

Enclosure No. 3.

To Makea (Ariki), Tinomana (Ariki), Pa (Ariki), Ngamaru (Ariki), Karika (Ariki), Kainuku (Ariki), and the Arikis of the Cook Islands forming the Federal Government of the said islands :
 TAKE NOTICE that I, Frederick Joseph Moss, British Resident, having full knowledge of your having, by means of persons acting under your orders, forcibly broken into the premises of Henry Nicholas in Avatiu, on the 17th day of January last :

Further, that you then caused to be taken from the said premises certain printing plant, the property of the Cook Islands, and handed over and leased the same to one Oscar Owen, without the approval of the British Resident, in breach of section 13 of the Federal Act of 1891, as therein provided, and have persisted in his retaining the same to the present time.

You are hereby required to meet me, the said British Resident, at the Parliament House in Avarua, on Tuesday, the 16th August, at 3 o'clock, to show cause why you should not pay to the said Henry Nicholas the following sums in restitution, and in punishment for the breach of law, namely :—

	£	s.	d.
Makea Takau, Chief of the Government	30	0	0
The Islands of Rarotonga	85	10	0
" Mangaia	27	10	0
" Aitutaki	31	10	0
" Atiu	13	10	0
" Mitiaro	8	0	0
" Mauke	9	0	0
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	£205	0	0

In all, two hundred and five pounds.

And take notice that, in default of your giving good reasons against the said payments to the said Henry Nicholas, judgment will be given accordingly.

Dated under my hand and seal, this 15th day of August, 1898.

(L.S.)

FREDERICK J. MOSS,
 British Resident.

Enclosure No. 4.

JUDGMENT BY THE BRITISH RESIDENT.—*Re* Breach of Constitution Act (No. 1, 1891) by the Federal Government.

WHEREAS, on the 5th June, 1891, an Act, then styled "For the Good Government of the Cook Islands," was enacted by the British Resident and the representatives of the several Cook Islands, thereafter known as the "Federal Parliament of the Cook Islands," and provided—

1. That all laws should be expressed as made jointly "by the British Resident and the Parliament," and that none should be valid till approved by the said Resident.

2. That all the Arikis of the Cook Islands were then declared "by the said Resident and the Parliament" to be the Federal Government of the said islands.

3. That Makea Takau was, further, then appointed "by the said Resident and the Parliament" to be Chief of the Federal Government, to administer under the laws made by the Parliament, but all such acts of administration should be made subject to the approval of the said Resident.

And whereas, instigated by evil-disposed and ignorant persons, the said Chief of the Government, on the 17th January last past, and at various times thereafter, has administered in direct defiance of the British Resident, and has thereby broken the law of the Cook Islands :

And whereas in so breaking the law the said Chief of the Government has been supported by other Arikis and by the Federal Parliament, openly asserting a right to make laws, levy taxes, and appoint officials, and administer the revenue and government of the said Cook Islands without recognition of the lawful rights of the said Resident to be a party to all laws and administration :

And whereas it is now necessary to take measures for vindicating the law for the public peace and security and for the honour of the protecting Power, of which the said Resident is the representative :

Be it known that I, Frederick Joseph Moss, British Resident, acting in the absence of any Court of law having jurisdiction to enforce the Constitution Act of the Federal Cook Islands, do declare that a fine of two hundred and five pounds is hereby imposed upon the Government and the people of the said islands for the gross and deliberate violation of the Federal law, in forcibly entering upon and breaking open the premises of Henry Nicholas, of Avatiu, and taking from thence a certain printing-press and other property, and leasing the same to one Oscar Owen, in direct repudiation of the formal disapproval of the said Resident then and since expressed.

And I further declare that the said sum of two hundred and five pounds shall be paid in the following proportions :—

	£	s.	d.
By the Ariki Makea Takau, as Chief of the Federal Government	30	0	0
By the Arikis and people of Rarotonga	85	10	0
" Mangaia	27	10	0
" Aitutaki	31	10	0
" Atiu	13	10	0
" Mauki	9	0	0
" Mitiaro	8	0	0
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	£205	0	0