

Case 6: Wilson v. Au of Tautua.

A boy, now absent from the island, broke into the store of Joseph, a native trader, and stole a small quantity of provisions, and invited three other boys to have a feed with him. It was not attempted to be proved that they knew they were stolen, but the Au of Tautua fined each boy 50 dollars. Mr. Wilson, trader, took the responsibility of one boy, who was his wife's nephew, and not the actual culprit, and paid his fine, but afterwards discovered that none of the others had paid, which was denied by the Au. Wilson requested that the Court would adjust the matter. The Court directed the Au of Tautua to pay all the fines into Court. This was done to the extent of 50 dollars from Wilson, 20 dollars each from two of the others, and none from the culprit. The Court returned the fines to the representatives of the boys, less 3 dollars to Joseph, the estimated value of the goods stolen.

Case 7: Vavae v. Joseph.

Vavae disputes a will, which was produced in Court, and was properly executed, made by Tekotia, which left a piece of land to Joseph, on the ground that the ground did not belong to Tekotia. Evidence was produced from Bob and a missionary proving the land did belong to Tekotia. The Court therefore decided that Vavae had not proved his case.

Case 8: Poaura v. Pedro.

Poaura accused her husband of beating her. Her mother gave evidence in support; but the beating did not appear to be a severe one, and there appeared to be provocation. At this point it appeared that the husband had already been fined 10 dollars, but the wife really wished for a divorce. The Court dismissed the case, cautioning the woman that she had no grounds for a divorce.

Case 9: Maki v. Purua.

The parties agreed about a boat. Purua was to give Maki an old boat complete, and Maki was to supply Purua with all the materials required for building a similar boat. Purua complained that this had not been done; but it appeared that Purua had neglected to take the materials when they were provided, which were consequently lost. Court dismissed the case, cautioning Purua to take more trouble in collecting the materials, and Maki to be more careful in keeping them for Purua.

A question was asked by the Au of Tautua as to whether, if a question arose which they could not themselves settle, they were to refer to the Au of Omoka. The Court said "No," they should leave the matter in abeyance till it could be referred to a Commissioner.

Two other land cases appeared, but as they had to do with Manihiki, and could only be dealt with there, the men were given passage to that place.

Case 10: Simo v. Pa, Shilling, and Vavae.

This case arose out of Case 5. Simo says that the above named induced him to let and work diving-machines on the Tautua lagoon. Simo says that when he got the letter from Captain Winchester he told the men there would be trouble if they went on diving, but they said they would take all responsibility. This happened twice. Judge Paetou said he brought down the letters; Simo opened his, but the others refused to accept them. Paetou warned them of the contents and the penalty for not stopping diving. Tautaitini, Judge of Omoka, heard them promise Simo to be responsible. Pa, Shilling, and Vavae admitted that they had promised to be responsible for Simo, and also for Mapui, now absent from the island. The Court therefore ordered them to pay the shares of Simo and Mapui, which came to 457 dollars from each of the three to both the Au of Tautua and to Winchester and Dexter, 2,624 dollars altogether, in addition to the judgment against them in Case 5. The whole of the money due to Dexter and Winchester was forthcoming. Conviction and sentence papers were made out for the sums due to the Au of Tautua, ordering them to be paid by the 15th September, 1901.

Case 11.

This case was not entered in the island case-book. Five men were fined 2½ dollars each for being out after bell-ringing at 10 p.m. The Au let off two of them, as they said they thought they were ignorant of the law, and another of them, John Ree, protested against the fine, saying that the two men let off, though Tautua men, knew the law as well as he did. The Court considered the Tautua men must know the law quite well, so ordered both men to pay their 2½ dollars, which was done; but one man being absent the Au paid for him. Fines collected, 5 dollars.

The fines collected by the Court amounted to 20 dollars. Mr. Wilson, by far the most satisfactory interpreter to be obtained, required 7½ dollars per day for his services. I consider that, seeing that he was neglecting his own business, he fully earned that sum. He was paid for three and a half days' work, and the above-mentioned 20 dollars were used to partly pay him, the remaining 12s. being advanced by the Assistant Paymaster in Charge.

N. G. MACALISTER,

Commander, and Deputy Commissioner for the Western Pacific.

No. 96.

Premier's Office, Wellington, 22nd March, 1902.

SIR,—

I have the honour to forward for your information copies of letters received from Nos. 54, 55, Mr. Percy Smith, relative to his proceedings while acting as Resident Agent for the Government 56, 67, 68. at Niue, 11th October, 2nd and 13th November, 1901, and 9th and 13th January, 1902.