

board his vessel for the purpose of emigrating, unless such emigrant has a pass as above, shall be liable to a fine of £1 in each and every such case, recoverable before any Court of competent jurisdiction.

The foregoing "Emigration Act, 1901," was passed by the Council of Niue on the 24th day of October, 1901.

TAGAVAITOA, Acting-President.

Approved this 24th day of October, 1901.—S. PERCY SMITH, Government Resident Agent, Niue.

### No. 56.

YOUR EXCELLENCY,—

Alofi, Niue Island, 13th November, 1901.

I have the honour to state that the site of the Residency has been fixed, but owing to the prevailing epidemic of influenza final arrangements as to the acquisition of the site are not yet completed. I have made out rough plans for the home, and have taken out the quantities of timber to be supplied by the eleven villages of the island, which lists of quantities will be distributed directly so that the natives may go to work. The site will have to be bought from private owners, but the people generally will subscribe for this purpose.

At the same time, seeing that this building will be not only the Residency but also the public offices, Customs, &c., I submit that the New Zealand Government might perhaps help the natives in the matter of some tools and the flooring-boards, windows, and doors, &c.

In the hope that this may be approved I now enclose a list of articles as above. They ought to be sent down by the schooner on her next visit to Auckland, or by any other opportunity that occurs.

The home will be of the usual lath-and-plaster description, which is much cooler than wood, a very necessary consideration in latitude 19°.

I have, &c.,

S. PERCY SMITH,  
Government Resident Agent.

His Excellency the Governor, Wellington, New Zealand.

### No. 57.

SIR,—

Rarotonga, 16th November, 1901.

During my visit to Atiu I found that certain of the people of that island were disputing the right of Ngamaru to the chief landing-place, known as "Taunganui," and that they evidently were under the impression that they could charge on all goods landed or produce sent away. I found also that they had nailed up fences across the main road leading from the village to the two landing-places, to the injury of the people generally.

During the discussion I announced that, as the representative of the New Zealand Government, I would claim, survey, and *Gazette* the two landing-places of Taunganui and Tarapaku, and the roads leading therefrom to the Village Ariroa, as public property for the benefit of all and sundry.

I may say that in doing this I have the support of Ngamaru, who is anxious not only to have the road surveyed, but also the tribal boundaries, in order that there may be no trouble after his death.

I shall be glad to know that you approve of my action in this matter, for the Atiu people must be governed or they will give trouble.

I have, &c.,

W. E. GUDGEON,  
Resident Commissioner.

The Right Hon. R. J. Seddon, Premier of New Zealand.

### No. 58.

SIR,—

Rarotonga, 20th November, 1901.

I have the honour to bring before your notice a complaint made to me by the people of Omoka (Penrhyn) concerning a judgment delivered by Captain Macalister, of H.M.S. "Torch," during his last visit to that island.

The natives seek redress from me, but I do not see how I can interfere in the matter without lowering our prestige, as the fines imposed have been paid. The bad part of the affair is that the only interpreters available were employed by the firm of Dexter and Winchester; it must therefore always be a matter of doubt how far Captain Macalister understood the case before him.

All that I could do under the circumstances was to promise that I would report the case fully to you, and that if you were of opinion that the case should be reheard I would go into it on my return. The circumstances are as follows:—

The so-called Au of Te Tautua, who are a self-elected governing body, entered into an agreement with Dexter and Winchester (Tahitian traders) giving them exclusive right of fishing over a large portion of the lagoon, the consideration being the payment of a debt due on the purchase of a schooner. This agreement, though contrary to public interest, was possibly binding on all those who were parties to the agreement; but it cannot possibly be held to bind those owners who did not assent to it, and this was the case with certain of the villagers of Omoka—viz., Taka, Pakaiere, Shillinga, Taeval, and Marere—who by way of protest persisted in fishing on their own portion of the lagoon, and refused to desist when called upon to do so by the Au of Te Tautua, who admitted the right of all but vavae.