party or to confirm or establish his ownership therein is of no legal effect.

2. Yap Custom—Stone Money

Where stone money is given to party as *gidigen* under Yapese custom, his rights in it are held in common with certain of his relatives and not by him alone.

FURBER, *Chief Justice*

FINDINGS OF FACT

1. Puguu, on behalf of Bulum, gave the stone money in question to the plaintiff Choo as "*gidigen*" in connection with Choo's marriage to Bulum and his assuming responsibility for the children whom she had borne prior to her marriage to Choo.

2. This transfer of stone money from Puguu to Choo occurred prior to the work under the supervision of the Japanese on Tarang Island.

CONCLUSIONS OF LAW

[1] 1. Puguu's transfer of the stone money to Choo entirely cut off Puguu's rights in the stone money, and any effort he may have made thereafter either to transfer the stone money to the defendant Pong or to confirm or establish Pong's ownership thereof was of no legal effect.

[2] 2. Inasmuch as this stone money was given to Choo as "*gidigen*", under Yapese custom his rights in it are presumably held in common with certain of his relatives and not by him alone. It is believed, however, that, as against the defendant Pong, the plaintiff Choo is entitled to speak for his entire group and that Pong is accountable to Choo for the entire sum which he received for the stone money regardless of what obligation Choo may have to other members of his group.

JUDGMENT

It is ordered, adjudged, and decreed that the plaintiff Choo who lives in Dechumur Village, Tamiil Municipality, Yap District, recover from the defendant Pong, who lives in Bugol Village, Tamiil Municipality, Yap District, the sum of one hundred twenty-five dollars (\$125.00) damages and one dollar (\$1.00) costs, making a total of one hundred twenty-six dollars (\$126.00), and interest thereon at six percent (6%) per year from this date until this judgment is paid in full, together with any lawful costs incurred in the collection thereof.