

1899.  
NEW ZEALAND.

# PACIFIC ISLANDS.

PROCEEDINGS OF THE BRITISH RESIDENT, RAROTONGA.

[In continuation of Parliamentary Paper A.—4, 1898.]

*Presented to both Houses of the General Assembly by Command of His Excellency.*

## INDEX.

No. of Series.	From.	Date.	Subject.	Page.
1	British Resident	26 Mar., 1898	Prosecution of those concerned in breaking into the <i>Torea</i> House	1
2	"	29 Mar., "	Request for sitting of High Commissioner's Court	2
3	"	25 April, "	Mr. F. Goodwin's complaint	3
4	Governor	9 May, "	Sitting of High Commissioner's Court applied for	3
5	"	30 June, "	Good services of Mr. Moss appreciated. Resignation asked for	3
6	"	30 June, "	Mr. Moss to remain until successor appointed; no change in administration of Cook Islands contemplated	3
7	"	20 July, "	Mr. Hamilton Hunter will hold a sitting of High Commissioner's Court	4
8	British Resident	22 July, "	Resignation of Mr. Moss	4
9	Governor	5 Aug., "	Major W. E. Gudgeon appointed British Resident	4
10	"	19 Aug., "	"	4
11	Governor to Capt. Browne, R.N.	26 Aug., "	Proclamation, and Message to Cook Islanders	4
12	British Resident	31 Aug., "	Mr. Hamilton Hunter has held his Court	5
13	"	31 Aug., "	Fines inflicted on Arikis	7
14	"	7 Sept., "	Acknowledging Major Gudgeon's appointment as British Resident	8
15	"	13 Sept., "	Handing over office to Lieut.-Colonel Gudgeon	8
16	Chief of Cook Islands Government	13 Sept., "	Sorry to have vexed Her Majesty. Thanks for Lieut.-Colonel Gudgeon's appointment	8
17	British Resident	14 Sept., "	Arrival of Lieut.-Colonel Gudgeon, and installation	9
18	"	19 Sept., "	Ariki of Mangaia protesting against fine inflicted on Mangaia	9
19	Captain Browne, R.N.	23 Sept., "	Proclamation and Message read at Rarotonga	10
20	Governor	4 Oct., "	Acknowledging despatch of 14th September: Every way satisfactory	10
21	"	4 Oct., "	Appointment of Lieut.-Colonel Gudgeon as Deputy-Commissioner	10
22	British Resident	6 Oct., "	High Court Bill passed by Cook Islands Parliament	10
23	"	5 Oct., "	Changes in Civil Service, Cook Islands	12
24	"	7 Oct., "	Acts passed by Cook Islands Parliament	14
25	Governor	2 Nov., "	Proposed appointment of British Resident as Chief Justice, &c.	16
26	"	2 Nov., "	Remission of fine inflicted on Ariki of Mangaia	16
27	"	2 Nov., "	Acknowledging receipt of Acts passed	16
28	"	2 Nov., "	Acknowledging letter from Chief of Cook Islands Government	16
29	"	2 Nov., "	Acknowledging despatch re changes in Civil Service	17
30	British Resident	8 Nov., "	Acts passed by Cook Islands Parliament	17
31	Governor	21 Dec., "	Acknowledging receipt of Acts passed	20
32	"	27 Dec., "	Remission of fines inflicted on Arikis	20
33	"	27 Dec., "	"	21
34	British Resident	27 Jan., 1899	" Arikis informed	21
35	"	27 Jan., "	Trade report for 1898	21

## No. 1.

Mr. F. J. Moss to His Excellency the GOVERNOR.

My LORD,—

Cook Islands: British Residency, Rarotonga, 26th March, 1898.

I have the honour to acknowledge the receipt of your Excellency's despatch (49/98), A.—4, 1898, dated the 1st March, granting me authority to prosecute the offenders in breaking open the premises of Mr. H. Nicholas and taking therefrom the printing plant partly owned by him. No. 27.

1—A. 3.

The action of Makea Ariki in that matter at the time, and in all things since connected with it, was also in direct violation of the 13th section of "The Federal Act, 1891," requiring that her acts should be subject to the approval of the British Resident. In this case she has acted in direct opposition.

The Judge, Te Pou, died on the 16th instant, after surgical operation at the hospital for tumours during the preceding month. His death removes the only Judge (native) with the most moderate pretensions to ability. Te Pou was also Judge of the Federal Court, which could not, with a Native, be refilled, except by his son Makea Daniela, who has no desire to hold such offices.

The Arikis' Court (Avarua) Makea has taken into her own hands, and judges accordingly.

Prosecution of the glaring breach of law and defiance of authority in connection with the seizure of the printing plant and its subsequent usage can only be dealt with in the High Commissioner's Court.

Mr. H. Nicholas had sent his application, as reported in my despatch (No. 3/98) of the 2nd February, and informed me that he had received from the High Commissioner a reply that no sitting will be held except the application came through your Excellency, and with your approval. I respectfully represent that the need for a sitting of the High Commissioner's Court in Rarotonga at the earliest moment possible is manifest for the maintenance of law and authority in these islands.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.

I have, &c.,

FREDERICK J. MOSS,  
British Resident.

## No. 2.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 29th March, 1898.

I have received the enclosed application, from persons therein named, to the High Commissioner for the Western Pacific, asking for the sitting of a Court in Rarotonga to adjudicate on certain cases therein stated.

The applicants write to me that they had no knowledge of the propriety of addressing the subject to your Excellency, but are now informed by the High Commissioner that he returns their application, which must be made to the Governor of New Zealand.

They request me to forward the application to your Excellency accordingly, and I confirm their statements as to the impossibility, without a Commissioner's Court, of seeking adjudication in Rarotonga.

I have, &c.,

FREDERICK J. MOSS,  
British Resident.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.

## Enclosure.

YOUR EXCELLENCY,—

Rarotonga, 1st February, 1898.

We, the undersigned, have the honour to request that you will send a Judicial Commissioner to try the law cases hereunder mentioned, in which we are plaintiffs.

Our reasons for troubling your Excellency are that there is no Court here competent to deal with these important cases, the Native Courts and Judges being quite incompetent, subject to outside influences, and possessing no machinery for carrying out their judgments when given.

Trusting to hear shortly that our claims will be heard in a properly constituted Court,

We have, &c.,

DONALD AND EDENBOROUGH.

A. MILLAR & Co. (per VICTOR GUNQUET).

MAKEA DANIELA.

HENRY NICHOLAS.

AH SIN (per Power of Attorney, FREDERICK J. MOSS).

A. BEVINS & Co. (per Power of Attorney, FREDERICK J. MOSS).

His Excellency Sir George O'Brien, K.C.M.G.,

Her Majesty's High Commissioner for the Western Pacific.

## NAMES OF ACTIONS AND PARTICULARS OF CLAIMS.

Donald and Edenborough *v.* Frederick Goodwin.—Claim for goods sold and delivered and unpaid for. Undisputed. £307.

A. Millar and Co., Auckland, New Zealand *v.* John Mortimer Salmon.—Claim for goods sold and delivered and unpaid for. Undisputed. £407 7s. 7d.

Makea Daniela *v.* George Craig, William Craig, and Sons.—Damages for slander and defamation of character.

Henry Nicholas *v.* Oscar Owen and Sons.—Forcible entry (statement sent to High Commissioner); also for compensation.

Ah Sin *v.* Emil Piltz.—For settlement of account, and damages for illegal seizure of goods and stoppage of business.

A. Bevins and Co., Auckland *v.* William Dodge, Rarotonga.—Claim £416, a matter of disputed accounts. Proposals now being made for arbitration and settlement.

All defendants in these proposed actions reside in Rarotonga.

## No. 3.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 25th April, 1898.

I have the honour to acknowledge the receipt of your Excellency's despatch of 1st April (95/98 B). I have informed Mr. Goodwin accordingly. A.—4, 1898,  
No. 30.

I am relieved to hear from your Excellency also that an early decision may be expected as to the future government of these Islands. Happily there is no rancour nor ill-feeling among the Arikis and people; they have not suffered the least wrong to produce it; but they have been persistently told, and are now imbued with the idea, that Captain Burke's Proclamation in 1888 secured to the Arikis that their individual administration would not be interfered with. The presence of a British Resident with the least power is therefore regarded by the Arikis as an infraction of their mana, and of their claim to control the Government, and especially the revenue that has come with it, at their pleasure.

The education and road rates are now being collected by the Arikis contrary to law, and to be dealt with at their pleasure, instead of its going into the local Rarotonga revenue. Their apparent impunity in the outrage on Nicholas's premises in January last, and other matters, as well as the absence of attempt to interfere with their mischievous misleaders, are producing their natural fruit among an ignorant people.

The presence of a competent Court is becoming daily more important, if these Islands are to be retained at all.

I have, &c.,

FREDERICK J. MOSS,  
British Resident.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.

## No. 4.

The DEPUTY of the GOVERNOR to Mr. F. J. Moss.

SIR,—

Government House, Wellington, 9th May, 1898.

I have the honour to acknowledge receipt of your despatches, numbers and dates in the Nos. 1 and 2 margin, asking that a Court of the Judicial Commissioner should be appointed to sit at Rarotonga for the disposal of certain alleged causes of action.

I have taken the advice of Ministers, and, in compliance with the requests made, have applied to the High Commissioner to give all necessary directions with a view that the Court be held as requested. Will you inform the Head of the Government of the requests made, and of my action?

I have, &c.,

F. J. Moss, Esq., British Resident, Rarotonga.

JAMES PRENDERGAST.

## No. 5.

His Excellency the GOVERNOR to Mr. F. J. Moss.

SIR,—

Government House, Wellington, 30th June, 1898.

I have the honour to inform you that on the 14th instant I received a despatch from the Secretary of State for the Colonies, paragraph 4 of which was as follows:—

"I entirely agree in the opinion of your Ministers, that Mr. Moss has rendered very good service, and has done his best to promote the well-being of the Natives and the prosperity of the residents generally; and I regret that, in view of the settled distrust and suspicion with which the Natives appear to have come to regard him, no course is open but to discontinue his connection with the Group."

Whilst fully indorsing the opinion of my Ministers as to the good services performed by you whilst British Resident at Rarotonga, it is with regret that, under the circumstances, I feel constrained to request you to forward by return mail your resignation. The acceptance of the same will be held over until your successor has been appointed and assumed office.

I have, &c.,

F. J. Moss, Esq., British Resident, Rarotonga.

RANFURLY.

## No. 6.

His Excellency the GOVERNOR to Mr. F. J. Moss.

SIR,—

Government House, Wellington, 30th June, 1898.

I have the honour to inform you that, with reference to my despatch No. 223/98 A., my Ministers request (and in which I concur) that you will remain on at Rarotonga for a few months, pending appointment and all arrangements as to your successor, as it is felt that it would be detrimental to British interests if those islands were for even a short period to remain without a Resident. No. 5.

2. That a Judicial Commission has been applied for from the High Commissioner for the Western Pacific to try impending cases at Rarotonga, and that I trust it will shortly arrive; that on account of absence and sickness it has been impossible to send the Commission sooner.

3. That my Ministers are considering the appointment of your successor, and that he will probably reach Rarotonga about October or November.

4. That no immediate change is in contemplation respecting the administration of the Cook Islands, and it is hoped that a more satisfactory condition of affairs may be in the near future obtained.

I have, &c.,

F. J. Moss, Esq., British Resident, Rarotonga.

RANFURLY.

## No. 7.

His Excellency the GOVERNOR to Mr. F. J. Moss.

Government House, 20th July, 1898.

SIR,—

I have the honour to inform you that Mr. Hamilton Hunter will proceed to Rarotonga towards the end of the month, in H.M.S. "Royalist," to act as Judicial Commissioner.

Owing to postal arrangements I regret that an earlier intimation could not be sent to you, but should my despatch reach you prior to Mr. Hamilton Hunter's arrival it would be well if the parties interested in the Rarotonga cases were informed immediately.

I have, &amp;c.,

RANFURLY.

F. J. Moss, Esq., British Resident, Rarotonga.

## No. 8.

Mr. F. J. Moss to His Excellency the GOVERNOR.

Cook Islands: British Residency, Rarotonga, 22nd July, 1898.

MY LORD,—

I have the honour to acknowledge receipt of your Excellency's despatches of the 30th June, and place my resignation in your Excellency's hands as British Resident in these islands.

I have been proud to hold this office, small in itself, but bringing with it work in which I felt deeply interested.

I have to thank the Right Hon. the Secretary of State for the Colonies, your Excellency, and your Ministers for the kind expression of praise to which my work has been accorded.

I agree, at the request of your Excellency and your Ministers, to remain "pending appointment and arrangements" as to my successor; but, unless there is certainty of the speedy arrival of the long-expected Judicial Commissioner, I beg that I may be relieved with as little delay as possible.

I have, &amp;c.,

FREDERICK J. MOSS,  
British Resident.His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.

## No. 9.

His Excellency the GOVERNOR to Mr. F. J. Moss.

Government House, Wellington, 5th August, 1898.

SIR,—

I have the honour to acknowledge the receipt of your despatch No. 19/98, dated the 22nd July, 1898, tendering me your resignation.

I thank you for having consented to remain until the arrangements were completed regarding your successor. These arrangements I have now completed, and accept the same as from the 12th September.

2. I have, further, the honour to inform you that Major W. E. Gudgeon has been appointed British Resident at the Cook Islands as from the 12th September, 1898. He will arrive on that day, on or about noon, in H.M.S. "Tauranga." I should be glad if you will have his appointment published in your *Gazette*.

On the day of his arrival the Senior Naval Officer will, on my behalf, read a Proclamation from Her Majesty the Queen which I have received from England. I had intended to do this personally, but, owing to the session of Parliament, I find it impossible to leave the colony at the present time. I should be glad if you will have this notified to Makea, the Arikis, and inhabitants.

3. In conformity with the Colonial Regulations, you will be good enough to hand over to Major Gudgeon all despatches, documents, letters, &c., in your care.

I have, &amp;c.,

RANFURLY.

F. J. Moss, Esq., British Resident, Rarotonga.

## No. 10.

His Excellency the GOVERNOR to Major GUDGEON.

Government House, Wellington, 19th August, 1898.

SIR,—

I have the honour to inform you that I have this day received a cablegram from the Secretary of State for the Colonies appointing you British Resident at Rarotonga, Cook Islands, *vice* F. J. Moss, Esq., resigned.

I have, &amp;c.,

RANFURLY.

Major W. E. Gudgeon.

## No. 11.

His Excellency the GOVERNOR to Captain W. T. H. BROWNE.

Government House, Wellington, 26th August, 1898.

SIR,—

I have the honour to enclose herewith, for your information,—

1. A Proclamation from Her Majesty, which on the instructions of the Secretary of State for the Colonies, and with the sanction of His Excellency the Commander-in-Chief, Australian Station, I have to ask you to read to the inhabitants of the Cook Islands.

2. A Message from myself, as Governor of New Zealand, introducing the new British Resident, which I should be obliged if you would also deliver.

The above Proclamation and Message should be received with all the ceremony due to such an occasion.

I have, &c.,  
RANFURLY.

Captain W. T. H. Browne, the Senior Naval Officer, New Zealand.

### Enclosure No. 1.

Government House, Wellington, 26th August, 1898.

#### PROCLAMATION.

THAT Her Majesty has learnt with much displeasure of their refusal to obey her wishes in regard to the enactment of the Federal Court Bill, and of the ingratitude which they have displayed in their treatment of Mr. Moss, who has laboured so hard in their interests, and has done so much for them. That, while Mr. Moss will not return, Her Majesty expects that the officer who succeeds him will receive more of their confidence and support than they have accorded to Mr. Moss; and that they will in all matters seek his advice, and not listen to unauthorised persons, who wish only to make mischief for their own ends, and to estrange the people of the Cook Islands from Her Majesty; and that Her Majesty expects that they will at once enact the Federal Court Bill in the form in which it is laid before them by the Resident.

GOD SAVE THE QUEEN!

### Enclosure No. 2.

Government House, Wellington, 26th August, 1898.

MESSAGE, BY DIRECTION AND ON BEHALF OF HER MOST GRACIOUS MAJESTY  
QUEEN VICTORIA.

I, UCHTER JOHN MARK, Earl of Ranfurly, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, have appointed Lieut.-Colonel Walter Edward Gudgeon to be British Resident in the Cook Islands. Lieut.-Colonel Gudgeon is an officer who has had over thirty years' experience, both civil and military, among the Maori inhabitants of New Zealand, and I recommend him with confidence to the inhabitants of the Cook Islands, feeling assured that it will be for their advantage to be guided by one who possesses such qualifications for the duties of his office.

Her Majesty has also directed that Lieut.-Colonel Gudgeon shall receive such an appointment from Her Majesty's High Commissioner in the Pacific as will enable him to perform judicial duties, and secure a due observance of the law by those who may be within the terms of the special orders and legislation affecting the Cook Islands, and at the same time afford to all such persons that protection and assistance which those laws afford.

I rely on the good-will of the inhabitants of the Cook Islands, both Native and foreign, to assist Lieut.-Colonel Gudgeon in performing the various duties imposed upon him, and I am sure that it will be for the benefit of all that Her Majesty's instructions regarding these islands should be duly carried out. If this be done, material prosperity will result, and the well-being and happiness of all be assured.

RANFURLY.

### No. 12.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 31st August, 1898.

I have the honour to acknowledge the receipt, on the 8th instant, of your Excellency's No. 7. despatch of the 20th July, informing me that Mr. Hamilton Hunter would go to Rarotonga in H.M.S. "Royalist" as Judicial Commissioner from Fiji.

The "Royalist" arrived on the 10th instant, and resumed her voyage to Pitcairn Island on the morning of the 17th. Mr. Hunter was able in the interim to deal with the cases which his powers enabled him to take up, and his visit and that of the "Royalist" have been very acceptable.

A report of what has been done here by Mr. Hunter will no doubt be sent to your Excellency from Fiji. It will be desirable that a copy of such report should be sent for record in this office.

In the matter of the printing, the printer Owen was found guilty of forcible entry and bound over to keep the peace. He was also fined £10 for libelling a European. Enough, it appeared to me, has been done to check effectually his conduct in the printing of his paper with the Government press since February last, and I refrained from taking action against him for the repeated and gross attacks on myself and constant incitement to hostility from the Arikis to myself. Regarding him merely as the tool of others, who could not be prosecuted with hope of success, and in view of the plain speaking and warning given by Mr. Hunter to him from the bench, no further good public end was to be gained, I considered it would be unbecoming to take action on personal grounds for myself.

The question of damages to Mr. Nicholas, and the larger question of public peace and security involved in the action of Ariki Matiu and Government, could not be dealt with under the Order in Council of 1893, by which Mr. Hunter's powers were defined and limited. It therefore became necessary to deal with these questions myself, and I report to your Excellency my proceedings therein in a separate despatch herewith.

I have, &c.,

FREDERICK J. MOSS,  
British Resident.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand, &c.

## No. 13.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 31st August, 1898.

Towards the conclusion of Mr. Judicial Commissioner Hunter's sitting I asked if he had power to enforce obedience by the Federal Government and Parliament to their Act of 1891, to which their existence was due. Mr. Hunter replied that he had no power to interfere with matters of internal administration, &c. I have the honour to enclose for your Excellency's information copies of my letter to Mr. Hunter, and of his reply.

It was thus clear that the prosecutions authorised in your Excellency's despatch of the 1st March would be useless, and, after mature consideration, I adopted the only alternative of asserting indispensable authority under the powers which have always been exercised by Her Majesty's Consuls in these islands, and by myself in the past as Resident.

In 1891 the local Government of Mangaia was thus fined by me \$1,390 = £208 10s. at the then value of the Chile dollar (*vide* my despatch of the 22nd July, 1891: Parliamentary Paper, A.—3A, Sess. II., 1891, page 11). This fine was paid in instalments.

Again, in 1893, a fine of £60 was imposed on one of the Arikis of Atiu, under circumstances related in my despatch of the 6th May, 1893 (Parliamentary Paper A.—6, 1893, page 39). That fine was levied at my request by and through the Federal Government, to increase the authority of the latter, as stated in the despatch referred to. It also was paid accordingly.

In the present case the new feature is that, although the recent proceedings have not been agreed to by all Arikis, they are responsible by tacit acquiescence, and allowing their nominees who form the Parliament to support the Arikis in Rarotonga. It is desirable that their responsibility should be brought home to them.

I selected, among the various defiant acts against the law, the breaking-open of the premises of Mr. H. Nicholas and forcible seizure of the printing plant therein. It called for a fine that would be adequate in amount as a warning, while offering no difficulty in its appropriation under the Native law and custom, which knows only restitution. The fine imposed is £205, and the summons issued and judgment given (copies enclosed) give full explanation for your Excellency's information.

No appearance was made by or on behalf of the Arikis at the hearing; but on the 26th August I received from them a letter simply stating, "We do not admit that you have the right to inflict a fine upon us, and we do not agree to your taking this money."

No objection on the ground of injustice in any form has so far been made.

Your Excellency will observe by the judgment that the money will not be paid to Mr. Nicholas till the 31st December, but respectfully represent that the effect of its disturbance must be very injurious, after my having, as far back as the 25th March, informed them officially of the authority given to me for prosecution in this case when the High Commissioner's Court should sit in Rarotonga.

I have, &amp;c.,

FREDERICK J. MOSS,  
British Resident.His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand, &c.

## Enclosure No. 1.

SIR,—

Cook Islands: British Residency, Rarotonga, 15th August, 1898.

I have the honour to bring to your notice the difficult position in which I am placed, and the danger to the public peace and security of the people and foreign residents, resulting from the assumption of the Federal Government and Parliament to disregard the Constitution Act (No. 1 of 1891), which expressly provides that no laws shall be valid nor acts of administration be undertaken without the approval of the British Resident.

There is no Court here to which on this matter I can appeal. May I ask if I can do so to your Court, to enforce obedience on the part of the Native Government and Parliament to the Constitution Act of 1891, to which their existence is due?

I have, &amp;c.,

FREDERICK J. MOSS,  
British Resident.Hamilton Hunter, Esq., Judicial Commissioner,  
High Commissioner's Court, Rarotonga.

## Enclosure No. 2.

SIR,—

H.M.S. "Royalist," at Rarotonga, 16th August, 1898.

I have the honour to acknowledge your letter of the 15th instant, bringing to my notice the difficult position in which you are placed, and the danger to the public peace and security of the people and foreign residents, owing to the action of the Federal Government and Parliament of the Cook Islands Confederation, and asking whether the High Commission Court would enforce obedience on the part of the Native Government and Parliament to the Constitution Act of 1891.

My commission under the Western Pacific Order in Council gives me no authority to interfere with the internal administration of the Cook Islands. I therefore regret that I am unable to accede to your request.

I have, &amp;c.,

HAMILTON HUNTER,  
Judicial Commissioner.Frederick J. Moss,  
British Resident, Cook Islands.

## 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
	<hr/>		
	£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
	<hr/>		
	£205	0	0

And that the said sums shall be severally impounded from the subsidies and votes from the Federal revenue to the above persons and islands; save and except that the portions of the said subsidies and votes payable to the several local Judges, police, and officials shall not be interfered with, but that this declaration shall apply only to those portions payable to Arikis, Mataiapos, and Governors, Councils, and Governments of the said Islands for the personal use of such Arikis and others alone.

And I further declare that the said sum of two hundred and five pounds (£205) so impounded shall be held until the 31st day of December of the present year, 1898, and shall then be paid here to the said Henry Nicholas, of Avatiu, Rarotonga, as liquidated damages for loss and wrong done to him by the said Federal Government on the 17th January last past; unless and except that His Excellency the Governor of New Zealand may, before the said 31st December, be pleased to express dissent to the said appropriation of this sum of two hundred and five pounds, or to vary the same.

Given by me under my hand and seal, at Avarua, Rarotonga, this 16th day of August, 1898.

(L.S.)

FREDERICK J. MOSS,  
British Resident.

#### No. 14.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,— Cook Islands: British Residency, Rarotonga, 7th September, 1898.

No. 9.

I have the honour to acknowledge your Excellency's despatch of the 5th August, and memorandum of the 25th August, which were received yesterday, informing me of the appointment of Lieut.-Colonel Gudgeon as my successor.

As requested, I have given public notice of Lieut.-Colonel Gudgeon's expected arrival on the 12th instant, and of a Proclamation from Her Majesty the Queen, to be read by the Senior Naval Officer on your Excellency's behalf on the same occasion.

All documents, letters, &c., in my care will be handed to Lieut.-Colonel Gudgeon on his arrival.

I have, &c.,

FREDERICK J. MOSS,  
British Resident.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand, &c.

#### No. 15.

Mr. F. J. Moss to His Excellency the Governor.

MY LORD,— Cook Islands: British Residency, Rarotonga, 13th September.

I have the honour to inform your Excellency that I handed over the office and all papers to Lieut.-Colonel Gudgeon yesterday, and leave to-day, by H.M.S. "Tauranga." She goes *via* Tonga, and will probably not be in Auckland till about the end of the month.

I write before leaving that I may at once express my grateful and respectful thanks for the Proclamation yesterday, by the Senior Naval Officer, Captain Browne, of Her Majesty's recognition of my services to the Natives in the office of British Resident for the last eight years, and displeasure with the opposition into which the Natives had, by bad and interested advisers, been misled.

With this Proclamation I leave with a light heart, careless of the abuse that has been poured or may hereafter be poured upon me.

I have, &c.,

FREDERICK J. MOSS.

His Excellency the Earl of Ranfurly, K.C.M.G., Governor of New Zealand.

#### No. 16.

The CHIEF of the COOK ISLANDS GOVERNMENT to His Excellency the GOVERNOR.

Rarotonga, 13th September, 1898.

To the Right Hon. the Earl of Ranfurly, K.C.M.G., Governor of New Zealand.

GREETINGS! We have heard the words of Her Britannic Majesty Queen Victoria, and wish to inform your Excellency that had Her Majesty known that Mr. Moss did not inform us that a Federal Court Bill for Rarotonga was her wish she would not have expressed her displeasure at us, her loyal subjects. This has made us sorry.

We are also vexed that Her Majesty has been informed that we listened to mischief-makers. This is not the case; it is Mr. Moss who has listened to mischief-makers and people who only work for their own good, and not for the good of all.

We did not refuse to pass the Federal Court Bill, but only asked Mr. Moss for time for us to understand it.

We do not wish to say anything about Mr. Moss, but we are grateful to you for sending us Lieut.-Colonel W. Gudgeon to be our British Resident.

We have also heard your words uttered by Captain Browne, of H.M.S. "Tauranga," and we are pleased to receive Lieut.-Colonel W. Gudgeon to be our British Resident and adviser. We



have to thank you, the Governor of New Zealand, for sending so great a man to us. You can rely on the good-will of the inhabitants of the Cook Islands to support him in carrying out good laws, as becomes loyal subjects of Her Majesty Queen Victoria. Enough.

From MAKEA, Ariki,  
Chief of the Cook Islands Federal Government.

## No. 17.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: Rarotonga, 14th September, 1898.

I have the honour to inform you that I arrived at Rarotonga on the 10th instant, and was duly installed as British Resident on the 12th.

I have already met the Head of the Government—viz., Makea—and her Arikis, and I think I may say that the Federal Court Bill will be passed when the local Parliament meets, about the end of the present month.

So far as I can ascertain, the Proclamation read out by Captain Browne, of Her Majesty's ship "Tauranga," has had an excellent effect on the Arikis and chiefs of the group; but at the same time they are rather sore on the subject of the Federal Court Bill, and I hear that it is the intention of the local Government to present me with a memorandum on the subject, in order to show that they are not entirely to blame for the delay in passing this very necessary legislation.

I cannot at present speak authoritatively on any subject connected with the Cook Islands, but I do not anticipate that I shall find any difficulty in dealing with the people or the group.

I may mention, for your Lordship's information, that I find that I can communicate with Makea and others without the aid of an interpreter.

I have, &c.,

W. E. GUDGEON,

British Resident.

His Excellency the Governor of New Zealand.

## No. 18.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

The Residency, Rarotonga, 19th September, 1898.

I have the honour to forward, for your consideration, the translation of a letter received from the leading chief of Mangaia, who protests against the imposition of a fine of £205, which it would seem was imposed by the late Resident, and apportioned among the various Arikis and Islands of the Cook Group, the award as against Mangaia being £27 10s.

I am informed that the question of the propriety of the fine has been referred to your Excellency by Mr. Moss, and the Proclamation published both in the *Torea* and in the *Ioi Karanga* newspapers disclose that the fine is made subject to your approval. I will therefore remark upon the circumstances that would seem to have brought about this exercise of authority.

I gather that some years ago the Federal Government of the Cook Islands found it necessary to purchase a printing-press, and that Mr. Moss placed it in the hands of one Henry Nicholas. The curious part of the affair is that the Arikis and members of Parliament do not seem to have realised that they owned the press until that fact transpired during the investigation held by Sir James Prendergast. When, however, the Maori chiefs realised that they were being reviled by their own printing press, they endeavoured to obtain possession of that which they had reason to believe was their own property. Why they were unable to obtain it peacefully I am unable to say; but the whole difficulty was probably due to the fact that the Resident was at the time on bad terms with the chiefs of the tribes and with certain of the influential Europeans, and therefore neither party could approach the other with a view to temperate discussion. Whatever the reason may have been, it is clear that one Oscar Owen, in company with several Maoris, and instigated thereto by Te Pou (a native Judge, since dead), did forcibly enter the premises of Henry Nicholas and remove the printing-press, and for this offence Mr. Owen has been punished in the High Commissioner's Court.

That the Arikis of the group may have taken part in this lawless act as accessories before the fact is possible, for it is difficult to persuade even educated Europeans that they have no right to rescue their own property by force when in the peaceable possession of others. But, so far as I can ascertain, there is no evidence to show that the people of Mangaia were implicated.

There are two matters to which I would draw your Excellency's attention: Firstly, that the fine has been made payable to Mr. Nicholas. This is, to say the least, a new departure. If the people of the Cook Islands are to be punished for an offence against the public, then the fine should be paid into the Treasury. If, on the other hand, Mr. Nicholas has suffered damage by reason of the high-handed proceedings of Judge Te Pou and his myrmidons, then there should be definite evidence as to the damage suffered, and the amount required to liquidate the same. At present it would seem that evidence is wanting on these points, and therefore it is doubtful whether Mr. Nicholas has suffered any damage. Secondly, I would point out, for your Excellency's consideration, that this fine was imposed after Mr. Moss had resigned his position as Resident, at a period when profound irritation existed between the majority of the inhabitants of the Cook Islands (European and Maori) and Mr. Moss's party, and for this reason the fine is simply regarded as vindictive by those who opposed Mr. Moss.

With regard to that portion of the fine referred to in the attached letter of John Trego (Ariki), I have the honour to recommend that it be absolutely remitted.

I have, &c.,

W. E. GUDGEON,

British Resident.

His Excellency the Governor of New Zealand.

## Enclosure.

To Mr. Moss.

Mangaia, 13th September, 1898.

GREETINGS! I have seen your letter in the *Ioi Karanga* with reference to fining this group for breaking into the house of Enere (H. Nicholas). I ask you whether the Arikis, chiefs, and people held a meeting to discuss the taking of the press from the hands of Enere (H. Nicholas). I have not known of these words. I went to Rarotonga on the 14th November, 1897, and remained there four weeks, and no Ariki, no chief, nor person spoke to me of this trouble. We held no meeting to discuss this trouble. After my return to Mangaia I heard that the printing press had been taken from the house of Enere (H. Nicholas); hence my writing this letter to you to tell you my words—that it is not right to take any portion of the Mangaia subsidy from the mouth that did not speak, the eyes that did not see, and the ears that did not hear. There was no person of Mangaia concerned in this business, and now I say to you, Do not take any portion of the subsidy from Mangaia to pay for the mistake of another. Give the subsidy to Mangaia from July, 1897, to July, 1898, in full. Enough. Greetings!

JOHN TREGO, Ariki, Mangaia.

## No. 19.

Captain BROWNE to His Excellency the GOVERNOR.

(Telegram.)

Auckland, 23rd September, 1898.

ARRIVED Rarotonga 10th September. Proclamation and Message read in public on 12th September to a large concourse of the Arikis and inhabitants with due ceremonies. All satisfactory. Mr. Moss returns in "Tauranga" to Auckland. Am leaving to-day for Tonga.  
The Governor, Wellington. Captain BROWNE, Rarotonga, 12th September.

## No. 20.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, Wellington, 4th October, 1898.

I have the honour to acknowledge the receipt of your despatch of the 14th September, 1898, the contents of which are in every way satisfactory.

I consider that your being able to communicate with Makea and others without the aid of an interpreter is a matter of the first importance, and it is very pleasing to me to find that the language is sufficiently similar to the Maori tongue to enable you to do so.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c.,  
RANFURLY.

## No. 21.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, 4th October, 1898.

At the request of His Excellency the High Commissioner for the Western Pacific, I have the honour to forward to you herewith an instrument of appointment, as well as a despatch which was enclosed therewith.

Lieut.-Colonel W. E. Gudgeon, British Resident, Rarotonga.

I have, &c.  
RANFURLY.

## No. 22.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 6th October, 1898.

I have the honour to forward, attached hereto, two copies of the High Court Bill. The amendments made are unimportant in character, and for the most part are included in the Bill out of deference to Maori prejudices. This remark applies specially to the proviso in section 20 of the Bill, which excludes the land of Maori owners from sale or attachment.

The proviso to section 15 of the Act has been added because it is exceedingly doubtful whether the Cook Islands Government can afford the machinery necessary to enforce judgments as against Europeans, where it is necessary to award penal servitude.

I have further the honour to forward two communications, marked "A" and "B" respectively, in which I am requested to accept the position of Chief Justice. It would seem to me that the Maori inhabitants of the Cook Islands fear that the very large powers conferred on the Judges by this Act should fall into the hands of those who are strangers to Maori character, and in whom, therefore, they would have no faith. To accept the position of Chief Justice under the High Court Bill would mean that my work would be doubled, without any corresponding increase in pay. I am not, therefore, anxious to assume the responsibility of that office. On the other hand, if your Lordship is of opinion that the Cook Islands would benefit by my accepting the position I am ready to perform the duties of that office, and will appoint a Registrar to aid in the work.

The gentleman who I propose to appoint either as Judge or Registrar is Mr. Alfred Ross, of Marton. This gentleman is known to Sir Walter Buller, to whom I would refer your Lordship.

I have, &amp;c.,

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.W. E. GUDGEON,  
British Resident.

## Enclosure No. 1.

## COOK ISLANDS PARLIAMENT.—HIGH COURT BILL.

## A BILL to create a High Court for the Cook Islands.

Short Title: "High Court Act, 1898."

BE it enacted by the Parliament of the Cook Islands, with the approval of the British Resident, as follows:—

1. That the Act to establish a Supreme Court (No. 4, 1891), and the Amendment Act (No. 2, 1894), are hereby repealed.

2. That a Court is hereby established, to be styled "The High Court of the Cook Islands."

*Constitution of the Court.*

3. That the High Court shall consist of a Chief Justice, and not more than two other Judges, to be appointed from time to time by the Government, with the approval of the British Resident.

4. That the Court shall meet at such times and at such places as the Chief Justice may direct.

5. That Judges of the High Court shall receive such salaries as are fixed by Act of the Parliament, and shall hold office during good behaviour, and shall only be removed by Act of the Federal Parliament approved by the British Resident: Provided that if Parliament be not in session the Chief of the Government, with the approval of the British Resident, may suspend a Judge, who shall continue to receive his salary without deduction till the decision of Parliament shall have been given.

6. That, in case of the illness or disability of a Judge, it shall be lawful for the Chief of the Government to appoint an Acting Judge, to hold office for a term not exceeding six months: Provided that the appointment may be renewed from time to time, subject both in appointment and renewal to the approval of the British Resident.

7. That the Chief Justice, sitting alone, may exercise all the powers of the Court, and proceedings may be continued before any Judge appointed to act in his place under the provisions of section 6.

8. That the Court may act on any testimony, sworn or unsworn, and may receive as evidence any statement, document, information, or matter which, in the opinion of the Court, may assist the Court to deal effectually with the matters before it.

9. That the Chief Justice may from time to time, with the approval of the British Resident, make, alter, and revoke rules of practice and procedure and forms of proceedings in the Court, and also regulations for the duties and functions of the officers, and also fixing the sittings of the Court, and the fees to be paid in respect of the proceedings and the mode of enforcing payment thereof.

10. That, subject to the provisions of this Act, the procedure of the Court shall be in accordance with the principles and practice of English Courts, so far as they can be applied with due regard to established Maori laws and customs prevailing at the time when and in the place where the cause of action arose.

11. That all fees of Court, fines, or other moneys received by the Court shall be Federal revenue, and treated accordingly.

12. That the Chief of the Government may from time to time, with the approval of the British Resident, appoint a fit person to be Registrar of the Court, and may fix his salary, not exceeding £100 a year.

13. That the Chief of the Government may also from time to time, with the approval of the British Resident, appoint a bailiff and such other officers of the Court as are deemed necessary, and may fix their salaries, not exceeding in the whole £60 per year.

14. That the salaries of the Registrar, bailiff, and other officers of the Court shall be paid out of moneys to be appropriated by the Federal Parliament.

15. That the jurisdiction of the Court shall be exclusive—

- (1.) In all cases of murder or assault with intent to commit murder, and all cases of manslaughter;
- (2.) In all criminal charges against foreign residents;
- (3.) In all offences against the Federal Laws;
- (4.) In all cases between foreign residents, or between foreign residents and Maoris, in which the plaintiff may, with the consent of the Chief Justice, begin an action in the Court, or may with the same consent seek redress for wrong alleged to have been done to him or her by any local Government in any of the Islands of the Federation:

Provided that the Chief Justice may send any case under subsection (2) for trial before a Court instituted under the provisions of the Pacific Order in Council.

16. That the Court may also rehear any case referred to it by an Ariki's Court, and if the judgment of the Ariki's Court be confirmed may make the judgment a rule of the Court, and enforce it accordingly.

17. That, on the application of either party to a suit in an Ariki's Court the Judge of the Ariki's Court, on application being made to him by either party to the suit before beginning the hearing, shall refer the said suit to the High Court: Provided that the Judge may also refer to the High Court any case, after it has been begun before him, if he thinks fit so to do.

18. That the Chief Justice may register suitable persons as solicitors of the Court, who shall be answerable to the Court, and who may at any time be removed if guilty of misconduct in the performance of their duties.

19. That solicitors so registered shall have power to act and plead for parties before the Court but this shall not debar any person from pleading his own cause, or from appointing specially for the conduct of his case, and with consent of the Court, such person other than a solicitor whom he may prefer.

20. That the Court shall have all the powers over persons and property needful for enforcing its judgments which are possessed by the Supreme Court of New Zealand, and may for the maintenance of order in its proceedings, and obedience to its judgments, punish any person guilty of contempt by fine or imprisonment: Provided that no judgment as to contempt of Court shall be given until after open hearing within not less than twenty-four hours after the offence has been committed: Provided also that no land, the property of a Native of the Cook Islands, shall be liable to be sold to defray any debt or judgment of the High Court.

21. That, in the absence of a public gaol, the Court may declare any dwelling-house or other suitable place a temporary gaol for a special time and purpose.

22. That on the application of either party, and with consent of the presiding Judge of the Court, a jury of six may be empanelled in any case before the Court.

23. That upon the passing of this Act a copy thereof shall be forwarded by the British Resident to His Excellency the Governor of New Zealand for His Excellency's approval, and if he approves the same (but not otherwise) the Act shall come into operation on a date to be named by him, being not sooner than the first day of January, one thousand eight hundred and ninety-nine.

Passed.

J. M. SALMON,

Chairman of the Cook Islands Parliament.

### Enclosure No. 2.

("A.")

SIR,—

Rarotonga, 28th September, 1898.

Greetings! The High Court Bill has been passed by my Parliament this day.

I think that it will be good for the Maoris and foreigners. We know that it is good to have a European Judge, but we did not like Mr. Moss, nor the people that were his associates. These people did not wish well to the Maoris, but were working only for their own ends.

It is the wish of us all that you should be the Chief Justice of the High Court, and we pray that God will bless you in your work, and grant you a long life amongst us. Enough.

From your friend,

Colonel W. E. Gudgeon, British Resident.

MAKEA.

### Enclosure No. 3.

("B.")

Parliament House, 28th September, 1898.

WE, the Committee appointed to consider and study the words in the High Court Bill, have thoroughly gone into every detail of laws contained in all the clauses of this High Court Bill, and we now place before your Federal Parliament our thoughts.

1. It is agreed by us that the High Court Bill shall come into operation at the time fixed upon by the British Resident, and which is agreed to by the Governor of New Zealand.

2. We, the Committee, also agree that Mr. Gudgeon, British Resident, shall be appointed Chief Justice of the High Court.

3. Provided that, if wished hereafter, alterations and amendments may be made with the consent of the Parliament and the British Resident.

NGAMARU,  
TITA,  
JOHN PAKOTI,  
TAAPI, } Committee.

Passed.

J. M. SALMON, M.P.,

Chairman, Cook Islands Parliament.

### No. 23.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 5th October, 1898.

I have the honour to forward, attached hereto, a resolution of the Cook Islands Parliament affirming the desirability of a change in the *personnel* of the Civil Service of Rarotonga, viz.—Mr. J. H. Garnier and James Te Pou, *alias* Makea Daniela. I also attach a *Gazette* notice, which will show the steps taken to give effect to the resolution.

In order to explain the position clearly to your Lordship, I may say that the Maori inhabitants of the Cook Islands have more than once objected to these officers, on the grounds that they were incompetent to perform the duties of their respective offices, and for this reason it had fallen to the lot of a Mr. Scard to do their work. Their objection to this arrangement was not unreasonable, for Mr. Scard occupies the position of accountant to Donald and Edenborough, who are not only the Government bankers, but absolutely keep the only Treasury accounts that are available. He is also the Government Auditor, and therefore, under the existing system, may be said to be auditor of his own accounts. The result of this unhappy combination of offices is that many Maoris, and perhaps a few of the Europeans, believe that the Government funds have been maladministered, and even misappropriated. I have no reason to suppose that this belief is justified by facts, so far as Messrs. Scard and Garnier are concerned; but the situation was one that ought not to have been permitted to exist, since it was unfair to the officers themselves, and, with a suspicious people like the Maoris, was certain to injure the reputation of the Government.

Another fertile source of trouble has been the fact that the "bond" has hitherto been kept in the warehouse of Donald and Edenborough, and hence the remaining traders believe not only that they have been at a disadvantage as compared with that firm, but also that the local Civil servants have assisted Donald and Edenborough against them.

With reference to James Te Pou, I am of opinion that he was never a fit and proper person for the position of Paymaster, nor, indeed, for any one of the offices held by him. Mr. Garnier is a gentleman and an honourable man, and the most that can be alleged against him is that he probably was not suited for the position of Customhouse Officer. As for Mr. Scard, whatever his past may have been, he has behaved well during his residence at Rarotonga; he is simply the victim of a dangerous system of Government book-keeping, wherein he has had to do the work of several departments.

The above explanation will enable your Lordship to understand why the bonded warehouse has been moved, and why the old officers have been dispensed with.

His Excellency the Earl of Ranfurly,  
Governor of New Zealand.

I have, &c.,  
W. E. GUDGEON,  
British Resident.

### Enclosure No 1.

Parliament House, 27th September, 1898.

#### *Resolution.*

WHEREAS it is the opinion of the Parliament of the Cook Islands that the time has now arrived when the removal of all of the departments of the Federal Government to a central position, unconnected with any business firm, has become an absolute necessity: And whereas it is also deemed advisable to make a complete change in the *personnel* of the public officers, and that an opinion to this effect was publicly expressed by the people, chiefs, and Arikis of the group during the inquiry lately held by Sir James Prendergast:

Be it resolved that a change in the administration of the public departments is desirable, and that new officials be appointed to fulfil the following offices:—

- (1.) Licensing Officer, Customhouse Officer, Postmaster, Shipping Master.
- (2.) Government Treasurer.
- (3.) Auditor.
- (4.) Registrar.
- (5.) Paymaster and Clerk to Governments, and Inland Collector of Rates and Taxes, and Government Interpreter and Clerk to Arika Courts.

Passed.

J. M. SALMON, M.P., Chairman.

Approved, as for the Cook Islands.

W. E. GUDGEON, British Resident.—29th September, 1898.

### Enclosure No. 2.

(No. 1.) THE COOK ISLANDS GAZETTE (published by Authority).

RAROTONGA, Monday, 3rd October, 1898.

FREDERICK GOODWIN

is hereby appointed Treasurer to the Government of the Cook Islands. Appointment to date from 4th October, 1898.

#### *Medical Officers Act (No. 2, 1898).*

GEORGE CRAIG, M.B., C.M., Edinburgh,

to be Medical Officer to the Cook Islands Hospital. Appointment to take effect from 1st October, 1898.

#### *Public Health and Quarantine Act (No. 4, 1898).*

WILLIAM BANNERMAN CRAIG, M.B., C.M., Edinburgh,

to be Public Health and Quarantine Officer, also Honorary Surgeon to Cook Islands Hospital. Appointments to take effect from 1st October, 1898.

#### *Import Duties Act (No. 3, 1898).*

JOHN SYLVANUS COTTERELL

to be Customhouse Officer and Shipping Master. Appointment to date from 4th October, 1898.

#### *Provisional Powers Act, 1891.*

JOHN SYLVANUS COTTERELL

to be Postmaster. Appointment to date from 4th October, 1898.

JOHN SYLVANUS COTTERELL

to be Licensing Officer. Appointment to date from 4th October, 1898.

FREDERICK GOODWIN

to be Paymaster to Federal Government, Clerk and Interpreter to Parliament, Paymaster, Clerk and Interpreter to Rarotonga Council, Government Interpreter, and Clerk to Ariki's Court. Appointments to date from 6th September, 1897.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 1st October, 1898.

## No. 24.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

My LORD,—

Cook Islands: British Residency, Rarotonga, 7th October, 1898.

I have the honour to forward copies of the following Acts passed by the Federal Parliament during the present session, and to request your approval to the first three, so far as the Island of Aitutaki is concerned:—

- (1.) "The Import Duties Act, 1898."
- (2.) "The Medical Officers Act, 1898."
- (3.) "The Public Health Act, 1898."
- (4.) "The Government Buildings Act, 1898."

Your Lordship will observe that the first-named only of these statutes has been printed in proper form, and it may probably be more than a month before the slender staff of the local newspaper can print the remaining Acts. I have therefore deemed it advisable not to delay, but to send you a copy of the *Ioi Karanga*, wherein the said Acts are correctly printed.

As to the Government Buildings Act, I have (after consultation with a deputation from Parliament) decided that it shall remain a dead letter for the present, inasmuch that it has come to my knowledge that the price authorised by Parliament is greatly in excess of the value thereof. The present arrangement is that we shall pay £1 per week for the use of the buildings, and definitely decide the question of purchase next year.

The Medical Officers Act has been passed in order to secure the services of duly qualified-men, and prevent the competition of mere "quacks." No Act of the Federal Parliament can confer greater benefit on the Maori population than that which gives them an efficient hospital and free medical attendance. I am fortunate in being able to report that Rarotonga has now two young and clever doctors, who will have medical charge of the group.

The necessity of a Public Health and Quarantine Act has been demonstrated only lately, when the mission schooner "John Williams" brought a case of measles to Rarotonga. Fortunately, Dr. Craig prevented communication with the shore, and thereby saved hundreds of lives. I regret to say, however, that a man was allowed to come on shore at Aitutaki, and may probably be the means of communicating the disease to that island.

The Import Duties Act is a necessity of our present position, firstly, because it enables the revenue to be strictly and efficiently collected, and, secondly, it will provide the funds to carry out the Hospital and High Court Departments in the manner usual in such important institutions.

I regret to report that during the past six months there has been a decided falling-off in the Customs revenue, due to the partial failure of the orange and coffee crops, and, as a natural sequence, a want of purchasing-power in the community. This is a state of affairs that may have to be faced for some time to come, until, indeed, some remedy has been found in the orange-blight.

I have, &amp;c.,

W. E. GUDGEON,  
British Resident.

His Excellency the Governor of New Zealand.

## Enclosures.

## "THE IMPORT DUTIES ACT, 1898."

An Act to provide for an Increase in the Import Duties of the Cook Islands.

Short Title: "The Import Duties Act, 1898."

BE it enacted by the Parliament of the Cook Islands, with the approval of the British Resident,—

1. The Short Title of this Act shall be "The Import Duties Act, 1898."
2. The Import Duties Act (No. 2, 1891), dated the 5th June, 1891, and the Import Duties Amendments Acts (No. 3, 1895, and No. 1, 1897) are hereby repealed.
3. Rarotonga shall be the port of entry for all goods imported into the Cook Islands, and no goods shall be landed other than at Avarua Harbour, except by special permit signed by the British Resident.
4. A duty of 10 per cent. on the original cost and charges till landed in the Cook Islands shall be levied on all goods imported: Provided always that personal effects—viz., clothing and furniture in actual use—to the amount of £50 sterling shall be admitted duty-free; also all articles imported for the purposes of education, or religious services.
5. The regulations made under the provisions of the Acts repealed by section 2 of this Act shall remain in force, excepting only those clauses that are contrary to the spirit of this Act.
6. Any person evading payment of import duty, or infringing regulations made under this Act, shall be liable on conviction to a fine not exceeding £100 sterling.
7. The Chief of the Government, with the approval of the British Resident, may make such regulations as shall from time to time be found to be necessary for the proper administration of this Act, and these regulations shall have the force of law and form part of this Act.

8. The Act shall come into operation on the 1st day of October, 1898.

Approved for the Cook Islands.

W. E. GUDGEON, British Resident.—29th September, 1898.

“THE MEDICAL OFFICERS ACT, 1898.”

Short Title: “The Medical Officers Act, 1898.”

WHEREAS it is essential that a duly-qualified medical officer should be appointed to supervise and have medical charge of the Cook Islands Hospital:—

Be it enacted by the Parliament of the Cook Islands, with the approval of the British Resident,—

1. The Short Title of this Act shall be “The Medical Officers Act, 1898.”

2. The Chief of the Government may, with the approval of the British Resident, appoint a Medical Officer or officers to have charge of the Cook Islands Hospital; such officer or officers shall be paid the salary voted by Parliament: Provided always that no officer shall be placed in medical charge of the hospital unless his name shall first have been placed upon the Medical Register of New Zealand.

3. It shall be the duty of the Medical Officer, or his deputy, who shall be an honorary surgeon of the hospital, to visit the group at least twice in each year.

4. The Chief of the Government, with approval of the British Resident, may make such rules under this Act for the guidance of the Medical Officer as shall be deemed necessary, such rules to form part of this Act.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 29th September, 1898.

“THE PUBLIC HEALTH AND QUARANTINE ACT, 1898.”

Short Title: “The Public Health and Quarantine Act, 1898.”

WHEREAS it is essential to the well-being and health of the people of the Cook Islands that a duly-qualified Quarantine Officer should be appointed, in order to prevent the introduction of diseases from foreign ports:

Be it enacted by the Parliament of the Cook Islands, with the approval of the British Resident,—

1. The Short Title of this Act shall be “The Public Health and Quarantine Act, 1898.”

2. The Chief of the Government may, with the approval of the British Resident, appoint a duly-qualified medical man to act as Public Health and Quarantine Officer for the Cook Group, and pay him such salary as may be voted by the Parliament: Provided always that no medical officer shall be employed in any capacity by the Federal Government of the Cook Group unless his name shall appear on the Medical Register of New Zealand.

3. The Chief of the Government may, with the approval of the British Resident, make such rules for the guidance of the officer or officers appointed under this Act as shall be deemed to be necessary, and these rules shall have the force of law and be read as part of this Act.

4. Any officer appointed under this Act shall *ex officio* be an honorary surgeon of the Cook Islands Hospital.

Approved.

MAKEA, Ariki,  
Chief of the Federal Government.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 29th September, 1898.

“THE GOVERNMENT BUILDINGS ACT, 1898.”

An Act to Provide for the Purchase of Buildings for Administrative Purposes.

Short Title: “The Government Buildings Act, 1898.”

BE it enacted by the Parliament of the Cook Islands, with the approval of the British Resident, as follows:—

That the allotments of land situated at Avarua be taken over, together with leases, and all the buildings thereon as per plan of site be purchased, and become the property of the Cook Islands Government, for the purpose of Cook Islands Government administration offices solely.

That, from the 1st day of October, 1898, there shall be paid a sum of £350 annually for three years; that, at the expiration of the three years from the 1st day of October, 1898, the amount of money—namely, £1,050 sterling—will have been completed.

That the amounts of moneys voted as above are to be paid to Frederick Goodwin, or his order, on the 30th day of June in the years 1899, 1900, 1901.

Dated this 29th day of September, 1898.

*Amendment.*

It is hereby enacted by the Parliament that the following amendment be added to the former agreement for the purchase of leases and buildings from F. Goodwin:—

1. It is hereby resolved by the Cook Islands Parliament to pay to F. Goodwin the sum of £1 sterling per week to the 30th June, 1899.

2. At the end of that time it is agreed to purchase for the sum of £1,050.

3. It is agreed that the £1 sterling per week shall be deducted from the amount, £1,050, and that the balance will be paid as section 4.

4. The payments to F. Goodwin will be made as agreed in three instalments: due 30th June, 1900; 30th June, 1901; 30th June, 1902.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 10th October, 1898.

## No. 25.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

No. 22.

SIR,— Government House, Wellington, 2nd November, 1898.  
I have the honour to acknowledge receipt of your despatch (11/98), dated 6th October, 1898, inclosing copy of the High Court Bill, as passed by the Parliament of the Cook Islands, and also informing me that the Parliament has asked you to accept the position of Chief Justice.

I have fully considered the question as to the advisability of such a step, and have also consulted my Premier on the subject. We both concur in deeming that it would be for the best interest of the Cook Islands for you to accept the position. At the same time I am by no means certain that your holding the two offices of British Resident and Chief Justice might not at some future time lead to a difficulty with the population; though taking it now, I think, will tend to smooth over the past history.

I have by the mail of the 27th October, *via* San Francisco, informed the Secretary of State for the Colonies, and have asked him to cable to me his approval or disapproval, as your position as British Resident under the Crown and not under the New Zealand Government makes it imperative that the adoption of so unusual a course should be specially sanctioned by the Home authorities. Meanwhile, the Act will remain in abeyance until the approval of the Secretary of State be obtained. This course would not have been necessary if the Cook Islands Parliament had not provided that my approval should be obtained, and that the Act should come into operation on a date named by me. I may point out that the Cook Islands Parliament makes the appointments, and that it would be necessary for them to name Mr. Alfred Ross, of Marton, should they so desire, as either Judge or Registrar.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &amp;c.,

RANFURLY.

## No. 26.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

No. 18.

SIR,— Government House, Wellington, 2nd November, 1898.  
I have the honour to acknowledge receipt of your despatch (7/98) dated the 19th September, 1898, with petition from John Trego, Ariki, Mangaia, addressed to Mr. Moss, and dated the 13th September, 1898.

I should be glad if you would inform him that you have forwarded it to me, with a recommendation to remit, and should you deem it for the public good you are at liberty to inform him that I remit the same; but I should have preferred, however, dealing with the cases of all these fines at the same time.

I cannot under any circumstances concur in the fine, if any, being made payable to Mr. Nicholas; it should without doubt, if exacted, be payable to the Treasury, and it should be for the Treasury to pay over to Mr. Nicholas any sum voted by Parliament, if Mr. Nicholas has suffered damage by means of too high-handed proceedings on the part of Judge Te Pou or his officers.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &amp;c.,

RANFURLY.

## No. 27.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

No. 24.

SIR,— Government House, Wellington, 2nd November, 1898.  
I have the honour to acknowledge receipt of your despatch (12/98) dated the 7th October, 1898, enclosing: (1) "The Import Duties Act, 1898"; (2) "The Medical Officers Act, 1898"; (3) "The Public Health Act, 1898"; and (4) "The Government Buildings Act, 1898."

It is with regret I hear that there is a decided falling-off in the Customs revenue, and that you are of opinion that the cause is likely to be of considerable duration.

Lieut.-Colonel Gudgeon.

I have, &amp;c.,

RANFURLY.

## No. 28.

His Excellency the GOVERNOR to the CHIEF of the COOK ISLANDS GOVERNMENT.

No. 16.

MADAM,— Government House, Wellington, 2nd November, 1898.  
I have the honour to acknowledge receipt of your letter of the 13th September, 1898.

I shall have pleasure in forwarding your explanation to the Secretary of State for the Colonies, with a view to placing the same before Her Most Gracious Majesty the Queen.

I am pleased to know that the High Court Bill has now been passed, and I read with interest the reasons of the delay, and your statement that you had not been informed that it was Her Majesty's pleasure that the Bill should be passed.

I am glad to hear that you appreciate Lieutenant-Colonel Gudgeon's appointment as British Resident among you. I am confident that he will ever seek the welfare of your community, and that his advice will be of great value to you. I note with pleasure that he can rely on the goodwill of the inhabitants of the Cook Islands in any endeavours which his duty may demand of him for carrying out the laws of the country.

Makea, Ariki, Rarotonga.

I have, &amp;c.,

RANFURLY,



## No. 29.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, Wellington, 2nd November, 1898.

I have the honour to acknowledge receipt of your despatch dated the 5th October, 1898, No. 23. regarding the *personnel* of the Civil Service of Rarotonga.

I consider that the changes therein effected will be for the benefit of the Islands, and I cordially approve of your action in this matter.

I have, &amp;c.,

Lieut.-Colonel W. E. Gudgeon, British Resident, Rarotonga.

RANFURLY.

## No. 30.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 8th November, 1898.

In my despatch, number and date as per margin, I enclosed copies of certain Acts passed No. 24. by the Cook Islands Parliament, and I have now the honour to enclose additional copies, as follows: Four "Public Health Act, 1898," four "Import Duties Act, 1898," four "Medical Officers Act, 1898," four "Government Buildings Act, 1898," as amended.

I have also the honour to forward for your lordship's information further Acts, viz., four "Asiatic Restriction Act, 1898," four "Traders' License Act, 1898," as also four copies of imports and exports for the year ending the 30th June, 1898, and four copies of estimates for the same period.

The Traders' License Act has been passed with the twofold object of providing revenue to meet the expenses which will attend the establishment of the High Court, and also to prevent the undue multiplication of Chinese and Native stores, all of which are more or less sly-grog shops.

With reference to the estimated revenue for the year 1898-99, I cannot say that it will reach the sum of £2,368. It is not likely that the Customs duties will equal the estimates, inasmuch as the past year was a bad one both for coffee and oranges, and therefore the spending-power of the people of the group must necessarily have been curtailed; but I am pleased to be in a position to report that though the surplus may be smaller than is anticipated by the Parliament, yet there is no doubt that the revenue will more than cover the expenditure.

I have the honour to request your Lordship's approval of the Acts passed this year, so far as they relate to the Island of Aitutaki.

I have, &amp;c.,

W. E. GUDGEON,  
British Resident.

## Enclosures.

## "THE ASIATIC RESTRICTION ACT, 1898."

WHEREAS leprosy and other loathsome diseases have been introduced into the Islands of the Pacific by Asiatic immigrants: And whereas the Chinese are addicted to opium smoking, and are morally objectionable:

Short Title: "The Asiatic Restriction Act, 1898."

Be it enacted by the Cook Islands Parliament, with the approval of the British Resident,—

1. No Asiatic shall be allowed to land or reside in the Cook Islands unless they shall first obtain the permission of the Chief of the Government and the approval of the British Resident: Provided that this section shall not apply to those Asiatics who at the date of passing of this Bill are already domiciled on any of the islands of the Cook Group.

2. The Chief of the Government and British Resident may permit Asiatics to reside on the Islands, subject to the regulations made under this Act, and which shall have the force of law.

Approved.

MAKEA, Ariki,

Chief of the Federal Government.

## "THE TRADERS' LICENSE ACT, 1898."

WHEREAS it is deemed necessary for the protection of *bona fide* traders in the Cook Islands that a Traders' License Act shall be imposed, to come into operation on the 1st November, 1898:

Be it enacted by the Parliament of the Cook Islands, with the approval of the British Resident,—

1. That the Short Title of this Act shall be "The Traders' License Act, 1898."

The following license-fees shall be paid annually in advance:—

2. All vessels sailing and trading within the Cook Islands Group (excepting mail-steamers), £10 sterling: Provided always that sailing-vessels or steamers who merely carry freight and passengers, and do not trade on their own account, shall not be deemed to be liable to pay this fee.

3. Wholesale and retail trading stores, £10 sterling.

4. Retail trading stores, £5 sterling.

5. Hawkers and pedlars, £20 sterling.

6. Bakers (other than stores, hawkers, or tea-shops), £2 sterling.

7. Tea-shops and restaurants (other than bakers), £2 sterling.

8. The Chief of the Government, with the approval of the British Resident, may make such regulations and appointments as shall from time to time be found necessary for the proper administration of this Act, and these regulations shall have the force of law and form part of this Act.

9. Any infraction of this Act may be punished by a fine of double the amount of the license payable under the above provisions.

Approved.

MAKEA, Ariki,  
Chief of the Federal Government.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 5th October, 1898.

IMPORTS into the COOK ISLANDS for the Year ending the 30th June, 1898.

Articles.	From Auckland, New Zealand.			From Tahiti.			Total Imports.		
	£	s.	d.	£	s.	d.	£	s.	d.
Animals ... ..	131	12	8	48	10	0	180	2	8
Clothing ... ..	536	10	5	66	14	6	603	4	11
Piece and fancy goods ... ..	4,332	11	0	1,174	15	7	5,507	6	7
Provisions (salted and preserved) ... ..	2,329	8	5	204	18	9	2,534	7	2
Breadstuffs ... ..	1,795	16	5	530	6	10	2,326	3	3
General groceries ... ..	2,906	19	3	239	14	3	3,146	13	6
Spirits ... ..	347	12	0	35	18	2	383	10	2
Wines ... ..	28	5	6	63	13	1	91	18	7
Beer ... ..	96	13	1	10	13	2	107	6	3
Timber (manufactured and unmanufactured) ... ..	2,400	3	6	138	5	2	2,538	8	8
Hardware, ironmongery, and ship chandlery ... ..	2,648	2	11	720	5	2	3,368	8	1
Tobacco ... ..	525	0	0	56	5	3	581	5	3
Other articles ... ..	1,935	5	3	369	11	2	2,304	16	5
	20,014	0	5	3,659	11	1	23,673	11	6

Specie—

British coin imported from Auckland ... .. £320 0s. 0d.  
Chilian dollars imported from Tahiti... .. \$21,015.60 = £2,076 5s. 7d.

J. H. GARNIER, Collector.

EXPORTS of NATIVE PRODUCE from the COOK ISLANDS during the Year ending 30th June, 1898

Articles.	Exported to New Zealand.		Exported to Tahiti.		Total Exports.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Bananas, bunches ...	3,234	£ 167 7 3	...	...	3,234	£ 167 7 3
Cocoanuts ...	54,027	109 4 3	...	...	54,027	109 4 3
Coffee, husk, lb. ...	35,626	9,660 17 8	70,248	1,874 13 9	35,626	11,535 11 5
" clean, lb. ...	310,925				381,173	
Copra, lb. ...	1,215,242	4,426 17 2	...	...	1,215,242	4,426 17 2
Cotton, ginned, lb. ...	20,655	270 0 6	...	...	20,655	270 0 6
Fungus, lb. ...	439	2 4 1	...	...	439	2 4 1
Limejuice, gal. ...	14,803	287 7 3	...	...	14,803	287 7 3
Limes, cases ...	83	8 6 0	...	...	83	8 6 0
Mangoes, cases ...	355	50 19 6	...	...	355	50 19 6
Oranges, cases ...	21,967	4,769 9 3	...	...	21,967	4,769 9 3
" boxes ...	8,401				8,401	
Pineapples, cases ...	1,019	181 13 3	...	...	1,019	181 13 3
Other articles ...	...	34 13 8	...	17 11 10	...	52 5 6
		19,968 19 10		1,892 5 7		21,861 5 5

Specie—

British coin exported ... .. None.  
Chilian dollars exported to Tahiti ... .. \$11,560 = £992 16s. 5d.

## PRODUCE OF OTHER ISLANDS EXPORTED.

Articles.	To Auckland, New Zealand.	
	Quantity.	Value.
Copra ... ..	Lb. 37,870	£ s. d. 137 17 6
Pearl-shell ... ..	55,789	1,773 6 11
		<hr/> 1,911 4 5

## MERCHANDISE IMPORTED into the COOK ISLANDS and EXPORTED beyond the FEDERATION.

Places.	After Duty paid.	In Bond.	Total.
	£ s. d.	£ s. d.	£ s. d.
To Penrhyn, Niue, and northern islands ...	146 1 5	2,693 12 0	2,839 13 5
To Tahiti ... ..	...	12 0 3	12 0 3
To Auckland, New Zealand ... ..	239 5 3	1,858 9 0	2,097 14 3
	<hr/> 385 6 8	<hr/> 4,564 1 3	<hr/> 4,949 7 11

Specie: Chilian coin exported to Penrhyn ... \$2,100.00 = £190 17s. 10d.

J. H. GARNIER, Collector.

ESTIMATED REVENUE for the Year ending 30th June, 1898. (Passed in Parliament on the 11th October, 1898.)

Import duty ... ..	£ s. d. 1,598 14 3
Post-office ... ..	179 16 0
Licenses ... ..	350 0 0
High Court ... ..	210 0 0
House: Kohn ... ..	20 0 0
Land rent: Kohn ... ..	10 0 0
	<hr/> £2,368 10 3

Approved.

MAKEA, Ariki,  
Chief of the Federal Government.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 24th October, 1898.

## APPROPRIATION ACT, 1898-99.—Estimated Expenditure for Year 1898-99.

It is hereby enacted by the Parliament of the Cook Islands, approved by the Chief of the Federal Government and the British Resident,—

1. That the expenditure for the public service for the year ending the 30th June, 1899, shall not exceed the sums stated in Schedule A of this Act, amounting in all to £1,630 sterling.

2. That every account against the Government shall be certified by the British Resident and with the approval of the Chief of the Government. The certificate shall state that the services therein named have been performed, and shall name the vote to which that account shall be charged.

3. No money shall be paid except on cheques signed by the Paymaster and countersigned by the British Resident.

Vote.	Service.	Voted.
1	Fixed appropriations—	£ s. d.
	Payment of members ... ..	54 0 0
	Subsidies to local Councils—	
	Atiu, Mitiaro, and Mauke ... ..	45 0 0
	Aitutaki ... ..	45 0 0
	Mangaia ... ..	45 0 0
	Rarotonga ... ..	45 0 0
	Carried forward .. ..	<hr/> £234 0 0

Vote.	Service.	Voted.		
		£	s	d.
	Brought forward ... ..	234	0	0
2	Collection of revenue—			
	Collector, Rarotonga ... ..	30	0	0
	"    Aitutaki ... ..	50	0	0
	Revenue Officer, Mangaia ... ..	6	0	0
	"    Atiu... ..	3	0	0
	"    Mitiaro ... ..	3	0	0
	"    Mauke ... ..	3	0	0
	"    Manuae ... ..	3	0	0
3	High Court ... ..	210	0	0
4	Post Office—			
	Chief Postmaster, Rarotonga ... ..	15	0	0
	Postmaster, Atiu ... ..	1	10	0
	"    Mangaia ... ..	1	10	0
	"    Aitutaki ... ..	1	10	0
	Postman, Atiu ... ..	4	0	0
	"    Mangaia ... ..	4	0	0
	"    Aitutaki ... ..	4	0	0
5	Shipping Master ... ..	12	0	0
6	Paymaster and Clerk to Parliament ... ..	30	0	0
7	Auditor ... ..	15	0	0
8	Expenses, Chief of the Government ... ..	50	0	0
9	Interpreter ... ..	50	0	0
10	Medical Officer ... ..	250	0	0
11	Government boat ... ..	22	0	0
12	Printing books and laws for Federal Parliament ... ..	50	0	0
13	Passages of members ... ..	13	10	0
14	Expenses of Parliament ... ..	20	0	0
15	Maintenance of children at Tereora School ... ..	125	0	0
16	Subsidies in aid of Arikis' Courts and police ... ..	129	0	0
17	Public Health and Quarantine Officer ... ..	40	0	0
18	Subsidy for distributing <i>Ioi Karanga</i> paper, Cook Group ... ..	15	0	0
19	Ground-rent, Hospital ... ..	7	10	0
21	Subsidy Britannia Wharf and sheds ... ..	25	0	0
22	Messenger for Parliament ... ..	2	10	0
24	Unauthorised expenditure... ..	200	0	0
		<b>£1,630</b>	<b>0</b>	<b>0</b>

Approved.

MAKEA, Ariki,  
Chief of the Federal Government.

Approved.

W. E. GUDGEON, British Resident.—The Residency, 24th October, 1898.

## No. 31.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, Wellington, 21st December, 1898.

I have the honour to acknowledge the receipt of your despatch (46/98) dated the 8th November, 1898, enclosing copies of certain Acts passed by the Cook Islands Parliament.

I have, &amp;c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

## No. 32.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, Wellington, 27th December, 1898.

I have the honour to inform you that I remit the fines imposed by Mr. Moss, the late British Resident, on the following:—

	£	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

**£205 0 0**

No. 30.

Whilst it was evident that lawless conduct deserving of a severe penalty was proved, and that Mr. Moss imposed these fines as a mark of the graveness of the offence, I feel that there are many circumstances which caused irritation, and, though condemning in every respect the authors of the forcible entry, I consider that the late Resident committed an error in judgment in fining the Arikis, particularly of those Islands other than Rarotonga, in which the offence was committed. Under these circumstances, I have exercised my power of clemency in remitting them all. I have done this in the hope and the firm belief that those implicated will in future see that the law is respected.

I am glad to be able to inaugurate your residence by this decision, and so prevent any of the Islands considering themselves harshly treated.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c.,

RANFURLY.

### No. 33.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

SIR,—

Government House, Wellington, 27th December, 1898.

In reference to my despatch herewith, I should be obliged if you would let the various No. 32. parties know of my decision.

As regards the award being paid to Mr. Nicholas, as mentioned in your despatch (44/98): as there is no fine to be levied, no sum can be paid under the award to him.

I am of the opinion that Mr. Nicholas should be so informed, and that he should be left to take his own legal course for a remedy, whatever that may be.

From the correspondence, I personally am unable to see that he has suffered any unjustifiable damage.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c.,

RANFURLY.

### No. 34.

Lieut.-Colonel GUDGEON to His Excellency the GOVERNOR.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 27th January, 1899.

With reference to your despatches (426/98 and 426A/98), I have the honour to inform you Nos. 32 and 33. that I have caused a notice to be inserted in the Cook Islands Government *Gazette* informing all of those interested of the nature of the decision arrived at by your Lordship in the matter of the fine imposed on the Chiefs and people of the Cook Islands by the late Resident.

In this notice (copy attached) I have merely stated the fact of reversal, and your Lordship's hope that those concerned will behave more peaceably in the future; but on this point I have said as little as possible, as the Maoris are very sensitive on this question, and hold that they were the persons illtreated.

His Excellency the Earl of Ranfurly, K.C.M.G.,  
Governor of New Zealand.

I have, &c.,

W. E. GUDGEON.

### Enclosure.

#### PROCLAMATION.

WHEREAS on or about the 16th day of August, 1898, Mr. F. J. Moss, the then British Resident, imposed a fine of £205 upon the chiefs and people of the Cook Islands: And whereas such fine was made subject to the approval of His Excellency the Governor of New Zealand:

I have now the honour to announce that His Excellency the Earl of Ranfurly, K.C.M.G., the Governor of New Zealand, has, by his despatch No. 426, of the 27th December, 1898, authorised me to make known to all those concerned that he has remitted the said fine of £205, and trusts that in future there will be no occasion for the imposition of penalties of this nature.

This money will now be paid in the manner provided for in the estimates of the year 1897-98. The Residency, 27th January, 1899.

W. E. GUDGEON.

### No. 35.

MY LORD,—

Cook Islands: British Residency, Rarotonga, 27th January, 1899.

I have the honour to forward enclosed, for your Excellency's information, the trade report for the Cook Islands for the year ending the 31st December, 1898.

I have, &c.,

W. E. GUDGEON.

His Excellency the Earl of Ranfurly, K.C.M.G., Governor of New Zealand.

### Enclosure.

REPORT ON THE TRADE OF THE COOK ISLANDS FOR YEAR ENDING 31ST DECEMBER, 1898.

#### *Shipping and Navigation.*

TABLE I. contains the report of shipping entered both inwards and outwards at the Port of Rarotonga for the past year, and includes the small craft owned by both Maoris and Europeans, who trade to the small islands outside this group.

Our only regular trader is one of the Union Company's boats, which calls at Rarotonga at regular intervals of twenty-eight days *en route* for Tahiti and other Society Islands. This steamer also calls at the other islands of the Cook Group whenever there is sufficient cargo to warrant the detention, and in this manner collects the fruit or other tropical produce for export to New Zealand.

At the Island of Aitutaki there is a narrow passage through the reef suitable for whaleboats only; but at Mangaia, Mauke, Mitiaro, Atiu, Takutea, and Manuae all approach to and from the shore can only be made over the barrier reef, a somewhat hazardous proceeding were it not for the great skill and local knowledge of the Maori boatmen.

At Rarotonga alone among the islands of the Cook Group are three good boat harbours situated close to the anchorage, in which steamers of 600 tons have moored safely. In this instance the natural facilities offered for commerce have been materially increased by the wharf and sheds erected by the Union Company, and by their very fine service of boats (cargo), which same could at any moment be supplemented by Maori whale-boats and numerous labourers, who would, if required, respond instantly to the call of the three Arikis (Makea, Tinomana, and Pa). Under these circumstances, I am of opinion that Rarotonga would prove to be a very suitable coaling-station should the necessity arise. Probably 500 tons could be placed on board a vessel in a day, and if two small flat-bottomed scows were provided 1,000 tons might be easily managed.

#### Exports.

Table II. sets forth in detail the exports for 1898 from the Cook Islands, and discriminates between the produce of the Cook Islands and that received from Penrhyn and other small islands for distribution from the central Port of Rarotonga. The actual value of the products in question for the past seven years has been as follows:—

Year.	Cook Islands.		Penrhyn, &c.		Total Value.
	Value.		Value.		
	£		£		£
1892 ... ..	15,394	4,943			20,337
1893 ... ..	18,763	905			19,668
1894 ... ..	18,937	1,728			20,665
1895 ... ..	19,084	1,054			20,138
1896 ... ..	15,486	1,333			16,819
1897 ... ..	21,751	2,381			24,132
1898 ... ..	11,209	1,408			12,617

It will be noticed that the exports of 1898 show a startling decrease as compared with previous years, and this may no doubt be accounted for by the partial failure of the coffee crop and the ravages of the black aphid among the oranges.

#### Imports.

Table III. sets forth the imports into the Cook Islands from New Zealand and from Tahiti; Table III.(A) the imports into the Cook Islands which have been re-exported to other places; and Table III.(B) the produce of other islands imported into the Cook Group and exported beyond the Federation.

The following is a summary of Table III.:—

Year.	Imports from New Zealand.		Imports from Tahiti.		Total.
	£		£		
1892 ... ..	10,998	5,251			16,249
1893 ... ..	10,200	9,084			19,284
1894 ... ..	13,152	9,283			22,435
1895 ... ..	16,861	6,408			23,269
1896 ... ..	17,157	5,911			23,068
1897 ... ..	22,455	4,406			26,861
1898 ... ..	15,332	2,323			18,155
	106,155	42,686			149,271

#### The Federal Revenue.

The Federal revenue is given in Table IV. for the year ending the 30th June, 1898. The following is a summary of the receipts and expenditure for the past seven years:—

Year.	Revenue.			Expenditure.		
	£	s.	d.	£	s.	d.
1892-93 ... ..	825	9	4	933	19	8
1893-94 ... ..	1,246	7	1	860	17	4
1894-95 ... ..	1,287	1	4	1,376	8	9
1895-96 ... ..	1,428	17	8	1,441	0	8
1896-97 ... ..	1,230	2	9	1,654	0	3
1897-98 ... ..	1,379	10	0	1,439	9	5
	7,397	8	2	7,705	16	1

The estimated revenue for the year 1898-99 is £2,368, the import duty having been raised from 6 to 10 per cent. in order to meet the expenses incidental to the establishment of a High Court, and of an efficient Customs and Postal Department.

The estimated expenditure for the same year is £1,630, a sum not greatly in excess of the expenditure of the year 1897-98.

My residence at Rarotonga has been of so recent a date that I cannot speak with any authority on the trade prospects of the group. The chief articles of export are undoubtedly oranges and coffee. As to the former, the prospects are not altogether encouraging; the black aphid has done much harm, but, thanks to the heavy rain of the last two months, there is a prospect of a moderate late crop.

The coffee, on the contrary, shows every sign of being one of the best crops that this island has produced, but I am told that the price per pound will be very low, in consequence of the greediness and short-sighted policy of the Maori planters, who not only gather and sell coffee that has fallen from the trees and been allowed to lie on the hot moist soil for some days, but they also allow themselves and their freedom of trade to be governed by certain Maori committees called the "Au," who fondly suppose that they can fix the prices of produce sold in Rarotonga, and who will not allow the people to sell unless at the price they have fixed. The result of this policy is that the berries are stored until they are more or less mildewed. These circumstances have combined to give Rarotongan coffee an evil name in foreign markets, and, as a natural result, the Maori producer suffers from the misconduct of those whom he allows to govern him.

As I have not yet visited the other islands of this group, I am unable to report upon their trade prospects; but, as to Rarotonga, I can say that not more than half of the island is beneficially occupied by the owners. I am of opinion that nearly 10,000 acres might well be leased to either Maoris or European settlers. The Maori is, however, very jealous of his land, and it is, as a rule, a fact that the better class of chiefs regard the land as being held by them in trust for their people, and therefore they lease only small pieces of land in the neighbourhood of a port; whereas the drunken or grasping man will turn out the whole of his people, and lease to any man who will give him money.

Whether European settlers would prove to be satisfactory in a tropical island, such as Rarotonga, is doubtful. Each man would undoubtedly require a capital of from £300 to £500, and would then have only a small piece of land. But, as a mere matter of justice to the Maori people, it would be necessary to see that landless Maoris were provided for before the chiefs were allowed to lease land in any quantity to Europeans, for it is certain that whatever measure of justice the common people may receive will not come spontaneously from their own chiefs; it must be forced from them by pressure from without the island.

W. E. GUDGEON, British Resident.

TABLE I.—REPORT of SHIPPING at the PORT of RAROTONGA (Cook Islands) for the Year ending 31st December, 1898.

—	Inwards.								Outwards.							
	Sailing.		Steam.		Men-of-war.		Total.		Sailing.		Steam.		Men-of-war.		Total.	
	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.
H.M.S. "Royalist" ..	..	..	..	..	1	1,420	1	1,420	..	..	..	..	1	1,420	1	1,420
H.M.S. "Tauranga" ..	..	..	..	..	1	2,573	1	2,573	..	..	..	..	1	2,573	1	2,573
British ..	19	1,520	27	30,275	..	..	46	31,795	16	1,330	29	31,766	..	..	45	33,096
Native ..	42	1,946	..	..	..	..	42	1,946	41	1,922	..	..	..	..	41	1,922
Totals 1898 ..	61	3,466	27	30,275	2	3,993	90	37,734	57	3,252	29	31,766	2	3,993	88	39,011
" 1897 ..	58	2,809	28	29,238	2	1,765	88	33,812	60	3,550	28	29,238	2	1,765	90	34,553
" 1896 ..	60	4,607	46	30,538	2	1,610	108	36,755	63	4,941	46	30,538	2	1,610	111	37,089
" 1895 ..	65	4,524	27	17,416	..	..	92	21,940	64	4,410	27	17,416	..	..	91	21,826
" 1894 ..	57	3,510	23	14,628	2	2,161	82	20,299	56	3,432	23	14,628	2	2,161	81	20,221

TABLE II.—EXPORTS from the COOK ISLANDS for the Year ending 31st December, 1898.

—	To New Zealand.			To Tahiti.			Total.					
	Quantity.	Value.		Quantity.	Value.		Quantity.	Value.				
Produce of Cook Islands—		£	s.	d.		£	s.	d.		£	s.	d.
Coffee, lb. ...	74,051	1,530	17	9	35,233	858	6	6	109,284	2,389	4	3
Copra, lb. ...	1,101,331	4,327	10	7	49,877	178	2	8	1,151,208	4,505	13	3
Cotton, lb. ...	12,333	195	6	8	655*	2	14	7	12,988	198	1	3
Limejuice, gals. ...	13,509	267	11	5	..	..	..	..	13,509	267	11	5
Oranges, cases ...	21,562	3,384	4	4	..	..	..	..	21,562	3,384	4	4
Fungus, lb. ...	160	0	13	4	..	..	..	..	160	0	13	4
Cocoanuts, No. ...	32,150	56	13	6	..	..	..	..	32,150	56	13	6
Bananas, bunches ...	4,956	238	16	0	..	..	..	..	4,956	238	16	0
Pineapples, cases ...	685	101	17	4	..	..	..	..	685	101	17	4
Sundry articles ...	..	61	10	11	..	4	13	4	..	66	4	3
Total, Cook Islands ...	..	10,165	1	10	..	1,043	17	1	..	11,208	18	11
Produce received and shipped from Penrhyn, &c.—												
Copra, lb. ...	90,214	348	14	0	..	..	..	..	90,218	348	14	0
Pearl-shell, lb. ...	29,258	930	19	2	..	..	..	..	29,258	930	19	2
Fungus, lb. ...	2,162	22	16	0	..	..	..	..	2,162	22	16	0
Sundries ...	..	106	5	6	..	..	..	..	..	106	5	6
Total ...	..	1,408	14	8	..	..	..	..	..	1,408	14	8

\* Seed.

TABLE III.—IMPORTS into the COOK ISLANDS during Year ending 31st December, 1898.

	Imported from Auckland.			Imported from Tahiti.			Total Imports.		
	£	s.	d.	£	s.	d.	£	s.	d.
Animals ... ..	113	16	3	58	0	0	171	16	3
Clothing ... ..	636	5	5	74	9	7	710	15	0
Piece and fancy goods ... ..	3,422	3	8	844	7	1	4,266	10	9
Provisions, salted and preserved ... ..	1,696	1	8	105	1	8	1,801	3	4
Breadstuffs ... ..	1,299	10	0	412	17	1	1,712	7	1
General groceries ... ..	2,114	10	2	154	11	6	2,269	1	8
Spirits ... ..	402	16	3	72	6	0	475	2	3
Wines ... ..	6	13	0	72	1	6	78	14	6
Beer ... ..	45	9	3	9	8	11	54	18	2
Timber ... ..	1,761	4	3	248	12	7	2,009	16	10
Hardware, ironmongery, and ship chandlery ... ..	1,825	11	1	497	2	2	2,322	13	3
Tobacco ... ..	356	17	11	37	8	11	394	6	10
Other articles ... ..	1,641	11	0	236	13	1	1,878	4	1
	15,332	9	11	2,823	0	1	18,155	10	0
							£	s.	d.
Sterling imported from Auckland ... ..							425	5	0
Chilian dollars from Tahiti ... ..							1,254	0	11

TABLE III. (A)—MERCHANDISE imported into the COOK ISLANDS and exported beyond the Federation.

	Duty paid.			In Bond.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.
To Tahiti ... ..				22	3	2	22	3	2
Auckland ... ..	28	0	10	1,204	2	10	1,232	3	8
Other places ... ..	232	13	10	1,408	19	7	1,641	13	5
	260	14	8	2,635	5	7	2,896	0	3

TABLE III. (B).—PRODUCE of OTHER ISLANDS imported into the COOK ISLANDS and exported beyond the Federation.

	To Auckland.		To Tahiti.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Pearl-shell ... lb.	29,258	£ 930 19 2	...	...	29,258	£ 930 19 2
Copra ... ..	49 5 1 26 T. cwt. qr. lb.	348 14 0	...	...	49 5 1 26 T. cwt. qr. lb.	348 14 0
Fungus ... lb.	2,126	22 16 0	...	...	2,162	22 16 0
Niué hats ... cases	5	106 5 6	...	...	5	106 5 6
		1,408 14 8				1,408 14 8

TABLE IV.—REVENUE of the FEDERAL GOVERNMENT of the COOK ISLANDS for the Year ending 30th June, 1898, with Comparative Statement of Revenue for the Previous Five Years.

Year.	Import Duty on 5 per Cent.	Postal and Postage Stamps.	Hospital Duty, 1 per Cent. on Imports.	Miscellaneous.	Total.
1892-93...	£ 563 6 5	£ 245 5 9	£ ...	£ 16 17 2	£ 825 9 4
1893-94...	943 10 5	278 2 3	...	24 14 5	1,246 7 1
1894-95...	1,045 2 9	228 0 1	...	10 18 6	1,287 1 4
1895-96...	1,117 10 1	120 8 5	171 9 8	19 9 6	1,428 17 8
1896-97...	919 9 8	120 5 3	6 10 0	188 17 0	1,230 2 9
1897-98...	940 7 1	179 16 2	188 1 4	13 15 0	1,321 19 7
Total ...	£5,532 6 5	£1,171 17 11	£366 1 0	£274 11 7	£7,339 17 9

NOTE.—The receipts for the September quarter of 1898-99 have been, £228 12s.; for the December quarter, £557 18s. 7d.

Approximate Cost of Paper.—Preparation not given; printing (1,425 copies), £16 5s.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1899.