

on the 23rd instant by the schooner "Vaiti," and called *en route* at Aitutaki, where I held a sitting of the High Court, and finally reached Rarotonga on the 27th.

I may say that my visit to Mauke was most successful, inasmuch as I succeeded in settling the land claimed by the Catholics without bringing it before the Court. This was done by suggesting to Tararo that he would do well to avoid all religious disputes by making a present of the land in dispute to Tamuera. This advice Tararo gave effect to in open Court, and I hope that those who had opposed him and had spread lying reports concerning him and the London Mission are now ashamed of their conduct.

After this small piece of land had been transferred to the Catholic Mission, I proceeded to hear the claim to the large block known as Makatea, in which there were many important questions that required to be settled, and I enclose a copy of the judgment awarding it to Tararo, in order that you may understand the position of these lands.

In all, seven blocks of land having an area of not less than 700 acres have been surveyed, and the titles thereto ascertained, during our short visit; and, in addition to this, Mr. Connal has surveyed the coast-line of the island, and has found it to be ten miles and a half in circumference.

In all of this work I was very ably assisted by Pa Ariki, the Native Judge of the Court, who explained the method and purposes of the Court to the people of Mauke with such ability that most of the landowners have already applied in writing to have their lands surveyed and the titles thereto ascertained.

After I had finished with the lands I held a sitting of the High Court, in order to hear the complaint of one Tuakana, who represented that a French subject (a Paumotu man) attached to the Catholic Mission had forcibly and against the will of the family baptised a Protestant child. Tuakana asked me to fine the offender severely. This, however, I refused to do, for I preferred rather to assume that the action complained of was the result of ignorance. On this assumption I spoke very strongly to the offender, and pointed out that, although such behaviour might be tolerated in France or its colonies, it would not be permitted in Mauke, where the people were British subjects, and would have been justified in violently ejecting him from their house. I also warned these over-zealous converts to the Papacy that they would not be intrusted with either civil or judicial power if they behaved in this manner. I do not anticipate that there will be much trouble at Mauke in the future, unless indeed these French priests, who are both intolerant and arrogant, provoke it.

I have, &c.,

W. E. GUDGEON,

Resident Commissioner.

The Hon. C. H. Mills, Minister administering the Islands, Wellington.

### Enclosure.

#### THE MAKATEA JUDGMENT.

Before giving our decision in this case there are certain matters that the Court will explain to the people of Mauke, in order that there may be no misconception in the minds of those who have acquired residential rights on this block under the old mission arrangements, whereby the people were encouraged to build in the vicinity of the church and mission-house in order that they might more conveniently obtain religious instruction. In this instance the Court will follow the rule laid down at Aitutaki and at Rarotonga. It will cause the rights of those who have built on this land to be respected, so long as they shall continue to occupy either land or houses, and the Court will not allow any man who has built under this so-called *akonoanga oire* to be put off the land so occupied without the consent of this Court. The Court will on the application of any applicant cause his house and *koro* to be surveyed, and will award to him the occupation rights recognised in other cases of a similar nature.

There is one other matter that the Court must mention. Reference has been made during this hearing to the so-called *mana* of Atiu over the people or land of Mauke, and the Court has official knowledge that some of you have written to Atiu, and have asked the people of that island to come here and assert their *mana* over a section of the Mauke people. The men who have done this are both mischievous and foolish, and did not know what they were doing. If it be true, as some of you assert, that Atiu had *mana* over Mauke, I ask you was that *mana* over the people or over the land? If it was *mana tangata*, then we tell you that the *mana* was absolutely destroyed by the greater *mana* of Great Britain on the day that these Islands were annexed to the British Empire. If, on the other hand, it is over your lands that Atiu has *mana*, then that *mana* is still in existence, and the people of Atiu may come here and claim a share in all the lands conquered by them. Whether the Court would give them the land so claimed is another matter. It is true that about the year 1820 Atiu, at the request of Tararo, sent a war-party to Mauke, and almost destroyed that people; a section only escaped, and they were spared for reasons well known to the Court, and which may be found in the writings of the early missionaries. This war-party was the war-party of Tararo; they came at his request, and were paid for as an Ariki would pay for such aid—that is, Tararo gave his daughter Akeina as a wife to Rongomatane. Therefore Tararo was the conqueror, and Atiu can have no *mana* over him, his lands, or his people, and when that war party left there was no chief on this island but Tararo. In a book written by the Rev. John Williams, the first missionary, it will be seen that he came here in 1827 from Atiu accompanied by Rongomatane, and that the latter used his influence with the then Tararo in favour of the Gospel. Tararo accepted the new religion, and it was that religion that reinstated the conquered people in their old position. So far as I can ascertain, Atiu has never asserted a right over the Mauke lands, and they can have none over those of Tararo. If there be any question in the future over the lands of Te Au or Tamuera, the Court will deal with that aspect of