

1902.
NEW ZEALAND.

PACIFIC ISLANDS.

[In continuation of Parliamentary Paper A.—3, 1901.]

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

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No. 1.

SIR,— Government House, Wellington, 14th January, 1901.
I have the honour to forward for your information typewritten copy of the laws of Niue or Savage Island, supplied to His Excellency the Governor by F. E. Lawes, of Alofi, dated 30th October, 1900.

Under same cover I beg to enclose eight copies of the map of Niue or Savage Island.

I have, &c.,

JAMES PRENDERGAST,
Deputy Governor.

Colonel Gudgeon, British Resident, Cook Islands.

Enclosures.

SIR,—

Niue, 1st November, 1900.

In compliance with the request of Your Excellency, I have translated into English the Niue laws as far as they have been assented to by the chiefs and signed by the King. Some others decided upon by representative chiefs have not yet been submitted to the general Fono (council); these I have not translated. The accompanying laws were not written until 1875, but had then for the most part been in force for years. We helped in putting them into form, but none of them were creations of the missionary. Mr. Basil Thomson left a few laws, which Your Excellency will readily recognise. These, with a few slight alterations, were accepted by the *patus*. The punishment for fornication has been considerably modified, but in any form it is one-sided and pernicious. Adultery, or, as Niueans call it, "wife-stealing," is the most prevalent and serious offence that Niue Magistrates have to deal with. In 1881 a man was murdered by a former friend who suspected him of having committed adultery with his wife. Peace is thus constantly endangered by jealousy. The penalty for murder is not in the above code, but the law written on the heart is blood for blood, life for life. The land laws are wholly native; my only work has been in trying to abridge them, in which I have only partially succeeded.

The enclosed list of Kings would not, I think, go back farther than the middle of the eighteenth century. The covenant entered into with the King at his coronation is a mild expression of the views of the old men who appointed and made the first of the present order of Kings. The form was received by them and concluded by a sentence of more force and point than it; but as this sentence was not, I think, read out to King Tongia I have not sent it.

In troubling Your Excellency with so much written matter I hope that I have not exceeded your request for information, and that some items will be useful. Since the H.B.M.S. "Mildura" left the Malden Island ship has taken sixty more labourers to work guano, and I believe the Pacific Islands Company's steamer is expected to take a larger party, not of men, for few men remain, but growing boys, who are often permanently injured, if they do not quite break down under the continuous labour, for which they are physically unfitted.

I quite forgot to ask Your Excellency about marriages. We are authorised by the High Commissioner of the Western Pacific to marry British residents should any need arise, which is very unlikely. But Englishmen sometimes wish to marry Niue women. Two young men have lately married Niue women. They would not come to me to be legally married, but were just married as Niueans by a Niue pastor. I should be glad to know what we are to do in the future in such cases.

I am afraid that I did not clearly convey to Your Excellency the King's wish that the gentleman appointed as "Governor" of Niue be a married man. In this the King and his people are unanimous. They are also very desirous of having a man direct from Peritania or the colonies, not from the islands.

The work, at the beginning at least, will be difficult. Niue needs a really good man, for whom, unfortunately, the salary will not be large.

We shall always esteem it both a duty and pleasure to give any help that we can.

I am, &c.,

Lord Ranfurly, K.C.M.G.,

F. E. LAWES.

Governor and Commander-in-Chief of New Zealand and its Dependencies.

KINGS OF NIUE (from some Time in 1700 to about the End of Century).

Fakahinaiki.

Punimata. Died a natural death.

After an interval, Ihugā; a brave warrior. Killed.

Patuanalu. Died of old age.

Galiaga. Killed.

Fokimata. Killed.

Pakieto. Died in time of famine, about the end of the eighteenth century or beginning of 1800.

New Order of Kings.

Tuitonga: 2nd March, 1876. Died 13th July, 1887.

Tataaiki: 21st November, 1888. Died 15th December, 1896.

Tongia: 30th June, 1898.

	Population, 1900.			Away in Guano Islands.	Statistics of Schools and Churches.					
	Males.	Females.	Total.		Schools, 1899.			Sunday Schools.	Sunday- school Teachers.	Communi- cants.
					Boys.	Girls.	Total.			
Alofi ...	332	387	719	94	89	106	195	195	34	234
Tamakautoga ...	126	149	275	42	55	42	97	92	21	102
Avatele ...	164	237	401	46	64	88	152	133	34	132
Fatiau ...	42	62	104	16	24	19	43	41	12	52
Hakupu ...	204	252	456	85	78	95	173	157	49	241
Liku ...	159	224	383	75	71	83	154	153	27	133
Tamalagau ...	110	124	234	23	65	56	121	119	25	85
Mutalau ...	203	321	524	62	89	104	193	198	40	151
Tamahatokula...	116	132	248	27	44	54	98	77	31	120
Uhomotu ...	189	237	426	51	66	98	164	125	33	197
Makefu ...	93	103	196	40	29	45	74	77	21	80
Students and families	27	22	49	...	...	...	...	...	...	...
	1,765	2,250	4,015	561	674	790	1,464	1,367	327	1,527

In addition to above we have a school at Alofi twice a week, with boys from the various villages for English and other things which they cannot learn in village school. Average attendance, eighty-two boys.

Niue, 29th October, 1900.

TRANSLATION OF AGREEMENT MADE BETWEEN THE KING AND RULERS AND CHIEFS OF NIUE ON THE DAY ON WHICH HE WAS ANOINTED KING OF THE ISLAND, BEING THE FIRST KING AFTER ABOUT SEVENTY OR EIGHTY YEARS.

The following words were accepted and agreed to by the King of Niue on the day on which he was anointed King of the island, 2nd March, 1876:—

To Mataio-Tuitoga.

1. Are you willing to accept the office to which the chiefs and rulers and people of this land are about this day to appoint you—that you reign as King of this land Niue?

Reply: Yes, I receive your words.

2. Will you in all things act in accordance with the laws of this land? You shall not act of your own will alone in anything. You shall not make void the councils of the rulers of this land. You shall not listen to idle tales; neither regard the wish of any man to make void the law of this land. You shall not make compacts with any party or people of any party, or people of any district or village. But you shall act in concert with the chiefs and rulers and people of the whole island, and confirm the laws which they have decided upon.

Reply: Yes, I will attend to your words.

3. Will you always seek the honour and good of this Island of Niue—that the will of God may be done in the land, and the laws of the island firmly established, together with all work which is in accordance with the word of God? Will you, as God giveth you strength and wisdom, fulfil this covenant?

Reply: I will follow and keep your words.

Tuitoga died, 13th July, 1887.

Tataaiki made King, 21st November, 1888; died, 15th December, 1896.

Tongia made king, 30th June, 1898.

Tongia fully agreed to the above covenant.

TRANSLATION OF NIUE LAWS.

These laws were made by the chiefs and rulers of this Island of Niue at their Fono (assembly) at Alofi, 1st December, 1875. At the assembly of the King, chiefs, and rulers of Niue at Uhomotu, 5th June, 1900, the above laws were passed in a revised form, and other laws added thereto.

Stealing.

Stealing is defined as the taking of any movable property dishonestly from the possession of its owner.

Whoever steals, either from the field, or premises, or house of another (if any person enters a house to steal, even though he does not succeed in carrying anything away, he shall be guilty), or from any store in the island, or from ships off the island, upon conviction he shall work upon the roads for a term not exceeding six months, or make ovens of lime equivalent to above sentence. But women convicted of theft shall make mats, or do other work suitable for women, according to the offence committed, to be equal in duration to the punishment inflicted upon men.

Cheating.

Whoever shall obtain from another money or property by dishonesty or falsehood, or shall adulterate food or produce with any foreign substance so as to increase the weight thereof, or shall conceal a stone or weighty substance in basket of produce, or sell arrowroot or copra insufficiently dried in order to add to its weight, shall, on conviction, restore the amount obtained by fraud; also work on the roads or make lime-ovens for any term not exceeding two months. But women, upon conviction of above offence, shall make mats or do other women's work equal to above as a punishment.

Lost Property.

Whoever shall find any lost property shall deliver it to its owner; but if the owner be unknown he shall deliver it to the Mayor (*Pule he Maga*), who shall have it proclaimed. If the owner be not found at the expiration of twenty-eight days, the property shall belong to the finder.

Stealing Bush, and removing or overstepping Land-marks.

Whoever shall remove the land-marks, or overstep them, or appropriate the land (bush) of another, shall, upon conviction, pay a fine of 8s. sterling.

Destruction of Property.

Whoever shall wilfully destroy or damage any property, animal, or plantation shall, upon conviction, pay the value of the damaged property to the owner, and may further be ordered to work on the roads for any term not exceeding two months.

Arson.

Whoever shall wilfully set fire to any building shall, on conviction, work on the roads for a term not exceeding six months, and shall pay to the owner the value of the property destroyed.

Assault.

The following are grievous bodily injuries: (1) Destruction of an eye or an ear; (2) dislocation of a joint; (3) fracture of a bone; (4) serious wounds in the head or face; (5) injuries that endanger life or prevent the injured person from following his occupation for twenty days.

Whoever shall cause grievous bodily injury to another with malicious intent, upon conviction of assault as above, shall pay damages in a sum not exceeding £2 sterling; also work on the roads for a term not exceeding six months.

The following are petty assaults: (1) Striking with the hand; (2) drawing blood; (3) spitting or throwing liquid upon another; (4) tearing another's hair or biting; (5) pushing another; (6) seizing and tearing the clothes of another; (7) making any gesture to commit an assault.

Whoever shall commit any of these offences in anger or in malice, and without grave provocation, shall be liable, on conviction, to a fine not exceeding £2, or to work on the roads for a term not exceeding fourteen days, or to make an oven of lime.

Quarrelling.

Whoever shall quarrel and cause a disturbance in the village shall be liable to a fine not exceeding £1. In default, to work on the roads for a term equivalent to the amount inflicted as fine.

Minor Offences.

Whoever shall commit any of the following acts shall, on conviction, be liable to a fine not exceeding 10s.: Using threatening, abusive, or indecent language to any person; (2) gambling for money.

Drunkenness.

It is illegal for natives of this island to import, or buy, or use spirituous liquor. Whoever shall be convicted of drunkenness shall be liable to a fine not exceeding £1.

Fornication.

Whoever shall be convicted of fornication, for first offence, shall be liable to one week's labour in making lime-oven or work on the roads; for second offence, an oven of lime involving two weeks' work.

A woman convicted of fornication, for first offence, shall be liable to work on the roads for the term of one week; for second offence, two weeks' work on the roads.

If the above wish to marry, the punishment shall cease upon the day of their marriage.

Adultery.

If any man shall abduct the wife of another, or any woman shall entice the husband of another woman and commit adultery, the man who shall be convicted of abducting the wife of another, or the woman of enticing the husband of another woman, shall be liable to a fine not exceeding £2; also to work on the roads for a term not exceeding three months.

Eloping with Another Man's Wife.

Whoever shall abduct the wife of another man to the bush or elsewhere, that she might become his wife, shall be liable to the following punishment: £5 damages for the lawful husband of the woman and £5 fine to be given to the Government; total, £10 sterling, to be paid by the man who has stolen the wife of another. He shall also work on the roads for the term of six months.

Visiting Ships for Immoral Purposes.

If any woman shall go aboard of ships off the island for immoral purposes, upon conviction she shall pay a fine of £1. In default of payment, shall work on the roads for a term of two weeks.

Abducting Women to Ships.

Whoever shall take any female to a ship for immoral purposes shall, on conviction, work on the roads for a term not exceeding two months.

Procuring Abortion.

Whoever shall give any drug to or commit any act upon a woman with the intention of causing her to miscarry shall, on conviction, work on the roads for a period not exceeding six months; and any woman who procures or attempts to procure her own miscarriage shall, on conviction, work on the roads for a term not exceeding six months, or do a task of mat-making or other native manufacture with her own hands. Any accomplice or accomplices shall also, upon conviction, be liable to the above punishment.

Laws respecting Land, Cocoonut Plantations, &c.

If a man and his wife plant cocoonuts on land given them by their respective fathers (*matua*), in the event of the man or woman dying the said plantations belong to the surviving parent and their children; and on the death of the remaining parent their children shall inherit the land. If the children also die, the cocoonuts planted on land belonging to the father shall pass to his nearest of kin, and the cocoonuts planted on land belonging to the mother shall pass to her nearest of kin. The relatives of the husband shall not claim cocoonuts planted on the wife's land, and the relatives of the wife shall not inherit plantations made on land belonging to the husband.

A *patu* (*patu* = head of family or clan) owning large plantations of cocoonuts, with a numerous family of sons and daughters. These marry, and, with their children, reside and work on the land of the aforesaid *patu*. In the course of years the *patu* and his sons and daughters die, one son or daughter, with wife (or husband) and family, only remaining. But some of the children of deceased also survive. The above surviving son or daughter appropriates the cocoonut plantations, not giving any to the children of deceased's brothers and sisters: The law of the island shall take away from this man and restore to the children severally the portions of land and cocoonuts belonging to their deceased parents.

If a *patu* divides his cocoonut plantations, appropriating to each son and daughter their share of his land, his will shall be respected; and the land thus bequeathed shall remain the property of his children and their heirs for ever.

Disobedient sons who wander to other lands, and when at home are lazy and dissolute, not helping at all in the work of the plantations, but appropriating the father's cocoonuts and living upon the fruits of his industry: Upon the father making known his case to the Judges, such sons shall be dealt with by the law of the island.

A *patu* has one son, for whom he has planted cocoonuts; but in his old age a nephew visits him with a present of food. Thereupon the *patu* tells the nephew that at his decease he shall inherit his cocoonut plantation. Another nephew comes to him in the same way, and he promises the plantation to him as to the previous visitor. The same thing happens again with a more distant relative. Thus three times he has given away the same plantation. At the death of the *patu* each of these relatives claim the said cocoonut-trees. Unless there be a written will confirmed by witnesses none of these claims are valid, but the land and cocoonut-trees shall belong to his own son.

A man who has one son only adopts the child of his sister and a child of his brother. To these three children, in equal shares, he bequeaths his property, land, and plantations: The portion of land thus bequeathed shall belong to them severally and their heirs according to the will of deceased.

A *patu*, in heathen times, with his three wives, also his sisters, live on the same land. The sisters marry and, with their respective husbands, occupy one side of the land, and the *patu* and his wives the other. The *patu* and his wives plant cocoonuts; also the sisters and their husbands. The children of one wife shall not inherit the plantations of another, but each family shall keep to the land given by the *patu* to their own mother on which cocoonuts were planted for her and her children. In like manner, the children of the sisters shall not inherit the plantations of their mother's brother, but each family shall keep to the land originally allotted to the sisters by the deceased brother.

A *patu* shall plant cocoonuts for himself, his wife, and children; his brothers also and sisters shall each make plantations for themselves and their several families.

A *patu* who has twice married and has children by each marriage, upon the decease of the father the children of the first marriage shall inherit the plantations made for them by the deceased *patu* and their mother. The children also of the second wife shall inherit the cocoonuts planted for them by the deceased father and their mother. If the *patu* did not plant cocoonuts for the former or the second wife, to prevent strife between the two families the law of the island shall decide as to their portions.

A *patu* or *patu fifine* (a woman who is a householder) unmarried and childless, but possessing cocoonut and other plantations. In old age the children of the brother or sister live with and wait upon their relative, in consideration of which service the *patu* or *patu fifine* bequeaths the plantations to the said nieces or nephews to be divided amongst them. The plantations shall be appointed to the said nieces or nephews according to expressed wish of deceased; or, if there be but one such niece or nephew, the land and cocoonuts shall belong to such one alone if so willed by deceased.

A *patu*, having plantations of cocoanuts, has one son and two daughters. He intends giving his land and cocoanut-trees to his son; but, the son dying before the father, he bequeaths all to the younger daughter, to be hers after his own and his wife's death. The father dying, the mother and daughters occupy the land. On the marriage of the elder daughter the mother gives her some land and cocoanut-trees. The younger sister also marries and has a family, but her sister is childless. The mother dying, and subsequently the elder sister, after the death of the elder sister, there being no children, the younger sister, to whom the land was given by her father, requests the husband of her deceased sister to return to his own family; but he elects to remain, and claims the land and cocoanut-trees which he and his late wife occupied. But this not according to Niue custom; the law will take the land from him and restore it to the younger sister, to whom it rightly belongs.

The son of a *patu* marries the daughter of another *patu*. After the marriage the father-in-law, with his family, build a house and reside upon the land (*kaina*) of the son-in-law. The son-in-law leaves the island or dies and the father-in-law remains in possession, whereupon the brother of the said son-in-law claims the land and cocoanut-trees, it being the property of his brother inherited from their father; but those in possession being stronger than he refuse to give up the land. The land rightfully belongs to the brother of the deceased son-in-law, and not to the father-in-law or his family. The rulers shall decide whether the said brother shall take the whole of the land, or whether a portion of it be given to the occupants who have taken possession of the said land.

Two men with lands adjoining each other; one has bearing cocoanut-trees the other not. The one who has cocoanut-trees accepts money or money-value from the other, not in purchase of the land, but as a bond of agreement, and the two men work together and enlarge their cocoanut plantations, sharing the produce. On the death of the fathers the sons shall take the shares of their fathers, but other relatives of the deceased shall not have any claim upon the land. The plantations shall belong to the children of the deceased, who agreed to work the land in partnership. Whoever shall oppose the above laws, and not accept the decision of the Judges, shall be liable to a fine of £1, and the land shall be restored to its rightful owner.

Land given in Niue for the erection of churches, schoolhouses, the residences of teachers, &c.: These lands shall be preserved and guarded by the Church and by the law of the land for the purpose for which the said lands were given. These lands, as above stated, shall remain for the use of the Church from generation to generation for ever.

That is all.

Agreed to at meeting of the chiefs and rulers at Alofi, 22nd May, 1900.

Confirmed at Fono at Uhomotu, 5th June, 1900.

TONGIA,
The King of Niue Fekau.

NOTES ON SAVAGE ISLAND OR NIUE.

Situated in 19° S. lat., 169° 48' W. long. Forty miles in circumference by sea; about 200 ft. high. Population 4,015, and 561 away working in Guano and other islands. A road round the island made by forced labour as punishment for breaches of the law; the road has lately been widened by free labour by the people in the various villages. About thirty-three miles round the island by road. There are eleven villages. The island is flat. A good depth of soil on the tableland; but very rocky everywhere, abounding in caves. The soil is fertile, producing taro, yams, bananas, sweet potatoes, sugar-cane, manioc (sweet casava), papaw apple, oranges, limes, lemons, maire, and cabbage, beans, &c., also grow.

Exports.—Arrowroot, indigenous and abundant. The only cultivation needed is to burn the bush and undergrowth. The arrowroot is good in quality, but owing to the primitive mode of drying particles of dust fall on to it, which renders it unsaleable in the foreign market.

Cotton thrives well. Kidney cotton in past years was extensively cultivated, and formed the staple commodity of trade. But the cotton degenerated and became practically worthless, and it is not now cultivated. Sea island cotton grows well and should be tried.

Fungus: An edible fungus, in demand amongst the Chinese, grows in the bush, especially at Liku, Tamalagau, and Mutalau. It grows on decaying wood, and is cultivated by cutting down sticks of certain kinds of wood and lodging them in slanting direction against rocks or trees.

Coffee will grow, but has not been fairly tried. Vanilla has been lately introduced.

Hats were extensively made from 1890 until 1897, since which date there has been no sale for them. The stores are buying them again this year in smaller quantities. The hats are made from the pandanus-leaf. The women and girls are clever plaiting hats. If the material used in the Marshall Group could be cultivated they could make hats equal to those.

Copra: Last year 600 tons or more were exported; this year not half that quantity.

The planting of cocoanuts proceeds slowly. The able men and youths are away from home. Had it not been for the constant drain of men for the last twenty-five years for labourers in Guano Islands the number of bearing cocoanut-trees would have been double what it is. And so long as Niue remains the labour-market for the Pacific there is no hope of increasing the productions of the island.

Form of government, patriarchal. Heads of clans, *patu*s, rule. In olden times the *patu*s arranged for feasts, made wars, also elected and anointed kings. Nowadays the *patu*s rule in their own villages in local affairs; but once in two months these *patu*s meet alternately at Alofi and Tuapa, or Uhomotu, where the King resides, for the discussion of all matters of importance in the island. The Government has worked well so far as keeping the peace is concerned: there has been no fighting or serious quarrel for fifty years. But of late years there has been no advance in legislation; the island is at peace, but in most things pertaining to the welfare of the people and the prosperity of the island Niue is retrograding.

The gospel was brought to Niue in 1846 by Peniamina, a Niuean, who had been for a few years in Samoa. Peniamina soon fell into heathen habits, but he prepared the way for Paulo, a Samoan teacher, in 1849. He lived and worked and fished with the people, and eventually won them over to receive his message. In 1861, when the first missionary landed, there were five good chapels built, the Alofi chapel being one. The people were all, save eight or ten, nominal Christians, waiting to be taught, anxious to be led in the right way. We have now eleven villages, each with its teacher, who is a schoolmaster and pastor and general guide to his people. Good work is being done, yet there is room for vastly more and better work. And we hope the increased security, the improved laws, and the stimulus given by annexation will yield good fruit in abundance.

Alofi, 30th October, 1900.

F. E. LAWES.

No. 2.

MY LORD,—

Rarotonga, 24th January, 1901.

I have the honour to forward herewith for your information a report on the trade of the Cook Islands for the year ending the 31st December, 1900.

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

I have, &c.,

W. E. GUDGEON.

Enclosure.

REPORT ON THE TRADE AND SOCIAL CONDITION OF THE COOK ISLANDS FOR YEAR ENDING
31ST DECEMBER, 1900.

THE past season has been remarkable for the abundance of the orange-crop within the Cook Islands, for not less than 1,500 tons of this fruit has been shipped from Rarotonga alone, and at least 500 tons from Aitutaki. It is, however, unfortunate that this large export has not brought a corresponding increase of wealth to the native shippers, for after paying the freight and other charges—which on a 6 in. box amount to about 2s.—very little, if any, margin has been left to the producer, and in the numerous instances where fumigation has been ordered the exporters for the most part have had to meet a complete loss. I have now in my possession some account sales that show charges incidental to fumigation amounting to £2 16s. 8d. on 142 boxes.

To illustrate the miserable condition of the fruit trade during the past season I cannot do better than quote the following actual transactions: A shipment of 95½ tons of oranges made by certain Maoris realised £96 10s. 4d. in the Auckland market; but against this return there were the following charges: Freight, £95 10s. 4d.; cartage, £19 7s.; fumigation, £10 15s. 6d.; storage while waiting fumigation, £1 1s. 6d.; labour, commission, &c., £11 15s. 9d.: total, £138 10s. 1d.—in other words, a loss of £42 on 95½ tons of fruit.

Another shipment of 110 tons realised £154 7s.; but the expenses thereon amounted to £153 19s. 3d. If necessary, it could be shown that these are a fair average of the returns made during the early part of the year; indeed, I know of but one agent who has succeeded in making small uniform profits for his principals throughout the year. After this experience of the Port of Auckland no one need be astonished that the natives of the Cook Islands are anxious to find another outlet for their fruit.

Later shipments have realised better prices; but from inquiries I have made I am convinced that the producers have not received more than £1 per ton—that is, 1s. per 6 in. box—actual profit on the oranges exported by them. That some one has benefited by this condition of affairs may be assumed; but it has not been the producers, nor does it appear that the consumers have profited by the low prices, inasmuch as from Napier southwards oranges have ruled from 1s. to 2s. per dozen during season. As for the Union Company, they cannot have received less than £5,000 in freight on fruit during the past year; but so far they have done nothing to facilitate the transport of perishable cargo to Wellington and the south, and therefore it has happened that oranges shipped to southern ports have on more than one occasion been stored on the Auckland Wharf for from four to six days, with the natural result that much of the fruit arrived in an unsaleable condition.

The merchants of Auckland do not indorse the views held by the fruit-growers of Rarotonga. They contend that the people of Auckland are the largest consumers of fruit in New Zealand, and therefore their town should remain the trade centre. This contention may or may not be in accordance with facts; but, in any case, it has no practical bearing on the merits of the dispute, since it does not disclose any good or sufficient reason why the Cook Islands should continue to supply fruit to the people of Auckland at a loss to themselves. It has never been in contemplation to cease shipping to that port, but experience has taught the people of Rarotonga that they must also export to Wellington and Lyttelton.

Those Europeans who are interested in the fruit trade are now considering what steps ought to be taken to place it on a better footing, and it is proposed to hold a large meeting and point out to the Maoris that they themselves are in a measure responsible for the low prices of last season. It is well nigh impossible to make the ordinary Maori of the Cook Islands understand that care is necessary in selecting and in packing oranges, or that they should be uniform in size and quality. There is no possible reason why a single bad orange should be sent to New Zealand from this group, for our supply usually exceeds the demand; but, none the less, most of them will continue to damage the trade by sending hopelessly unripe fruit mixed up with good saleable oranges; by allowing bruised fruit to be packed, so that by the time it reaches New Zealand the boxes require

to be picked over; by forwarding oranges affected by the mussel-scale, so that the fruit is fumigated and great loss occasioned to the shippers; and, worse than all, by packing fruit windfalls taken from the ground, and which in many instances has been perforated by a maggot. As I have said, it is almost impossible to convert all of these natives from their evil ways; but something may, nevertheless, be done with the more intelligent among them, and from this class I propose to form an association of men who will bind themselves to send none but the best fruit. Something may be done in this way, for it will enable the members to have their fruit carefully inspected in Rarotonga, and the boxes branded with the association mark as a guarantee of quality. It is also intended to appoint one person at each of the chief towns of the colony to act as agent for the sale of fruit, and thereby prevent a continuation of the present want of system, whereby the oranges are rushed at once into auction-rooms, and one lot of fruit forced into competition against other lots from the same place.

Coffee.

The coffee-crop of the past year has been limited in quantity, from the fact that the trees have scarcely recovered from the attack of leaf-blight from which they suffered in the autumn of 1899; but the quality of the berries gathered has, I am glad to say, proved to be first class, a result that I attribute for the most part to the improved appliances and care bestowed upon the berries by Captain Taylor, the leading coffee merchant of this island. That gentleman informs me that he has in every instance secured remunerative prices—as high as 7d. per pound; but in this as in every other instance the Rarotonga article is inferior to any of the outlying islands. This fact is not easily to be accounted for, inasmuch as I have no reason to believe the popular report to the effect that in Rarotonga the berries are gathered from the ground after becoming bitter from contact therewith. The fault appears to be that the berries are insufficiently dried before they are bagged and stored, and are therefore more or less damaged by mildew before sale to the traders. The general impression is that the Au, or local Council, is to blame for this wretched system, and probably this view is not very wide of the truth, for the Au for many years past interfered and even encouraged others to interfere in the sale of the island produce, to the manifest detriment of all business. The popular view is that the members of the Au are merely speculation agents, and that until they have made arrangements to suit themselves the sale of the season's coffee is delayed, and the berries more or less damaged in consequence of such delay.

It appears to me that the time has now arrived when it is expedient that the rights of *rahui* should be taken away from the Au of any island, and should only be exercised by the Ariki of the islands sitting in council under the presidency of the British Resident, and that any native chief who should attempt to interfere in matters of business by forcing his people to deal with any people whatsoever should be liable to a severe penalty. The *rahui* is a matter that will have to be dealt with sooner or later, for I know of one instance in which an Ariki of Mangaia attempted to fine a trader for having purchased coffee from one of his people, there being at that time no legal *rahui* over the island.

Copra.

The copra produced during the past season has been at least normal in quantity, and probably in excess of that of the last two or three years; but on this point it is difficult to speak with any certainty, for the native schooners have hitherto taken much copra to Tahiti that has never appeared in the Government returns. This produce has for the most part been taken to pay for repairs or fittings for these schooners, which have proved to be a very expensive Maori amusement. It is a disgraceful fact that the large and fertile island of Rarotonga does not produce more copra than the very small island of Aitutaki, and, worse still, that it is almost always of an inferior quality to that of the last named.

I have again and again urged the natives of Rarotonga to plant the cocoa-palm, and something has been done in that direction; but no real progress will be made in any variety of agriculture until the question of land-tenure has been dealt with comprehensively, and the wandering pigs and horses, which at the present moment destroy fully fifty per cent. of the work done, are seized and either sold or destroyed.

The Arikis of each island, acting under my advice, have during the past season demanded British coin for their copra, and in Rarotonga, Mangaia, and Aitutaki they have received it. So also the small sum of money received for other produce has been paid in British. The small amount of Chili money now in circulation has ceased to be a source of annoyance to the traders; indeed, it is rather useful than otherwise, since the old Maoris find it difficult to ascertain the value of British money relatively to the goods that they have been in the habit of purchasing, and therefore exchange their English money into Chili before dealing with the traders.

My reiterated warnings to the natives as to the necessity of improving the quality of their copra by careful drying have not been thrown away, for the first 40 tons produced by the tribe at Avarua is said to have been the best sample sent from this island for many years. But I am unable to report that all of the copra has been of the same high standard, for I have reports from Sydney that show conclusively that in some instances it has been made from green or immature nuts, with the result that it cannot be dried, and does not contain anything like an average percentage of oil. Exports of this description are ruinous to the trade of a small island, inasmuch as one or two inferior shipments are apt to depreciate the value of the whole crop. It appears to me that the manufacture of

copra from immature nuts should be treated as an offence against the whole community, and punished as such, and the copra confiscated. It is mere waste of time to remonstrate with the Maoris on such subjects; but if they find they are liable to punishment for any particular course of action they will avoid that course. It is only by the aid of a penalty that the manufacture and sale of bad products can be prevented, for there are many traders who will buy anything if only it be cheap.

Limejuice.

Up to the present date the Island of Rarotonga has alone made full use of its lime-trees; but even here the fruit has not had fair treatment, by reason of faulty presses and of dishonest manufacture by the natives. Now, however, the Cook Island Trading Company have introduced a better class of lime-press, and have secured rights over some of the lime groves, by virtue of which they will be in a position to exercise a much-needed supervision over the manufacture, and insure an even quality of the article. The improved communication which must result from the presence of a schooner owned by the Government will enable Mangaia and Atiu to make some use of the numerous lime-trees growing on those islands, and materially increase their exports.

Arrowroot.

The various roots from which this article of food is made grow freely in almost all the islands of the group; but in most of them the want of a sufficient supply of running water will prevent arrowroot from ever becoming a staple article of export. As it is, but little is made beyond that required for island use, whether for starch or food. The only export of this product is to the pearl-shell islands of Suwarrow, where the people are glad to obtain vegetable food of any description.

Vanilla and Cocoa.

A few pounds of the beans of the first-named plant have been grown in Rarotonga this year, and have been fairly well cured by a man from Tahiti, who had there learned the method of curing the beans.

Inter-island Communication.

The proposal that the Government of the group should acquire an auxiliary oil-engine schooner, to trade between the islands and make occasional trips to New Zealand in the interest of producers, is one that has found favour with every Maori in the group and, with very few exceptions, with the Europeans. The people recognise that it is the only method by which long-standing monopoly can be abolished and the outlying islands receive the consideration which has hitherto been enjoyed by Rarotonga only. I may here point out that the mere fact of the Union Steamship Company's steamer calling at these islands would in itself be of little benefit to them; what they require is a medium by which traders may visit them and arrange for the purchase and packing of fruit and other produce in anticipation of the arrival of the steamer, and this is a matter that can only be done satisfactorily by a Government schooner that will treat all alike. A privately owned schooner is used only in the service of the firm owning it, and will afford no assistance to rivals, and that is the position in which we now find ourselves, and under which the Maoris have laboured for years.

It will probably be necessary to cut down freights and charges to the lowest possible margin, in order to develop the trade of the neglected islands and drive off all competition. This last must be effected at all hazards, inasmuch as there is not work for more than one schooner run on strict business principles. To this end, also, it is advisable that the European residents and native inhabitants should be encouraged to take up as many shares as possible in the schooner, in order to give them a direct interest in this public property, which, under the happiest circumstances, can hardly pay unless an occasional cargo is carried to New Zealand.

The Private Debts Act.

For the last two years there has been a well-founded doubt in the minds of certain persons interested in the government of these islands as to whether it was legally possible to recover a debt due by one of the natives thereof to a foreigner. The ancient law of Rarotonga was undoubtedly to the effect that it was not lawful to allow any Maori to incur a debt, and therefore that they were not recoverable by law; but in practice the native Courts had ignored this law in the interests of those clients whose transactions were sufficiently large to enable them to purchase the goodwill of the Judge, and it would seem that Te Pou (Judge of Avarua) might always be depended on to give judgment in favour of the appellant, and himself, with the aid of the native police, would collect the debt on the very moderate terms of 10 per cent. on the sums for which he actually accounted, and as much of the remaining debt as he could manage to retain in his hands. It need hardly be said that this system proved exceedingly unsatisfactory to all the honest foreigners of the group.

The death of Te Pou in 1898 somewhat improved affairs; but it was not until the year 1900 that the Parliament of the Cook Islands were moved to place the question of debt on a permanent footing by passing the Private Debts Act. Section 2 of this Act enacts that no debt incurred after the 31st August, 1900, shall be recoverable by law; and section 4 of the same Act provides that debts incurred previous to the said 31st August may be sued for in the Hight Court within certain limits as to time.

This Act will, it is hoped, place the trade of the place on a better footing, since it places restrictions on the natural extravagance and dishonesty of the Maoris, and enables those traders who have outstanding debts, dating in some instances from 1883, to ascertain what proportion they are likely to collect.

Public Works.

The construction and maintenance of the roads and bridges of Rarotonga has been placed under the jurisdiction of the Au, or local council, of each district, their powers having been defined by the Au Empowering Act of 1899. By section 8 of this Act the Au may call out the whole or any part of the population of its district for a period not exceeding twelve days in each year, the only persons who can legally claim exemption being those who pay rates under the provisions of "The Public Works Rating Act, 1899." The rates payable under this Act are small, but sufficient to provide the timber for the construction of the bridges; and it is found that the Maoris not only recognise the necessity for good roads and bridges, but also work most cheerfully thereon, the law being merely an adaption of an old and time-honoured custom of the island, whereby the people were required to carry out any public work when called upon to do so by the Ariki of the district. The system has proved to be a most effective and inexpensive method of keeping the roads of the island in good order, and in Nga-Tangia, where it has been deemed necessary to construct an entirely new line of road, the tribe has of its own free will worked for many more than the twelve days for which they are liable by law.

Revenue.

The revenue returns for the financial year ending the 30th June, 1900, have been most satisfactory, the receipts exceeding the expenditure by no less than £976 18s. For the current year the expenditure has been estimated at £2,724 and the revenue at £3,486, and the returns for the first six months of the year show that the estimate has been more than maintained.

The details of the Federal revenue are given in Table I. for the year ending the 30th June, 1900, and the following is a summary of the receipts and expenditure for the past eight years:—

Year.	Revenue.			Expenditure.		
	£	s.	d.	£	s.	d.
1892-93	825	9	0
1893-94	1,246	7	1
1894-95	1,287	1	4
1895-96	1,428	17	8
1896-97	1,230	2	9
1897-98	1,379	10	0
1898-99	1,801	13	4
1899-1900	3,165	7	10

TABLE I.—REVENUE of the FEDERAL GOVERNMENT of the COOK ISLANDS for the Year ending 30th June, 1900, with Comparative Statement of Revenue for previous Seven Years.

Year.	Import Duties.			Postal.			Court Fees.			Trade Licenses.			Miscellaneous.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
1892-93	245	5	9	...	...	...	...	...	16	17	2	815	9	4	
1893-94	278	2	3	...	...	...	...	...	24	14	5	1,246	7	1	
1894-95	228	0	1	...	...	...	...	...	10	18	6	1,287	1	4	
1895-96	120	8	5	...	...	...	...	...	19	9	6	1,428	17	1	
1896-97	120	5	3	...	...	...	...	...	188	17	0	1,230	2	9	
1897-98	179	16	2	...	...	...	...	...	13	15	0	1,321	19	7	
1898-99	274	6	8	77	9	11	209	19	4	291	14	8	1,801	13	4
1899-1900	300	3	1	431	7	3	209	2	9	35	3	2	3,165	7	10

Vital Statistics.

I regret that I am unable to report any distinct improvement in the health of the Cook-Islanders. In the districts of Arorangi and Matavera of this island the deaths were nearly double the births, but in Avarua, where there is a medical officer, the death-rate was only thirty-two, as against forty-six births. In the Northern Islands the birth-rate is very small; but, fortunately, the deaths are even fewer in number. The following table is reliable:—

Place.	Births.	Deaths.	Marriages.	Population.
Rarotonga
Mangaia
Aitutaki
Penrhyn
Manihiki
Rakahanga
Pukapuka

Even the most remote islands of the Pacific would seem to have suffered from the same mysterious decrease of population, and to this rule Niue is not an exception. I submit a carefully compiled return which is the result of the experience of the London Mission in that island for the last twenty-five years.

Population of Niue, 1875 to 1900.

District.	1875.	1884.	1887.	1891.	1895.	1900.
Alofi	954	836	798	767	855	813
Tamakautoga	1,046	417	369	347	337	317
Avatele		697	425	402	415	447
Fatiau ... ..		...	182	147	136	120
Hakupu	742	834	731	637	640	641
Liku	433	499	485	473	490	458
Tamalagau	261	290	261	290	253	257
Mutalau	656	684	633	645	603	586
Tamahatokula	1,255	342	341	314	276	275
Uhomotu		584	486	467	473	477
Makefu		314	306	274	296	236
Students, &c....	102	76	72	88	80	49
Total	5,454	5,573	5,089	4,851	4,854	4,676

Of the present population no less than 561 persons are now absent from the island, either as sailors or labourers on other Pacific islands.

Imports and Exports.

The necessity for the presence of a reliable European officer in each of the larger islands is shown, in the case of Aitutaki, by the revenue actually received from the hands of Mr. Large, and which would never have come to hand had the collection been left to the native officials. The receipts for the year ending the 3rd December, 1900, have been: Trade licenses, £45 10s.; Customs duties, £81 4s. 8d.; postal, £8 5s.; Court fees and fines, £70 4s. 9d.: total, £205 4s. 5d.

The following statements show the comparative value of the imports and exports of the Cook Islands from the year 1892 to date:—

Year.	From New Zealand. £	From Tahiti. £	Other Places. £	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	17,167	5,911	...	23,068
1897	22,455	4,406	...	26,861
1898	15,332	2,323	...	18,155
1899	9,768	2,330	1,457	13,555
1900	17,700	2,230	1,251	21,181

The value of the exports for the same period is as follows:—

Year.	From Cook Islands. £	From other Places. £	Total. £
1892	15,394	4,943	20,337
1893	18,703	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
1899	11,199	3,020	14,219
1900	19,310	3,069	22,379

I have also the honour to forward for Your Lordship's information returns supplied to me by the Customs officer at the Port of Avarua. Table II. itemises the articles imported into the Cook Islands for the year ending the 31st December, 1900, Table III. specifies the number and value of each article of export, and Table IV. is a return of the shipping entered in and out of the Port of Rarotonga for the past year.

In addition to the foregoing, I beg to submit for your information a return showing the exact amount of liquor issued from the Government bond during the past year. The significance of this return lies in the fact that there are not at the present time ten hard drinkers on the island, and therefore it is absolutely absurd to suppose that the foreign element could consume the liquor shown as sold. I must therefore conclude that the Maoris are responsible for the consumption of at least half of the spirits shown on this return, and that they receive the forbidden liquor through the aid of the foreign residents.

W. E. GUDGEON,
British Resident.

TABLE II.—IMPORTS into the COOK ISLANDS for the Year ending 31st December, 1900.

Article.	From Auckland.			From Tahiti.			From other Places.			Total.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Animals	118	17	6	0	3	0	...	...	...	119	0	6
Beer and wine	102	5	9	62	16	5	...	...	...	165	2	2
Breadstuffs	1,268	19	6	115	10	1	105	3	0	1,389	12	7
Clothing	352	13	0	84	18	0	109	0	0	546	11	0
Coal	157	0	0	...	...	...	...	...	...	157	0	0
Drapery	1,862	10	2	44	4	4	265	9	3	2,172	3	9
Drugs	69	2	9	3	16	7	...	...	...	72	19	4
Empty sacks	352	6	4	33	6	8	...	...	...	385	13	0
Groceries	2,973	2	0	130	1	7	81	19	5	3,185	3	0
Hardware	1,280	4	2	266	15	10	301	18	4	1,848	18	4
Meats and provisions	1,293	11	9	131	6	0	129	10	9	1,554	8	6
Money, English and specie	1,221	9	4	...	...	...	...	...	...	1,221	9	4
Limejuice-casks	182	0	0	...	...	...	...	...	...	182	0	0
Oats, chaff, &c.	40	18	7	...	...	...	...	...	...	40	18	7
Orange-plants	5	0	0	...	...	...	...	...	...	5	0	0
Passengers' luggage	25	0	0	71	0	0	...	...	...	96	0	0
Piece and fancy goods	2,540	18	11	718	9	5	1	11	0	3,260	19	4
Spirits	165	14	7	3	18	2	...	...	...	169	12	9
Stationery and books	237	11	7	24	12	2	13	18	6	276	2	3
Tobacco	272	17	1	16	2	10	...	...	...	288	19	11
Timber, manufactured and un-manufactured	2,510	2	8	346	3	10	67	15	5	2,924	1	11
Others	667	14	4	176	19	9	175	6	6	1,020	0	7
Totals for 1900	17,700	0	0	2,230	4	8	1,251	12	2	21,181	16	10

RALPH W. GOSSET, Collector of Customs.

Customhouse, Rarotonga, 31st December, 1900.

TABLE III.—EXPORTS from the COOK ISLANDS for the Year ending 31st December, 1900.

Produce of the Cook Islands.	To New Zealand.		To Tahiti.		To other Places.		Total.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
Alligator peas, cases	12	£ 1 19 0	..	..	..	..	12	£ 1 19 0
Arrowroot, lb.	3,460	2 4 2	14,365	230 0 0	325	4 12 6	14,850	236 16 8
Bananas, bnchs.	34,932	1,563 18 9	..	..	800	10 5 0	35,932	1,574 3 9
Barbadines, cases	9	1 11 3	..	..	..	..	9	1 11 3
Beeswax, lb.	150	3 5 0	..	..	..	..	150	3 5 0
Cocconuts, No.	97,375	154 8 0	..	..	450	0 13 0	97,845	155 1 0
Coffee, lb.	46,303	875 7 11	5,215	149 18 9	..	..	51,518	1,025 6 8
Copra, tons	847½	6,022 5 7	140	1,098 5 0	..	..	987½	7,120 10 7
Cotton, lb.	5,797	62 8 9	..	..	..	..	5,797	62 8 9
Dried bananas, lb.	2,248	12 10 2	1,900	7 2 0	..	..	4,148	19 12 2
Limes, No.	28,770	14 0 6	..	..	..	..	28,770	14 0 6
Limejuice, gals.	34,248	511 8 9	..	..	..	..	34,248	511 8 9
Mangoes, No.	24,114	24 5 3	..	..	..	..	24,114	24 5 3
Mummy apples, No.	150	0 16 0	..	..	..	..	150	0 16 0
Oranges {cases	55,156	5,454 1 2	..	..	{ 100 }	7 10 0	{ 55,256	5,461 11 2
{crates	1,210						{ 1,210	
Pineapples, No.	261,552	1,157 12 10	..	..	..	..	261,552	1,157 12 10
Vanilla beans, lb.	25	5 12 6	..	..	..	..	25	5 12 6
Other fruits, cases	15	1 15 2	..	..	10	2 10 1	25	4 5 3
Sundries, cases	30	19 7 3	..	..	..	..	30	19 7 3
Yams, lb. .. ..	..	..	..	..	10,809	40 11 1	10,809	40 11 1
Goods re-exported .. ..	..	3,421 5 8	..	11 10 6	..	1,506 0 10	..	4,938 17 0
Total .. ..	..	19,310 13 8	..	1,496 6 3	..	1,572 2 6	..	22,379 2 5
Produce from other islands	..	..	..	..	..	..	..	..
Copra, tons	54	383 1 0	..	..	..	..	54	383 1 0
Pearl-shell, lb.	26,325	1,316 5 0	..	..	..	..	26,325	1,316 5 0
Niue hats	1,440	7 2 0	..	..	..	..	1,440	7 2 0
Total .. ..	..	1,706 8 0	..	..	..	..	..	1,706 8 0

Chilian coin exported to Tahiti

\$3,928 (£341 11s. 3d.)

RALPH W. GOSSET, Collector of Customs.

Customhouse, Rarotonga, 31st December, 1900.

TABLE IV.—SHIPPING RETURNS for the PORT of RAROTONGA for the Year ending 31st December, 1900.

	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.
British	14	2,737	29	24,209	1	2,767	44	29,713	14	2,756	29	24,209	1	2,767	44	29,732
French	3	435	..	..	..	..	3	435	4	580	..	..	..	..	4	580
Native	21	1,322	..	..	..	..	21	1,322	21	1,232	..	..	..	..	21	1,232
Foreign .. ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Totals, 1900 ..	38	4,494	29	24,209	1	2,767	68	31,470	39	4,568	29	24,209	1	2,767	69	31,544

Wrecks and Casualties.—"Te Upoko Enua," schooner, 90 tons, stranded on the reef at Aitutaki on the 2nd February, 1900.

RALPH W. GOSSET, Collector of Customs.

Customhouse, Rarotonga, 31st December, 1900.

TABLE V.—ANALYSIS of LIQUOR SUPPLIED from GOVERNMENT BOND, RAROTONGA, for the Year ending 31st December, 1900.

Liquor.								Bottles.
Gin ...	...	...	...	...	...	...	...	759
Whisky	...	...	...	...	...	...	...	1,330
Rum ...	...	...	...	...	...	...	...	1,668
Cognac	...	...	...	...	...	...	...	258
Beer	...	...	...	...	...	...	...	2,345
Wine	...	...	...	...	...	...	...	4,214
Total, in bottles	...	...	...	...	...	...	...	10,574

RALPH W. GOSSET, Licensing Officer.

Licensing Office, Rarotonga, 31st December, 1900.

No. 3.

MY LORD,—

No. 1.

I have the honour to acknowledge the receipt of your despatch (No. 54/901) containing enclosures—viz., copy of the laws of Niue and the maps of the island—both of which will be exceedingly useful to me.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 4.

SIR,—

Government House, Wellington, 25th January, 1901.
I have the honour to inform you that I have received from the Secretary of State for the Colonies the following telegram, dated "London, 22nd instant": "Deeply regret that Her Majesty the Queen passed away at 6.30 this evening.—CHAMBERLAIN."

I have, &c.,

RANFURLY.

The British Resident, Rarotonga.

No. 5.

SIR,—

Government House, Wellington, 1st February, 1901.
I have the honour to enclose you a Proclamation which I shall be glad if you would read in public in full uniform with every ceremonial in your power.
The letter sent herewith is a request to Makea Ariki to allow her name to be attached with ours in this Proclamation. Should she agree, will you kindly fill her name in beneath your own?

I have, &c.,

RANFURLY.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

Enclosure.

MADAM,—

Government House, Wellington, 1st February, 1901.
It would give me much pleasure if you would attest your name with Colonel Gudgeon and myself in proclaiming His Majesty Edward VII. Supreme Lord in and over the Cook and Hervey Islands.

I feel sure that you have learnt with the deepest regret of the decease of Her Majesty Queen Victoria. Her loss is a national one, and her interest in the many native races over which she ruled so wisely and so well was deep.

I have, &c.,

RANFURLY.

To Makea Ariki.

No. 6.

Rarotonga, 21st February, 1901.

MY LORD,—

With reference to your despatch (No. 160) of the 1st February, I have the honour to inform you that, on the 20th February, I read out your Proclamation announcing the ascension of His Royal Highness the Prince of Wales to the Throne of Great Britain and Ireland, under the title of "King Edward the Seventh." No. 5.

I forward herewith to Your Lordship two copies of the Proclamation, to which have been attached the signatures of myself and Makea Takau.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

Enclosure.

PROCLAMATION.

WHEREAS it has pleased Almighty God to call to His mercy our late Sovereign Lady Queen Victoria of blessed and glorious memory, by whose decease the Imperial Crown of the United Kingdom of Great Britain and Ireland, and all other Her late Majesty's dominions, is solely and rightfully come to the High and Mighty Prince Edward: We, Uchter John Mark, Earl of Ranfurly, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor and Commander-in-Chief of the Colony of New Zealand and its Dependencies; Walter Edward Gudgeon, Lieutenant-Colonel, New Zealand Militia, and British Resident at the Cook Islands; and Makea Takau, an Ariki of Rarotonga, and Chief of the Federal Government of the Cook Islands, therefore do now hereby, with one full voice and consent of tongue and heart, publish and proclaim that the High and Mighty Prince Albert Edward is now, by the death of our late Sovereign of happy and glorious memory, become our only lawful and rightful Liege Lord Edward the Seventh, by the Grace of God King of the United Kingdom of Great Britain and Ireland, Defender of the Faith, Emperor of India, Supreme Lord in and over the Cook and Hervey Group, to whom we do acknowledge all faith and constant obedience, with all hearty and humble affection, beseeching God, by whom kings and queens do reign, to bless the Royal Prince Edward the Seventh with long and happy years to reign over us.

RANFURLY.

W. E. GUDGEON.

MAKEA TAKAU.

GOD SAVE THE KING!

No. 7.

Rarotonga, 25th February, 1901.

MY LORD,—

I, Makea Ariki, Chief of the Federal Government, on behalf of the Arikis and people of the Cook Islands, desire to express their heartfelt sorrow at the death of the great Queen, and their devotion and loyalty to King Edward.

Enough.

MAKEA.

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

No. 8.

Rarotonga, 25th February, 1901.

MY LORD,—

Your letter of the 1st February has reached me.

It gave me much pleasure that you should have wished my name included with your own and Colonel Gudgeon's in proclaiming His Majesty Edward VII. Supreme Lord in and over the Cook and Hervey Islands. No. 5.

This has been completed.

Enough. With greetings.

MAKEA.

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

No. 9.

Government House, Wellington, 7th March, 1901.

MADAM,—

I beg to thank you for your letter of the 25th February, 1901, expressing, on behalf of the Arikis and people of the Cook Islands, your great sorrow at the death of our noble Queen, and of their devotion and loyalty to King Edward. No. 8.

I shall be glad to forward these expressions of sympathy and loyalty to His Majesty.

I have, &c.,

RANFURLY.

To Makea Ariki, Chief of the Federal Government, Rarotonga.

No. 10.

Rarotonga, 7th March, 1901.

MY LORD,—

I have the honour to inform you that, so far as Mangaia is concerned, the people of that island have solved the Chili-dollar question by the very simple process of refusing to sell their produce for anything but British coin, while they paid for the goods they required in Chili dollars, so that there is nothing left of that coin on Mangaia at the present time.

I have urged Ngamaru to apply the same system to Atiu, Mauke, and Mitiaro, and I anticipate that something of this sort will be done, and probably at Aitutaki also. The result will be to drive the dollars to Rarotonga, the trade centre of the group, when the real difficulty will have to be met.

The abolition of the Chili money is of real importance to the group, but it is not one that presents any difficulty, for I estimate that there is not much more than fifty thousand dollars in these islands, and therefore £5,000 would purchase the lot. The establishment of a branch bank on however small a scale would facilitate matters, and probably prove of value to Tahiti, where there are no financial institutions.

Meanwhile it is expedient that the Chili dollar should be absolutely driven from our outlying islands, where we know it has been advanced to traders to buy island produce and that no duty has been paid on such coin. I would point out also that the Union Company have to take the dollars at Tahiti in payment of freight, &c., and therefore have a direct interest in their distribution in the Cook Islands, for it seems to be their only method of getting rid of them.

I have, &c.,

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

W. E. GUDGEON,
British Resident.

No. 11.

Government House, Wellington, 12th March, 1901.

SIR,—

I have the honour to acknowledge receipt of your despatch of the 24th January, 1901.

I am glad to hear that the trade prospects are encouraging.

Re the question of tariff, I am of opinion that until you receive notification of the boundaries of New Zealand being extended you can only legally claim the Cook Island tariff.

I am looking into the matter of the oil-schooner. I understand that the oil-engine is now ready in Auckland, and I am to see it in a day or two. I will consult with my Premier regarding the captain, &c., and will endeavour to keep the working-expenses as low as possible.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 12.

Rarotonga, 16th March, 1901.

MY LORD,—

I have the honour to forward for your information the result of a census taken in Rarotonga on the 7th instant, and which will, I think, be found to be fairly correct, though the numbers are less than those of the census of 1895 by nearly three hundred. This fact does not, however, denote a decreasing population so much as an overestimation of the people at the first census.

A census has also been taken of the Island of Mangaia, with the result that there are found to be 762 males and 815 females of the native race—in all, 1,577 persons.

I have, &c.,

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

W. E. GUDGEON,
British Resident.

Enclosure.

GOVERNMENT CENSUS.

Country of Birth.	1 to 16.		16 to 40.		40 and upwards.		Total.
	Male.	Female.	Male.	Female.	Male.	Female.	
Rarotonga	332	302	251	205	228	191	1,509
Mangaia	20	9	55	64	26	32	206
Mauke	7	1	7	10	6	4	35
Mitiaro	4	4	6	6	2	6	28
Atiu	9	3	16	26	10	16	80
Aitutaki	12	6	9	15	4	3	49
Society Islands	16	8	16	17	11	7	75
Rurutu and Rimatara	2	8	4	11	6	4	35
Penrhyn and Northern Islands	2	3	10	6	7	3	31
Mare	...	1	...	...	...	...	1
Arorai	2	1	4	5	9	10	31
Samoa	...	...	...	4	2	2	8
Palmerston	...	...	...	1	...	...	1
Solomon Islands	...	...	...	...	1	...	1
Niue	...	...	2	2	9	1	14
Rotoma	...	...	...	1	...	...	1
British	...	3	4	6	15	4	32
Germany	...	1	1	...	5	...	6
America	...	1	1	1	8	...	10
Jamaica	...	...	...	...	1	...	1
New Zealand	4	10	10	3	4	2	33
French	...	...	2	...	...	1	3
Sweden	...	...	...	...	1	...	1
Portugal	...	...	...	...	5	...	5
China	...	...	1	...	10	...	11
Totals	410	359	399	383	370	286	2,207

Census return for Rarotonga, taken 7th March, 1901, and certified to as being correct.

F. GOODWIN, Secretary.

No. 13.

MY LORD,—

Rarotonga, 21st March, 1901.

I propose, with your approval, to send Mr. Goodwin to Auckland during the month of May, in order to take a crew of Cook-Islanders to bring the Government schooner to Rarotonga; also to purchase oil for the use of the schooner's engine, and to procure a large supply of fruit-boxes for the use of the native inhabitants, so that they may be independent of local fruit-buyers, and may send their fruit to the best markets. At the present moment they are bound to supply the fruit to those who will supply them with the boxes.

May I ask Your Lordship to let me know by the May steamer whether our boat will be ready during that month, for, if not, I would keep Mr. Goodwin and the crew here until the following month?

I have, &c.,

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

No. 14.

MY LORD,—

Rarotonga, 25th March, 1901.

With reference to your despatch of the 12th instant, and the telegram from the Right Hon. the Premier of New Zealand, returned herewith, I have the honour to inform you that on receipt of the said despatch I called a meeting of the Arikis and placed the matter before them, with the result that, while both Makea and Ngamaru express their gratification at the invitation to attend and witness the ceremonies attending the reception of Their Royal Highnesses, they regret that their ill-health will prevent their acceptance.

So far as Makea is concerned, she still suffers from rheumatism contracted some years since in New Zealand, and therefore fears the winter climate of that colony. Ngamaru is an old man, and has been in bad health for the last three months, and I concur in thinking that it would be very unwise for him to visit New Zealand at present. He is too valuable a man to be allowed to risk his life.

The result of the Arikis' meeting was that they resolved that Pa, the Ariki of Takitumu, should attend as representative of the chiefs and people of Rarotonga, Atiu, Mauke, Mitiaro, and Aitutaki, and that his passage to and from Wellington should be paid by the Government of the Cook Islands; but that the Colony of New Zealand should be asked to pay his personal expenses while in that colony. Pa has a very fair knowledge of the English language, and will not require an interpreter.

It will not be an easy matter to communicate with Mangaia at present, but if John Ariki can be persuaded to visit New Zealand I will endeavour to bring him to Rarotonga for that purpose, and will see that his passage is paid to and from this island.

I submit for Your Lordship's consideration that the opportunity of visiting all the islands of this group, as also the Northern Islands, in the "John Williams," about the 9th May, should not be lost, and therefore it would be better that I should not visit New Zealand.

I have, &c.,

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

Enclosure.

COPY of TELEGRAM from the Right Hon. the PREMIER, 12th March, 1901.

To His Excellency the Governor, Auckland.

THE Premier presents his compliments to His Excellency, and is of opinion that, amongst the other arrangements in connection with the reception of Their Royal Highnesses, it would be very pleasing if, on their arrival in Auckland, Colonel Gudgeon and, say, Queen Makea and her husband, King John and the Queen of Mangaia, and King Tongia and his wife, of Niue, should come over and represent the newly acquired portion of the Empire, and be presented to Their Royal Highnesses.

I think this would be an excellent idea in regard to him, and it would be also a good thing for the Islands, and would be appreciated by the Duke and Duchess. I have no doubt the Islanders would bring with them some presents from their respective homes. I have sent a private letter to Colonel Gudgeon making this suggestion, and hope Your Excellency will think well of it. The mail, I believe, leaves to-day for Rarotonga, and if you think the suggestion a good one Your Excellency might intimate to Colonel Gudgeon that it might be submitted to the Island Parliament, so that those coming may be duly accredited.

R. J. SEDDON.

No. 15.

MY LORD,—

Rarotonga, 26th March, 1901.

I have the honour to forward for your information a letter from Makea Ariki, in reply to your despatch of the 12th instant, inviting both Makea and Ngamaru to attend at the ceremonies incidental to the visit of Their Royal Highnesses in June next. See No. 14.

I have, &c.,

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

Enclosure.

MY LORD,—

Rarotonga, 25th March, 1901.

I have received your kind invitation through Colonel W. E. Gudgeon, British Resident, and I beg to thank both Mr. Seddon and yourself for the kindness you have shown us.

Ngamaru and myself would have been most pleased to have visited your colony, and to have been present on the arrival of the son of King Edward VII., but I am afraid that we could not stand the cold of Wellington in the month of June, especially Ngamaru, who has not been well of late, so I trust that you will accept this as the only reason of our not being able to be present on this great occasion.

I have, however, at a meeting of Arikis, requested Colonel Gudgeon to kindly ask you to allow Pa Ariki, of Takitumu, to represent us, and I trust that his visit will strengthen the good feeling that has always existed between New Zealand and these islands.

Enough. With greetings.

MAKEA.

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

No. 16.

SIR,—

Government House, Wellington, 2nd April, 1901.

I have the honour, on behalf of the Government of New Zealand, to invite Makea Ariki and other Arikis of the Cook Islands, total not exceeding twelve, to visit New Zealand on the occasion of the visit of Their Royal Highnesses the Duke and Duchess of Cornwall.

Lieut.-Colonel Gudgeon, Rarotonga.

I have, &c.,

RANFURLY.

No. 17.

SIR,—

Government House, Wellington, 2nd April, 1901.

I have the honour to request your attendance in Auckland on the 11th June, for the visit of Their Royal Highnesses the Duke and Duchess of Cornwall.

Lieut.-Colonel Gudgeon, Rarotonga.

I have, &c.,

RANFURLY.

No. 18.

MY LORD,—

Rarotonga, 4th April, 1901.

I have the honour to inform you that I have lately ascertained that rabbits have been liberated on this island by one of those Europeans who have for years been a source of trouble and annoyance to the Government of the group.

The man in question (Peter Cowan) has been employed as a rabbitier in New Zealand, and therefore knew full well the injury that would be likely to result to the island from his act, which seems to me to have been purely malicious. The tale now told by the Maoris of the settlement at which he resides is that Cowan's half-caste children set the rabbits at large, and I fear that we must now accept it, though I do not believe the tale, for several reasons. It does not tally with the information that I first received, to the effect that Cowan himself was responsible for the act, and that when Tekamu Maoati spoke to him about rabbits he had seen inland, Cowan replied, "They will be good for us to eat, but do not tell the Resident you have seen them."

Yesterday I met all the chiefs of Ngatangia at that place, and succeeded in rousing their fears very thoroughly, so that it was arranged that they and all their people should go out with dogs and do their best to clear the island of these objectionable animals.

From the information I have been able to obtain it would seem that none of the Matavera chiefs were consulted or their permission asked before the rabbits were let loose, but that they became aware of the fact by seeing them at large about eight months ago. I only heard of it ten days since, when Mr. Gossett saw two behind the Residency, nearly four miles from Matavera. I fear that we have by no means heard the last of these animals.

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

I have, &c.,

W. E. GUDGEON,
British Resident.

No. 19.

MY LORD,—

Rarotonga, 24th April, 1901.

Referring to your despatch (No. 455) of the 2nd instant, I have the honour to inform you that it will not be possible to collect the Arikis from the outlying islands of this group, in consequence of the very bad weather and the fact that all of the schooners belonging to the islands are away either in Tahiti or New Zealand.

Tinomana, Ngamaru, and Makea are all afraid to face the winter in New Zealand, but they have arranged that Pa shall represent Makea and the Federal Government.

It may be that I shall yet be able to communicate with John Ariki at Mangaia, but as this is the season of the westerly winds it seems unlikely that any one will land at Mangaia before the middle of May.

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

I have, &c.,

W. E. GUDGEON,
British Resident.

No. 20.

MY LORD,—

Rarotonga. 24th April, 1901.

In reply to your despatch (No. 456), I have the honour to inform you that I will leave here by the "Ovalau" so as to arrive in Auckland by the 30th May.

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

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

No. 21.

SIR,—

Government House, Wellington, 3rd May, 1901.

I have the honour to inform you that the builders of the oil-launch have applied to the Marine Department for an extension of time to the 1st July. The vessel cannot be completed before that date. Under these circumstances, it will be useless for the Rarotongan portion of the crew to reach Auckland prior to the steamer due about the 27th June.

I must express my regret at this delay, which, I fear, may seriously affect her earning-powers this year, by making her arrival in Cook Islands too late for the commencement of the fruit-crop.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c.,
RANFURLY.

No. 22.

(Telegram.)

7th May, 1901.

RELATIVE to rabbits, you must take the most energetic measures in your power to eradicate these pests forthwith. I suggest you should issue Proclamation forbidding the import of any animals or insects without your sanction. Regarding Peter Cowan, who brought these rabbits in, has he rendered himself in any way liable under your laws or customs? If so, he should pay the penalty.

Re future government of Islands, please make notes of all matters requiring discussion. Regarding New Zealand Merchant Shipping Act, this certainly would require great modification for schooner island trade.

Please express my deep regret to Makea Ngamaru not being able to come to Auckland. I especially regret the cause—viz., Ngamaru's health.

I shall expect to be in Auckland myself about the 1st June.

The British Resident, Rarotonga (*via* steamer from Auckland).

RANFURLY.

No. 23.

SIR,—

Government House, Wellington, 15th May, 1901.

I have the honour to inform you, in reply to your despatch (No. 16/1901), that it would be desirable for you to make yourself acquainted with the Rabbit Act of New Zealand, which would apply to the Islands after the declaration of the extension of the boundaries of this colony, unless other arrangements were considered more suitable.

Under this Act any person found with rabbits on his premises or on his land is liable to heavy penalties.

The British Resident, Rarotonga.

I have, &c.,
RANFURLY.

No. 24.

MY LORD,—

Rarotonga. 4th June, 1901.

I have the honour to inform you that I have directed Mr. Goodman to send five sailors (natives of the Cook Islands) to Auckland by the next trip of the "Taviuni" to act as crew of the Government schooner. Under present circumstances it seems possible that I may not be here to meet them, in which case I would suggest that the police be asked to look after them and hand them over to Captain Worsley.

I shall have to ask Captain Worsley to select a mate, as the man I would have chosen has been lost, with all hands.

There is a vote for £300 on the Cook Islands estimates for preliminary expenses of the boat, and of this £250 will be available for oil and stores, and Captain Worsley can draw against it; the bill will be paid on my return to Rarotonga.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 25.

MY LORD,—

Rarotonga, 11th July, 1901.

I regret that I have to report that the accounts connected with the Post Office and Customhouse at Rarotonga are in a hopeless state of confusion. They are now undergoing audit at the hands of Mr. Von Hoff, and I anticipate that when this is complete it will be found that there is a deficit of about £1,000.

This state of affairs has been discovered chiefly by reason of the death of the late Treasurer, Mr. Goodwin, who, it would seem, was also short in his cash, and who conspired with the Postmaster to defeat the Auditor's examination by exchanging coin to make up mutual deficiencies.

A thorough investigation is now being held by Mr. Von Hoff into the island accounts, and when our true position is ascertained I will report it at once to Your Lordship, as also the steps that I intend to take. Mr. Gossett has been relieved of all positions held under the Federal Government of these islands.

I have further to report for Your Lordship's information that the prompt action of Dr. W. B. Craig has undoubtedly prevented further losses. Immediately after Mr. Goodwin's death the papers and money in the Treasurer's office were secured and sealed up in the presence of witnesses, and an audit called for immediately. While this was proceeding Dr. Craig made an independent examination of the Postmaster's accounts, and discovered the irregularities which I now report.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 26.

MY LORD,—

Rarotonga, 12th July, 1901.

I have the honour to report that, in pursuance with your instructions, I publicly presented the medals received from you to the Arikis Makea and Ngamaru, as also the photographs of Their Royal Highnesses the Duke and Duchess of York and Cornwall.

On the same evening I presented Surgeon-Captain George Craig with the war-medal which you had delivered to me for that purpose.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 27.

SIR,—

Government House, Wellington, 29th July, 1901.

It is deemed advisable that a trustworthy and qualified gentleman should proceed to Niue Island (which has recently been included in the boundaries of New Zealand, and there assist in initiating and organizing the new system of government.

The matter has been discussed with you and you have expressed your willingness to act. I therefore hereby formally appoint you Government Resident Agent in the island. The appointment will continue during pleasure, but it is anticipated that you will be able to accomplish your mission within about three months after you reach the island.

Your duties will be to assist generally in initiating and organizing the new system of government, with due regard to local customs and laws.

Subject to the terms of this letter, and of such further instructions as you may hereafter receive from me, you will act generally under Colonel Gudgeon, with whom I am sure you will cordially co-operate.

Your appointment carries with it the functions and powers of Health Officer and Collector of Customs within the island.

You are also empowered to take all such steps and make and enforce all such regulations as you deem necessary in order to restrict and control the engagement or removal of the natives by licensed labour schooners or otherwise.

Your appointment does not carry any salary, but you will be entitled to travelling-allowances at the same rate as when you were in office as Surveyor-General, including, of course, the cost of your passage to the Island and back.

The travelling-allowance will begin from the date of your arrival at the island, and will continue whilst you are there. Whilst at sea on your passage to the island and back to New Zealand you will be entitled to travelling-allowance at half the ordinary rate.

I shall be pleased to receive from you reports from time to time of the progress made in establishing the new order of things.

S. Percy Smith, Esq., New Plymouth, New Zealand.

I have, &c.,
RANFURLY.

No. 28.

MY LORD,—

Rarotonga, 3rd August, 1901.

I have the honour to forward for your information the report of the Auditor on the accounts of Mr. Gosset, late Post and Customs Officer, who was dismissed the service on the 30th June last.

The actual ascertained deficiency is £637 17s., but there may be further liabilities on account of stamps for which money has been sent to the Postmaster but no stamps forwarded. The above amount for £637 17s. has been reduced by my cheque for £500.

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

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

Enclosure.

SIR,—

Rarotonga, 22nd July, 1901.

I have finished to-day the audit, up to 30th June, 1901, in the offices held so long by R. Gosset. Only the month of January has been entered up in good order. Commencing from February, and getting worse the following months, there has been a gross carelessness in passing import entries and entering up the ledger. Many false entries have been made, many entries have been omitted, and the monthly statements of revenue are false. Under the circumstances, I was forced to write up and close the books myself.

The liabilities of Mr. Gosset in the Revenue Account to the	£	s.	d.
Treasury are	607	10	1
Cash and vouchers delivered to Treasurer	655	4	4
Supposing all vouchers to be good, leaves a surplus of	48	14	3
The balance due to New Zealand on postal money orders is	685	11	3
Deducting above surplus on revenue	48	14	3
	£636	17	0

This shortage has been partly covered by a cheque of Lieut.-Colonel Gudgeon's amounting to £500, leaving a balance of £136 17s., which I have been told by the Acting-Postmaster will also be paid by Lieut.-Colonel Gudgeon.

I cannot vouch for the exact statement of above accounts, as some of the vouchers may turn out valueless, and other mistakes made by Mr. Gosset may come to light later, but they would only concern sums of minor value.

Lieut.-Colonel Gudgeon, British Resident.

I have, &c.,
A. V. HOFF,

No. 30.

MY LORD,—

Rarotonga, 6th August, 1901.

I have the honour to report that at a sitting of the High Commissioner's Court, held on the 31st July, Mr. Ralph Gosset was arraigned on the charge of having embezzled £637 17s., and pleaded guilty to the charge. He, however, declined to make any statement as to how the money had disappeared in so short a time. The case was adjourned to the 6th August, and on that day the prisoner was sentenced to a term of two years with hard labour on the Island of Manuae.

I have, &c.,

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

No. 31.

MY LORD,—

Rarotonga, 6th August, 1901.

I have the honour to forward herewith the report of the Auditor on the accounts of the late Fred. Goodwin, Treasurer to the Cook Islands Government.

From this report Your Lordship will see that the total deficiency is £469 18s. 6d., and it is evident that this deficiency had existed for some time past; but, none the less, had Mr. Goodwin lived it is more than possible that his accounts would have passed the audit correctly, for I have reason to know that he had raised £300 in Auckland, and that the remainder of the debt would probably have been met by those Maoris to whom he had advanced money.

Yours, &c.,

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

Enclosure.

SIR,—

Rarotonga, 5th August, 1901.

I have finished the audit of the late Treasurer F. Goodwin's accounts, and up to the 30th June, 1901, there is a shortage on cash of £469 18s. 6d. on the part of F. Goodwin at the time of his death. This shortage was not contracted alone since the last audit in December, 1901; in fact, I am sure now that at that time already about £300, and more, was missing. This he hid in the audit as follows: In November, 1900, an amount of £58 10s. 7d. was sent to the Bank of Australasia, but there is no entry in the ledger and no trace in the copy-letter book of an advice of this amount to the bank. In December, 1900, £300 was entered in the ledger as sent to the Bank of Australasia, proved in the audit by a copy of a letter advising the Bank of Australasia of this amount; but no money has been sent to the bank, and, as no copy of the letter can be found now, it is quite likely that it has been destroyed after the audit. It was not possible to detect this fraud at the time of the audit, the bank pass-book being in Auckland, and in such case the copy-letter book is the only voucher for the auditor to go by until the next arrival of the pass-book.

Taking round figures, the before-mentioned amount of £300, less the November amount of £58, gives a shortage in the bank account of £242. The rest of the shortage he covered by a loan of £50 from Mr. Gosset, by an I.O.U. of Makea Ariki for £24, and by his own I.O.U. of £14, if I remember rightly. This in all makes a shortage of £330. With regard to the I.O.U. of Makea Ariki, Mr. Goodwin told me at the audit that Makea only guaranteed the amount with her signature, the money being lent to a Maori to help him out of some difficulty or another.

The books of Mr. Goodwin were only posted up till end of March, 1901, and I was forced to write them up myself till the 30th June, 1901, which work has to be taken this time as part of the audit.

The books are now in good order.

I have, &c.,

A. V. HOFF, Auditor.

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

No. 32.

MY LORD,—

Rarotonga, 10th August, 1901.

I have the honour to forward herewith five copies of statement of revenue and expenditure for the year ending the 30th June, 1901.

Notwithstanding the untrustworthiness of two of the Government officers, the statement shows a very satisfactory state of affairs.

I have, &c.,

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

Enclosure.

SUMMARY of RECEIPTS and EXPENDITURE for the Year ending 30th June, 1901.

<i>Debit.</i>			<i>Credit.</i>		
	£	s. d.		£	s. d.
By Cash in Treasury, 30th June, 1901	976	18 0	By Expenditure as per schedule on back hereof	2,465	14 5
Customs revenue to 30th June, 1901	1,874	2 3	Deficiencies in late Treasurer's accounts	469	18 6
Post Office	366	7 5	Cash paid to Public Works Account	16	1 11
Trade licenses	299	15 0	Federal revenue in Treasury, 30th June, 1901	1,301	3 1
Duties on wines, spirits, &c.	435	0 0			
High Court fees and fines	76	15 4			
Arikis' Courts fees and fines	203	5 11			
Rents received	12	0 0			
Shipping	2	2 0			
Miscellaneous	6	12 0			
	<u>£4,252</u>	<u>17 11</u>		<u>£4,252</u>	<u>17 11</u>

A. VON HOFF, Auditor.

W. E. GUDGEON, British Resident.

STATEMENT of EXPENDITURE for the Year ending 30th June, 1901.

Vote.	Service.	Voted.	Expended.	Unexpended.	Excess over Vote.
		£ s. d.	£ s. d.	£ s. d.	£ s. d.
1	Members' honorarium	72 0 0	66 0 0	6 0 0	...
2	Collector of Customs and Postmaster	150 0 0	150 0 0	...	...
3	Customs Officer and Resident Magistrate, Aitutaki	100 0 0	100 0 0	...	...
4	Pilot, Aitutaki	8 0 0	8 0 0	...	...
5	Government boat's crew, Rarotonga	5 0 0	5 0 0	...	...
6	High Court: Judges and Registrar	140 0 0	139 2 0	0 18 0	...
7	Postmasters: Mangaia, Atiu, Mauke, and Mitiaro	15 10 0	15 10 0	...	...
8	Treasurer, Paymaster, and Secretary	155 0 0	155 0 0	...	...
9	Auditor	15 0 0	15 0 0	...	...
10	Medical Officer	250 0 0	250 0 0	...	...
11	Health and Quarantine Officer	40 0 0	40 0 0	...	...
12	Food and drugs, Cook Islands Hospital	180 0 0	194 7 8	...	14 7 8
13	Ground-rent, Hospital	7 10 0	7 10 0	...	...
14	Chief of Federal Government	60 0 0	60 0 0	...	...
15	Vice-Chief of Federal Government...	15 0 0	15 0 0	...	...
16	Passages of members	18 0 0	16 10 0	1 10 0	...
17	Expenses of Parliament	20 0 0	10 14 0	9 6 0	...
18	Tereora School grant	125 0 0	82 1 8	42 18 4	...
19	Printing	100 0 0	100 0 0	...	...
20	Arikis' Courts: Judges	134 0 0	133 12 2	0 7 10	...
21	Police	60 10 0	60 10 0	...	...
22	Clerks of Courts	40 0 0	39 16 1	0 3 11	...
23	Contingent expenditure	150 0 0	238 10 10	...	88 10 10
24	Second payment on Government offices and land	500 0 0	500 0 0	...	...
25	Subsidy in aid of Government schooner	300 0 0	...	300 0 0	...
26	Fencing Ngatipa Domain	60 0 0	60 0 0	...	...
27	Messenger for Parliament	3 10 0	3 10 0	...	...
		<u>2,724 0 0</u>	<u>2,465 14 5</u>	<u>361 4 1</u>	<u>102 18 6</u>

A. VON HOFF, Auditor.

W. E. GUDGEON, British Resident.

No. 33.

MY LORD,—

Rarotonga, 10th August, 1901.

I have the honour to forward for approval an estimate of expenditure proposed for year ending June, 1902.

In order to economise I have discontinued the *Ioi Karanya* newspaper and taken Mr. Savage, the printer, as my secretary. He is, of course, useless for any important purpose, but can print *Gazettes* and deal with Maori cases, and in this way relieve me from a lot of work that I should otherwise have to undertake.

I have, &c.,

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

Enclosure.

ESTIMATED REVENUE for Year ending 30th June, 1902.

Department.	Amount.
Surplus from year ending 30th June, 1901	£ s. d. 1,301 3 1
By Customs duties	1,700 0 0
Post Office	300 0 0
Shipping fees	5 0 0
Trade licenses	200 0 0
Liquor dues	150 0 0
High Court fees and fines	30 0 0
Arikis' Courts... ..	100 0 0
Miscellaneous	20 0 0
	3,806 3 1

W. E. GUDGEON, British Resident.

ESTIMATED EXPENDITURE for Year ending 30th June, 1902.

Vote.	Service.	Amount.
		£ s. d.
1	Customs, Post, and Revenue Officer	215 0 0
2	Customs, Post, and Resident Magistrate—Aitutaki	100 0 0
3	Pilot	10 0 0
4	High Court travelling-expenses	60 0 0
5	Postmasters—Mangaia, Atiu, Mauke, and Mitiaro	18 0 0
6	Secretary, Interpreter, and Printer	100 0 0
7	Auditor	15 0 0
8	Medical Officer and Health Officer.	270 0 0
9	Treasurer, Paymaster, and Registrar, High Court	100 0 0
10	Supplies for Hospital	180 0 0
11	Ground-rent, Hospital	7 0 0
12	Chief of the Federal Government	50 0 0
13	Vice-Chief of the Federal Government	15 0 0
14	Tereora School grant	125 0 0
15	Printing material	20 0 0
	Judges of Arikis' Courts—	
16	Rarotonga	70 0 0
17	Aitutaki	24 0 0
18	Mangaia	24 0 0
19	Atiu, Mauke, and Mitiaro	16 0 0
	Police—	
20	Rarotonga, £20; Mangaia, £13 10s.	33 10 0
21	Aitutaki, £18; Atiu, £5; Mauke, £3; Mitiaro, £1	27 0 0
22	Clerks, Arikis' Courts	40 0 0
23	Contingent expenditure	150 0 0
24	Third and final payment on Government offices and land	200 0 0
25	Subsidy in aid of Government schooner	400 0 0
26	Government Agent—Penrhyn	150 0 0
27	Subsidy in aid of house—Penrhyn	75 0 0
		2,494 10 0

W. E. GUDGEON, British Resident.

No. 34.

MY LORD,—

Rarotonga, 10th August, 1901.

I have the honour to inform you that William Dexter has no less than two hundred cases of tinned meat at Rarotonga awaiting the arrival of his schooner, which, if allowed to be shipped without paying duty, will simply stock him up for the next twelve months duty-free.

Under the circumstances, I propose to stop this being reloaded for Penrhyn unless a bond is given by the owners for the payment of 10 per cent. duty, if approved by yourself and Premier of New Zealand. Penrhyn ought at least to pay the cost of the Government agent at that island.

I have, &c.,

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

No. 35.

MY LORD,—

Rarotonga, 24th August, 1901.

I have the honour to report that His Majesty's ship "Torch" arrived at this island on the 12th August, and left for Aitutaki, *en route* for Tahiti, on the morning of the 16th.

I gather from Captain Macalister that he intends to visit Penrhyn and other northern islands lately included in the boundaries of New Zealand, and will endeavour to settle certain disputes that have arisen at Penrhyn over the Judgeship of the Tautua Village. In this matter I was fortunately in a position to give Captain Macalister information that will enable him to settle the matter for the present, and until I can visit the island and place a resident agent in charge.

I have, &c.,

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

No. 36.

MY LORD,—

Rarotonga, 24th August, 1901.

I have the honour to report that the German warship "Cormoran," Captain Grapow, arrived at Rarotonga from Samoa, *via* Palmerston Island, on the 18th instant.

Captain Grapow kindly brought with him a letter from William Masters, son and representative of the late William Masters, lessee of Palmerston. This letter I attach for Your Lordship's information. The John Masters referred to in the letter was fortunately at Rarotonga when the "Cormoran" arrived, and I have warned him to beware how he disturbs the peace of the islands.

I have taken the precaution of writing to Captain Macalister at Tahiti, asking him to call at Palmerston, if possible; but I do not anticipate that there will be any trouble there unless one of these wandering French schooners calls at the island and land spirits, as is their custom. During the month of May last the Rev. Mr. Lawrence found all the people of Palmerston suffering from the effects of spirits landed by one old Johnson, a Tahitian trader, whom Your Lordship will probably remember was fined when you were last at Penrhyn in the "Mildura."

It will not be possible to prevent this demoralisation of the islands in the British Pacific so long as these Tahitian traders are allowed to visit any of our islands without entering at Rarotonga and clearing therefrom. As things are at present, any schooner may land arms or spirits unchecked.

The "Cormoran" left at 5 p.m. on the 19th instant for Tahiti.

I have, &c.,

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

Enclosures.

Rarotonga, den 18 August, 1901.

S. Kgl. Britischen Majestat Resident, Colonel Gudgeon, C.M.G., Rarotonga.

EUER Hochwohlgeboren beehre ich mich anliegend eine Verhandlung mit William Marsters zu übersenden, welche am gestrigen Tage gelegentlich des Anlaufens der Palmaston Jslds. mit demselben aufgenommen worden ist.

Mit vorzüglicher Hochachtung habe ich die ehre zu sein euer hochwohlgeboren ergebenster,

KORVETTEN,

Kapitan und Kommandant, S.M.S. "Cormoran."

"Cormoran," Palmerston Island, 17th August, 1901.

I BEG the captain of the German cruiser "Cormoran" to tell the Governor of Fiji the following thing: I am living on this island together with two brothers of my own and fourteen half-brothers of two other mothers. We three brothers are in a quarrel with the fourteen half-brothers. The latter want to take possession of the island and to send us three away, though we think ourselves the real and first owners of the island from my father, who took possession of the island. He died two years ago. About three months ago there came a schooner to the island and brought a lot of guns for these people. I told the skipper not to bring these guns ashore, as there was no need of guns at all on the island. I succeeded in preventing him from taking the guns ashore, and the schooner left the island. About one week later on there arrived another schooner, who stayed here for one day to get copra. One of those half-brothers, called John, went on board the schooner and went over to Tahiti, to buy something as he said. As he has no business at all in Tahiti, and as, therefore, I suppose that he has gone to buy other guns to quarrel again, I beg the Governor of Fiji to send us help as soon as possible, and to settle the question about the heritage.

WM. MARSTERS.

No. 37.

MY LORD,—

Rarotonga, 25th August, 1901.

With reference to my letter (No. 32) of the 10th August, I have now the honour to report that Mr. Dexter has refused to enter into any bond for the payment of duty on the two hundred cases of meat for Penrhyn. He contends that, as the opposition French traders have been allowed to fill the Island of Penrhyn with Tahitian goods in order to anticipate the imposition of duties,

he ought not to be placed in a position inferior to them. He furthermore intimated that, rather than give a bond, he was prepared to clear for Tahiti with the meats, and would take whatever he might require from that place. As we could not prevent him from taking this course I did not press the point, but allowed him to take the two hundred cases.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 38.

Rarotonga, 3rd September, 1901.

SIR,—

With reference to your telegram of the 9th August, on the subject of Government agents for Penrhyn and Palmerston Islands, I have the honour to urge upon you the necessity, which is immediate, for the appointment of Captain Martin Nagle as agent at Penrhyn, to be followed at once by the proclamation of Rarotonga as the only port of entry and departure for the Islands of Penrhyn, Manihiki, Rakahanga, Pukapuka, and Palmerston. From the delay there has been in these matters we have lost hundreds of pounds in duties, and have allowed all the northern islands to be filled with French and other goods in anticipation of those duties. I do not think an agent will be required for Palmerston.

I have, &c.,

W. E. GUDGEON,
British Resident.

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

No. 39.

Niue Island, 11th September, 1901.

SIR,—

I have the honour to inform you that the schooner "Countess of Ranfurly" arrived here yesterday after a lengthy voyage from Auckland, and during which we had some very bad weather off the Kermadecs. Of course, I have nothing to report at present, but I am to meet the King and all the principal people of the island in a few days to talk over the introduction of some new regulations, &c.

You will be glad to hear that the new schooner is a capital sea-boat and very fast; but we had no fair winds all the way from New Zealand to Rarotonga—a few days calm, a strong gale of wind which drove us south-west of the Kermadecs, necessitating a tiresome retracing of our steps to visit Sunday Island. We were twenty days in reaching Rarotonga, though Captain Reid made every effort to push on. We were delayed two days at Rarotonga shipping a fresh crew, and then had to call at Aitutaki to complete it.

Colonel Gudgeon came down here to introduce me to the natives. He is writing to His Excellency on this subject, I believe.

I beg to remind you that whoever is to succeed me here after my three months is up should be sent as soon as possible.

I have, &c.,

S. PERCY SMITH.

The Right Hon. the Premier, Wellington.

No. 40.

Government House, Wellington, 20th September, 1901.

No. 29.

SIR,—

With reference to your despatch (No. 22/1901) dated the 5th August, 1901, suggesting the advisability of bringing into operation forthwith "The Sale of Spirituous Liquors Act, 1899," I have the honour to inform you that the Act referred to cannot be brought into force until after the Island Laws Extension Act, now before Parliament, has been passed.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 41.

Government House, Wellington, 21st September, 1901.

No. 34.

SIR,—

With reference to your despatch (No. 32) dated the 10th August, 1901, relative to Mr. Dexter's goods for Penrhyn, I have the honour to inform you that the New Zealand Government approve of the action that you propose to take in this matter.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 42.

Government House, Wellington, 21st September, 1901.

SIR,—

I have the honour to inform you that, as the Cook and other islands now form a part of New Zealand, they will be in future dealt with by one of the Ministers, to whom this special department will be allotted.

Under these circumstances, all matters should be referred direct by you to the Minister in charge. I understand that, pending the arrangement as to which Minister is to undertake this department, the Premier will supervise it.

I shall, however, at all times be pleased to receive any communication from you, and am as much interested now in the welfare of these Pacific islands as when they were more in my special charge.

I regret to say that I find it will be impossible for me to visit the islands this summer, as I had hoped, with Ministers.

Lieut.-Colonel Gudgeon, Rarotonga.

I have, &c.,

RANFURLY.

No. 43.

SIR,—

Premier's Office, Wellington, 21st September, 1901.

I enclose for your consideration the enclosed correspondence, relating to an alleged attempt to remove Judge Bope from Penrhyn, which I have received from the High Commissioner of the Western Pacific. It seems to me that unless very good reasons are shown the Judge should not be disturbed in his office.

I have, &c.,

Lieut.-Colonel Gudgeon, C.M.G., Rarotonga.

R. J. SEDDON.

Enclosures.

Office of the High Commissioner for the Western Pacific,
Suva, Fiji, 16th August, 1901.

MY LORD,—

I have the honour to forward herewith a letter which I have received from His Majesty's Consul for the Society Islands, and addressed to him by one Bope, Judge of Tetatau, Penrhyn Island, which island, by the provisions of His Majesty's Order in Council of 13th May last, has been included within the boundaries of the Colony of New Zealand.

His Excellency the Governor of New Zealand.

I have, &c.,

W. L. ALLARDYCE.

DEAR SIR,—

Tetatau, Penrhyn, 21st June, 1901.

I, the undersigned Bope, Judge of Tetatau, beg to lay the following statement before H.B.M. Consul of Tahiti; or, in case of need, having this statement forwarded to H.B.M. Government of Fiji.

Like in many other places, jealousy is not unknown among the natives of Penrhyn. I have always been in favour of the more intelligent race, and a good friend of the white man. I have done my duty to the best of my ability, and no honest man can say to the contrary. Some of my countrymen, influenced, perhaps, by ignoble motives, are doing their best to get me out of office, and I heard saying that two of my adversaries are going in the "Famasii Tahiti" to Papeete in order to complain to you about me. If I have done wrong—of which, however, I am not aware—I am perfectly willing to renounce my office as Judge, but I wish to get my dismissal from the British Government and not from my unsettled countrymen.

Elected by the natives and by inheritance, I became one of the Judges and chiefs before Great Britain annexed the island.

H.B.M. ship "Caroline," Sir William Wiseman in command, senior officer of the Pacific Station, arrived in Omoka, Penrhyn, in the year 1888.

The captain said to the natives that he wanted to hoist the British flag, with their consent. The natives told him to wait until they held a meeting. The captain agreed, and told them that he would return the following morning. When coming on shore the people, with the exception of the young, got out of sight. The captain asked them to call a meeting and bring the chiefs and the Judges together. They did so, and the captain asked them if they wished to have the British flag. The young people without exception said, "Yes, let us have the British flag." He then asked the two Judges in Omoka—by name of Tautaitinii and Steward—if they wanted the British flag, and they said "No."

The captain called the people again and told them that he thought the majority wanted the British flag. Then he went to the two chiefs and asked them if they were the only two chiefs on the island, and they answered him "No," that there was another in the Tetatau Settlement by name of Bob. The captain said, "How is it that Bob is not here?" and they answered him, "We do not know." "I wish to see Bob," the captain said; "will you send for him or I go myself?" He sent a boat for Bob to come to Omoka, and told him that he wanted to annex the island for England, and he also said that he wished to do it with the consent of the chiefs and the people. Bob then told him to hoist the British flag, as the majority of the people, as far as he could see, were clearly in favour of it. Bob then asked the captain to let the natives make their own laws. The captain agreed to it, under the condition, however, that these had to be made in conformity with the laws of civilised nations. Then the British flag was hoisted, and the "Caroline" saluted the flag with twenty-one guns.

A few years later the "Goldfinch," with Mr. Hunter as Commissioner on board, representing the Government of Fiji, arrived here from Rarotonga. Tautaitinii said to Mr. Hunter that he, being old, wanted to appoint his adopted child—by name of Tupuna—as Judge, but he did not like doing it himself without the consent of Mr. Hunter. Steward having died in the meantime, Mr. Hunter asked the people if they all agreed to accept Tupuna as Judge, and they answered in the affirmative. Mr. Hunter then instructed the people to obey Tautaitinii until his death, and afterwards Tupuna, as Judge.

Mr. Hunter mentioned also that it would be advisable for both Judges, Tautaitinii in Omoka and Bob in Tetatau, to go together in any case of importance, but that each settlement should

keep their affairs apart. In cases, however, beyond the judgment of the two Judges the affair should be transferred to Fiji, as this colony stands under the jurisdiction of the Government of Fiji.

The document referring to the annexation of Penrhyn to Great Britain, signed by Sir William Wiseman, Bob, and Tautaitinii, is deposited in Omoka. BOPE.

We, the undersigned foreign residents in Tetautua, affirm that all and everything said in Bob's letter is based upon the truth.—JOHN MURDOCH, E. KLOPPER.

Mr. Simons, Consul on S.M. "Britannique," Papeete.

No. 44.

(Telegram.)

24th September, 1901.

No. 35. THE Premier acknowledges the receipt of memorandum No. 33, of the 24th August, to His Excellency, reporting arrival of His Majesty's ship "Torch," and is pleased to hear that Captain Macalister intends to visit Penrhyn or other northern islands, and with a view of endeavouring to settle disputes which have arisen at Penrhyn over the Judge of the Tautua Village. It is very satisfactory to know that Colonel Gudgeon was, fortunately, in a position to give Captain Macalister valuable information, and which will conduce to a satisfactory settlement. As intimated in other memoranda, the Government desire you to proceed to Penrhyn and fix matters up in the best manner possible pending permanent arrangements. R. J. SEDDON.

Colonel Gudgeon, Rarotonga (Post, Auckland).

No. 45.

(Telegram.)

24th September, 1901.

No. 36. THE Premier acknowledges, through His Excellency, memorandum No. 34 of the 24th August, and replies as follows: Action *re* Masters approved. Will be a warning, and will have desired effect. Regret to hear natives having been supplied with spirits, and we hope to take effective steps against repetition and continuance of evil. We propose to pass an Act giving Resident Commissioner of Federal Parliament power of modifying such of our laws as are not advisable for the islands, and we have declared Rarotonga the port of entry and clearing for the islands mentioned in your letter. This, we hope, will prevent arms and spirits being landed unchecked on any of the islands within the New Zealand boundaries. R. J. SEDDON.

Colonel Gudgeon, Rarotonga (Post, Auckland).

No. 46.

(Telegram.)

24th September, 1901.

No. 37. THE Premier has received your memorandum (No. 36) of the 25th August to His Excellency the Governor, reporting Mr. Dickson's refusal to enter into a bond for payment of duty on two hundred cases of meat for Penrhyn. Under the circumstances, perhaps it is as well you did not press the point raised and allow him to take the meat to Penrhyn. From what the Premier can gather Penrhyn will be our greatest trouble, and, being so far distant from Rarotonga, will be our making Rarotonga the only port of entry and clearing inconvenient. But we will try it. Having a Collector of Customs and Resident Agent will meet the difficulty to some extent. R. J. SEDDON.

Colonel Gudgeon, Rarotonga (Post, Auckland).

No. 47.

(Telegram.)

24th September, 1901.

No. 32. I HAVE received copy estimates and expenditure of Cook Group up to 30th June last. For the future it would be advisable, I think, to let the financial year at the islands close on same date as New Zealand—namely, 31st March—thus bringing them into line, and they could then be laid on the table of the House and included in the New Zealand Government financial year. R. J. SEDDON.

Colonel Gudgeon, Rarotonga (Post, Auckland).

No. 48.

(Telegram.)

24th September, 1901.

No. 38. THE Premier acknowledges receipt of your letter of the 3rd September (N.Z., No. 11), and, in reply, begs to say that Captain Martin Nagle has been appointed as Agent at Penrhyn, at salary to be fixed by you. As previously stated, the appointment should be temporary at first, to see how matters progress. If they are satisfactory permanency will follow. We have also issued Proclamation under our Customs laws making Rarotonga the only port of entry and departure for Penrhyn, Manihiki, Rakahanga, Pukapuka, and Palmerston. I am rather doubtful about Penrhyn. However, we can try it, and, as previously mentioned, until the Bill is passed by the New Zealand Parliament the present Federal tariff will apply to the Cook Island Group. In respect to Penrhyn and other islands outside the group the New Zealand Customs laws apply. Of course, you can use your discretion, because under the Bill we are providing that the Governor may by Order in Council modify any of the Acts in their application to the islands. But you are on the right side if you keep to the New Zealand tariff, and apply the same to all outsiders trading with Penrhyn, Manihiki, and any other islands outside the Cook Group. R. J. SEDDON.

Colonel Gudgeon, Rarotonga (Post, Auckland).

No. 49.

(Telegram.)

24th September, 1901.

SEEING schooner arrived too late for earning much freight until March next, desire you take her and visit Penrhyn, Palmerston, Manihiki, and such other islands as you deem desirable. We have appointed Captain Martin Nagle, Collector Customs, Postmaster, Penrhyn, and, in respect to other islands, you should make such temporary arrangements pending permanent arrangements and appointments as you deem advisable and in the best interests of the New Zealand Government. More particularly I wish you to look into the pearl-fishing at Penrhyn, and see that the close seasons are kept, and advise as to what regulations by Order in Council should be passed. Also, be on the lookout as to whether any one on the island could with safety be appointed New Zealand Resident Agent; also, please advise what the position, remuneration, and duties should be.

Colonel Gudgeon, Rarotonga (Post, Auckland).

R. J. SEDDON.

No. 50.

MY LORD,—

Rarotonga, 27th September, 1901.

I have the honour to report that the Government schooner arrived at this port from New Zealand on the 3rd instant, bringing Mr. Percy Smith on his way to Niue.

At Mr. Smith's urgent request I consented to accompany him to Niue, as I found that he desired to ascertain my views on several points of island administration before committing himself to any definite policy. The schooner was delayed for twenty-four hours at Rarotonga in order to ship a new crew, as the Rarotonga sailors had demanded to be paid at the rate of £3 per month. To this demand I would not accede. We therefore went short-handed to Aitutaki, and there shipped a crew on the 6th, and arrived at Niue on the 11th instant.

On arrival we visited the Rev. Mr. Lawes, who informed us that the so-called King (Tongia) had an abnormal opinion of his own importance, and would probably refuse to meet us at Alofi, or at any place but his own village. This prophecy proved correct. I therefore suggested to Mr. Smith that it would be well to meet the natives at the King's village, but that he should take the matter out of the King's hands by calling the meeting himself. Mr. Lawes concurred in this suggestion, and a meeting was called to take place a few days after I left. I may say that I anticipate that Mr. Smith, who is a man of great firmness and tact, will overcome any difficulties with which he may meet.

As I had no desire to take part in any of the discussion on island matters, I left on the evening of the 12th instant for Palmerston Island, and reached our destination early on the 16th. I found the Masters family, to the number of sixty men, women, and children, living in apparent peace, but anxious that some one of them should be appointed to govern the island and act as Magistrate. After some discussion, during which the will of the late William Masters was procured, showing that it was his desire that the eldest son, Joel Masters, should be the chief of the family, I indorsed the will by appointing Joel Masters agent to the British Resident and Magistrate for Palmerston Island. This decision seemed to satisfy all parties, who evidently feared that the second son, William Masters, jun., might be appointed.

We left Palmerston at noon on the same day, but did not reach Rarotonga until the morning of the 25th, in consequence of the strongest gale of wind experienced for the last eight years, against which we had to beat our way for nearly four hundred miles.

I have, &c.,

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

No. 51.

MY LORD,—

Rarotonga, 2nd October, 1901.

I have the honour to acknowledge receipt of your despatch (No. 971/1901), informing me that all communication with reference to the British Eastern Pacific must in future be sent direct to the New Zealand Minister in charge of the department. No. 42.

The instruction contained therein will be strictly carried out.

I regret exceedingly that Your Lordship will be unable to visit the islands of this group during the present season.

I have, &c.,

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

No. 52.

MY LORD,—

Niue Island, 2nd October, 1901.

It seems necessary, in order to realise marriage in Niue between white people and natives, that the laws of New Zealand in reference thereto should be carried out here. To this end I believe all that is necessary is to license the Rev. F. E. Lawes under the New Zealand Act. He is desirous that this should be done. I submit, therefore, that his name be furnished to the Registrar-General for that purpose. The following particulars will probably suffice: Francis Edwin Lawes, missionary of the London Missionary Society, stationed at Niue Island. Ordained a minister of the Congregational Church at Broad Street Chapel, Reading, England, 18th June, 1867.

Thus remains the question of marriages between natives of this and other islands, which, of course, can be legalised in the cases wherein Mr. Lawes is able to officiate. But this is not sufficient, for after careful consideration by Mr. Lawes and myself I came to the conclusion that the native pastors (who are also the teachers in each village) should be authorised in that behalf. It is believed that it would be scarcely possible to overcome native prejudice so far as to induce all of those proposing marriage to come to Alofi to be married by Mr. Lawes, and if this were insisted on the result would probably be that people would live together without going through the form of marriage.

The teachers in each village are just as much native ministers as those which have been ordained in New Zealand, being Maoris, and therefore I trust there will be no difficulty in licensing the following people :—

	Teacher at	Appointed
Kaea	Takepa	16th May, 1883.
Pulekula	Liku	30th September, 1887.
Toaforia	Tamabatokula	31st January, 1890.
Ikifana... ..	Hakupu	14th December, 1888.
Kulatea	Mutalau	14th April, 1897.
Fakalagotoa	Makefu	27th October, 1899.
Manamana	Fatiau	2nd September, 1898.
Patu	Avatele	3rd February, 1899.
Pamatagi	Tamakautoga	8th December, 1899.
Nea	Alofi	November, 1891.

I have, &c.,

PERCY SMITH,

Government Resident Agent, Niue.

His Excellency the Governor, Wellington.

No. 53.

SIR,—

Rarotonga, 2nd October, 1901.

No. 48.

I have the honour to acknowledge the receipt of your wire (No. 5), notifying me that Captain Martin Nagle had been appointed Customs and Post Officer at Penrhyn.

I have fixed the salary of this office at £150 per annum, and have informed him that the appointment will depend upon his suitability for the post. This he thoroughly understands; but I may say that, knowing the man as I do, I have no misgiving, and in a few months I shall be prepared to recommend that he be appointed Resident Agent and local Magistrate.

I am refraining from any comment on your remarks in reference to the tariff to be imposed on the northern islands, as Mr. Colebrook is preparing a report on the tariff, on which I propose to comment at length.

I have, &c.,

W. E. GUDGEON,

British Resident.

The Right Hon. the Premier of New Zealand, Wellington.

No. 54.

MY LORD,—

Alofi, Niue Island, 11th October, 1901.

I have the honour to report my proceedings under Your Excellency's letter of instructions dated the 29th July, 1901.

I left New Plymouth on the 5th August, having received intimation from Captain Worsley, of the schooner "Countess of Ranfurly," that he proposed to sail on the 6th. It was not, however, until the 15th that the vessel got away. We called in at Sunday Island on our way to Rarotonga, in order to make inquiries as to the missing vessel "Maungaroo," but could hear nothing of her. We arrived at Rarotonga on the 4th September, and left again, having Lieut.-Colonel Gudgeon, C.M.G., with us, on the 6th September, and, after calling at Aitutaki for men, anchored off here on the 11th September.

I may, *en passant*, refer to the new schooner, about which many disparaging remarks were current in Auckland. She has turned out to be a very staunch and quick boat, easily handled, and safe. We experienced a somewhat severe gale off the Kermadec Islands, which put her sea-going qualities to the test, and nothing could be better than her behaviour, for she never shipped a sea the whole time, though the decks were necessarily constantly wet from the spindrift, making it a very uncomfortable time for the passengers. Immediately on landing, Colonel Gudgeon sent for Tongia, the Patuiki, or King (so called), to meet us at Alofi, but he was ill-advised enough not to attend. A satisfactory meeting of welcome with the Alofi people took place on the day of our arrival, and, as Colonel Gudgeon could not wait to visit Tongia, I arranged to meet him and the chiefs of the Island at Tuapa, where Tongia lives, on the 17th September.

I proceeded to Tuapa on the day fixed, accompanied by the Rev. F. E. Lawes, who then and ever since, with the greatest kindness, has acted as my interpreter. I was received very heartily with the accustomed welcome of the people, who gave a feast, accompanied by their native dances, singing, &c.

On the following day I met the Patuiki and the chiefs from all parts of the island, and explained the object of my coming and the changes which I considered necessary in the form of government, the impending imposition of Customs duties, the abrogation of the native method of levying fines, &c., the necessity for appointing capable men to administer justice amongst themselves, and other matters which I proposed to enter into more fully with them at a meeting of

representative chiefs at Alofi, after I had been round the island and made myself better acquainted with the existing state of affairs. The general tenor of the speeches of the chiefs at the meeting was to the effect that they were much afraid Great Britain would impose heavy taxation, that they wished to be connected directly with Great Britain and not with New Zealand or Rarotonga, and they trusted the Resident Agent would be able to indicate to them means by which they could become more prosperous, &c.

Council for the Island of Niue.

On my return to Alofi, I employed myself in drawing up an Act to constitute a Council for the Island of Niue, which should contain the principle of election of its members by the people of the eleven villages of the island, to replace the nominated Council existing, which appears not to have the confidence of the people. This Council has heretofore been nominated by the Patuiki from people who are likely to support his views solely.

Revenue Act.

I also drew up a Revenue Act imposing a 10-per-cent. impost on all goods imported into Niue which are not free by the New Zealand tariff, and provided for the expenditure, under authority of the General Council, to replace the objectionable tribute levied by the Patuiki for his own benefit. This Act also prohibits the sale of spirituous liquors to natives, &c.

Administration of Justice.

A further Act dealing with the administration of justice as between natives and others—dealing with the marriage, divorce, and registration of births, deaths, and marriages—has been drawn up, besides one bearing on the emigration of labourers to other islands—all matters which call for early attention.

You will observe by the Council Act that provision is made for the Patuiki (King) to take the position of President of the Council. He is in reality a sort of "fifth wheel in the coach," and on his death I do not think another should be allowed to be set up. But, as he has drawn a revenue from the people heretofore, he could hardly be set on one side without pensioning him, and therefore I deemed it best to provide for paying him a salary as President. The Patuiki is old, and not endowed with much wisdom, and scarcely appears capable of understanding the changes which are now necessary consequent on the annexation.

With respect to the Revenue Act, whilst it imposes a 10-per-cent. duty on all imported goods except those free by the New Zealand tariff, I feel so doubtful of the power of the Council to impose this, now that the island is a part of New Zealand, that I have provided for the Act coming into force on a date to be proclaimed hereafter. This will allow of the New Zealand Government proclaiming or authorising this tariff in the same manner as has been done at Rarotonga. I trust that the Bill which I understand was to come before Parliament will authorise the application of such of the New Zealand laws as may be considered necessary to meet the case of islands such as this by some short process—by Order in Council, or other method. It must be obvious that a complicated system of laws suitable for a civilised people is quite inapplicable to cases like that of these islands, and therefore it appears necessary that there should be power to proclaim as in force here only such parts of the general laws of New Zealand as on consideration are locally applicable. It is in the hope that this power has been obtained from Parliament that I have drawn up the series of enactments of which copies are enclosed. (The "John Williams" having unexpectedly arrived, I am unable to get copies made in time.)

Resident to be appointed Magistrate.

It appears to me very necessary that the Resident here shall be appointed a Magistrate under the New Zealand laws, as cases will arise in which both white people and natives are concerned which cannot be dealt with by the native Magistrates. I have provided, in the laws to be brought before the Council at its first meeting, that such cases shall be dealt with by the Resident in his judicial capacity (*i.e.*, when he receives the necessary appointment).

Resident to be appointed Postmaster.

It is also necessary that the Resident be appointed Postmaster, and that a supply of forms be sent to him.

Tariff.

The matter of most urgency that I desire to bring under Your Excellency's notice just now is that authority be given at once to impose a 10-per-cent. duty on all articles imported into Niue that are not free according to the New Zealand tariff. A supply of the necessary Customs forms should also be sent. Alofi should also be gazetted a port of entry, for which purpose I beg to enclose a description.

Appointment of a Successor.

I trust that whoever is to succeed me may be sent soon, for I esteem it a matter of the greatest importance that he should have sufficient time to acquire a knowledge of the Niue language—without it he will be at the mercy of others. Moreover, the time I undertook to stay here will elapse in two months from now. It is important that he should be with me here for some time prior to my departure, in order that he may receive the benefit of my experience.

Site for Residency.

At the first meeting of the Council next week the question of site of the Residency will be settled, and I trust the house put in hand.

At the meeting at Tuapa, on the 17th September, I duly presented to Tongia the medal sent in commemoration of the visit of His Royal Highness to New Zealand.

At present all goes smoothly, and the natives appear very willing to fall in with any suggestions I have to make to them. I have been round the island—Mr. Lawes very kindly accompanying me as interpreter—and explained to the natives at each village the nature of some of the changes to be introduced and the methods to adopt in selecting their representatives to the Council. Some of these members are already selected, and the first meeting of the Council will take place next week.

The sudden arrival of the “John Williams” and her departure again this evening prevents my entering at greater length into many of the questions I have had to consider. I trust, therefore, that omissions may be excused.

I have, &c.,

S. PERCY SMITH,
Government Resident Agent, Niue.

His Excellency the Governor of New Zealand, Wellington.

DESCRIPTION OF THE PORT OF ALOFI, NIUE ISLAND, FOR GAZETTING AS A PORT OF ENTRY.

BOUNDED on the south-east by high-water mark of the coast of Niue Island for a distance of one mile from the foot of the Mission Pier, running in a south-west direction; on the west, north-west, and north by a line drawn with a radius of one mile from the foot of the Mission Pier until it strikes the western coast-line of Niue Island at a point one mile northerly from the foot of the Mission Pier; and on the east by high-water mark of the shore of Niue Island to the foot of the Mission Pier.

No. 55.

Alofi, Niue, 2nd November, 1901.

MY LORD,—

No. 54.

I have the honour to report, in continuance of my letter addressed to yourself, dated the 11th October, my further proceedings here in Niue.

The delegates from the eleven villages of Niue met in Alofi on the 22nd October for the purpose of framing some laws for governing the island. These laws had been drawn up by myself, after inquiring, as fully as time and circumstances permitted, into the wants of the island. I enclose copies for your information. The Council sat for three days and passed five laws. This first Council consisted of the Patuiki (or King) and one representative from each village, besides those members of the Patuiki's old Council who had not been elected by the people. There were five of such members, but their functions ceased on the close of the first session. The whole proceedings were quite new to the people—*i.e.*, especially in having laws written for them to consider—for heretofore, after lengthy discussions, it was often not known what the decisions come to amounted to. But the members soon got into the new way, and seem to approve of the method. They were very attentive, and made a few suggestions, which have been embodied in the laws passed.

I do not know that it is necessary for me to comment on the laws at any length, but it should be clearly understood that the laws of civilised nations would be quite inadequate here and totally unsuited to the people. Hence it may seem that some questions touched on in these laws are somewhat outside the scope of legislative bodies.

I have assumed all through that a Customs revenue will be levied by authority of the New Zealand Government, in order to raise a revenue for carrying on the Government; and, after consulting with Colonel Gudgeon, it was decided to impose 10 per cent. duty on all imports not free under the New Zealand tariff. But the Act is so worded that should different duties have been imposed in the meantime by the Government, then the clause in the Niue Act will be non-effective as to the percentage. I have received no communication from Your Lordship since I left New Zealand, now three months ago, and therefore know not whether any duties have been imposed or not. The Niue Act provides that the law shall come into force on a date to be published by the Government Resident Agent, which will be after Alofi is proclaimed a port of entry, as suggested in my letter of the 11th October last.

With respect to revenue, the Customs and fees will probably amount to about £300, and the expense of government will be somewhat less per annum—that is, if the Resident's salary is not charged to local revenue, which I anticipate it will not be, or otherwise further methods of taxation must be resorted to. It will be noted that the Patuiki has been made President of the Council at a salary of £50. I adopted this as the best solution of the difficulty that would have arisen directly all the moneys levied for labour, emigrants, ships, and other things became public revenue, instead of going into the pocket of the Patuiki.

The Native Magistrates and Police Act presented a good many difficulties, for the reason that I found in existence here twenty-three native Magistrates or Judges and 124 police, who paid themselves by the fines inflicted. I had great difficulty in reducing this number to five Magistrates and eleven police, and could then only get over the difficulty by arranging that each village was to have a Magistrate appointed from it alternately six months. This is only a temporary arrangement, until such time as the Resident can acquire a fluent knowledge of the language, when he can probably take all the cases that arise by going round the island once a month. The native Magistrates and police are not yet appointed, as at the wish of the Council the people of each village were to suggest names, and they all have not come in yet.

Your Excellency will observe more than one reference in these Acts to a “Court” or “Resident's Court.” I have anticipated in these Acts the appointment of the Resident as a Magistrate, and he should be given powers in the case of native divorce cases equivalent to a Supreme Court Judge. For want of a law of divorce great evils are growing up here, and the cases can be easily dealt with by an English Magistrate.

In the Emigration Act I have aimed at putting an end to the extortion practised by the chiefs, and hope under its provisions to lessen the great evils flowing from the constant absence of so large a number of the young men at the Guano Islands and Tonga, evils which are extremely demoralising to the younger population, whilst at the same time the productions of the island suffer.

I have, &c.,

His Excellency the Governor, Wellington.

S. PERCY SMITH,
Government Resident Agent, Niue.

Enclosure.

NIUE ORDINANCES.

ACT NO. 1.—“THE NIUE COUNCIL ACT, 1901.”

WHEREAS the island of Niue-Fekau having, at the request of the Patuiki, the chiefs, and people of Niue, become part of the British dominions; and, by virtue of a Proclamation made and published by His Royal Highness the Duke of Cornwall and York at Auckland, New Zealand, on the 11th day of June, 1901, the same island having been annexed for administrative purposes to the Colony of New Zealand, it becomes necessary that some alteration in the form of government and additions to and alterations in the laws of the island be made:

And whereas the Patuiki and chiefs of Niue, whose names are hereunto appended, being representatives and delegates from each village in the island, being assembled in Council at the Village of Alofi, in the said island, on the 22nd day of October, 1901, for the purpose of settling (*inter alia*) the composition and duties of the governing Council of the island, to be called “the Council of Niue,” with the approval of the Government Resident Agent, do make the following enactment, that is to say:—

1. There shall be one General Council for the Island of Niue, which shall consist of the Patuiki and one or more representatives selected by the inhabitants of each of the following villages:—

	Members.		Members.
Alofi	2	Tamalagau	1
Tamakautoga	1	Mutalau	1
Avatele and Fatiau	1	Tamahatokula	1
Hakupu	1	Uhomotu	1
Liku	1	Makefu	1

The first session of this Council shall consist, in addition to the above members, of the eleven members of the old Council appointed by the Patuiki; but they shall not hold office longer than such first session, unless re-elected.

2. The first Council so constituted shall hold office for one year from the day of selection, but thereafter the members shall be elected to serve for a term of three years.

3. The Patuiki shall be President of the Council, and shall preside at all meetings thereof, and it shall be his duty to preserve order and regulate the proceedings. He shall sign on behalf of the Council all laws, regulations, or orders made by the Council; and as President shall summon the Council to meet at any time and place after receiving a request to that effect from the Government Resident Agent, and shall dismiss the Council at the close of each session. In the case of illness or other disability of the Patuiki, the Council may be summoned by the Government Resident Agent.

4. In the absence of the President the members present in Council, being a quorum, may select one of their number to act for and on behalf of the President, and his duties and powers for the time being shall be the same as those of the President.

5. The quorum of members necessary to constitute the Council shall be three-fourths of the total number of members.

6. A member of the Council shall cease to hold office under the following circumstances:—

- (1.) Upon the effluxion of time for which he was elected.
- (2.) If he breaks any of the laws, &c., enacted by the Council.
- (3.) If he commits any breach of the moral law.
- (4.) If he takes money for supporting any matter before the Council.
- (5.) If the inhabitants of the village which he represents prefer a request to the President that he be removed; and after the approval of the Council, and after it has heard the member concerned, should the Council agree that the complaint is sustained, such member, with the approval of the Government Resident Agent, shall cease to hold office.
- (6.) If he absents himself from any Council meeting without leave, unless in the case of illness.

7. Upon a vacancy occurring as above, the President of the Council shall give notice to the village concerned to select another member, who shall hold office until the expiry of the term of office of the Council then next ensuing.

8. All laws and regulations, &c., shall be introduced to the Council through the President, and, upon being approved by a majority of the Council (being a quorum), such laws, &c., shall become the laws of Niue, subject to section 10 hereof.

9. In the case of any difference of opinion amongst the members of the Council on any question that may come before them for consideration, the decision of the majority of members shall be final; each individual member in such case shall, upon being asked by the President, record his vote “Aye” or “Nay,” and such vote shall be entered in the minutes of the Council. Such decision so arrived at shall be binding on all members of the Council, and shall be considered as final.

10. In order to secure that the laws, &c., made by the Council shall not clash with the spirit of the laws in force in this part of the British dominions, no law passed by the Council shall become effective as a law of Niue until the same shall have been approved in writing by the Government Resident Agent, and upon such approval being given such law, &c., shall become the law of Niue until amended or repealed as from the date of such approval.

11. It shall be competent for the Council, upon resolution of the whole number, to repeal or amend any law or regulation previously made, but such repeal or amendment shall only be made with the concurrence of the whole Council and that of the Government Resident Agent.

12. It shall be competent for the Council to appoint or remove committees, to be composed of members of the Council or others, to carry out any portion of the functions of government in any part of the island which the Council may decide on; and, further, to appoint or remove any officer for the same objects, and to assign them such duties and such remuneration by way of salaries or fees as may seem to the Council right and just. Such appointments shall be made by resolution of the Council, but shall only be effective on the approval of the Government Resident Agent.

13. The Council shall have the power to raise a revenue for the purpose of carrying on the government of the island in such manner and at such times and for such particular purposes as shall be approved by the Government Resident Agent.

14. The Council shall meet at Alofi in manner heretofore stated, and shall continue sitting each day until dismissed; but it may by resolution of the majority adjourn its meetings from time to time and place to place.

15. All laws, &c., made by the Council shall be written in English and Niue, and in the case of any difficulty of interpretation the English version shall be authoritative.

16. The President of the Council whilst holding the office of Patuiki shall be paid a salary of £50 per annum, and each member of the Council at the rate of £3 per annum, to be paid half-yearly as nearly as may be. But any future President shall be paid for his services at a salary to be decided on by the Council when the occasion arises.

17. We, whose names are hereunto appended, being assembled at Alofi on the day, month, and year aforementioned, do hereby declare that the above enactment has been passed by us in Council, and that it will now become the law of Niue. And each for himself does further declare that we will keep this law and any others passed by the Council from time to time, and help to see that others do so likewise. We who are members of the permanent Council further declare that we will help to the best of our ability to pass such further laws as will be for the good of the people of Niue generally, without self-seeking, but rather for the general good of the people whom we represent, and for the peace of this land.

TOGIA, Patuiki (or King).

TAKIULA, Uhomotu (old Council).

IKINEI, Uhomotu.

NIULOA, Tamahatokula.

PAHETOGIA, Mutalau.

TALAHEIKI, Tamalagau.

TAGAVAITOA, Alofi.

LAGAHETAU (his X mark), Tamalagau
(old Council).

NIULOA, Alofi (old Council).

TATAGATA, Alofi.

LAHEGA, Tamakautoga.

TOGIAFULU (his X mark), Tamakautoga
(old Council).

PULETAGALOA (his X mark), Hakupu.

HEGOTULE, Avatele and Fatiau.

POKEHEGA (his X mark), Fatiau.

TAGALOAILUGA, Liku.

Approved this 22nd day of October, 1901.

S. PERCY SMITH, Government Resident Agent, Niue.

ACT No. 2.—“REVENUE OF NIUE ACT, 1901.”

WHEREAS it is necessary that a revenue be raised for the purpose of the proper government of Niue Island:

1. Be it therefore enacted by the Council of Niue that the revenue of Niue shall consist of all Customs duties, fees, fines, or other moneys which are payable under enactments of the Council.

2. All revenue so raised or levied shall be paid to the Government Resident Agent at Alofi, and shall be placed by him in an account to be called the “Revenue of Niue Account.”

3. All moneys payable out of such Revenue Account shall be authorised from time to time by the Council of Niue, and be paid by the Government Resident Agent. An accurate annual statement of revenue and disbursements shall be laid before the Council by the Government Resident Agent at its first meeting after the 31st March in each year.

4. It shall be competent for the Governor of New Zealand, on behalf of the Council of Niue, to appoint some person to audit the Revenue Account and the disbursements therefrom, and a certified copy of such report shall be furnished to the Council as soon as possible after the audit.

5. After the passing of this Act all fees and fines of whatsoever nature which have heretofore been paid to any individual as fees, fines, &c., for breaches of the law, or for any privilege granted, &c., shall cease, unless the same are previously authorised by this Council.

6. All fees, fines, Customs duties, or other moneys due to the Revenue Account under any enactment of this Council shall be recoverable before the Government Resident Agent in his judicial capacity.

7. Be it further enacted by the Council of Niue that from and after a date to be published by the Government Resident Agent there shall be one port of entry for Niue Island, and such port shall be Alofi.

8. All vessels arriving from places outside of Niue Island shall first enter at Alofi, and, subject to the discretion of the Government Resident Agent, shall take their departure therefrom and be cleared from the same place.

9. Masters of vessels arriving at Niue are required to deliver to the Government Resident Agent any mails or other postal matter for the inhabitants of Niue; and they are further required

to give the Government Resident Agent at least six hours' notice of their departure, stating the port for which they are bound, failing which their clearances will be withheld.

10. The masters of all vessels clearing at Alofi are required to take mails for the Postmaster of the port to which they are bound, and to deliver such mails to the proper authorities at such port, failing which their clearances will be withheld.

11. Be it further enacted by the Council of Niue: From and after a date to be published by the Government Resident Agent there shall be imposed on all goods imported into the Island of Niue a Customs duty equal to 10 per cent. *ad valorem* on the declared value of the imports as shown by the vessel's manifest or other documents, excepting such articles as are free according to the New Zealand tariff. The same duty is hereby also imposed on all articles imported for sale, by whomsoever imported, whether shown on the vessel's manifest or not. All such duties shall be payable to the Government Resident Agent as Collector of Customs on behalf of the Council of Niue, and thereupon shall become part of the revenue of Niue: Provided that in the event of any other Customs duties being imposed by the Governor of New Zealand under any authority in him vested on imports into Niue, then in that case the 10-per-cent. duty imposed as above shall be inoperative.

12. All goods imported or landed otherwise than after paying the duties imposed by law shall be confiscated, and may be sold by the Government Resident Agent as Collector of Customs, or by his appointee, and the proceeds thereof shall become a part of the revenue of Niue.

13. Any person landing or importing goods except as in manner provided in the foregoing sections shall, in addition to the confiscation of the goods, be liable to a fine of not more than £100.

14. Masters of vessels arriving at Niue, and traders doing business at Niue, are required, on demand, to produce to the Government Resident Agent all necessary documents bearing on the nature and value of imports arriving at Alofi or other places, and in default thereof shall be liable to a fine not exceeding £10.

15. The Government Resident Agent, or his appointee, shall at all times have the right of entry and search into any vessel or building, or boxes, packages, or luggage of any description, in which it is suspected there are dutiable goods which have not paid duty.

16. Be it further enacted: From and after the passing of this Act it shall be illegal to import any spirituous liquor of any kind whatsoever for the purpose of sale, barter, or gift to any native of Niue or native of other islands of the Pacific located in Niue. Any person so doing, or allowing any native as above to obtain in any manner any such spirituous liquors, either on shore or on board vessels within three miles of the coast, shall, on conviction before the Government Resident Agent in his judicial capacity, be liable to a fine of not more than £20 for each and every such offence: Provided that in case of medical necessity a limited quantity of spirituous liquor may be supplied to any native on the written order of the Government Resident Agent.

The foregoing "Revenue of Niue Act, 1901," was passed by the Council of Niue, at Alofi, on the 23rd day of October, 1901.

TAGAVAITOA, Acting-President of Council.

ACT NO. 3.—"THE NATIVE MAGISTRATES AND POLICE ACT, 1901."

WHEREAS until the time shall arrive when all cases of breaches of the law can be dealt with by the European Magistrate it is necessary to provide Courts of justice within the Island of Niue for dealing with cases in which the natives of Niue or natives of other islands of the Pacific resident in Niue are concerned:

1. Be it therefore enacted by the Council of Niue that all cases of breaches of the law shall be dealt with under this Act: Provided that in all cases where white people are concerned the native Magistrates hereafter mentioned shall have no jurisdiction, but such cases shall be dealt with by the Court, meaning thereby any Court of competent jurisdiction constituted under the laws of New Zealand and sitting in Niue.

2. There shall be five native Magistrates for the Island of Niue, who shall exercise their functions within the following districts which are hereby constituted, namely:—

3. Alofi and Tamakautoga	...	...	...	...	One Magistrate.
Avatele and Fatiau	...	...	...	...	One Magistrate.
Hakupu and Liku	...	...	...	...	One Magistrate.
Tamalagau and Mutalau	...	...	...	...	One Magistrate.
Tamahatokula, Uhomotu, and Makefu	...	...	...	...	One Magistrate.

And it is further provided that each Magistrate as above shall be appointed alternately from each of the villages as above, and shall hold office for a term of six months alternately.

4. Each native Magistrate shall be appointed by the Council with the approval of the Government Resident Agent, one to each district, and he shall hold office until removed by the Council. Such native Magistrates shall take an oath to keep the laws of Niue and administer them impartially. Each native Magistrate shall receive a salary of £6 per year, to be paid half-yearly out of the revenue of Niue through the Government Resident Agent.

5. It shall be the duty of the native Magistrates to hear any complaints of the breaches of the law of Niue as enacted by the Council which are properly brought before them. They shall also have power to deal with the following offences:—

Offences against the Person.

6. Any man committing adultery with a married woman shall be liable, on conviction, to a fine not exceeding £5, and, in default of payment on the date fixed by the native Magistrate, may be sentenced to not more than three months' hard labour; or the native Magistrate may sentence the

offender to hard labour without the option of a fine. The native Magistrate may, in his discretion, award the injured wife or husband a part of the fine not exceeding £4. Any woman committing adultery may, on conviction, be fined in a sum of not more than £3, or be ordered to make mats, hats, or other articles of saleable value to a like value.

7. Any person who shall carnally know a girl under the age of fifteen years shall be liable, on conviction, to a fine of not more than £2, or in default to one month's hard labour. But any one carnally knowing a girl under twelve years of age shall be brought before the Court for sentence.

8. Any person who shall force or attempt to force a woman against her will shall be liable, on conviction, to not more than six months' hard labour. But no one shall be convicted hereunder on the unsupported testimony of the female: Provided that in case of such assault if the complaint is made at once by the woman to other persons the native Magistrate may hear the case on such evidence.

9. Any person convicted of the crime of incest may be fined not exceeding a sum of £5, in addition to six months' hard labour.

10. Any person procuring for or assisting a woman in immoral purposes, on conviction, may be fined £2 or two months' hard labour, and any woman soliciting any male for immoral purposes may be punished in a similar manner.

11. Any person procuring or assisting to procure abortion of any woman shall, on conviction, be remanded to the Court for sentence.

12. Any person convicted of slandering another person may be fined a sum not exceeding £1.

13. Any person convicted of bearing false witness before the native Magistrate may be fined not exceeding £2, or in default may be sentenced to one month's hard labour.

14. Any person convicted of assaulting a police officer, a member of the Council, or native Magistrate in the execution of their duty may be fined not exceeding £2, or in lieu thereof one month's hard labour.

15. Any person convicted of assault on any other person outside those mentioned in the previous section may be fined in a sum not exceeding £1, or in lieu thereof to fifteen days' hard labour.

16. Any person convicted of using language towards another person tending to a breach of the peace may be fined a sum not exceeding 10s., or in lieu thereof to six days' hard labour.

17. Any person convicted of assault with weapons or other instruments with the intent to do serious permanent injury shall be committed to the Court for sentence.

18. Any person convicted of being drunk or disorderly may be fined not more than £2, or in default thereof to not more than one month's hard labour.

Offences against Property.

19. Any person convicted of stealing the property of others shall pay the value thereof to the owner or return the property, and in addition to such value shall do hard labour for not more than three months.

20. Any person owning horses, pigs, or other animals shall be responsible for all damage done by them, and may be summoned before the native Magistrate, who shall decide the amount of damages payable to the person suffering damage. Should the amount so assessed not be paid at the time fixed, the defaulter may be fined in the value of the damage.

21. Any person convicted of maliciously setting fire to or attempting to burn any building belonging to another may be fined any sum not exceeding £5, in addition to the value of the property destroyed, which latter fine is to go to the injured individual; or in default of payment the offender may be sentenced to six months' hard labour.

22. Any person convicted of wilfully damaging any property or animal of another may be fined not exceeding £2, in addition to the value of the property destroyed or damaged, the latter value to go to the injured party; or in default thereof the offender may be sentenced to hard labour for not exceeding one month.

23. Any person convicted of deserting his wife or family may be ordered by the native Magistrate to contribute to her or their support weekly in money or goods to an amount to be decided on by the native Magistrate, failing which the offender may be sentenced to hard labour for any term not exceeding two months.

24. Any person found on the premises of another person after dark and refusing to leave when ordered by the owner or occupier may be fined, on conviction, in a sum not greater than 10s.

25. Any person convicted of obtaining money on false pretences shall be remanded to the Court to be dealt with.

26. Any person convicted of forging any document shall be remanded to the Court for sentence.

Police.

27. There shall be a body of police to be appointed by the Council with the approval of the Government Resident Agent of Niue, one for each of the eleven villages of Niue, and they shall hold office during the pleasure of the Council. Each policeman shall be paid at the rate of £3 per annum. The duties of the said police shall be to see that the laws are carried out, to report all cases of breaches of the law to the native Magistrate, to warn people to attend the Courts when so directed by the native or other Magistrate, to get up the necessary evidence in cases coming before the Courts, to oversee the persons sentenced to hard labour, and to perform such other duties as they may from time to time receive instructions for from the Government Resident Agent.

28. Any policeman who shall behave harshly or oppressively in the execution of his duty, or shall force his way into any house without due authority and against the will of the owner, may be summoned by the aggrieved party before the native Magistrate, and, on conviction, shall be liable to a fine of not more than £2.

Miscellaneous.

29. The native Magistrate shall in all cases hear such cases in places open to the public, and they shall keep a record of all cases brought before them and their decision thereon in a form to be supplied to them by the Government Resident Agent.

30. Before the native Magistrates hear any cases they shall satisfy themselves that the accused person or persons have been properly summoned to appear by notice of at least three clear days before the case is heard, and that the charge has been explained to him or them, and that the accused is at liberty to call witnesses for his or their defence. The accused must in all cases be allowed to examine witnesses and to make a statement on his or their own behalf.

31. There shall be paid into the hands of the native Magistrate before he hears any case coming before him under the offences against property section of this Act a sum of 2s.

32. Any person aggrieved by the decision of the native Magistrate may appeal to the Court against any such decision, after giving notice to the native Magistrate within one month of his decision, and on depositing with the application a sum of 10s.

33. All fees or other moneys received under this Act, where not otherwise provided for, are to be paid to the Government Resident Agent at Alofi as soon as possible, and will be placed by him in the Revenue of Niue Account.

34. Any person failing to appear when duly summoned in cases under the offences against the person section of this Act may be apprehended by the police on the order of the native Magistrate, and thereon shall be brought before the Court for trial.

35. Any person failing to appear when duly summoned in cases under the offences against property sections of this Act, judgment may be recorded against them, and on failure to comply with such judgment the offender may be brought by the police on due authority before the Court for dealing with.

36. Any person refusing to comply with the order of any Court in the Island of Niue will render himself liable to have any of his property seized by the police on authority duly issued, which property may be sold to defray the judgment and the costs thereof.

37. Any person who offers a bribe to any officer of the Government of Niue shall, on conviction, be liable to a fine not exceeding £5, or, in the discretion of the native Magistrate, may be sentenced to not more than three months' hard labour.

38. Any officer of the Government of Niue who receives a bribe in any form, on conviction before the Court, shall lose his office and be ineligible for further employment.

39. In any case that the Government Resident Agent has reason for thinking that substantial justice has not been done by the native Magistrate, he shall have the power to order a new trial before one or more of the other native Magistrates or before the Court.

40. Any person intimidating another, or offering payment of any kind to another to conceal any offence under this Act, may, on conviction, be punished as if he had committed such offence.

"The Native Magistrates and Police Act, 1901," was passed by the Council of Niue, at Alofi, on the 24th day of October, 1901.

TAGAVAITOA, Acting-President of Council.

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

ACT No. 4.—"MARRIAGE, DIVORCE, AND REGISTRATION ACT, 1901."

BE it enacted by the Council of Niue as follows:—

The word "Court" where used herein shall mean any Court of competent jurisdiction constituted under the laws of New Zealand and sitting in Niue.

1. No marriage shall be legal within the Island of Niue unless made in accordance with this Act.

2. Marriages shall be legal only when made by a minister of religion registered under and holding a license under the Acts relating thereto in the Colony of New Zealand, or, in case of natives, by the native pastors of Niue after they shall have been registered in the office of the Government Resident Agent on the recommendation of the resident minister holding a license as above.

3. The Government Resident Agent shall issue to such native pastors as above a notification informing them that they are empowered to act in the above behalf.

4. Notice shall be given by the parties interested to the resident minister or to the native pastors of their intention to marry, and not less than three clear days shall intervene between such notice and the performance of the ceremony.

5. Except with the consent of the parents or guardians, no man shall be capable of entering into the bonds of matrimony unless he shall be of the full age of twenty-one years, and no woman may be married under the age of fifteen years. But, with the consent of parents or guardians, a man may be married at the age of eighteen years.

6. Persons desirous of being married by a licensee under this Act shall appear before the resident minister or a native pastor and make a declaration to the following effect:—

(a.) That they are of legal age.

(b.) That they know of no legal objection to their marriage.

(c.) That they are entering into marriage of their own free will.

(d.) If under age, that they have obtained the consent of their parents or guardians.

7. No objection to a marriage shall be valid except that of the parents, if alive, or that of the nearest of kin or guardians if the parents are dead. And in the case of an adopted child the foster-parents may act in the place of the parents.

8. Persons of the native race from other islands outside Niue may have their marriages recognised in Niue on making a declaration before the resident minister, stating the name of the place and date of marriage, by whom celebrated, and that they know of no reason why such

marriage should not be legal in Niue. But no native of any other island may be married in Niue until he or she produces a statement, under the hand of the resident minister of his or her home, to the effect that such individual is single and of the age of twenty-one years, and that there is no known objection to his or her marriage.

9. Any person making a false statement under this Act shall be liable, on conviction before the Court, to a fine of not more than £3, or, in default, to hard labour for not more than two months; and, in the case of a woman, may be ordered to make mats or hats or other produce to the value of the fine.

Divorce.

10. Any married man or woman, whether married under this Act or not, who has been living apart from his or her wife or husband, or has been absent from Niue without communicating with his or her wife or husband for a period of three years, may apply to the Court for a divorce, on the payment of a fee of 10s.; except in the case of a deserted woman, who shall pay no fine.

11. It shall be competent for either husband or wife to apply to the Court for a divorce in the case of adultery of either of the parties, on payment of a fee of 10s.

12. Continuous acts of cruelty shall entitle a wife to apply to the Court for a divorce, on the payment of a fee of 10s.

Registration.

13. The resident minister is hereby constituted Registrar of Births, Deaths, and Marriages within the Island of Niue, and it shall be his duty to keep a register of all births, deaths, and marriages accordingly. It shall be the duty of all native pastors to furnish the Registrar, on the 31st March of each year, a return showing all births, deaths, and marriages occurring in their districts during the previous twelve months.

14. All births and deaths occurring in the island shall be registered by the parents, guardians, or nearest of kin with the Registrar, or with the native pastors, within one month of the birth or death, as the case may be. Any one, whether white person or native, as above, failing to register a birth or death as above, shall be liable to a fine of 5s., recoverable before any Court constituted within the Island of Niue.

15. Marriages between white people or between white people and natives shall be performed by the resident minister or the Registrar in the same manner as marriages between natives: Provided that, in the case of objections on the behalf of either of the parties to the religious part of the ceremony, they may be married before the Registrar in accordance with the law of New Zealand.

16. Any man or woman who is guilty of bigamy may be proceeded against in the Court on the application of the injured party, and, on conviction, may be sentenced to six months' hard labour.

The foregoing "Marriage, Divorce, and Registration Act, 1901," was passed by the Council of Niue on the 24th day of October, 1901.

TAGAVAITOA, Acting-President.

Not approved by Resident Agent until answer is received from New Zealand regarding appointment of Rev. Mr. Lawes as Registrar.

ACT No. 5.—"EMIGRATION ACT, 1901."

1. Be it enacted by the Council of Niue that emigration of the Niue people to other places will only be allowed under the following conditions:—

2. No person under the age of sixteen years shall be capable of entering into any engagement with any white person to serve as a labourer for any time outside of Niue.

3. All persons desirous of hiring themselves as labourers outside of Niue shall appear before the Government Resident Agent and produce evidence of their age, of their free will in the matter, of their physical capacity (of which the Government Resident Agent shall be judge), that they are unmarried or have made sufficient provision for their wives or families, and shall state if they understand the terms of the agreement under which they hire themselves, and shall answer such questions as may be put to them by the Government Resident Agent.

4. No person being a native of Niue shall hire himself for work in any place outside of Niue for a longer term than one year.

5. All agreements between employers and employees, being labourers engaged for work outside of Niue, shall be submitted to the Government Resident Agent, and shall be subject to his approval. Labourers shall sign such agreements in the presence of the Government Resident Agent after the terms have been first explained to them, and an assurance given by such labourers that they understand the terms of the agreements, of which a copy will be filed in the office of the Government Resident Agent.

6. Every native of Niue emigrating to any other part, not being under agreement of hire, shall produce to the Government Resident Agent a certificate from the native Magistrate or policeman of his village that he has made sufficient provision for those that are dependent on him who remain behind. Failing such certificate the emigrant shall not be entitled to a pass under the hand of the Government Resident Agent enabling him to proceed to his destination, which the Government Resident Agent is hereby authorised to issue to each emigrant.

7. There shall be paid by any native person leaving Niue for other islands a fee of 4s. for the pass issued as above.

8. Any person making false statements in reference to anything herein required of him shall be refused a pass, and shall be liable to a term of labour with hard work on the Island of Niue for not exceeding one month.

9. Any master of a vessel carrying emigrants from the Island of Niue, or receiving such on

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.

The result of their persistence was an action for damages brought by Dexter and Winchester against the defendants for 2,800 dollars (Chili). The case was heard by Captain Macalister, and damages awarded to the amount of 9,817 dollars, each of the defendants being ordered to pay an equal share, one-half to Dexter and Winchester, the other half to the Au of Te Tautua.

It is regrettable that Captain Macalister should have consented to hear this case, since to decide on cases involving Maori land-claims requires special training. Moreover, it appears to me that he had no jurisdiction under the Pacific Order in Council, Penrhyn being at the time part of the Colony of New Zealand. It is clear that Dexter and Winchester have been trying to retain their monopoly over the shell of Penrhyn lagoon, and have used the Au of Te Tautua to that end; also that by aid of the Deputy Commissioner's Court they have succeeded in fining men several thousand dollars for having exercised rights which had descended to them through twenty generations of ancestors.

My promise to the people was to the effect that, as they had paid the fine and satisfied the judgment, I could not interfere personally, but would report the case fully to you and await instructions, but that for the future I would not allow any agreement by which one trader would acquire a monopoly at the expense of the other traders.

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

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

No. 59.

SIR,—

Rarotonga, 20th November, 1901.

I have the honour to forward herewith a draft of rules designed to regulate the pearl-shell fishing industry in the islands within the boundaries of New Zealand. They are for the most part based on the system now obtaining at Suwarrow, where the fisheries are most ably managed.

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

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

No. 60.

SIR,—

Rarotonga, 22nd November, 1901.

I have the honour to report that on my return from Manihiki I visited Suwarrow, landing shortly after sunrise on the 4th instant. My visit was made partly to warn the residents that they were under the New Zealand Customs laws, and also to ascertain the value of this atoll.

I found the lagoon in charge of a Mr. Nagel, who is managing for the South Pacific Trading Company, the lessees, and has under his charge some forty persons who are engaged in the pearl-shell industry. From personal observation I am in a position to say that the real value of Suwarrow is the lagoon, from which nearly 50 tons of shell is taken each year.

The small islands on the reef have been planted with the cocoa-palm, some of which are now bearing fruit; but I think that the whole of the islands of the reef will not have a greater area than 500 acres, and therefore are of no great value for raising copra.

From the information I obtained from Mr. Nagel I judge that the pearl-shell fishery is managed in a thoroughly businesslike manner. No shell of less than $4\frac{1}{2}$ in. diameter is taken, and every effort is made to increase the area of the shell-beds. The diving is carried on by means of machines in water averaging from 20 to 28 fathoms, and the shell is of very good quality.

The lessees of this island are about to give the shell a rest or close season, and intend to transfer the whole staff to Christmas Island, near the equator.

The survey of this lagoon is so complete that it is hardly necessary for me to say that comparatively large vessels can enter the lagoon and find good anchorage almost anywhere close to the shore.

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

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

No. 61.

SIR,—

Rarotonga, 23rd November, 1901.

In reply to your despatch of the 21st September, requesting me to inquire into the complaint of one Bob, a Penrhyn Judge, I have the honour to report with reference to this man that it would seem that he was removed from his office by reason of his having been drunk and fined for this offence by the Omoka Judge. Captain Macalister has inquired into the matter of the complaint, and has recorded his opinion that Bob was rightly removed from his office. My inquiry has led me to the same conclusion, and I have told Bob in front of the Au of Omoka that the fact of his having been appointed a Judge by one of the captains of the Pacific squadron did not raise him above the laws of his land, nor did it insure him perpetual office.

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

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

No. 62.

SIR,—

Rarotonga, 28th November, 1901.

I have the honour to acknowledge the receipt of your telegram, informing me that Mr. C. F. Maxwell has been appointed the Customs Officer for the Island of Niue. Mr. Maxwell arrived last night, and is now learning his future duties practically from Mr. Colebrook. Very fortunately the schooner "Countess" does not leave for Niue for the next fourteen days, as I have managed to secure a very fair cargo for New Zealand, and this will give Mr. Maxwell time to learn his work. I am of opinion that the appointment is an exceedingly good one.

By the same mail Mr. Smith writes me that, if our schooner does not reach Niue by the 10th December, he will leave in the "Ysabel"—that he has arranged for an election of eleven members of Council under the Presidency of Tongia, and in doing this Mr. Smith did not know of the provisions of subsection (2) of section 7 of the Cook and Other Islands Act. In order to prevent any unsettlement of the native mind, I have suggested to Mr. Maxwell that he should not alter the constitution of the Council until I have visited Niue and carried out the provisions of subsection (2) of section 7.

I quite agree with Mr. Smith that the Resident Agent should be also the Magistrate of the island; but Mr. Maxwell must learn the language before he can take this duty, and Mr. Smith's five native Judges may do the work for the next twelve months.

Mr. Smith has evidently done good work by preparing the native mind for changes that must take place, and Mr. Maxwell will have no difficulty in taking up the work. I am, however, sorry that Tongia has not been made purely ornamental and given £50 per annum for life. Now he will be in a position to be mischievous.

On these matters I will, however, write more fully when I have been to Niue.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

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

No. 63.

YOUR EXCELLENCY,—

Alofi, Niue Island, 6th December, 1901.

I have the honour to state that the schooner "Ysabel" arrived here from Tonga on the 1st instant, but to my great disappointment no one has come to succeed me here, nor were there any letters from yourself or from the Government of New Zealand.

It is over four months now since I left home and three months that I have been on the island, but not a single communication has reached me of an official nature either from New Zealand or Rarotonga, though there has been more than one chance of sending. This has placed me in a difficult position with respect to the imposition and collection of Customs duties, for, knowing that legislation was pending in New Zealand, I could not ask the Council here to impose Customs duties even if they had the power, except in such manner that made their action dependent on the New Zealand Parliament. This was done, as reported already to Your Excellency in anticipation, and I had fully expected to have received some communication thereon by the last mail.

It was by the merest accident that I learned through an Auckland paper that an Act has been passed relating to the Islands, and that a 10-per-cent. Customs duty has been imposed in all the islands included in the annexation of the 11th June last—at least, as I read the meagre scrap of intelligence that has reached here. But whether Alofi has been proclaimed a port of entry I am quite in the dark.

On a full consideration of the question, and seeing the necessity of obtaining some revenue to carry on the government here, I decided to take the responsibility of collecting the 10 per cent. Customs duty on and after the 5th December (the day after I saw the Auckland newspaper), and have given public notice to that effect. But, unfortunately, I received the information referred to above too late to collect the Customs dues from the "Ysabel," so that a considerable amount of revenue is thereby lost; and, as the season for vessels to visit here is just at an end, I anticipate there will not be the means to meet current expenditure. The effect this will have on the native mind causes me much anxiety—that is, for my successor, for I shall not be here to meet it.

If I have erred in thus proclaiming the Customs duties as payable, the money will have to be refunded to the traders.

I very much regret that my successor has not arrived, for he ought to have been with me some time to have received from me the result of my experience. I have, however, left for him as full notes as I can, in case he does not arrive before I leave.

I expect the "Ysabel" back here from Danger Island in about ten days, and, in case the "Countess of Ranfurly" does not arrive in the meantime on her way to New Zealand, I shall leave by the "Ysabel," as already intimated to Your Excellency in October.

At present the new system of government is working well, but it will require nursing, and the constant supervision of the Resident over the native Magistrates until they acquire a more complete knowledge of the laws and get instilled into them some idea of justice.

I have, &c.,

S. PERCY SMITH,
Government Resident Agent.

His Excellency the Governor, Wellington, New Zealand.

No. 64.

SIR,—

Rarotonga, 7th December, 1901.

I have the honour to inform you that I have received a very satisfactory letter from Mr. Nagle, at Penryhn, in which he informs me that the native authorities at Omoka have presented him, as representative of the Government, with a piece of land, and are building him a house 30 ft. by 28 ft. thereon. As to that gift, I will on my next visit cause it to be embodied in a local Ordinance, and will at the same time have the land surveyed.

Captain Nagle reports that matters are being conducted in a very satisfactory manner, and that during the three weeks previous to the 15th November 6 tons of shell had been raised from the lagoon.

It will be well, I think, to make Captain Nagle Resident Magistrate on the island, to sit with the native Judges and assist them. He is a man of great tact, and would educate the Judges. He has already persuaded them to adopt the statute of Aitutaki.

I have, &c.,

W. E. GUDGEON,

Resident Commissioner.

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

No. 65.

SIR,—

Rarotonga, 10th December, 1901.

I have the honour to inform you that the Arikis met to-day, and, under section 7 of "The Cook and Other Islands Government Act, 1901," formed the Federal Council. The members of the Council are as follows:—

Makea Ariki, Tinomana Ariki, and Pa Ariki	...	...	Rarotonga.
Ngamaru Ariki and Karika Ariki	...	...	Atiu, Mauke, Mitiaro.
John Trego Ariki and Nohoroa Ariki	...	...	Mangaia.
Vairuarangi Ariki and Te Urukura Ariki	...	...	Aitutaki.
Papu Mahuta Ariki	...	...	Penrhyn.
Iesi Ariki	...	...	Rakahanga.
Aporo Ariki	...	...	Manihiki.

Beyond suspending the Judge and Clerk of the Arorangi Court for six months by reason of the unsatisfactory administration of that Court, but little business was done.

I have, however, the honour to forward an Ordinance extending the Traders' License Act to Penrhyn, and to suggest that it may be approved by His Excellency as soon as possible, so as to bring it into force.

I have, &c.,

W. E. GUDGEON,

Resident Commissioner.

The Right Hon. the Premier, Wellington.

Enclosure.

COOK ISLANDS, RAROTONGA.—ORDINANCE No. 1, 1901.

"THE Traders' License Act, 1898," and the regulations made thereunder, is hereby extended to and shall have force within the Island of Penrhyn as from the 31st day of December, 1901.

Passed by the Federal Council on the 10th day of December, 1901.

W. E. GUDGEON, Resident Commissioner.

No. 66.

SIR,—

Rarotonga, 19th December, 1901.

I have the honour to forward enclosed two Ordinances—viz, No. 2, the Protection of Property; No. 3, Sale of Coconut Restriction—and have the honour to request that His Excellency the Governor may be pleased to approve the same, since they are designed to put an end to the wholesale system of robbery which has heretofore been the disgrace of the Cook Islands. With an efficient Police Force such measures would not be required, but with men who have no higher conception of their duty than of hiding the offences of their own relatives Ordinances such as these are required.

I have also the honour to inform you that the Federal Council adjourned on the 14th December, and does not propose to sit again until next April, when the representatives of Aitutaki will attend.

I have, &c.,

W. E. GUDGEON,

Resident Commissioner.

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

Enclosures.

COOK ISLANDS, RAROTONGA.—ORDINANCE No. 2.

WHEREAS many complaints have been received from persons of the native race and European residents in the district of Arorangi to the effect that their animals and crops have been maliciously destroyed or stolen: And whereas it would appear that the offenders are screened or defended by the people of their Tapere:

Be it enacted,—

1. The Short Title of this Ordinance shall be "The Protection of Property Ordinance."
2. This Ordinance shall apply to the Island of Rarotonga, but may, by resolution of the Federal Council, be made to apply to any island in the Federation.
3. In any case where it shall be proved before the Chief Judge of the High Court that property has been stolen or maliciously destroyed, and that there is reasonable cause to believe that the offenders are being screened or protected by the people of any Tapere, the Chief Judge aforesaid may ascertain the value of the property stolen or destroyed, and may impose a fine on one or more Taperes equivalent in value to the said property and the costs of the suit.
4. The Chief Judge of the High Court may order the Mataiapo of any Tapere to collect the fine imposed and pay it into the Court within the period named by the Court, and any person who shall neglect or refuse to carry out the order of the Court, or shall obstruct the collection of the fine, shall be guilty of contempt of Court and liable to fourteen days' imprisonment with hard labour, or a fine not exceeding twenty shillings.
5. Any person who shall be found trespassing on the land of another without the permission of the owner or occupier shall, unless he or she can show sufficient reason for the trespass, be liable to a fine of not exceeding forty shillings, or in default one month's imprisonment with hard labour.
6. In any instance where it shall be shown that a landowner has been persistently annoyed by petty larcenies or malicious injury to his property, the Chief Judge of the High Court may call upon the Ariki of the district to call out the able-bodied inhabitants of the adjoining Tapere and fence in the land of the injured person with the ordinary wall of coral rock.

Ordinance passed unanimously at 10 a.m., 14th December, 1901.

S. SAVAGE, Clerk to Council.

COOK ISLANDS, RAROTONGA.—ORDINANCE No. 3.

WHEREAS many thousands of cocoanuts are stolen every year within the Cook Islands, and it is expedient that restrictions should be placed on the sale of this stolen property to Maori and Chinese tea-shops :

Be it enacted,—

1. The Short Title of this Ordinance shall be "The Sale of Cocoanuts Restriction Ordinance."
2. During the continuance of a *rahui* over the cocoa-palms of any island it shall not be lawful to sell any of the nuts thereof except by permission of a policeman, who may either signify in writing that the vendors are the rightful owners of the nuts, or attend the traders personally to authorise the sale.
Any Maori infringing the provisions of this section shall be liable to a fine of ten shillings, or in default hard labour for ten days.
Any European committing an offence against this section shall be liable to be fined five pounds and have his license cancelled.
3. Any policeman appealed to under the provisions of the last section shall satisfy himself that the person in possession of the nuts had come by them lawfully before he shall give his consent.
4. Traders shall in all cases keep the record required by section fifteen of "The Au Empowering Act, 1899," and shall be liable to a fine of twenty shillings for any neglect of this provision.
5. The provisions of section two of this Ordinance shall continue in force even after the *rahui* over cocoanuts have been removed by notice in the *Cook Islands Gazette*, subject also to the following additional restrictions :—
 - (a.) That no nuts shall be purchased from any person who would appear to be under the age of sixteen years.
 - (b.) All nuts shall be paid for in coin, whether Chili or British, and shall not be bartered for tea, biscuit, or other goods.
6. This Ordinance shall apply to the Islands of Mangaia, Rarotonga, Atiu, Mauke, and Mitiaro, but shall not apply to Aitutaki until adopted by resolution of the Council of that island.

Ordinance passed unanimously, 14th December, 1901.

S. SAVAGE, Clerk to Council.

No. 67.

YOUR EXCELLENCY,—

New Plymouth, 9th January, 1901.

I have the honour to report my arrival here this morning from Niue, which island I left on the 26th December by the schooner "Ysabel," and joined the steamer "Manapouri" at Tonga on the 2nd instant, arriving at Auckland on the 7th instant.

Up to the time of my departure from Niue the Government schooner "Countess of Ranfurly" had not arrived, consequently Mr. Maxwell (who I have since learnt is to succeed me) had not arrived. But I left him a long memorandum with respect to the matters most important for him to become acquainted with.

At the time of my leaving everything was working smoothly and well, and the new system of government in full working-order. But if my successor is delayed for any length of time it will have a bad effect, and no doubt there will be a retrograde movement. So far as I can gather, however, Mr. Maxwell ought ere this to have arrived at Niue.

I propose to furnish very shortly a report setting out at length what has been done up to the time of my departure in continuation of previous reports.

I have, &c.,

S. PERCY SMITH.

His Excellency the Governor, Wellington.

No. 68.

YOUR EXCELLENCY,—

Mataimoana, New Plymouth, 13th January, 1902.

No. 67.

I have already had the honour of reporting my return from Niue Island, and now beg to add some further information as to proceedings in the island subsequent to my report to you dated some time in October.

Copies of the laws passed by the Niue Council have been forwarded to you, and from these you will learn the nature of the government I devised for the island. Up to the time of my departure, on the 26th December, everything was working quite smoothly, and would, I feel sure, continue to do so if a successor to myself arrives there soon. But it will be necessary to keep the native Magistrates and police up to their new duties, for fear there should be a relapse to the old state of affairs; and, moreover, as the present laws are quite new to them in a written form (though embodying much that was previously in existence), it is necessary to watch that the laws are administered equally and systematically all over the island.

The question that is of most importance is that of providing the means of defraying the cost of government, for, through my not having received any communication from New Zealand since my departure for the island, I remained in ignorance as to whether my recommendations as to Customs duties had been carried out and Alofi made a port of entry. Hence the supply of stores for the traders in the island were landed without paying Customs duties. On learning several days after, through a reference in a newspaper, that an Act had passed the New Zealand Parliament instituting Customs duties within the annexation, I felt justified in giving notice that the duties would be collected after the 5th December, and they have been collected on the few articles landed since that date but the total amount is less than £5. It is doubtful if much more will be collected till after the hurricane season has passed, except perhaps in the case of goods sent *via* Rarotonga, which will not amount to much. Hence what I fear is that there will not be funds to meet the expenses of government at the end of the first six months (April), when payments will be due to the native Magistrates, police, President, and members of Council, &c., amounting to about £80 or £90. If my anticipations are correct, I very much fear the effect it will have on the native mind.

Before leaving the island I convened a meeting of the Council, and got them to pass a further law in relation to the prevention of the introduction of spirituous liquors into the island by natives of Niue on their return from Tonga, a copy of which is enclosed. I also saw the principal Niue natives at Tonga and explained this law to them, so that I trust a stop will now be put to this traffic.

On taking farewell of the people I was urgently requested by many of the chiefs to remain, which, of course, I could not do. I may be excused for adding that I think I have given them a fair idea of what British government means, and have left matters in such form that my successor will find little difficulty in carrying on the government when once he overcomes the difficulty of the language, which is not easy to acquire, for it differs very much from Maori.

I have received the greatest assistance from the Rev. F. E. Lawes in anything I asked him to help; indeed, without him I should have made little progress, for he is the only competent authority on the native language, and most carefully translated the laws for the natives, besides acting as my interpreter in all matters of importance.

It would be of very great assistance to the native officers of Niue if the laws as passed could be printed at the Government Printing Office. Those they possess are written with the cyclostyle, and are by no means clear, owing to want of proper material. If this can be done, I will prepare copies of the laws in Niue for the purpose.

I have, &c.,

S. PERCY SMITH,

His Excellency the Governor, Wellington.

Late Government Resident Agent, Niue.

Enclosure.

ACT NO. VI.—“REVENUE OF NIUE ACT 1901 AMENDMENT ACT, 1901.”

BE it enacted by the Council of Niue,—

This Act shall be read and taken as part of “The Revenue of Niue Act, 1901.”

After the passing of this Act it shall be illegal for any native of Niue or of any other island of the Pacific to import into Niue any spirituous liquors of any kind whatsoever. All such liquors as are landed in Niue may be seized by the Collector of Customs or his appointee, and thereupon shall be destroyed.

Any native so offending shall be liable to a fine of not more than twenty pounds, in addition to the loss of the liquor, or may in lieu thereof be condemned to hard labour for any term not exceeding six months

TOGIA, President of Council.

Approved this 23rd day of December, 1901.—S. PERCY SMITH, Government Resident Agent.

No. 69.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

No. 62.

I have the honour to acknowledge the receipt of your letter of the 28th November last (No. 40), reporting the arrival of Mr. Maxwell, Resident Agent for Niue, and the action taken by Mr. Percy Smith for the election of a Council for Niue. It does not appear that anything can now be done until you have visited the island.

Enclosed is Mr. Maxwell's appointment as Resident Agent at Niue.

I have, &c.,

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. R. J. SEDDON.

No. 70.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I enclose herewith a warrant under the hand of His Excellency the Governor appointing you to be the Resident Commissioner under "The Cook and Other Islands Government Act, 1901." You will perceive that the appointment takes effect from the 11th June, 1901.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 71.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I enclose appointments as Collector of Customs and Postmaster for Mr. Martin Nagle at Penrhyn and Mr. Maxwell at Niue. Also appointment for Mr. A. R. Miller as Collector of Customs at Rarotonga.

It is considered that, although these gentlemen have already been appointed by the Commissioner of Customs and Postmaster-General, they should receive warrants of appointment under the hand of His Excellency the Governor.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 72.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

Referring to that portion of your letter of the 27th September last (No. 38) relating to your visit to Palmerston Island, I have now to enclose a warrant of appointment as Resident Agent for Mr. Joel Masters. No. 50.

I presume, although you do not say so, that he is to act without salary, and I beg, therefore, that when forwarding his appointment you will inform him in writing to that effect.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 73.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

In reply to your letter (No. 24) of the 16th November last, I have the honour to inform you that the Government approves of the appointment of Mr. Adolf von Nagel as Resident Agent at Atiu, without salary, and enclosed you will find a warrant of appointment for that gentleman. Of course, you will make him understand that he is only to act under your instructions.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 74.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 36) of the 23rd November last, reporting the result of your inquiry into the complaint of Bob, ex-Judge at Penrhyn, of his removal from office. No. 61.

It does not seem that any further action is necessary in this case.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 75.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 27) of the 18th November last, reporting your visit to Penrhyn, which appears to be very satisfactory.

I enclose a warrant of appointment for Captain Martin Nagle as Resident Agent at Penrhyn, and approve of his salary being £150 per annum, as recommended.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 76.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 32) of the 22nd November last, reporting your visit to Suwarrow Island, which, however, does not seem to call for any remark from me. No. 60.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga. I have, &c.,
R. J. SEDDON.

No. 77.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 30) of the 28th November last, reporting your visit to Rakahanga, which is satisfactory; and I now enclose a warrant appointing Panapa Wauharangi to be Resident Agent for that island, without salary. He will act only under your instructions.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 78.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 31) of the 21st November last, reporting your visit to Manihiki.

Your proceedings there meet with the approval of the Government, and I now enclose warrants of appointment for Henry Williams and George Ellis for the Tauhonu and the Tukao divisions of the island respectively. They will act only under your instructions.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 79.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

No. 58.

I have the honour to acknowledge the receipt of your letter (No. 28) of the 20th November last, reporting as to a recent judgment by Captain Macalister, of H.M.S. "Torch," at Penrhyn, and to inform you that I have forwarded a copy to His Excellency the Governor for transmission to the Admiral for Captain Macalister's remarks.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 80.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

No. 57.

In reply to your letter of the 16th November (No. 25), I have the honour to inform you that the Government approves of your action at Atiu with respect to the landing-places. You will therefore be good enough to have them surveyed and gazetted as suggested. The notice should appear in the *New Zealand Gazette* in the first instance.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 81.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 38), not dated, enclosing letters from the Union Steamship Company and Captain Macbeth relative to a lease of wharf and sheds at Rarotonga.

As I have before stated, it is only equitable and right that faith should be kept with the company, and you will therefore be good enough to give effect to your own suggestions in regard to the matter.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 82.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

I have the honour to acknowledge the receipt of your letter (No. 26) of the 18th November, recommending the appointment of yourself and Pa Ariki, under section 6 of "The Cook and Other Islands Government Act, 1901," to investigate titles to land in the islands.

The Government is favourably disposed to adopt your recommendation, but before doing so it would be glad to receive such suggestions as you may have to make as to carrying the recommendation into effect, and I therefore suggest that you should prepare a draft Order in Council embodying such powers and functions as you consider should be conferred on the Judges, taking as your guide the powers and functions of the Judges of the Native Land Court in New Zealand.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 83.

SIR,—

Premier's Office, Wellington, 29th January, 1902.

No. 59.

I have the honour to inform you that I have submitted the draft rules for regulating the pearl-shell industry forwarded with your letter (No. 29) of the 20th November for the advice of the Solicitor-General, and now return them with that officer's advice indorsed thereon for your action.

You will perceive that he has some doubts as to your power to make such regulations, but has none as to the power of the Federal Council to pass an Ordinance embodying them; and it seems to me that you should get such an Ordinance passed by the Council without delay.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 84.

Rarotonga, 6th February, 1902.

SIR,—

I have the honour to forward a letter from Mr. E. Blaine, solicitor, referring to appeals from this Court to the Supreme Court of New Zealand.

It is of importance that rules and regulations should be made for the guidance of appellants; but, as most of these cases will, from the nature of the foreign population, be childish in the extreme, and be based on questions of fact rather than law, it seems to me that subsection (4) of section 4 would meet all cases likely to arise.

I have, &c.,

W. E. GUDGEON,

Resident Commissioner.

The Right Hon. the Premier, Wellington.

No. 85.

Rarotonga, 20th February, 1902.

SIR,—

I have the honour to enclose a report on the Cook and northern Islands for the year 1901-2, but have omitted the trade statistics which it has heretofore been the rule to include in this report, since I find on inquiry that these returns are now made direct to the Customs Department of New Zealand.

I have, &c.,

W. E. GUDGEON.

The Right Hon. the Premier of New Zealand, Wellington.

Enclosure.

REPORT ON THE TRADE AND SOCIAL CONDITION OF THE EASTERN PACIFIC.

THE past year has in many respects been a bad one for the Cook Group, for on most of the islands the orange-crop has been limited in quantity, and, in Rarotonga, of indifferent quality, owing to the insect-pests imported in old cases from New Zealand and other places. Fortunately, the Islands of Mauke, Atiu, and Mitiaro are at present free from these blights, and measures have been taken to prevent further infection.

The coffee-crop has been much below the average in quantity, but of fair quality; and the same may be said of the copra, which is our chief article of export. Not more than 800 tons have been exported from the group during the past year, and of this at least 300 tons was the produce of Aitutaki, the smallest but best planted of all these islands. No valid excuse can be made for the lack of copra in the remaining islands, for, with the single exception of Mitiaro, the inhabitants are not compelled to live on the cocoanuts, nature having provided them with yams, taro, bread-fruit, and many species of the plantain and banana.

On the northern islands many cocoanuts must necessarily be used for both food and drink, and therefore the output of copra is limited as compared with the nuts actually produced. On the most moderate computation every member of the population living on a coral island must consume fifteen hundred nuts—namely, half a ton of copra per annum.

In the following schedule I show the present production of copra in each island, and an estimate of what it might become if the islands were properly planted and the trees attended to:—

Island.	Area.	Population.	Present Production of Copra.	Estimated Possible Product.	Pearl-shell.
	Square Miles.		Tons.	Tons.	Tons.
Rarotonga	30	2,100	150	2,000	...
Mangaia	30	1,541	150	500	...
Atiu	32	820	125	1,800	...
Aitutaki	7	900	350	450	...
Mauke	4½	370	160	350	...
Mitiaro	4	165	40	80	...
Manuae	1½	10	60	400	...
Takutea	4	Nil	10	100	...
Penrhyn	3	389	30	100	100
Manihiki	2	570	100	200	10
Rakahanga	2	400	100	200	...
Suwarrow	½	30	25	100	...
Palmerston	1	65	100	180	50
Niue	110	4,576	500	3,500	...
Pukapuka	2(?)	505	100	200	...
Nassau (no information)...	...	...	...	...	...
Total	231½	12,441	2,000	10,160	160

As the above schedule requires explanation in order to show why certain of the islands are comparatively unproductive, I will report on the condition of each island separately.

Rarotonga.

This island is beyond all doubt the most fertile and valuable of the Cook Group, and has the largest population; but it is at the same time one of the least planted, for there are many tracts of land of the best quality on the south-west and north-west coasts that produce little, if anything. In proof of this assertion I may quote the instance of two sections of land leased to Messrs. Connal and Davis respectively. At the date of the lease there were, perhaps, two hundred cocoa-palms on the hundred acres; there are now nearly six thousand, and many young orange-trees of the best varieties. The result of this planting will be that within the next eight years the annual value of the produce of this land will be over £5 per acre. I do not say that all of the land is in the same position, for such is not the case, seeing that we export nearly 4,000 tons of produce every year; but there are extensive tracts of the coral littoral—a variety of soil very suitable to the growth of cocoanuts—that have not one palm to the acre growing thereon, and it may safely be affirmed that no single acre of land produces even half of the fruit that might be obtained therefrom. This unsatisfactory condition of affairs may be explained by the fact that most of the inhabitants are mere tenants at will, and liable to ejection from their land and homes at the mere caprice of their overlord, under whom they and their ancestors have lived for many generations. Under such a system prosperity is not possible, for it cannot be expected that a man will plant cocoanuts and watch over them continually in order to save them from the wandering horses unless he has some guarantee that his children will reap the benefit of his labour. Still less can he be expected to fence the land with coral-rock walls—the only lasting material in this climate—for it must not be forgotten that no benefit will be derived by the planter of cocoanuts for ten long years.

The land-tenure of Rarotonga may be described as follows: In very ancient times the land was divided among the crew of the canoe who first took possession of the island, and the representatives of the eldest branch of each family are now known as Arikis or Mataiapos, according to their original rank on landing. These chiefs have at all times been recognised as trustees for all the descendants of the original ancestor who continued to reside on the land; but they now claim the right to expel any man who dares to assert his independent rights or act in any manner contrary to the views of his overlord. In olden days, when it was essential to the existence of a tribe that all should be of one mind and obedient to the chief, any one disputing his will might well have been turned off the land with the consent of the whole tribe. Now, however, the consent of the tribe is not always deemed to be necessary by either Ariki or Mataiapo. There are difficulties connected with this land-tenure, but they can, I think, be settled without injury to the chiefs, and very much to the benefit of the *tangata rikiriki* (inferior people). If all other methods fail, it might be well for the local or New Zealand Government to lease the waste lands of any chief, settle the claims of those who have rights thereon by reason of long occupation, and sublet the residue to any one anxious to take up lands. That the chiefs have rights over the lands cannot be denied, but that they have exclusive rights to the injury of the people who for more than twenty generations have cultivated that land is absurd; and no improvement can be hoped for or expected until each cultivator has his own plot of land assured to him either in fee-simple or by perpetual lease at a nominal rent.

The people of Rarotonga are not naturally industrious, nor have they had any reason for becoming so, but as they are quite alive to the value of European goods we may fairly conclude that they would work willingly enough, and in proof of this contention I may say that I know of several men who have gone to Tahiti or Maldon to work in order that they might purchase a bicycle or buggy. Industry would probably follow good land regulations, which should compel a certain amount of fencing to be done every year. The local Government might be empowered to call out all of the able-bodied population for ten days' fencing in each year, and prisoners ought to be employed in this very useful work.

Mangaia.

This is probably the least fertile of the islands of the Cook Group, though it is one of the largest. The soil is comparatively poor throughout, and the eastern side is a desert of basalt rock. The people are, however, among the most industrious of the Polynesians—a fact that is probably due to the circumstances under which they live, for on this island the native food does not grow in the same profusion as at other places in the group, and men are compelled to cultivate in order that they may live.

Since the introduction of Christianity the tribes of Mangaia have occupied the coast villages of Oneroa, Ivirua, and Tamarua, but they still derive most of their food from the taro swamps in the centre of the island, all of which has to be carried on the backs of the people, who have but little breadfruit or plantain, and have not too many cocoanuts.

The coffee grown in Mangaia is the best in the group, not from any superiority of soil or climate, but that greater care is exercised in the picking and drying of the berries, the result being that it is worth at least $\frac{1}{2}$ d. a pound more than the Rarotonga berry. The elevated coral reef would also seem to suit the citrus family, for both limes and citrons grow wild in abundance; but the uncertainty of communication which has hitherto been the rule between this island and the outside world has checked the development of the limejuice industry.

The native tribes of Mangaia deserve a very favourable report, inasmuch as they have for the last three years planted cocoanuts on all the waste lands adjacent to their homes, and more than this could not reasonably be expected. It is sufficient to induce the hope that they will in the not very remote future bring their exports up to the level of the years 1891–92, at which date cotton was grown in large quantities, and the annual value of the produce exported was probably not less than £8,000. Since that date many of the people have emigrated, and there are now about two hundred and fifty living at Rarotonga and perhaps two hundred at Tahiti, men who for the most part have been driven from their homes by the tyrannical administration of the old laws by

the native Judges and police. It is hoped that these people may be induced to return when the island develops its natural wealth, for the land-tenure is very much in their favour, inasmuch as from the most ancient times the soil has been minutely subdivided, and it is one of the few places in the world of which it can be said that every, man, woman, and child owns land on defined boundaries sufficient for his or her support.

Aitutaki.

This name includes the island anciently known as "Arahura" and some seven or eight smaller islands on the Barrier Reef, some of which are volcanic, and would seem to have been small peaks on the lip of an extinct volcano now submerged. Much of the copra raised on this fertile atoll is the produce of these small islands, they being at a sufficient distance from Aitutaki proper to save the nuts from the thieves who reside at that place.

The Aitutakians are naturally a hardy race, and industrious when away from their own homes; but their chief employment when on their native soil would seem to be chronic disputes over the succession of intestate estates and the appropriation of cocoanuts and other produce from the more energetic portion of the population, who, in order to better their condition, have attempted to cultivate the land. The natives of Aitutaki are superior to the ordinary Polynesian by reason of their greater physical energy. None the less they are a most attractive people, well formed, kindly natured, and independent of character, so that, unlike the people of the other islands, they will tell you plainly what they think, even though it be unpleasant to their audience. The tribes of Aitutaki are worth looking after, though exceedingly turbulent, and hence it was that shortly after my arrival in the South Seas I managed to obtain the appointment of a European Magistrate to the island in the person of Mr. Large, whose long experience among the Maoris of New Zealand had fitted him for the work. This officer has done most valuable work in the repression and punishment of crime, settlement of civil disputes, and collection of revenue, which would otherwise have been eaten up by the so-called *aronga mana* (people of authority). Mr. Large is also entitled to a share in the credit due to the largely increased production of the island, which has nearly doubled in the last two years, and is greatly in excess of that of any other island, if calculated on the basis of population.

Some of the best oranges in the New Zealand market, known as "Tahiti," are from Aitutaki, and the best pineapples in the eastern Pacific are from the same place. The remaining articles of export are copra and limejuice of very good quality.

The land-tenure of this island leaves nothing to be desired, for the soil has been minutely subdivided and each family well provided for. All that is now required is a properly constituted land tribunal which will promptly settle the questions of title that are continually cropping up, and prevent the men of influence robbing their weaker brethren.

Atiu.

Of this island it may be said that every inch of it is worthy of cultivation, though it has not that appearance of fertility which is so characteristic of Rarotonga and Aitutaki. Even a man of experience may be deceived by the appearance of the bare central ridge, with its red soil and low-growing fern; but this is really the best land in the fertile island, for on the highest point of the ridge cocoanuts, bananas, oranges, and coffee grow with the utmost luxuriance, and the kumara, most valuable and uncertain of South Sea vegetables, yields large crops. The cocoanut palm grows well everywhere, but especially so on the coral-rock formation, where only a few hundred trees will be found. Coffee and oranges grow vigorously, but very few trees are to be seen; but there is an excuse for the non-cultivation of the orange, for men can hardly be expected to cultivate fruit for which there is no demand, and it is only within the last two years that any anxiety has been shown to purchase the oranges of this island, except at the end of the season, when fruit has become scarce and therefore valuable.

That the people of Atiu should have neglected to plant the cocoa-palm extensively is, however, astonishing, for the reef of that island is hardly suitable for perishable fruits, inasmuch as a very moderate sea from the north or west will prevent a landing; but with copra this would matter but little, for the cargo would receive no damage by delay, and the detention of a schooner for a week would be a small matter. The result of this apathy or neglect is that the tribes of Atiu are about the most poverty-stricken people of the group. For this state of affairs the land-tenure of the island may be in a measure responsible, for here the old tribal system of the New-Zealanders holds sway; the land belongs to the tribe, and the three Arikis, Rongomatane, Parua, and Ngamaru, are supreme—that is, they would be supreme if the two former women possessed any force of character, but as they have none they have fallen into the hands of their relatives, and the island is misgoverned. Ngamaru is a man of strong character, but he has not lived with his own people for the last twenty years—namely, since his wife, Makea Nui became the chief Ariki of Rarotonga. His people are, however, obedient to his slightest wish, for they hold that he possesses occult powers of the highest order, and can by the mere exercise of his will destroy any one of them. I may add that their knowledge of his character is such that they avoid giving him any excuse for the exercise of those powers.

The six tribes of Atiu number about 1,530 of all ages and sexes, of whom eight hundred live on the island; some two hundred more live permanently at Tahiti on land they have purchased, and the remainder occupy the conquered islands of Mauke and Mitiaro. The eight hundred who reside on Atiu are less civilised or amenable to reason than any people in the Eastern Pacific, and will require to be governed with a strong hand. Already a section of them have laid claim to Taunganui, the chief landing-place, with the ulterior object of levying a tax on all produce exported or goods imported. They, moreover, assert the right to fence across the main road leading from Taunganui to the remote village of Areora, and would charge for the right to pass

through each gate, were it not that Mr. Von Nagel, the only European on the island, causes the gates to be broken every time he requires to pass, and threatens them with the terrors of the High Court. In dealing with these disturbers of the peace I have told them distinctly that I claim the landing-places and main roads as Crown land, and that I will survey the same and take possession on behalf of all the people of the island. It would be wise to have the outer boundaries of the six tribes surveyed and definitely fixed while Ngamaru lives, for his life is not a good one, and in the event of his death there would certainly be trouble over the boundaries, and probably bloodshed, as there was twenty-five years ago.

I have already mentioned that there are but eight hundred people on this large island; and, this being so, it will be obvious that under the most favourable circumstances that number of Polynesians could not occupy and cultivate two square miles of their island, and as the Maori population is decreasing rather than increasing it must sooner or later be occupied by Europeans. This might be difficult to compass at present, but it must be brought about, and the survey of the tribal boundaries will afford much useful information on the area and character of the waste lands available for settlement by Europeans.

I have the honour to suggest that a Resident Agent should be appointed for this island with as little delay as possible. It is not necessary that this officer should be paid more than a mere retaining-fee, for he would have but little work to do; but the presence of an agent watching the operations of the island Courts would go far to insure a better administration of justice.

Mauke.

The original inhabitants of this island and those of Mitiaro were killed off about the year 1820 by a raid of the Atiu warriors, and since that date each island has been held by a garrison, who occupy as the representatives of the whole tribe. My last visit to Mauke was in October, 1891, when on my way to Penrhyn and the northern islands, and was caused by the fact that I had received complaints from a Chinaman and others reflecting on the administration of the law by the native Magistrate. This man, like all the officials of Mauke, was from the first utterly corrupt and unfit for his position, but there was no choice. The chief matter of complaint against him on this occasion was his decision in a case in which a Chinaman asserted that he had been robbed of copra to the value of £6. A young native was summoned before the Court and convicted of the offence, and was ordered to pay the sum of 7s. 6d., of which sum the Judge offered the Chinaman 5s. as compensation for his loss. In this instance it was necessary to make the people understand that offenders must be adequately punished, and the Judge held responsible, for there could be no doubt that the authorities were trying to protect the offender. Under these circumstances I dismissed the Judge, and have ordered his successor and the other chiefs of the island to make good the copra stolen, or pay for it, on the ground that they must have known full well who had aided and abetted the thieves and benefited by the theft, and therefore were not themselves guiltless.

This island is too small to warrant me recommending that a Government Agent should be stationed here, but I am none the less aware that the Court will never be conducted with decency or probity until the law is administered by a European.

The men of Mauke are of the same turbulent character as those of Atiu, and it is only nine years since Ngamaru found it necessary to disarm the whole population as a matter of precaution, and there can be no doubt that it was a wise act, for the men can now do nothing but talk.

Mauke is a marvellously fertile island, for in value and extent the produce exported is greater than that of Atiu; but the limit of production has not nearly been reached, for here also the "makatea," or coral zone, remains unplanted. The value of a South Sea island can hardly be calculated by reference to the surface area, for the warm damp climate develops such active growth that Mauke may fairly be regarded as equal to forty square miles of the best land in New Zealand. The gross annual value of good land ought not to be less than £10, whether that land be planted with cocoanuts, oranges, and bananas, or with the orange, banana, vanilla, and coffee.

Mitiaro.

This island is a good instance of an elevated coral reef thinly coated with sand and gravel of the same material. The surface is not more than 6 ft. above high-water mark, and on those rare occasions when the group is visited by a hurricane there is but one spot on which the inhabitants can find safety, for on such occasions the sea breaks right across the island, and it is said that about thirty years ago two persons who failed to reach the high ground were drowned.

Copra is the only article of regular export; but in the centre of the island there is a fertile patch whereon oranges and bananas are grown with moderate success. The people live almost entirely on cocoanut and fish, and their appearance is such as to justify the Polynesian belief that no better food can be obtained for man. A few oranges are occasionally exported, but the wants of the inhabitants are supplied by the sale of some 30 tons of copra per annum, which might easily be made 100 tons, or even more, were it not that the fatal apathy of Polynesia prevails, and the people are contented with the usual hand-to-mouth existence. Throughout the eastern Pacific it will be noticed that all the cocoa-palms are of from sixty to eighty years' growth. Young trees may be seen of from two to five years, but half-grown trees seldom, if ever. The result of this neglect is that in the event of a real hurricane all of the old and partially worn-out trees would be uprooted, and many of the islands would have no export worth mentioning for the ensuing ten years.

Takutea.

This island is uninhabited, but belongs to the tribes of Atiu, who visit it for a few weeks in each year in order to make copra. It is one of the coral islands, but moderately fertile, and in European hands might well produce 100 tons per annum, but in the hands of the Atiuans, who have already more land than they can manage, the utmost production will be 15 tons of copra.

If this land is not leased to some European who will make proper use of it, it might be well for the local Government to acquire the island on perpetual lease and plant it. The cost of so doing would not exceed £400, and for this small outlay a very valuable property would be acquired.

Manuae and Te-au-o-tu.

These two small islands are better known as the "Hervey Group." They are situated about midway between Atiu and Aitutaki, and are owned by the people of the latter place, whose title is indisputable, since they destroyed all of the original people except a few women, whose descendants have been admitted to have a certain claim apart from but not superior to the conquest as represented by the Arikis. It is fortunate that these two islands have been leased to a European firm, with the result that the export of copra has risen from 36 tons in 1898 to 64 tons in 1901. During the same period the Cook Islands Trading Company have planted thirty thousand young palms, and Manuae now bids fair within the next ten or twelve years to be the leading copra island of the Cook Group.

Penrhyn.

This island is known to the Polynesians under the names of Tongarewa or Ma-ngaro-ngaro, and is valuable only by reason of the existence of pearl-shell beds in the extensive lagoon, which has a surface area of not less than 100 square miles. The extent and value of these shell-beds is only imperfectly known, for the native population is small, and they exhibit no anxiety to do more work than will supply them with food and clothing. It is not possible to do more than estimate the yield of pearl-shell, but it will be safe to say that not less than 70 tons is annually exported, and that the value is probably £200 per ton.

The cocoanut crop is small, though there are many trees on the long strip of coral sand which separates the ocean from the lagoon; but the soil of Penrhyn does not apparently suit the cocoa-palm, or it may be—as the natives assert—that the rats do destroy the young nuts; but, whatever the cause, not more than 15 tons of copra per annum is produced by this island.

During the month of October last I installed Mr. Martin Nagle as Resident Agent for this island, and am of opinion that the Government of New Zealand will find him a very suitable man for the position. He has had a long experience of the Polynesians in many of the islands of the eastern Pacific, and thoroughly understands their customs and mode of thought. That the Penrhyn people appreciate him may be inferred from the fact that those of Omoka have already reserved a piece of land for the use of the Government, and have at their own expense built a house thereon of sawn timber. The native authorities of Te Tautua are also about to follow this example, in order that Nagle may live at either place as circumstances may require.

In my letter No. 35/1900 I have reported very fully on the circumstances and position of this island, and have but little to add thereto, except that the trade of Penrhyn is still in the hands of Tahitian houses, but controlled by the presence of the New Zealand Government Agent.

Manihiki and Rakahanga.

These islands may be treated as one, for they are not more than twenty-five miles apart, and belong to the same people, who are governed by the two Arikis, Iesse and Aporo. The former of these islands has until lately produced a limited amount of pearl-shell, but about eighteen months ago it was found that the shell-beds were exhausted by overfishing; the lagoon was therefore closed in order to give it a much-needed rest.

The only industry is that of copra-making, and in this instance both islands are overplanted; indeed, the yield of nuts would be greatly increased if three out of every four trees were cut down. Island Councils are much required here, for at the present moment neither place can be said to be governed at all. The Ariki Iesse is so old as to be almost childish, and Aporo has never had sufficient force of character to keep the few turbulent chiefs of Manihiki in order; the consequence is that a dangerous man like Taupe, the descendant of the hereditary high priest, can keep the whole group in hot water. It was this man who called on the French to take possession of the island, and was as a punishment ordered to leave the group, and set adrift in a flat-bottomed punt. He is at the present moment keeping the whole place in a ferment by his land disputes; it is therefore my intention to institute the Island Councils of these two islands on my next visit.

The laws required by a primitive people like these are few in number but peculiar in character, and are very much required. For instance, it has become the fashion to provide each wedding-feast with many thousand more cocoanuts than the people can use, so that the parents may be able to boast that more nuts were supplied at their children's wedding than had previously been seen at a feast. This absurd custom seriously affected the production of copra, and therefore all of the sensible men have endeavoured to put an end to it. Panapa, a teacher of the London Missionary Society and a very able man, was called upon to assist those who opposed this extravagance, and he made a law restricting the supply of cocoanuts at marriage-feasts to five hundred from each of the contracting parties. All sincere Church members obey this law, but others do not, and it will therefore result that one of the first Ordinances passed by the Council of Manihiki will be to restrict the number of nuts at marriage-feasts, for experience has shown that the supply of copra has heretofore been governed by the marriage market. I have mentioned this instance in order to show how unlikely it is that either the people or Parliament of New Zealand will understand the motives that actuate the Polynesian when regulating his own affairs.

The administration of the law in both these islands leaves everything to be desired. During my last visit many complaints were made to me, but I could do nothing to help the injured parties, for the jurisdiction of the High Court had not then been extended to the northern islands. I found that the native Judge was blind and childish by reason of his age, and that a clique of influential men governed the Judge, and advised him in open Court as to the decision he should give. The land disputes were numerous, and I was asked to hear and decide several, but had to

make it clear to the people that I had no power to do so. It appears to me that the jurisdiction to hear and decide land disputes has been taken from the High Court by the Cook and Other Islands Government Act. All that I could do to aid the people was to appoint Harry Williams, of Tauhono, and George Ellis, of Tukao, acting Government Agents to watch the Arikis' Courts, and give notice of appeal whenever they saw evidence of partiality.

Suwarrow.

This atoll is under lease to the Pacific Trading Company, and its only value is the lagoon, which produces a very valuable class of shell, taken by the aid of diving-dresses in water averaging from 20 to 28 fathoms. From the information I have obtained from the manager, Mr. Nagel, it would seem that these shell deposits are managed with great wisdom, and that the beds are extending in area as a necessary consequence of the good management. This pearl-shell is said to be found in abundance wherever there are beds of sea-grass, for the reason that the oyster feeds on a species of shrimp, who find shelter in these submarine grass-fields.

The present yield of shell is nearly 50 tons per annum; but the manager and his workmen are about to leave for Christmas Inland, which belongs to the same firm, and will give the Suwarrow lagoon a long rest. In October last there were about forty persons on the islands, natives of Manihiki or Tahiti; but it is doubtful if there ever has been an indigenous or native population, for the islets of the reef are small and no old cocoa-palms are to be seen.

The copra made on Suwarrow does not exceed 6 tons per annum, for many nuts are used by the workmen, and on several of the islets the trees are too young to bear fruit.

Palmerston.

This group of small islands is leased to the family of the late William Masters, an old sailor from one of the midland counties, who was one of the first to plant the islets with the cocoa-palm. The lagoon is large, but does not carry pearl-shell, though it seems possible that if spawn were introduced from Suwarrow it might thrive. I therefore propose to make this trial on the first favourable occasion, for it is well known that there is shell on the outer edge of the reef at Arorangi, Rarotonga. Copra is now the only article of export, and this product is likely to increase, for the Masters family are still planting the waste lands, and are thinning out the palms where they have been too thickly planted.

This is a very interesting community, for all those on the island are descendants of the late William Masters, and from their rapid increase it seems possible that at no very distant date most of the Islanders will be able to claim descent from that old seaman.

Niue.

This is a fertile island and probably three times larger than Rarotonga, but not more valuable. The soil is not volcanic, for the whole island is but an upheaval of coral reef more or less decomposed by atmospheric action, and therefore fertile even where the rock is seen peeping from beneath the surface. The orange, cocoanut, sugar-cane, cotton, and other tropical products grow well, and the lemon flourishes on the rocky shores. Notwithstanding these advantages, Niue appears to be condemned to depend almost entirely on the cocoanut for its export, for the shores of the island are so precipitous that the few landing-places are not always approachable in fine weather, and Mutulau can only be negotiated when the wind is westerly—that is, during three weeks in the year. Under these circumstances perishable fruit could not be shipped successfully. The great want of the island is a main road connecting all the villages with Alofi, for the Government schooner has twice attempted to load copra at Mutulau and has failed on each occasion. Unfortunately, there are some engineering difficulties in the way of a road between Alofi and Mutulau; the face of a cliff requires to be blasted out, and I fear that this work can hardly be compassed by the people of Niue unless they are provided with dynamite and their work supervised by a capable European foreman. Without good roads this island can never make the most of its natural fertility, for at the present time most of the produce is carried on men's backs, and as the fixed price of labour at Niue is 4s. per diem it would cost £6 per ton to carry copra from Mutulau.

In character the people of Niue differ from the true Polynesian. They are at once stupid, suspicious, and avaricious, and are, moreover, desperately afraid that the European will acquire a footing in their island; it is therefore advisable that they should never be asked to sell land, and that leases should at present be discouraged, for they are mentally and in many other ways fifty years behind the Polynesians of the Cook Group, and will require very careful handling. The Government of New Zealand were exceedingly fortunate in securing the services of Mr. Percy Smith, who has initiated the new system of government; and I have reason to believe that they will be equally fortunate in their selection of Mr. Maxwell as Government Agent. The behaviour of the Niue people will depend in great measure on their first impressions of the men sent to administer the Government, for they are perfectly aware that the white man must govern them, and it is more than possible that at no distant date they will openly despise their own Council.

In view of the character of the Niueans, and their insane jealousy of the adjacent islands and their inhabitants, a feeling which has for trade and personal purposes been carefully fostered by foreigners, I would suggest that the Government Agent at Niue should be appointed Chief Magistrate of the island, with power to hear all appeals of any nature whatsoever. On these Pacific islands there are no cases that the most ordinary man may not settle equitably, if not to the satisfaction of both parties. There may occasionally be slight dissatisfaction, but not more than will be expected by any man who attempts to do his duty.

I would earnestly urge for the consideration of the Government that the welfare and sound administration of these islands in great measure depends upon the confidence which they repose in the officers whom they employ, for the natives will not be slow to ascertain the estimation in which

such officers are held, and will form their opinions accordingly. The Resident Agent on each island should have ample powers consistent with his position, for it will be found that few men will abuse their power; it is only the ultra-honest man who, with the best intentions, makes life a burden to those dependent on him.

Pukapuka (Danger Island).

As to this island, and Nassau, I regret that I am unable to report, as I have not yet been able to visit them, and am therefore unable to speak as to their value and capabilities.

Outside Northern Islands.

There are many islands to the north and east of those included in the boundaries of New Zealand which, although annexed to the British Empire, are under no system of government, and can scarcely be said to be under supervision. These islands must, however, be at all times objects of interest to this portion of New Zealand, since the pearl-shell, copra, or guano is in every instance the result of the labour of men who are natives of Penrhyn, Manihiki, Niue, or Aitutaki. That this condition of things should continue seems to me desirable, provided that the numbers of those who desire to leave their homes as labourers should in every instance be restricted, in order to conserve the island industries. In many places, such as Manihiki and Rakahanga, there is no method by which a young man can earn money except as a labourer on the pearl or guano islands; and even at Niue or Aitutaki there are restless men who are a source of trouble and annoyance to the authorities of their own island, but who make good and useful men when away from home. From any point of view it seems to me that Polynesian labour is preferable to the introduction of either Chinese or Japanese workmen, who would soon cut out the Maori, and there is no other alternative. There should, however, be some supervision over those employed by the lessees or owners of the islands, and over the valuable shell-beds.

The islands to which I refer are: Christmas, large lagoon with pearl-shell; Sarbruck, guano island, north of line; Maldon, guano island, north of line; Palmyra, cocoanut island, north of line; Jarvis, guano island, north of line; Fanning, cocoanut island; Washington, cocoanut island. The two last-named islands have long been in the occupation of a British subject named Greig, but I am not quite certain that they have been annexed.

There are also the following islands, now in the occupation of Mr. Dexter, but are said to belong to the estate of the late Captain Traite, viz.: Scilly, pearl-shell and copra; Mopia, pearl-shell and copra; Beringhausen, cocoanuts only.

ARIKIS' COURTS.

The chief difficulty that I have hitherto experienced has been in enforcing a proper administration of the law, and I have come to the conclusion that an equitable and satisfactory Court cannot be obtained under the present system, which has, however, been in existence for the last sixty years.

The tribunals of the South Pacific are known as "Arikis' Courts." Of old the Arikis themselves dispensed justice, and it is probable that the article was much superior to that of the present day; but of late years the Arikis have appointed some influential member of their own family to hear disputes and punish offenders, and by this means he is enabled to carry out any injustice without incurring the odium which would be attached to an unjust decision delivered by him as Judge. I know of no instance in which a native Judge has proved superior to temptation, and the chief or man of influence is invariably treated with a generosity(?) to which the small people are strangers. To make a Maori Judge understand that all men are equal in the eye of the law, or that he has not been placed in his official position for the sole purpose of protecting his law-breaking relatives, is well-nigh impossible.

On the Island of Manihiki there is a native Judge who is not only blind but childish by reason of his age, and who is assisted in his decisions by the interested audience in his Court, with the very natural result that during my late visit I was besieged with complaints, and it was stated quite openly that only the friends of the Judge's party could obtain a decision in their favour.

At Atiu there is—from the Maori point of view—a very good Judge, who knows full well that fines ought to be paid in money; yet I have reason to know that he frequently fines offenders in pigs and clothing, and amicably divides the plunder with the Arikis, trusting to his personal influence to prevent any report being made to me. The fact may not be hidden that with one or two exceptions the Maoris are hopelessly corrupt and cannot be trusted with money. My experience is that Ngamaru, the Judge of Avarua, is the only man who renders a correct return of his Court revenue. It is, however, where the question of succession to land is at issue that the natives suffer most from the dishonesty or inefficiency of their Judges. When last at Mangaia an Ariki complained to me that his mana had never been questioned until that month, when a man had refused to assent to an award he made of the estate of a deceased person, and had brought the case before the High Court. I explained that the Cook Islands Government Act contemplated the institution of a Land Court, and therefore the High Court had no jurisdiction; but that I would hear the evidence in order that I might be in a position to advise the litigants. I did so, and found that the man whom the Ariki opposed had not only an absolute right to the land, but as the sole surviving relative of the deceased he was the only person who could reasonably claim it. Under these circumstances I refused to express any opinion, and referred the case to be considered in the Land Court when established.

To keep a European Magistrate on each island is out of the question; but there is a simple method of dealing with the situation, and that is to appoint Resident Agents for the smaller islands, whose duty it shall be to receive and forward complaints and report any eccentricity on

the part of Judge or Ariki. These men, having no actual duty to perform, need only be paid a small salary; but their mere presence will tend to keep affairs in order, for all the leading men fear an appeal to the High Court.

EDUCATION.

The education of the children living in this group is in the hands of the London Missionary Society, a non-sectarian but Protestant association, who, without pretending to aim at a very high standard, are none the less providing some eighteen hundred children in the Cook and northern islands with a sound and useful education. At Tereora, in this island, there is a very useful institution at which the mission provides an English education for the children of those leading men who are willing to pay a small fee per annum. At the present time there are forty children at Tereora under a qualified teacher, and in aid of this establishment we pay a subsidy of £2 10s. per head. This is money well spent, and the school is well managed, for it is a rule of the mission that the boys shall raise their own vegetable food.

In Mangaia there has until lately been a school of the Tereora type under a European lady, and this school will probably resume operations when the new missionary arrives to take charge of that island.

At Aitutaki the natives have built a very fine schoolhouse, and a certificated teacher is now on his way from England to take up the training of the children of that island.

To sum up the educational work now being done by the London Mission Society, 1,575 children are being taught to read and write Maori, 250 are receiving an elementary English education, and 40 are receiving a Fifth Standard education. To the above must be added the good work done by the Sisters of St. Joseph, a Catholic institution of French and Irish ladies, who have established themselves in Rarotonga, and have, perhaps, fifty pupils, drawn from all the denominations and nationalities to be found in the South Seas.

FUTURE TRADE PROSPECTS.

From the reports I have received from merchants residing both here and in New Zealand, I am of opinion that the trade prospects of the future are not hopeful.

Oranges and bananas have heretofore been our chief export, and for some years past have barely cleared expenses during the months of May, June, July, and August, though there were occasionally fair returns for the remaining four months of the orange season. Not only is there no improvement, but the trade is slowly but surely becoming less remunerative, owing to the competition of Tahiti, Tonga, Fiji, Samoa, and New South Wales, and will shortly reach the point at which export must cease. I may point out that the Tahiti orange competes with that of Rarotonga on equal terms, although prohibitive duties are imposed at Tahiti on all goods or produce imported from places outside the French sphere of influence. So, also, the oranges of New South Wales are admitted free to New Zealand, though our coffee and limejuice is prohibited in Australia by the Federal tariff. That we could, if necessary, supply all New Zealand with bananas seems quite certain, and during the past twelve months hundreds of acres have been planted with this object; but the competition of Fiji and the expenses of shipping per Union Steamship Company's boats has put an end to any hope of expansion of this export.

As regards our coffee there is no market in New Zealand, for since the duty on that article was removed the colony has been flooded with an inferior bean from Costa Rica that can be sold more cheaply than ours, and hence we have only Tahiti open to us, where the duty is approximately 31 per cent. on the selling-value. Under these circumstances we can only depend on our copra, and this industry is not capable of immediate expansion, for, as I have shown, the planting of the cocoa-palm has been neglected for many years, and to derive any benefit from the trees now or lately planted we must wait eight years.

THE GOVERNMENT SCHOONER.

The actual wants of the group are but few in number. In years gone by many of the outlying islands had reason to complain of their want of communication with the outside world; but the presence of the Government schooner has removed this grievance, for the boat now visits each island regularly, and brings their produce to Rarotonga, the nearest market. The schooner also makes occasional trips to New Zealand, calling at the Island of Niue both ways.

The chief advantage already derived from the presence of a Government boat has been its effect on the Union Company, who will now visit any island whereon cargo may be found, whereas it was formerly the rule to require from most of the firms a guarantee of £50, and even then the steamer only visited the outlying islands as a favour.

So far it is only the Cook Islands Trading Company who have given their carrying trade to the Government schooner; but the natives invariably support that vessel, for they recognise that she alone has broken down the ancient monopolies, of which they have had reason to complain. That some of the European firms should be hostile to the schooner is only natural, since she has enabled others to enter into competition with them. Above all, this boat is useful for the facilities she affords for visits to remote islands, where it is absolutely necessary that the disputes that are continually arising should be settled. In fact, it is beyond all doubt that the Government of a widely scattered group like the Cook and northern islands can only be carried on by means of a Government schooner.

THE CHILI DOLLAR.

With reference to this unsatisfactory coinage, I have to report that the natives of the group have acted on the advice I gave them, and have refused to accept the dollar in payment for island produce. The result of this action has been most satisfactory, for both Mangaia and Aitutaki have

banished the Chili dollar, and have replaced it with British coin. In Rarotonga, which is the trade centre of the Cook Islands, the dollar has not been abolished; but most of the business is now transacted in British money, and it seems to me that the time has now arrived when, without injury to trade, a time may be fixed after which the dollar shall not be a legal tender within the Cook Islands. I do not propose that the dollar should at once be driven out of Penrhyn, Manihiki, and Rakahanga, for the trade of those islands is still in the hands of Tahiti firms, who depend entirely on the Chili coin as a medium of exchange.

PROSPECTS OF EUROPEAN SETTLEMENT.

The islands of the Cook Group, and perhaps Niue, alone offer inducements for European settlers; but the vital statistics of each island show that at no very distant date the present native population will either die out or become so much reduced in numbers that it will be necessary to replace them with a foreign population. From my own experience I can see no reason why these foreigners should not be men and women of British descent, for though the climate is tropical there is no malaria, and it may fairly be said that the islands are as healthy as any part of New Zealand. From the 1st of May to the end of November any European may work in the sun without injury to his health.

At the present time settlement would only be possible on the Islands of Rarotonga and Atiu, where there is a good deal of waste land of the most fertile character; but titles must be defined and ownership ascertained before any steps can be taken in the direction of colonisation.

I have on several occasions reported that no improvement in the state of affairs prevailing in these islands could be expected from the Maori side of the House. The only hope is that the Federal Council may be induced to pass Ordinances which will enable the Resident Commissioner to enforce a certain amount of industry and foresight. If that officer has the power to encourage and enforce surveys, fencing, and other improvements, such as the planting of land in the hands of the natives and the leasing of waste lands that cannot be beneficially occupied by the owners, something may be done; but nothing less than stern authority can overcome the natural careless indolence of the Polynesian in his own home.

The character of the Cook-Islander is well illustrated by his want of care of the breadfruit trees. This tree is the most important food-producing plant in the Pacific, and deserves the consideration of the native, if only from the fact that it requires no labour on the part of man. Yet the owners of these valuable trees have allowed them to be destroyed by horses, who are very fond of the bark, so that there are not a dozen sound healthy trees on the island. Much praise is due to the people of Aitutaki, who will not allow a horse to be landed on that island.

REVENUE.

The returns for the last six months up to the 31st December show a natural falling-off, due to the fact that the duties due on all goods exported from New Zealand are collected in that colony. The receipts have been as follows:—

	£	s.	d.
Customs... ..	1,469	15	7
Postal, and sale of stamps	131	9	8
Traders' licenses	155	15	0
High Court fees and fines	6	0	4
Arikis' Courts fees and fines	132	0	4
Shipping fees	3	5	6
Other receipts	88	3	2
	£1,986	9	7

After paying all the expenses connected with the government of the group and of the Government schooner, there was a balance in the Treasury on the 31st December of £1,308. Most of this balance will, however, be required to build a Customs and post office and an officer's residence, as also a hospital, the present building being little better than an oven.

W. E. GUDGEON, Resident Commissioner.

Rarotonga, 20th February, 1902.

No. 86.

SIR,—

Rarotonga, 21st February, 1902.

I have the honour to forward herewith an estimate of revenue and expenditure for the year ending 31st March, 1903. Hitherto our financial year has ended on the 30th June, but, as we have now become part of New Zealand, I have directed that the account for the current year should be closed on the 31st March next, in order that our system may in all things be assimilated to that of New Zealand.

It is quite possible that our revenue may exceed the estimate; indeed, I anticipate that it will do so, but it is better to underestimate. The expenditure may also be exceeded in payments of Government agents—Rakahanga, £5; Manuhiki, Atiu, and Mangaia, £10 each—when you approve these appointments.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier of New Zealand, Wellington.

Enclosure.

COOK AND NORTHERN ISLANDS: ESTIMATED EXPENDITURE for Year ending 31st March, 1903.

Vote.	Service.	Amount.		
		£	s.	d.
1	Post and Customs Officer, Rarotonga ...	...	...	...
2	Post and Customs and Resident Magistrate, Aitutaki ...	120	0	0
3	Pilot and boat, Aitutaki ...	10	0	0
4	Medical and Health Officer ...	270	0	0
5	Secretary, Interpreter, and Printer ...	120	0	0
6	Government Agent, Penrhyn... ..	150	0	0
7	Registrar, High Court ...	60	0	0
8	Three native Judges, High Court, at £10 ...	30	0	0
9	Travelling-expenses, High Court ...	70	0	0
10	Postmasters at Mangaia, Atiu, Mauke, and Mitiaro ...	18	0	0
11	Supplies for hospital ...	200	0	0
12	Ground-rent, hospital ...	7	10	0
13	Chief of the Federal Government ...	60	0	0
14	Vice-Chief ...	15	0	0
15	Tereora School grant ...	125	0	0
	Judges, Arikis' Courts—			
16	Two at Rarotonga, £40 and £20 ...	60	0	0
17	Three at Aitutaki, at £8 ...	24	0	0
18	Three at Mangaia, at £8 ...	24	0	0
19	Three at Atiu, Mauke, and Mitiaro ...	16	0	0
	Police—			
20	Rarotonga, £25; Aitutaki, £25 ...	50	0	0
21	Mangaia, £15; Atiu, £5; Mauke, £3; Mitiaro, £2 ...	25	0	0
22	Clerks of Arikis' Courts ...	40	0	0
23	Ground-rent—Wharf-site, £5; post-office, £8 15s. ...	13	15	0
24	Contingent expenditure ...	200	0	0
25	Foreman of works for the group ...	70	0	0
26	Subsidy in aid of Government schooner ...	1,000	0	0
	Total of permanent services ...	2,778	5	0
27	Erection of Post and Customs House and officer's residence ...	700	0	0
28	Erection of hospital... ..	600	0	0
	Total amount of estimates ...	£4,078	5	0

ESTIMATED REVENUE for Year ending 31st March, 1903.

	Amount.		
	£	s.	d.
Surplus from year ending 31st March, 1902 ...	1,208	0	0
Customs... ..	1,400	0	0
Post Office and sale of stamps ...	350	0	0
Traders' licenses ...	250	0	0
Fees and fines, local Courts ...	150	0	0
Miscellaneous ...	50	0	0
	£3,408	0	0

W. E. GUDGEON, Resident Commissioner.

Rarotonga, 21st February, 1902.

No. 87.

SIR,—

Rarotonga, 21st February, 1902.

I have the honour to inform you that, pending the approval of His Excellency the Governor of New Zealand, I have appointed Mr. Edward Blaine, solicitor, of Rarotonga, to act as Registrar of the High Court of the Cook and Northern Islands, *vice* Dr. W. B. Craig resigned. The salary is that received by Dr. Craig—viz., £60 per annum.

Under ordinary circumstances I should have obtained your authority before appointing Mr. Blaine; but there is just now a good deal of work in the Court, and I require the assistance of a Registrar.

May I request that you will approve this appointment, for as to Mr. Blaine's fitness from a professional point of view there can be no doubt? I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier of New Zealand, Wellington.

No. 88.

SIR,—

Rarotonga, 22nd February, 1902.

I have already reported the very unsatisfactory condition of the post and Customs office, and the want of good quarters for the officer in charge, and have now the honour to request your authority to build offices of coral, lime, and cement for the use of the various officers and their departments, and also for the Collector of Customs.

The estimated cost of such a building is £600, but I place it at £700. I have a very clever man here who will act as foreman of works, and I propose to use native labour only under his supervision. The present condition of the building is such that a hurricane would break it up.

If this building is authorised I will have a survey made of the wharf, Customs, and hospital site, and ask that the land be proclaimed under section 15 of the Act.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier of New Zealand, Wellington.

No. 89.

SIR,—

Rarotonga, 4th March, 1902.

I have the honour to acknowledge the receipt of warrants of appointment as Resident Agents for the following officers:—

Christopher Freke Maxwell	...	...	...	Niue.
Martin Nagle	...	...	...	Penrhyn.
Harry Williams	...	...	...	Tauhonu, <i>via</i> Manihiki.
George Ellis	...	...	...	Tukao, <i>via</i> Manihiki.
Panapa Wauharangi	...	...	...	Rakahanga.
Adolph von Nagel	...	...	...	Atiu.
Joel Masters	...	...	...	Palmerston.

I have forwarded the warrants to the officers named, and have officially informed the last four officers that no salary is attached to the office. This fact was, however, understood when I made the recommendations to which you have kindly given effect.

To the unsalaried Agents I have also given definite instructions as to their duties.

I would suggest that a clause should be inserted in the Cook and Other Islands Government Bill that all Resident Agents should be *ex officio* Justices of the Peace. It would be a step towards breaking up the Ariki Courts.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier of New Zealand, Wellington.

No. 90.

SIR,—

Rarotonga, 6th March, 1902.

With reference to the site of the sheds now in the occupation of the Union Company at Rarotonga, I have the honour to inform you that I have arranged the lease with Mr. Smith, the agent of the company, as follows: For a period of twenty years from the 1st June, 1900; rent, payable annually in advance, £20 per annum.

Wharf may be used by any vessel on payment of 1s. per ton wharfage on all cargo landed or taken on board.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier, Wellington.

No. 91.

SIR,—

Rarotonga, 10th March, 1902.

In reply to your letter (No. 15, 213/1902) of the 29th January, 1902, I have now the honour to forward Ordinance No. 4 of the Federal Council, embodying the draft rules for the conduct of the Penrhyn pearl-shell fisheries previously forwarded to you. The Arikis have signed the Ordinance on the back thereof.

I have, &c.,

W. E. GUDGEON,
Resident Commissioner.

The Right Hon. the Premier, Wellington.

Enclosure.

ORDINANCE No. 4.

WHEREAS it has hitherto been the custom to take and export from the Island of Penrhyn small and immature shell, to the injury of this valuable industry, and it is expedient to prevent the same, and generally to regulate this industry within the Pacific islands now included within the boundaries of New Zealand: And whereas the eighth section of the Cook and Other Islands Government Act gives power to the Federal Council to make laws for the government and welfare of all the said islands and the people thereof:

Be it enacted,—

1. From and after the passing of this Ordinance no shell shall be removed from any of the waters of the lagoon, or exported from any of the said islands, unless such shell shall be of a diameter of not less than four and a half inches.

Any person convicted of a breach of this section shall, on conviction, be liable to a penalty of not exceeding twenty pounds sterling.

2. Any trader or other person who shall purchase shell of a less diameter than the four and a half inches before mentioned shall, on conviction, be liable to a penalty of not exceeding ten pounds.

3. It shall be the duty of the Resident Agent at Penrhyn to examine all shell before it is packed in boxes for export, and to facilitate this inspection every trader shall give due notice to the Resident Agent before packing any shell; and any person neglecting to give the required notice shall be liable to a fine of not exceeding five pounds.

4. The Customs Officer or Resident Agent at Penrhyn may inspect shell in any shed or warehouse at any time that he may consider it expedient to do so, and may make such local regulations as to his inspection as may be found necessary and shall be approved by the Resident Commissioner.

5. It shall not be lawful for any person to buy pearl-shell on the Islands of Penrhyn, Manihiki, or Rakahanga unless he shall have been duly licensed as a pearl-shell trader. Any person infringing this section shall be liable to a penalty of ten pounds, in addition to license fee.

6. The license fee shall be five pounds per annum from the first of July in each year, and shall be issued by the Collector of Customs at Penrhyn.

7. All shell shall be cleaned, as far as may be done, in the waters of the lagoon, in order that the small shells and spawn may be returned to the shell-beds.

8. The Customs Officer at Penrhyn may hear and decide all cases under this Ordinance, and may confiscate all shell under the four and a half inches before mentioned, provided that each act of confiscation shall be reported to the Resident Commissioner for his instructions.

9. Any trader may appeal against a decision of the Customs Officer to the High Court by giving that officer notice of appeal in writing, at the same time paying the fine into his hands.

10. It shall not be lawful for the owners of the lagoon, or any part thereof, to lease the same to any one man to the exclusion of the remaining traders. Any such lease shall be null and void.

11. The Resident Commissioner may, in the interest of the native owners, close a lagoon, or any part thereof, for a period of not exceeding two years, and any person who shall take shell within the preserved limits during the continuance of the *rahui* shall be liable to a fine, on conviction, of not exceeding twenty pounds.

12. In default of the payment of any fine imposed under this Ordinance, a Judge of the High Court may order imprisonment, with or without hard labour, for any period not exceeding six months.

Passed on Monday, the 10th March, 1901.

MAKEA.

TINOMANA.

NGAMARU.

PA.

W. E. GUDGEON, Resident Commissioner.

No. 92.

SIR,—

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

No. 64. I have the honour to acknowledge the receipt of your letter (No. 45) of the 7th December last, reporting the gift of land by the native authorities at Penrhyn on which to build a house for Mr. Nagle, which is very satisfactory, and I have now to inform you that Mr. Nagle has been appointed a Justice of the Peace for the colony, respecting which you will receive a communication from the Minister of Justice.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 93.

SIR,—

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

Nos. 65 and 66. Referring to your letters (Nos. 46 and 47) of the 10th and 19th December last, I have now to forward the Ordinances of the Federal Council—No. 1, Extending the Traders' License Act to Penrhyn; No. 2, Protection of Property; and No. 3, Sale of Coconuts Restriction—duly assented to by His Excellency the Governor.

I have, &c.,

R. J. SEDDON.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

No. 94.

SIR,—

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

No. 93. Referring to my letter of this date, returning the Ordinances of the Federal Council duly assented to, I have the honour to draw your attention to the omission in each of them as to by

whom they were enacted, and in one of them the Short Title is also omitted. I enclose a form by which you will be good enough to be guided in passing these Ordinances in future. I also enclose a number of covering-sheets which you will use in forwarding the Ordinances of the Federal Council, or the Island Councils, in future for the Royal assent. Enclose each Ordinance in one of the sheets, writing the name of the Ordinance and signing your name below in the space provided at the top of the sheet.

I have, &c.,

W. C. WALKER,
For the Premier.

The Resident Commissioner, Rarotonga.

No. 95.

SIR,—

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

Referring to your letter (No. 28) of the 20th November last, bringing under notice a complaint made 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, I have now to forward you copy of a communication received from His Excellency the Admiral, and copy of Captain Macalister's report of the proceedings of the Deputy Commissioner's Court held at Penrhyn, in which case you will find a copy of the judgment referred to. No. 58.

I am advised by the Solicitor-General that Captain Macalister had jurisdiction, and I think, therefore, his decision should not lightly be interfered with. If, however, the defendants still feel aggrieved, their only remedy would be to appeal to the Supreme Court.

I have, &c.,

R. J. SEDDON.

The Resident Commissioner, Rarotonga.

Enclosure.

MY LORD,—

"Royal Arthur," at Portland, Victoria, 12th February, 1902.

I have the honour to acknowledge the receipt of Your Excellency's despatch of the 31st January, 1902 (114/02), enclosing a copy of a letter from Lieut.-Colonel Gudgeon, Resident Commissioner for the Extended Boundaries of New Zealand, in which he reports the complaint made to him by the people of Omoka (Penrhyn) concerning a judgment delivered by Commander Macalister, of His Majesty's ship "Torch," during his last visit to that island. No. 58.

It will be convenient first to state for Your Excellency's information the circumstances in which Commander Macalister was sent to Penrhyn and other islands now included within the boundaries of New Zealand.

In 1900 my predecessor received from the High Commissioner of the Western Pacific requisitions—in May and July—for the next man-of-war visiting Penrhyn Island and Manihiki to inquire into certain cases, the reports of which accompanied the High Commissioner's letter. These reports were transferred to me by Admiral Pearson, and the "Torch" was set apart to carry out this service on the termination of the Royal visit to New Zealand.

In my orders to Commander Macalister, dated from Adelaide on the 9th July, he was directed to proceed to Rarotonga and there communicate with the British Resident, Colonel Gudgeon, relative to the islands which had been included by the late Proclamation within the extended boundaries of the Colony of New Zealand. He was further directed, with regard to the request from the High Commissioner for the assistance of the captain of a man-of-war at Penrhyn and Manihiki Islands, to act as his discretion might direct after conference with Colonel Gudgeon, to whom I presumed jurisdiction over these islands had then been transferred. I gave these instructions especially to guard against any misunderstanding or friction which might arise from the fact that no official communication from any source whatever had reached me as to the incorporation of these islands into the Colony of New Zealand. It was not till the 13th August that I got the Order in Council of the 13th May from the Admiralty, and not till the 12th December that I received from the High Commissioner the notification announcing the termination of his jurisdiction over the islands annexed to New Zealand.

Commander Macalister, in the report of his proceedings to Captain Kingsmill, states that on his arrival at Rarotonga he called on Colonel Gudgeon and obtained from him all the information on the islands to be visited that he had to offer. Apparently Commander Macalister left Rarotonga in the full belief that he could act in his capacity as Deputy Commissioner for the Western Pacific, and I think that, in the absence of any official notice or instructions to the contrary, he was justified in so doing.

With reference to the complaint made by the people of Omoka to Colonel Gudgeon, and to Your Excellency's doubt as to the impartial trial of the case, I have the honour to attach for Your Excellency's information a copy of the report made to me by Commander Macalister of the trial of the case, and I have also directed that copies of the whole of Commander Macalister's reports on the islands visited shall be made and sent for Your Excellency's information.

I have, &c.,

LEWIS BEAUMONT, Rear-Admiral,
Commander-in-Chief.

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

Deputy Commissioner's Court, Penrhyn, 3rd September, 1901.

I THIS day opened a Court in the Courthouse at Omoka. The Au was reported to be fully assembled, together with all the male inhabitants over age in the island. The following cases were heard, and evidence, as well as the judgments given, are entered below.

The Court consisted of Commander Macalister, assisted by Lieutenant Seymour, with Mr. Hart as Clerk. Commander Macalister's Commission as Deputy Commissioner was read and interpreted by Mr. Wilson, trader, who was sworn as interpreter.

Case 1.

Mahutu Papu (known as "Bob"), till lately Judge of Tautua, had been deposed by Tautaitini, Judge of Omoka. Bob requests his case to be investigated, and to be restored. Two men, Panauru and Solomona, deposed to having seen him drunk on three occasions. The Tautua people requested Tautaitini's assistance to depose him. This was done in the beginning of 1900, and the Tautua people elected two men in his place, Paetou and Papara. This did not please a section of the Omoka people. The Court decided that Bob should be deposed, and, on taking a show of hands, found the majority of the Tautua people, and of Omoka residents owning land in Tautua, were in favour of Papara and Paetou, who were therefore appointed. A written appointment was given them, and also Bob's two Union Jacks.

Case 2.

It appears this one case of leprosy not in the leper island. Tautaitini had ordered him to be sent there; but persons who said they owned the leper island objected, because they wished to repossess the island, which had been set apart for lepers about twelve years ago. The Court decided that for the present the island must remain a leper island; but the matter will be referred to the High Commissioner for consideration, and the leper must be sent there at once.

Case 3: Macdonald v. Maki.

Macdonald stated his case as in the letter to British Consul at Tahiti. Maki states that Macdonald provoked him. Evidence from Mr. Wilson and Mitchell showed that both parties were equally to blame in the dispute. Macdonald's wife, who took her husband's part, and being better up in the language, replied with interest, so they were fined 10 dollars, as was also Maki. It was, however, elicited from the Au that Macdonald was fined for threatening with a gun. This was not proved, but it was proved that Maki threatened to drown Macdonald, and was intoxicated at the time. The Court decided that in the dispute both the parties were to blame, but fined Maki 15 dollars for threatening Macdonald and for being drunk. Fine paid, 15 dollars.

Case 4: Bonar v. Joseph.

Joseph went to Bonar, who is a storekeeper, and asked the price of zinc roofing. Bonar says he told him 14 cents per pound. Joseph asked how much that was per sheet. Mr. Bonar says he proceeded to calculate the price, but, being disturbed, made a mistake and told Joseph the price of a 16 lb. sheet was 80 cents and 11½ lb. sheet 70 cents. Joseph purchased 135 of the former and 150 of the latter on the spot, and paid 207 dollars, which was 6 dollars short of the amount. There were apparently no witnesses to the transaction, but Bonar admits he quoted the price at 80 and 70 cents. Joseph removed his purchase at once, upon which Bonar discovered his mistake, wrote to Joseph informing him and warning him not to dispose of the roofing. Joseph replied by bringing the remaining 5 dollars. The Court decided that the matter should stand as it is, for the following reasons: Bonar when asked the prices per sheet said 80 and 70 cents, showing that though he may have calculated wrongly the price for a big sheet, as he says, by multiplying 14 by 8 instead of 18 (the weight of a big sheet), he certainly could not have done so as regards the small sheets, as 14 multiplied by 11½ (the weight of a small sheet) has no resemblance to 70 cents. Moreover, he did not notice that the prices he mentioned were absurdly small for the articles. Further, he did not notice his mistake till he looked up the invoices, all of which shows carelessness and ignorance, and throws doubt on his statement that he quoted prices at 14 cents per pound. The Court therefore considered that Mr. Bonar must stand the consequences.

Case 5: Dexter and Winchester v. Simo, Vavae, Pa, Shilling, Tefau, Temerai, and Mafui.

The Au of Tautua incurred a debt to Dexter and Winchester for purchase of a schooner. To pay off this debt they entered into several agreements as to fishing-rights with Dexter and Winchester. The last written agreement, produced in Court, gave to Dexter and Winchester all rights for pearl-shell fishing in the Tautua part of the lagoon, Dexter and Winchester supplying them with one diving-machine, the agreement extending twelve months from the 22nd December, 1900. In January, 1901, Dexter and Winchester found that five other machines were at work, and wrote to the Au of Omoka and others they discovered warning them off. The Au of Omoka forbade the men, who were all living in Omoka, to fish in the Tautua half of the lagoon, and the Au of Tautua attempted to prevent them. The accused all acknowledged having fished. With the exception of Simo, they claimed proprietorship of certain patches of the Tautua lagoon, they being originally Tautua men. Simo was prevailed upon by the others to send one boat, as they considered they had a right to fish there. They said that they were unaware of the agreement, but they knew of the debt, and some of them had had shares in the schooner, but had withdrawn, and when they received the letters of warning had carefully refrained from opening them, having been warned by the Au, thus thinking they could plead ignorance. At least one had been warned personally by Dexter. The Court therefore considered that all those men had fished knowingly in defiance of the agreement, and therefore they should pay to Dexter and Winchester the price of the estimated amount of shell they had got, less the expenses of obtaining it. The amount of shell obtained, estimated from data given by Dexter and Winchester and also the men, was 28,000 lb. The same way the estimated expense of obtaining it was 4,313 dollars, leaving 9,817 dollars which belonged half to Dexter and Winchester and half to the Au of Tautua, as each had agreed to work boat against boat. The Court therefore ordered each of the seven men to pay 656 dollars to Dexter and Winchester and the same amount to the Au of Tautua—to the former forthwith, as he was sailing, to the latter by the 15th September, 1901. The money was forthcoming.

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.

You will understand that the election of the Council for Niue and the subsequent laws passed are *ultra vires*, the Act of the last session for the government of the Cook and other islands making special provision for the appointment of a Council by the Governor upon your recommendation. It will rest, therefore, with the newly appointed Council, should it see fit, to re-enact the laws referred to, except that relating to marriage, &c. (No. 4), respecting which I shall be glad to receive your report. It is not considered expedient or advisable to extend "The Marriage Act, 1882," to the islands, as anything that tends to depreciate marriage according to native customs, unless there is the desire of every native to comply with the elaborate machinery of that Act, tends to make matters worse instead of better.

With reference to the Residency, I shall be glad to hear that a building has been provided for Mr. Maxwell. You will see that Mr. Smith makes a requisition for stores for the purpose in his letter of the 13th November.

I need not refer now particularly to Mr. Smith's letters, as you will no doubt advise me as to what is necessary to be attended to.

The Resident Commissioner, Rarotonga.

I have, &c.,

R. J. SEDDON.

No. 97.

SIR,—

Premier's Office, Wellington, 4th April, 1902.

No. 29. Referring to your letter (No. 22) of the 5th August, suggesting the advisability of bringing
No. 40. into operation "The Sale of Spirituous Liquors Act, 1899," and to His Excellency's reply, dated 20th September last, I have now to point out that, as the Act in question was not in operation on the passing of "The Cook and Other Islands Government Act, 1901," the provisions of section 2 of that Act does not apply to it, and to suggest that if you still wish such a liquor law you should take the earliest opportunity of getting an Ordinance passed by the Federal Council.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 98.

SIR,—

Premier's Office, Wellington, 4th April, 1902.

No. 89. I have the honour to acknowledge the receipt of your letter (No. 12) of the 4th March, in the last paragraph of which you suggest an amendment of "The Cook and Other Islands Government Act, 1901," to provide that all Resident Agents should be *ex officio* Justices of the Peace, and in reply to state that it is not considered expedient to do so. Any Resident Agent you consider should be so appointed can easily be appointed by His Excellency the Governor upon your recommendation.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 99.

SIR,—

Premier's Office, Wellington, 5th April, 1902.

No. 91. In reply to your letter (No. 18) of the 10th March, I have now the honour to forward the Ordinance No. 4 of the Federal Council for regulating the conduct of the Penrhyn pearl-shell fisheries, duly assented to by His Excellency the Governor.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 100.

SIR,—

Premier's Office, Wellington, 11th April, 1902.

Nos. 87 and Referring to your letters (Nos. 7, of 21st February, and 16, of 7th March), I have now the
100. honour to inform you that His Excellency the Governor has approved of the appointment of Mr. Edward Blaine as Registrar of the High Court of the Cook and other Islands at a salary of £60 per annum.

I enclose warrant of appointment.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 101.

SIR,—

Premier's Office, Wellington, 15th April, 1902.

No. 86. I have the honour to acknowledge the receipt of your letter (No. 8) of the 21st February, enclosing an estimate of revenue and expenditure for the year ending the 31st March, 1902. You have made a mistake in the addition of permanent services, which total £2,785 5s. instead of £2,767, so that the total amount of the estimate, including erection of Post and Custom-house and Hospital, is £4,078 5s.

I should like you to explain the necessity of the proposed vote of £600 for hospital. Is it for a new building, and what have you done hitherto for the hospital?

I trust that your anticipation of the revenue exceeding the expenditure may be realised.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 102.

SIR,—

Premier's Office, Wellington, 15th April, 1902.

I have the honour to acknowledge the receipt of your letter (No. 9) of the 22nd February, requesting authority to build offices for use of the various departments, the cost of which you place at £700. No. 88.

In reply I grant you the required authority, provided you clearly see your way to providing for payment for the work, but that I leave to your own serious consideration.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 103.

SIR,—

Premier's Office, Wellington, 15th April, 1902.

I have the honour to acknowledge the receipt of your letter (No. 14) of the 6th March, reporting that you have arranged the lease of the wharf and sheds to the Union Steamship Company for twenty years, at £20 per annum. No. 90.

I am pleased that the matter has been satisfactorily settled.

I have, &c.,

C. H. MILLS,

For the Premier.

The Resident Commissioner, Rarotonga.

No. 104.

SIR,—

Premier's Office, Wellington, 9th May, 1902.

Referring to your letter (No. 5) of the 6th February last, I have now the honour to forward fifty copies of rules relating to appeals from the High Court of the Cook Islands to the Supreme Court of New Zealand. No. 84.

I have, &c.,

J. G. WARD,

Acting-Premier.

Lieut.-Colonel Gudgeon, C.M.G., Resident Commissioner, Rarotonga.

Enclosure.

RULES RELATING TO APPEALS FROM THE HIGH COURT OF THE COOK ISLANDS.

RANFURLY, GOVERNOR.

ORDER IN COUNCIL.

At the Government House, at Wellington, this twenty-eighth day of April, 1902. Present: The Honourable Sir J. G. Ward presiding in Council.

IN exercise and pursuance of the powers and authorities conferred by section four of "The Cook and Other Islands Government Act, 1901," His Excellency the Governor of the Colony of New Zealand, acting by and with the advice and consent of the Executive Council thereof, and with the concurrence of His Honour the Chief Justice of the Supreme Court of the said colony, and His Honour Mr. Justice Cooper, a Judge of the said Court, doth hereby make the following rules with respect to appeals from the decisions of the High Court of the Cook Islands, and doth declare that such rules shall take effect on and after the first day of May, one thousand nine hundred and two:—

Rules.

1. Any person who may be desirous of appealing from any decision of the High Court of the Cook Islands, whether the decision be a dismissal of the case or otherwise, and whether the ground of appeal be matter of law or matter of fact, or both, may appeal from the same to the Supreme Court of New Zealand.

2. Notice of appeal shall be served upon all parties directly affected by the appeal, and it shall not be necessary to serve parties not so affected, but the Supreme Court may direct notice of the appeal to be served on all or any parties to the action or other proceeding, or upon any person not a party, and in the meantime may postpone or adjourn the hearing of the appeal upon such terms as may seem just, and may give such judgment and make such order as might have been given or made if the persons served with such notice had been originally parties.

3. Notice of appeal from any judgment of the High Court shall be a fourteen days' notice.

4. Such appeal shall be in the form of a case stated and agreed on by both parties or their solicitors, and if they cannot agree the Judge of the High Court shall settle the case and sign it.

5. Such case shall be forwarded to the Registrar of the Supreme Court at Auckland, New Zealand, and the Registrar shall set down such case for consideration at once. If, when the case is called upon, counsel appear either for the appellant or for the respondent, the Court shall hear such counsel. If no counsel appear, or counsel on one side only, the Court shall consider the case, and shall, either then or at a subsequent sitting of the Court, pronounce its opinion thereon, and such opinion shall be recorded on the case by the Registrar, who will return the case, with such opinion indorsed, to the High Court at Rarotonga, forwarding the case with all convenient speed.

6. In cases where there is to be a sitting of the Supreme Court at Rarotonga within sixty days after notice of appeal is given, the case stated shall be forwarded to the Supreme Court there, and shall be dealt with in like manner as if the appeal were heard in Auckland.

7. Due security for costs, and for the performance of the judgment of the Supreme Court, shall, within six days after the notice of appeal has been given, be given to the satisfaction of the Judge of the High Court, unless the Court of first instance otherwise orders; and if no such security be given as above the notice of appeal shall be deemed abandoned.

Court of Appeal.

8. All appeals to the Court of Appeal of New Zealand shall be subject, *mutatis mutandis*, to the rules for the time in force relating to appeals from the Supreme Court of New Zealand.

ALEX. WILLIS,
Clerk of the Executive Council.

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