

1911.  
NEW ZEALAND.

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# CHARGES AGAINST THE ADMINISTRATION AT RAROTONGA, COOK ISLANDS

(REPORT OF HIS HONOUR SIR ROBERT STOUT, K.C.M.G., CHIEF JUSTICE, RELATIVE TO).

*Presented to Parliament by Command of His Excellency.*

## REPORT.

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SIR,—

Judge's Chambers, Wellington, 19th July, 1911.

In pursuance of the request contained in your letter of the 13th May last, I have the honour to report on the charges referred to therein.

I arrived at Avarua on Friday, the 9th June, in the afternoon. I at once made inquiries to ascertain what persons had made complaints regarding the administration of the Islands. So far as I could learn only three persons had done so—namely, Dr. Dawson, a former Medical Officer; Mr. Reynolds, formerly head of the police; and Mr. Hosking, a dentist practising his profession at Rarotonga. All these gentlemen reside together. Next day I sent each of them a letter, a copy of which is annexed hereto and marked "A"; and also published in the *Cook Islands Gazette* a notice inviting all those who had any complaints to call on me (see notice marked "B"). Dr. Dawson, Mr. Reynolds, and Mr. Hosking called on me on Monday about 9.30 a.m., and asked me whether the inquiry was to be a public one, and whether the evidence was to be on oath. I read to them your letter, and explained that I had no power to administer any oath. There is, I may add, no law in the Cook Islands permitting oaths to be administered even by a Royal Commission, and no provision for the punishment of perjury before such a Royal Commission. In my opinion, however, the administration of oaths before a Royal Commission has very little influence in the obtaining of true statements, and when Sir James Prendergast made investigation into the conduct of a former Commissioner no oath was administered by him. I informed them that, in my opinion, I could the better acquire the fullest information by an inquiry not open to the public. Persons might not desire to state what they knew if it was to be known to the public. And assuming that there is a law of libel or slander in the Cook Islands (regarding which, for obvious reasons, I express no opinion), persons might not choose to run the risk of defamation actions. They asked time to consider the matter, and on Tuesday they handed me in the letters marked respectively "C," "D," and "E," in which they declined to make statements. Subsequently Mr. Reynolds asked leave to withdraw his letter, and made a lengthy statement to me. A perusal of the letters will show that one of the main reasons given for desiring a public inquiry was that they had been attacked, and that they should have an opportunity of exculpating themselves. This seems to me to imply that there are many of the white settlers in Rarotonga who do not hold their opinions. I had, of course, neither authority nor power to investigate charges that may have been made against them, but only to deal with the charges that had been made against the administration of the Government. No person came forward with any complaints except Mr. Reynolds. I met the

Arikis and members of the District Council, and several Mataiapos and Rangatiras, and visited the Natives in their various villages—Ngatangia, Arorangi, and Avarua. Six white settlers formally called on me and made statements regarding the administration. I met several more casually, and engaged in conversation with them with reference to the management of Government affairs. The Reverend H. Bond James did not make any formal complaint, save that he thought that the law as to white men living with Maori women should be enforced. That law is as follows:—

“Any man or woman who shall within the limits of any village cohabit together without being married to each other to the scandal of the community shall be guilty of an offence against public morality, and each shall be liable on conviction to a fine not exceeding £1, or, in default, twenty days' hard labour. No proceedings shall be taken against any European for an offence under this section without the consent of a European Judge of the High Court of the Cook Islands or a European Resident Agent first obtained.”

Colonel Gudgeon and the present Commissioner have not given their consent to any criminal prosecutions. Mr. Reynolds stated that from his knowledge he thought that the Commissioners were right. It is to be observed that no charge is made by Dr. Dawson or Mr. Hosking against the Commissioner for not enforcing this law.

Before dealing with the complaints of the three named persons I desire to make some general observations.

(1.) *The Position of the Government in the Islands.*

There is a Federal Council or Parliament in the Group. This Council consists of the Arikis of all the islands save Niue, which has a separate government. Through lack of communication between the islands, and the great distance of the outlying islands from Rarotonga, no members from the distant islands have of late attended the Federal Council. The nearest island is Mangaia, which is 110 miles away. Aitutaki is 140 miles distant, while the islands in the north are several hundreds of miles away—Penrhyn is 740 miles—and communication with Rarotonga is difficult and only casual. The work of the Federal Council has practically been done by the members of the Federal Council who are resident in Rarotonga. There is, however, a Local Council in each island (see the Cook Islands Government Act, 1908, No. 28). The Local Council of Rarotonga meets frequently. The Local Council of Rarotonga has nine members, the chairman being the Commissioner. The other eight consist of the five Arikis and three elected members. This Council is practically the local Parliament and Executive Council of Rarotonga.

When the islands were ceded to Britain it was expressly declared by the people of each island, as a condition of such cession, that the island was to be annexed as part and parcel of the British Empire. The cession of Rarotonga was made on the 8th October, 1900, and was so proclaimed by the Governor, Lord Ranfurly. The Islands were not then annexed to New Zealand. They came to be part of New Zealand by virtue of an Order in Council of the 15th May, 1901, which extended the boundaries of New Zealand to include the Cook Islands. The Natives have not taken any exception to the inclusion of the island as part of New Zealand, as they have treated the Order in Council as made for Imperial purposes only. They would have resented, and they now resent, the idea that their local government has come to an end, and that they are held subject to the New Zealand Parliament. That this is their attitude can be judged by conferring with the Arikis, Mataiapos, and Rangatiras, and it also appears from a resolution passed by them on the 17th October, 1908, when Colonel Gudgeon was Commissioner. The resolution reads as follows, namely—

“That the members of the Federal Council and of the Rarotonga Island Council whose names are subscribed hereto strongly object to any representation in the Parliament of New Zealand by means of a member for the Cook Islands, inasmuch as the Cook and Northern Islands are by the conditions of annexation a self-governing community under the British Crown, and since included in the Dominion of New Zealand for Imperial purposes only.”

If the Island Councils are not to have any power of management in the municipal or local concerns of the respective islands, it is obvious, that the proper thing to do would be to abolish all local government. If that were done, however, I expect there would be a very vigorous demand made by the people of the Islands for the severance of the Islands from the control of New Zealand.

The charges that were adduced by Mr. Wright are wholly about municipal matters, such as the management of the hospital, the question of drainage of a swamp, and the dismissal of a local officer. It has not hitherto been usual for the New Zealand Parliament to interfere in such matters. The management of city or county affairs has not, so far as I know, been inter-

ferred with by the New Zealand Parliament, and it is questionable whether it would be advisable, even if the Parliament has the requisite knowledge, to interfere in the purely local concerns of Rarotonga. This is a matter not for my consideration, but for the consideration of your Government. If a precedent is laid down that in a purely local matter two, or three, or more dissatisfied citizens have a right to demand a Royal Commission to investigate their grievances, the number of Royal Commissions constituted will be greatly increased. I am strongly of opinion from what I have heard that it will not help good government in Rarotonga to have such investigation; and I might further say that any attempt to create ill feeling between the Resident Commissioner and the Natives must tend to destroy any chance of good government in Rarotonga. In making this statement I am only re-echoing what Sir James Prendergast said in his report of the 24th February, 1898. I quote paragraph 25 of his report:—

“It is needless for me to point out that, while on the one hand the circumstances that the legislative and executive powers held by the Natives being exercisable only with the concurrence of the British Resident makes a cordial feeling between the Natives and the British Resident an absolute essential, on the other hand, to encourage Natives to withdraw their confidence and trust in any one who for the time being may be British Resident without adequate grounds must make the form of Government impossible. Foreigners who desire the maintenance of the British connection should undoubtedly realize the danger there is, by petty attacks on the British Resident, of rendering the maintenance of the British connection so difficult as to give rise to the question whether any effort should be made to prolong it. I fear that, even with those whose motives may have been good, sight has been lost of the fact that difference of opinion on questions of policy do not with any community justify personal attacks upon those who are the authors of objectionable measures; still less excusable are such proceedings amongst a partially civilized people.”

I was told by one white settler that even the appeal to the New Zealand Government by Dr. Dawson, Mr. Reynolds, and Mr. Hosking had a disquieting effect on the Native mind. “What,” said they, “is coming next? Is all the power to be taken from the Arikis?”

Another matter they seem to have heard is that the Maoris are losing their land in New Zealand. You are, no doubt, aware that according to Rarotongan law no land can be sold. Land, however, has been leased to Europeans, and some of the Native inhabitants seem to have been informed, perhaps by Maoris from New Zealand, who have visited them, that the Parliament wishes to force the Maoris to sell their lands, and this has given the Rarotongans great concern.

If there is to be a local Government in Rarotonga it is clear that complaints by persons dissatisfied with the administration of the local Government should be made to the Local Council. It will not tend towards the promotion of good government in the Cook Group if these Councils are ignored. The Natives have not the capacity of self-government the English people possess. It is only eighty-eight years since the first whites visited the island then discovered by the great missionary martyr John Williams. The self-sacrifice and devotion of the missionaries has had its reward in seeing the people, within what is a brief period in the history of a race, become a peaceful and kindly people, anxious for education and for further development. It was the idea of Mr. Moss that the Natives could be trusted with self-government, and he hoped to see a federation of the whole of the Polynesians with little interference from outsiders in the management of their local concerns. It may be that he was too sanguine as to their ability to conduct self-government efficiently. It is clear, however, that if they are to become a self-regarding people they cannot be deprived of the control of their local concerns. If there is ever to be a higher civilization amongst the Polynesians they must begin to govern themselves: they must look neither to foreign Legislatures nor to foreign politicians for guidance.

(2.) *Rarotonga is like a Ship at Sea on a Long Voyage.*

The second general observation I should like to make is that the Island of Rarotonga is small. Its size can best be ascertained from the fact that the road that runs round the island near its circumference is twenty-one miles in length. The population consists of 2,620 Natives and half-castes living as Natives, and 126 whites and half-castes living as whites. I suppose the number of pure whites—men, women, and children—will not exceed 100. The whites do not all live in one village. Avarua is the largest village, and is the site of the Resident Commissioner's house and of the Government offices. There are several plantations that are held by whites some miles from Avarua, and there are a few whites scattered throughout the island. In a small community like this it is not surprising to find a difference of opinion amongst the inhabitants. The climate also invites misunderstandings. There can be but little social life. There is no newspaper, and though there is communication with the outside world twice a month, people did not seem to me to take an interest either in world or in New Zealand politics. There is no public library, and the climate is not one that invites severe study. It is making no charge

against the European settlers, who seem to me just like the ordinary settlers in New Zealand, to say that the residents are practically akin to people on a ship; and we know that people on a ship on a long voyage rarely complete their voyage without misunderstandings happening amongst passengers, and perhaps between the captain and officers and the passengers. This is not the first time that there have been difficulties in Rarotonga. As has already been referred to, Sir James Prendergast had to investigate, for several days, charges, some of them trivial, and some of them absurd, that were made in 1897. Since then there have been differences between the medical officers and the Natives, and the medical officers and the Resident Commissioner. Nor are the whites at present all agreed: some it is said support the Commissioner, and some are dissatisfied with him. If one were to read a novel, say, of Jane Austen, Anthony Trollope, or J. M. Barrie, he would observe that the same class of misunderstandings appeared in villages in England and Scotland, and no doubt arise there to-day.

When the charges are examined it will be seen that they are of minor importance. The charges made may be thus classified :—

- A. Hospital management.
- B. The administration of justice.
- C. The termination of Mr. Reynold's engagement.
- D. The drainage of the Maererenga Lagoon.
- E. The appointment of a European member of the Federal Council.
- F. Prison-administration.
- G. The intoxicating-liquors question.
- H. Education.
- I. Appointment of an Auditor.

The above headings cover all the complaints. I may add that one of the white settlers stated that some of the white people object to the Commissioner for not entertaining, and entering into the social life of the community. This settler, however, had no sympathy with such complaints; on the contrary, he cordially approved of the action Captain Smith had taken in keeping himself apart from all persons in the community. He said that if the Commissioner had invited to his house some people only, he would have offended the people whom he did not invite; and, further, there were some whom he could not invite to his house. Some of them were really offending against section 7 of the Offences Ordinance No. 1, 1907.

#### A. COMPLAINTS RELATING TO HOSPITAL MANAGEMENT.

Complaints relating to the Hospital began by a letter from Dr. Dawson of 31st January, 1911. The letter was as follows :—

“DEAR SIR,—

“Teotue, 31st January, 1911.

“I shall be obliged if you will inform me if the Hospital is ready to receive patients for surgical treatment, and, if not, when it will be. I have a patient suffering from a serious malady and requiring immediate surgical attendance. Will you please give this matter immediate attention, as it is decidedly urgent.

“Yours faithfully,

“The Resident Commissioner, Rarotonga.”

“C. M. DAWSON, M.B., C.M.

On receipt of this letter the Commissioner forwarded it to Dr. Story, with a minute as follows: “Please enable me to reply.” Dr. Story replied on the 1st of February as follows :—

“DEAR SIR,—

Rarotonga, 1st February, 1911.

“Referring to Dr. Dawson's letter addressed to you, of 31st January, requesting to know if the Hospital is now ready to receive patients for surgical treatment, I have to say that it is ready for any urgent cases. Sundry appliances are still required, which, no doubt, will be furnished on the return of the Chief Medical Officer.

“I remain, &c.,

“Captain J. Eman Smith, Rarotonga.”

“A. C. STORY.

On the receipt of this reply the Resident Commissioner sent the following letter to Dr. Dawson :—

“SIR,—

“Rarotonga, 1st February, 1911.

“I have the honour to acknowledge the receipt of your letter of the 31st January received by me this day. As far as I am aware, the Hospital is ready to receive patients for surgical treatment. If the patient be a Native he will be attended to free of charge by Dr. Story, who is acting for Dr. Chesson, the Chief Medical and Health Officer, now on sick-leave in New Zealand. If it should be a European patient of your own I will have no objection to your using the Hospital for such patient pending the return the Chief Medical and Health Officer. On his arrival he will deal with all questions such as this: I do not interfere with his department.

“I have, &c.,

“J. EMAN SMITH,

“Dr. C. M. Dawson, M.B., C.M., Rarotonga.”

“Resident Commissioner.

On the 3rd February Dr. Dawson sent another letter :—

“ SIR,—

“ Teotue, 3rd February, 1911.  
 “ I shall be obliged if you will ascertain and inform me whether the acting Medical Officer will admit to the Hospital for treatment a case of cancer of the breast for immediate operation; a case of suppurating appendicitis, and a case of ischiorectal abscess. The patients are Natives. Discourtesy on the part of the Chief Medical Officer compels me to deal through you in this matter.

“ I am, &c.,

“ The Resident Commissioner, Rarotonga.”

“ C. M. DAWSON, M.B., C.M.

This letter was received by the Resident Commissioner on the afternoon of the 3rd, and the next day he indorsed thereon a memo. to Dr. Story as follows :—

“ I enclose for your information a letter received yesterday afternoon from Dr. Dawson. Will you kindly enable me to reply.—I have, &c., J. EMAN SMITH, Resident Commissioner.—4th February, 1911.”

Dr. Story replied on the 6th as follows :—

“ DEAR SIR,—

“ In reply to your letter of the 4th instant I have to inform you that I only consented to temporarily act for Dr. Chesson during his absence. The cases referred to in Dr. Dawson's letter I think had better be left for the Chief Medical Officer to deal with on his return.

“ Yours faithfully,

“ Captain J. Eman Smith, Resident Commissioner, Rarotonga.”

“ A. C. STORY.

On the 8th the Resident Commissioner wrote to Dr. Dawson as follows :—

“ SIR,—

“ I have the honour to acknowledge the receipt of your letter of the 3rd instant asking me if the acting Medical Officer will admit to the Hospital certain patients mentioned by you which I understand you are attending. I have referred the correspondence to Dr. Story. He states he thinks the question had better be left over for the Chief Medical Officer to deal with on his return, and I agree with him. Of course, you understand that Dr. Story only consented to act temporarily for Dr. Chesson whilst on sick-leave. For your information I may say that I expect Dr. Chesson on the 16th inst.

“ I have, &c.,

“ J. EMAN SMITH,

“ Dr. C. M. Dawson, M.B., C.M., Rarotonga.”

“ Resident Commissioner.

No reply was made to this until the 27th February, when Dr. Dawson wrote again. Dr. Story wrote on the 28th—next day. No reply seems to have been sent to Dr. Dawson, and on the 14th March he again wrote to the Resident Commissioner, and the Resident Commissioner replied on the 14th stating that he had handed the correspondence to Dr. Chesson on his arrival, and that was why he had not communicated with Dr. Dawson.

I must now comment on this correspondence. It will be observed that Dr. Dawson asked a question in his letter of the 31st January—namely, whether the Commissioner would inform him if the Hospital was ready to receive patients for surgical treatment, and, if not, when it would be. On the next day, the 1st February, the reply sent was that so far as the Commissioner was aware the Hospital was ready to receive patients for surgical treatment, and that if the patient were a Native he would be attended to free of charge by Dr. Story, and if he were a European there was no objection to Dr. Dawson using the Hospital for such patient pending the return of the Chief Medical Officer. I think any one reading the correspondence would have a right to ask why Dr. Dawson communicated with the Resident Commissioner at all. He was living only a few minutes' walk from the Hospital; Dr. Story was in charge: why did he not call and ask Dr. Story and see the Hospital for himself? The reason that he gives for communicating with the Resident Commissioner seems to be most absurd. This reason appears in his letter of the 3rd February, 1911, and was as follows: “ Discourtesy on the part of the Chief Medical Officer compels me to deal through you in this matter.” Now, he knew that the Chief Medical Officer was not in Rarotonga. Why, then, did he write to the Commissioner? He does not say he had quarrelled with Dr. Story, and he gives no reason in his correspondence why he did not accept the offer that was tendered to him of the use of the Hospital. He could have ascertained for himself whether the Hospital was suitable for the treatment of the cases he said he had. Why did he not do so? Surely, if human life were at stake it was the duty of a medical man to ignore any discourtesy with which he might have been treated by an absent medical man, and to have gone to the Hospital himself and availed himself of the offer made to him by Dr. Story and the Commissioner. But that is not all. At the time that the Commissioner received this letter of the 3rd February the man who was said to be suffering from ischiorectal abscess was in fact dead. He died in the morning or forenoon of the 3rd February (see letters marked “ H,” “ I,” and “ J ”). Dr. Dawson says he was not aware of his death until the afternoon; but when he became aware of his death, why did he not

write to the Resident Commissioner and so inform him? The first intimation that one of the patients had died appears in a letter of the 27th February—that is, twenty-four days after his death. It seems that some days before the patient's death his life had been despaired of by his relatives. If the man was in such a sad state, why did Dr. Dawson not take him at once to the Hospital if he thought that human aid could save his life? Dr. Dawson has not explained why he did not avail himself of the offer made by the Resident Commissioner of the use of the Hospital, nor has he given any reason for not consulting Dr. Story about the case. Further, I have been unable to ascertain, though I have made application through the police, who the other two patients were who it was said required immediate treatment, nor have I been able to discover whether they are alive. I presume they must be alive, else their deaths would have been noted in some of the correspondence between Dr. Dawson and the Resident Commissioner. So far as the correspondence is concerned, if blame in connection with this affair is to rest on any one it is certainly not on the Commissioner or on Dr. Story.

The other charge, about the Hospital, is that not sufficient attention has been paid to the drainage. Dr. Perceval informs me that this is entirely incorrect. He says—as I saw—that there is no drainage going from the Hospital save from the bath, and that is carried by a pipe into the loose coral soil and passes away and leaves nothing behind. The water-closets are on the beach some slight distance from and lower than the Hospital, and are efficiently drained by passing at once into the loose coral. Dr. Perceval says the drainage is perfect. I visited the Hospital. It is a better building than will be found in many districts in New Zealand with five times the population. The floors are all concrete, and the walls are concrete. It seems to me that great attention has been paid to getting a suitable site and building for hospital purposes. There were no cases in the Hospital when I was there. There is an operating-room. The instruments, of course, are not so complete as in our larger hospitals in New Zealand, but everything seemed to me as well arranged as in our country hospitals. There is room for several beds. A nurse was needed, and one has at last been obtained, but not without some difficulty. A young woman has been engaged, and she is to be trained by Dr. Perceval. I understand also that efforts will be made to get an assistant for Dr. Perceval, so that he may be able to visit the outlying islands. Dr. Perceval's medical skill and kindness have been recognized both by Natives and Europeans. This is shown by the large numbers of patients he has had since he came to the island. In the short time he has been in the island, from the 16th March to the 15th June inclusive, he has attended 215 Natives in their homes, and over 1,500 Natives have called at the Hospital asking for medicine or treatment. Natives will avail themselves of free hospital advice if they feel a pain in their stomachs or have a finger cut, so the figures given do not imply that there is much sickness in the island.

A deputation of settlers in Avarua waited on me with a memorial, which I forward, asking that Dr. Dawson might be appointed as assistant to Dr. Perceval. The deputation said that they had no fault to find with Dr. Perceval, who had done and was doing his work to the satisfaction of all. Dr. Dawson is well liked by the large majority of white inhabitants of Rarotonga. Whether, in view of the past, employment can be found for him in the Cook Islands is a matter entirely for the consideration of the Administration. I may add that one settler said that all the trouble—I think he used the word "fuss"—that had arisen in the Islands would cease at once if Dr. Dawson were reappointed to some medical appointment in connection with the Cook Islands.

#### B. THE ADMINISTRATION OF JUSTICE.

The first charge relating to the administration of justice is that a sentence was passed on a Native, called Solomona, that was not warranted by law—namely, that he was sentenced to twenty-one days on bread and water. It is true that there is no provision in the Crimes Act allowing such a sentence to be imposed, but there is no Prisons Act in force in Rarotonga, and no regulations as to the feeding of prisoners. As to the other sentence that was imposed on him, that was warranted by law, and in fact, had Solomona been tried in a New Zealand Court, he would have been liable to have been declared an habitual criminal, or imprisoned for a long term for reformatory treatment. This charge is, as was very well said to me by one who was not accused of favouring the Resident Commissioner—the Rev. H. Bond James—a mere technicality, and not an "outrage." I examined Solomona and asked him whether he had had enough food, and he said, "Certainly," and that he had no complaints at all. The charge would, I am sure, never have been made by Mr. Wright had he known the facts. What happened was that Solomona for three days in a week until the twenty days expired was ordered to sleep in the lock-up at night. He got bread and water in the morning, and as much fruit as he liked—bananas, oranges, &c.

For his midday meal he got meat and vegetables. In the evening he got bread and water and fruit again. Mr. James said he saw him continually, and he was always well fed and had nothing to complain of. In fact, Solomona got better food than he would have got if he had not been in what is called "prison." There is no prison and there are no prison officers in Rarotonga. I shall deal further with this question when I come to charge "F."

The other charge was that prisoners who were charged with drunkenness, &c., were sworn before their plea was received. This apparently seems to have been done in some instances, and was not warranted, but I am not aware that any injury was sustained by any one. If the Commissioner had had experience in Courts he would have known that persons when sworn to give evidence on their own behalf very rarely speak the truth. These are all the charges that were made in Mr. Wright's letter with reference to the administration of justice.

#### C. THE TERMINATION OF MR. REYNOLDS'S ENGAGEMENT.

Mr. Reynolds was engaged under a special agreement. It was as follows:—

"SIR,—

"Referring to previous correspondence with regard to your appointment at Rarotonga, I beg to inform you that you are to act in the capacity of policeman and as an officer to protect the revenue against smuggling; and also to act in any other capacity required of you.

"The appointment is to be terminated by one month's notice on either side. Salary, £150 per annum, payable by the Cook Islands Government. No lodging allowed or house-rent. Steerage passage from Wellington to Rarotonga will be paid by the Cook Islands Government. If the appointment is terminated by the Cook Islands Government, steerage passage back to Wellington will be paid, but if terminated by yourself, return passage must be paid by you. A khaki uniform and white service helmet will be provided by the Cook Islands Government. Your salary will commence when you take up your duties. You should proceed to Rarotonga by the steamer leaving Wellington on the 16th March next. I return your testimonials herewith.

"I have, &c.,

"Mr. W. Revell Reynolds, Wellington."

"F. WALDEGRAVE.

It will be noticed that he was not taken on as an ordinary Civil servant of the Cook Islands Government. He contends that he was, and that the Resident Commissioner had no power to determine his services. He relies upon the clause in the Order in Council defining the powers of the Resident Commissioner. In my opinion, as he was not appointed as a permanent officer, but as one who could be dismissed on a month's notice, it cannot be said that the Commissioner exceeded his powers. No charge was made against Mr. Reynolds on his dismissal or afterwards, save that the Commissioner thought that he was hostile to him. It may be that he thought so because of the companions he kept. It is clear that Dr. Dawson and Mr. Hosking were hostile to the Commissioner, and they were Mr. Reynolds's associates. It is also clear that there was friction between the Commissioner and Mr. Reynolds, and I am not surprised at such being the case. Mr. Reynolds, no doubt, with nothing but a desire to have crime put down and peace maintained, was in the habit, before cases came on before the Court, of writing to the Commissioner, who was the Judge, as to how he should dispose of criminal matters, and after sentence he sometimes "remonstrated" with the Judge. Of course, this was wrong. Mr. Reynolds, no doubt, wrote to the Judge with the best intentions. Magistrates or Judges in New Zealand would severely deal with a sergeant or Inspector of police who wrote long letters to them offering advice as to the manner of dealing with offenders or his opinion of their sentences. Mr. Reynolds made a long statement to me of the way in which he performed his duties. So far as his statements concerning the Commissioner were concerned they were a criticism of the sentences passed on prisoners—as to being put in the cells, &c.; on his suggestions as to putting the broad arrow on a prisoner's clothes; the want of a gaol; the use of prisoners by Government servants; wandering or stray pigs; the sale of hop-beer by the hotel; the supply of napping-hammers; the holding of *imines* (meetings at which hymns are sung). The charge against the hotel was, I was informed, to be heard after I left Rarotonga. I did not consider it my duty, nor had I the time were it my duty, to rehear the cases Mr. Reynolds mentioned and thus ascertain whether the sentences were proper. *Prima facie*, the sentences passed on four Natives for assault on Mr. Reynolds seem to be as severe as are usually passed on like offenders in New Zealand. The sentences were—on Amaru, six months; on Tearapo, three months; on Teariki Kamana, six months; and on Kautai, £2 10s. fine or three months. To commence an inquiry as to the justice of sentences upon prisoners who have not appealed against a Magistrate's or Judge's decision, at the suggestion of a police officer who has been removed from office, would be unique in the history of New Zealand. It may be that Mr. Reynolds is sincere in his opinion that in some cases some sentences were too lenient and others too severe, but I fail to see that because he thinks so there should be a rehearing of the cases or a Royal

Commission to make inquiries on the subject. I discuss the matter of a gaol later under another head. As to Mr. Reynolds's reference to the manufacture of orange-beer, I propose to refer to it under the head of "Intoxicating Liquors." I may add that I did not think it necessary to submit Mr. Reynolds's statement to the Resident Commissioner for any reply he might have to make. I believe that Mr. Reynolds is an honest man, but lacking somewhat in discretion. Captain Smith has made no charge against him. If an opportunity of employment in New Zealand should occur I do not think that he has done anything to forfeit his right to obtain such employment. I am also of opinion, however, that if a Resident Commissioner has no power to dispense with the services of a person engaged upon monthly notice on either side, it will be difficult to carry out his duties as Resident Commissioner. Further, if Mr. Reynolds desires to leave Rarotonga he should, in my opinion, have his passage paid. This was offered to him some months ago, but he did not then avail himself of the offer.

#### D. THE DRAINAGE OF THE MAERERENGA LAGOON.

Before Colonel Gudgeon left he put £200 on the estimates for the drainage of this lagoon. At that time no proper survey of the lagoon had been made, and no proper estimate of what the cost of the drainage of the lagoon would be. Afterwards Mr. Connal, who was the engineer, made a report, and stated he thought it might cost £500. The Commissioner was of opinion that it might cost more, and he considered that there were more pressing works requiring attention and did not go on with the work of drainage. It is to be remembered that the Natives in the outlying islands have been complaining of the lack of public works carried out in their islands. Most of the expenditure has been in Rarotonga, which is not even the largest island in the group. Further, the drainage means an improvement of private lands, and it appears from the correspondence that the Honourable Mr. McGowan, when Minister in charge of the Islands, suggested that before the drainage was carried out it might be wise to see if the private land to be benefited could not be acquired. This suggestion could not be carried out. The lagoon has been in existence for generations, and the necessity for its drainage does not seem to me to be so pressing that, in a question of policy of this kind, it should be said that the Commissioner and the Island Council are wrong. It is in any event not a matter calling for investigation and interference by the New Zealand Parliament. What would be thought of a member of the House of Commons who raised a question in the House of Commons as to the Government House drainage in Wellington and demanded a Royal Commission to inquire into the matter? I am sure that the English papers would point out to any member who made such a suggestion that there was such a thing as local government in New Zealand. I do not think that the Commissioner has been injudicious in postponing this question of drainage until he ascertains exactly what the cost is likely to be, and until it is seen that the finances are strong enough to allow the necessary expenditure compatibly with the demands of the Cook Islands generally for public works. He should also ascertain what the owners of the private lands that will be benefited will contribute to the expenditure.

#### E. APPOINTMENT OF A EUROPEAN MEMBER ON THE COUNCIL.

I have already given the population of Rarotonga. At present the European population does not amount to one twenty-fifth of the Native population. On the local Council there are one European member and eight Native members—that is, the Europeans have one-ninth of the representation. It cannot be said, therefore, that there is no European control of the Islands. On the contrary, it seems to me that the Arikis are justified in saying that very little control has been left to them under the present system of government in the Cook Islands. In Colonel Gudgeon's time the Arikis passed a resolution to the following effect: "That the members of the Council are also of opinion that the time has come when there should be a European member on the Federal Council, who should also be *ex officio* a member of each and every Island Council, and that such European member should be elected by adult male Europeans resident in the Cook and Northern Islands." This might mean that no white resident in Rarotonga might be elected. I understand that the Resident Commissioner thought this would not be suitable, and afterwards the Arikis passed a resolution to the effect that at present they did not wish a white member elected to the Federal Council, and there the matter rests. No doubt the time may come when a white member may be elected to the Federal Council, but this is a matter that, in my opinion, should not be pressed, and should be carried out only with the unanimous consent of the Native people.



## F. PRISON ADMINISTRATION.

I have said that there is no prison in Rarotonga, and the mode of dealing with those who have offended against the laws has been a sort of reformatory treatment. They are allowed to go to their own homes at night. They work a little on the roads in the middle of the day, but the work is not remunerative, because there are only one or two prisoners, and a Native policeman has to be told off to look after them during the time they are working, and the work is very inefficient. Prisoners are usually employed in roadmaking. Occasionally they look after the grass at the Residency, and also at the Government Offices. A charge was preferred that two prisoners were employed, one by Mr. Blaine, Registrar of the High Court, and one at the Residency. These charges were put forward against the Commissioner. The people who made them knew that at the time when these Natives were working at Mr. Blaine's and at the Residency Captain Smith was not in Rarotonga: he was on a visit to the Northern Islands. They also knew the circumstances under which the prisoners had worked. In the case of Mr. Blaine, he was unable to get any domestic help. The boy, as he was termed, whom he had employed, had left, and he asked one of the Native policemen if he would allow a prisoner to go and chop some wood and assist at his house as he could not get any domestic help. Domestic help is even more difficult to obtain in Rarotonga than in Wellington. The Native policeman allowed Mr. Blaine the services of a prisoner. Within an hour or two after the prisoner had gone to Mr. Blaine's house, Mr. Reynolds, who was then head of the police—which I may add consists of eight Native constables—wrote a letter to Mr. Blaine objecting. Mr. Blaine wrote in reply that he meant to have mentioned it to Mr. Reynolds but had not done so. Thereupon the acting Commissioner, Mr. Stevenson, issued a memorandum to all Government officers prohibiting the practice. The lad was engaged only for about two hours at Mr. Blaine's residence. He chopped some wood and washed out the kitchen. I am sure that if Mr. Wright had known that Captain Smith was not in the islands at the time, and that the matter had been dealt with by the acting Resident Commissioner at once, he would not have made the charge he did.

The other case was that of a Native, Teoketai. He was employed by the Government officer, Mr. Twiss, who was looking after the Residency in the absence of Captain Smith. Domestic help could not be obtained, and this prisoner was employed at the Residency for a fortnight as a domestic help in Mr. Twiss's house. Certainly it was no harm to the prisoner. He was working without pay, and that is all that punishment means in Rarotonga. He was well fed and well cared-for, and went away as usual to his own house at night. So far as the charge is concerned, there can be no charge against Captain Smith, as at that time he knew nothing of the occurrence. In a place like Rarotonga, where there is no prison and no law relating to prisons, and where there is an absence of a criminal class, I do not see that any harm is done to the State by employing a prisoner. I do not think that the circumstances of Rarotonga warrant the expenses of a gaol system. The punishment that is now inflicted on prisoners in Rarotonga is that they are not paid for their services. Possibly it might be wise to try that kind of punishment in some cases in New Zealand, and it might act as a reformatory treatment that might be of some service where the offender is not of a criminal type. We know that in the early days of New Zealand some similar kind of treatment of prisoners was allowed. For example, in the early days of Otago the prisoners were warned that if they were not in by six at night they would be shut out. However, whether this system is good or bad, it is a system that has been in force for many years, and the specific charges made fall to the ground so far as the Resident Commissioner is concerned. It was said by Mr. Reynolds that Dr. Chesson, a former Medical Officer, was allowed to have the assistance of a prisoner for a short period, and that the Resident Commissioner assented to this course. I understand that Dr. Chesson required some man to look after his horse, &c., and could not get one, and a prisoner was allowed to help. I fail to see what harm was done. The prisoner was fed by the doctor and was under his control, and it was under exceptional circumstances that the services of the prisoner were granted.

## G. THE ALCOHOLIC LIQUOR QUESTION.

There is no doubt great trouble in the Islands through the manufacture, more than through the sale, of intoxicating liquors. Reading a letter of Dr. Craig's brought before Sir James Prendergast in 1897 regarding intoxicating liquors, it appears plain that there is not so much drunkenness now as existed when Dr. Craig wrote. The present law allows liquor to be imported only through the Government bond, and the Customs officer may refuse to give liquor even to those who import it if he thinks that the giving of such liquors is causing mischief. The amount

of liquor imported by Europeans and delivered to them in Rarotonga for the twelve months ending the 31st March last was 268 gallons of spirits, 282 gallons of wine, and 298 gallons of beer. Assuming that the population is 126, that would give an average per head for Europeans and half-castes living as Europeans of 2.28 gallons per head of spirits, 2.23 of wine, and 2.36 of beer. There were also supplied on doctor's certificate 283 gallons of spirits, 149 of wine, and 92 of beer and stout. In my opinion this is an extravagant amount for the European population of the Islands, and the amount given for medicine is also large. The Europeans, I am afraid, must have given some of it to the Natives; but what is of more importance is the amount of intoxicating liquors made from bananas, oranges, and other fruits. This manufacture of alcohol seems to be very prevalent in the bush districts, and also in some of the villages, and it is having a very injurious effect on the Natives. Mr. Reynolds complains that the Commissioner was not insistent on the stopping of this bush-beer-making in the Islands. It is doubtful if there is a sufficient force of police in the Islands to put it down. The suggestion has also been made that the Native police were not very zealous in putting it down. I was told that some of the Natives argue that if Europeans can get their liquor, why should they be prevented from getting theirs? The amount given on doctor's certificate is large considering the modern attitude of doctors towards alcohol in cases of sickness. I may give an illustration of what takes place in London hospitals. The cost of alcohol used in the Board hospitals in London was, in 1894, for 19,937 under treatment, £1,388; in 1909, with 27,570 under treatment, the cost was only £251. That shows how even in fever cases the supply of alcohol has fallen. Illustrations might be given from other hospitals. In the Salisbury Infirmary the cost has fallen from £302 in 1865 to £18 in 1905. Dr. Perceval was not responsible for these figures I have quoted, as his duties did not commence till nearly the end of the period referred to. From what I could gather from many white residents, a large number—I was told perhaps 80 or 90 per cent. of the white residents—are in favour of alcohol being prohibited absolutely from coming into the Islands. I believe that is the only remedy. If that were carried out, alcohol only being received as a medicine and dispensed as a medicine by the doctor, the brewing of bush-beer could be more easily put a stop to. Efforts should be made to try and create public opinion amongst the Natives against the use of alcohol, and from what I heard this could, I believe, easily be done. Many of the Natives that addressed me urged that some steps should be taken to promote total abstinence. I am also of opinion that there will have to be more strenuous efforts made to put down what is termed "bush-beer drinking." It is true that no law can be enforced if it is against public opinion, but I believe that the Local Council and the Arikis are desirous that something should be done, and if their influence is thrown into the scale for temperance the police would find it more easy to get the existing statute strictly enforced.

#### H. EDUCATION.

Hitherto the education of the children has not been considered a duty of the Administration. Schools have been maintained by the London Missionary Society, and there is one school maintained at Avarua by the Nuns of St. Joseph. Good work has been done both by the London Missionary Society and by the nuns. I am of opinion, however, that the time has come when education must be looked upon as a matter of State. So far as the London Missionary Society is concerned, I understand they are quite agreeable to come to an arrangement to give up their buildings—both their buildings at Tereora and also at the villages—for public schools. The Tereora school has been a boarding-school both for boys and girls. It is well situated and has a suitable area of land, and I forward herewith a photograph and plan of the land. The land was originally given by the Natives for public-school purposes, and I understand it is held on lease by the London Missionary Society from the owners. The society has gone to considerable expense in the erection of buildings, and I understand they are willing to hand them over on reasonable conditions. I strongly advise that this offer should be accepted. The necessity of having such a school is great, and a school is also needed in each of the villages, Ngatangia, Arurangi, and Avarua. The Tereora school could be used as a training-school for Native teachers. In my opinion it is necessary that some of the brighter boys and girls should be trained to become teachers or assistant teachers in the schools in the various islands, and perhaps bright pupils might be taken from some of the other islands and boarded at Tereora, and trained as teachers for their native islands. The education that is necessary is not a mere literary education. In my opinion it would be wise that not more than two or three hours a day should be spent in literary education, and that the rest of the school day should be spent in training children to work—(1) training them to become gardeners, and to understand the planting, growing, and reaping of fruit-trees; (2) the necessary technical trades that are suitable for the

industrial life of the people, such as carpentering, perhaps blacksmiths' work, &c. In fact, the school should be a school that aims at industrial more than literary training. This I believe to be the great need of the Islands. There is no doubt that many of the children and young men are bright and intelligent. I met one or two who had been trained at Tereora, and they struck me as being very capable indeed. One or two Europeans will be required to start the training of the pupils in industrial work, but soon there would be a possibility of getting the Natives trained as teachers. In every village I visited there was a demand that schools should be established. The Natives had heard what had been done for the Maoris in New Zealand, and they were exceedingly anxious that they should have the same advantages as their race was enjoying in our Islands.

#### I. APPOINTMENT OF AN AUDITOR.

There was some reference made to the appointment of Mr. Twiss as Auditor. He was appointed only as a temporary auditor, and was paid the sum of £25. He did his work well, and since then an official of the Post Office from New Zealand visited the Islands and audited all the accounts, and found that Mr. Twiss's audit was correct. I was informed that the accounts up to the end of the financial year had been audited by this postal official.

The only other question that I may refer to is a suggestion that too much money had been spent on the Residency. I visited the Residency once, and failed to see any evidence of undue expenditure of money on the building or its surroundings. The house is not better than some of the Native houses, and did not seem either large or extravagant.

I understand that the titles of one or more of the islands are not yet finally settled, and there is therefore need of a Judge to deal with them. Assuming that in ordinary circumstances it is wise to have the Resident Commissioner also the Judge—an opinion with which I do not agree—there is a special reason why, for some time to come, an officer should be appointed to perform purely judicial functions. He should, in my opinion, have had either Magisterial or Native Land Court experience. His duties may entail on him a considerable stay on islands other than Rarotonga, and it cannot be expected that the head executive officer whose duty calls him to Rarotonga can perform such judicial work. It will be noticed from the speeches made and addresses delivered by the Natives that they desired a Judge.

I have so far dealt with all the complaints or charges that have been made against the Administration, and with some suggestions as to education and judicial administration. I now desire to add something about the outlook of the race. It is perfectly apparent from what has taken place in Samoa and the Society Islands and in the Sandwich Islands that the Polynesian race is decreasing. In Samoa labour has been brought from Melanesia, and is, I understand, to be brought from China. In the Society Islands and the Paumotu Group Chinese have been largely introduced. To such an extent is this the case that almost all the retail trade, at all events, of Tahiti is now in the hands of the Chinese. Even on the steamer on which I went from Auckland to Rarotonga there were about sixty Chinese going to some of the islands of the Paumotu group. Some had been there before—they could speak Tahitian. There will soon be few true Polynesians left in the Society Islands. In the Sandwich Islands there are thousands of Japanese, and also a considerable number of Chinese. Some of the Chinese have intermarried with the Polynesians, and, as has been pointed out lately by Mr. J. Liddell Kelly, a new race has been created. It seems to me that the time is within measurable distance when there will be few Polynesians in the islands to the east of Rarotonga. If, however, the present laws of the Cook Group are maintained the Polynesians will still be found in the Cook Group. No Japanese or Chinese are admitted to the Cook Group, and, though there is some admixture of whites with Polynesians, there are still thousands of pure Polynesians left. The question really arises, how is this Polynesian race to be preserved? It can only be preserved by maintaining the present laws excluding the coming of various tropical races into the group. From what I have seen even of Rarotonga, which is one of the coolest islands of the group, it does not seem to me that these islands can be the home of a pure-white race. The men who have been a long time in the islands are white, pale, and old-looking for their age. The women are even more affected by the climate, and the white children I saw were very few and looked puny and weak. These Islands can only be the home of a race that has been trained for centuries to a tropical climate. The Polynesians are a fine race, and it would be a sad thing if they were to perish. In order that they may live, attention will have to be paid to their health, and to the prevention of many diseases that are now rife in all the South Sea Islands. Attention is being paid to some extent in this direction in the Cook Group, and the past and present Resident Commissioners deserve great credit for having provided clean, pure water for some of the villages, and thus greatly promoted the public health. Steps are, I

understand, being taken by the present Resident Commissioner to have pure water for all the villages in Rarotonga, and other islands have been aided to some extent in the same way. With more attention to the health of the people, with a proper industrial system of education, and with the maintenance of the existing laws preventing other tropical races coming to the Islands, there is a hope that the Polynesian race may be preserved. If it is to be preserved, however, as I have said before, it must be trained to self-government. This was the noble idea that Mr. Moss had in all his endeavours—to found a system of local self-government; and in my opinion it should be the ideal that must for ever be before the New Zealand people.

In conclusion, I have to say that the Administration has done and is doing good work. Considering the small pay that is given to the Resident Commissioner—only £600 a year—and the fact that the climate is not a climate suitable for Europeans, it is not likely that the higher officers of the New Zealand service would accept the appointment of Commissioner. I might make a suggestion here—namely, that if at the end of Captain Smith's term of service any New Zealand official is appointed Resident Commissioner arrangements should be made that the residence in the Islands should for the purposes of pension count time and a half—that is that, instead of counting one year's service as one year, one year's service should count at least as one year and a half. Something will have to be done if the higher officers of the service are to undertake the duty of acting as Resident Commissioner. A Resident Commissioner has not only the climate to contend with, but, judging from what has taken place in the past, he will have to put up with a considerable amount of carping and petty criticism.

The Islands have under the administration of the present Resident Commissioner been exceedingly prosperous, as the increase of imports and exports will show. The figures for the past nine years are:—

Year.	<i>Imports.</i>		
	Amount.	Increase.	Decrease.
	£	£	£
1902-3	27,623	...	...
1903-4	34,886	7,263	...
1904-5	33,399	...	1,487
1905-6	36,993	3,594	...
1906-7	41,437	4,444	...
1907-8	50,756	9,314	...
1908-9	55,021	4,265	...
1909-10	67,737	12,716	...
1910-11	85,064	17,327	...
	<i>Exports.</i>		
1902-3	34,821	...	...
1903-4	34,740	...	81
1904-5	38,248	3,508	...
1905-6	34,890	...	3,358
1906-7	45,925	11,035	...
1907-8	51,578	5,653	...
1908-9	60,652	9,074	...
1909-10	73,653	13,001	...
1910-11	91,421	17,768	...

I forward herewith the addresses made to me by the various Arikis and Natives at the different places. It will be seen from these addresses that the Commissioner has succeeded in carrying along with him the good feeling of the Native population. This I consider a very important result. They are quite content with the Commissioner, and what they ask in reference to education and other matters will appear from their addresses. I may add that they were exceedingly kind to me. The white settlers also were most hospitable and kind. I send you herewith the notes of evidence, but in my opinion the evidence ought not to be published. It contains, in some cases, reflections on other people in the island. I did not consider it my duty to inquire into these reflections, and it would be unfair to publish them when the persons referred to have not had an opportunity of rebutting the criticisms.

I cannot conclude without referring to the fact that the well-known Native chief, Te Heu Heu Tukino, of Taupo, visited Rarotonga at the time I was there. He greatly assisted me in seeing the Natives, and he will, no doubt, report to you his opinion on the feeling of the Natives towards the Commissioner and the administration. I judged from what he said that the Natives had, as they told me, no complaints to make against the Commissioner, and that their statements made in their addresses were their honest opinions.

I have the honour to be,

Sir,

Your obedient servant,

The Honourable the Acting Prime Minister, Wellington.

ROBERT STOUT.

## APPENDIX.

## A.

Sir ROBERT STOUT to Dr. DAWSON.

SIR,—

Rarotonga, 9th June, 1911.

I have the honour to state that I have been appointed to inquire into complaints regarding the administration of government in Rarotonga. I find from a copy of correspondence forwarded to me that you have made complaints in reference to what may be termed hospital management. I should be much obliged if you could let me know whether you can give me any further information in reference to your complaints, or whether you desire to see me with regard to the letters that you wrote to the Resident Commissioner in reference to certain sick persons who were your patients. I shall be glad to hear you at the Courthouse at any time between 9 a.m. and 11 a.m. on any week-day before the 16th instant. Will you be good enough to state whether you intend to call upon me, and if so, at what hour.

I have, &amp;c.,

Dr. Dawson, Rarotonga.

ROBERT STOUT.

Sir ROBERT STOUT to Mr. HOSKING.

SIR,—

Rarotonga, 9th June, 1911.

I have the honour to state that I have been appointed to inquire into complaints regarding the administration of government in Rarotonga. I understand that you have complained against the administration. If you desire to give me any information regarding the matter I shall be glad to see you at the Courthouse, Avarua, at any time between 9 a.m. and 11 a.m. on any week-day before the 16th instant. Will you be good enough to inform me of the time at which you intend to call upon me.

I have, &amp;c.,

R. Hosking, Esq., Dental Surgeon, Rarotonga.

ROBERT STOUT.

Sir ROBERT STOUT to Mr. REYNOLDS.

SIR,—

Rarotonga, 9th June, 1911.

I have the honour to state that I have been appointed to inquire into complaints regarding the administration of government in Rarotonga. I understand that you have complained against the administration. If you desire to give me any information regarding the matter I shall be glad to see you at the Courthouse, Avarua, at any time between 9 a.m. and 11 a.m. on any week-day before the 16th instant. Will you be good enough to inform me of the time at which you intend to call upon me.

I have, &amp;c.,

W. R. Reynolds, Esq., Rarotonga.

ROBERT STOUT.

## B.

EXTRACT from *Cook Islands Gazette*, 9th June, 1911.

New Zealand, Cook Islands Administration, Rarotonga, 9th June, 1911.

TO ALL WHOM IT MAY CONCERN.—Take notice that I have been appointed to make inquiries into the administration of government in Rarotonga. Any person desiring to see me thereon can do so by calling at the Courthouse, Avarua, where I shall be in attendance from 9 a.m. to 11 a.m. on every week-day before the 16th instant.

ROBERT STOUT,  
Chief Justice.

## C.

Dr. DAWSON to Sir ROBERT STOUT.

YOUR HONOUR,—

Avarua, 11th June, 1911.

Regarding the charge made by me against the management of the local Hospital, I wish to submit the following points:—

(1.) In connection with this charge I have been attacked publicly, and I consider it only fair that I should be given an opportunity to lay the matter before the public *in extenso*. The subject

is a professional one, and I understand the case is being watched by my professional brethren in New Zealand.

(2.) The subject of the charge is a public one, and therefore the public have every right to know the whole facts.

(3.) Some one is responsible for this lamentable state of affairs, and until the matter is sifted it will not be possible to say who is to blame. In my opinion this can only be done in public.

(4.) As the correspondence on which the charge is based shows the evasive proclivities of the Administration, it is necessary that evidence should be taken on oath, and that the witnesses be subject to cross-examination. I have every confidence in your impartiality, but I regret that the powers conferred on you by the Hon. the Acting-Premier to inquire into this charge are not sufficiently wide to deal with it in a manner to satisfy either the public or myself.

I must therefore respectfully decline to go on with the charge or give evidence there anent at the present juncture.

Sir Robert Stout.

I have, &c.,

C. M. DAWSON.

#### D.

Mr. HOSKING TO SIR ROBERT STOUT.

YOUR HONOUR,—

Rarotonga, 12th June, 1911.

With reference to the interview I, with other complainants, had with you on the 10th June, 1911, in the Courthouse, Avarua, wherein you most courteously and kindly afforded us information as to the scope and conduct of the inquiry you have been asked to conduct into Hospital and other complaints which might be brought before you, I have the honour to inform you that it is with regret that I have to lay before you my refusal, in writing, to proceed with the laying of further charges, at this stage, supplementary to those already submitted to the Minister in charge of the Cook Islands by Mr. R. A. Wright, M.P. I regret that I shall not have the pleasure of laying before you some twenty charges, for I realize that I should have had an impartial and unbiassed hearing from your Honour. I must further refuse, with all due respect to your Honour, to give any evidence in this inquiry.

These steps I have been forced to take for the following reasons, which I lay out in detail for your Honour's information :—

(1.) Your Honour has notified us that the Minister's instruction to you is that evidence is not to be taken on oath. This may be the usual course in inquiries, but with all due deference I have come to the conclusion, not easily to be shaken, that in view of the want of veracity of certain individuals, and the tactics they have adopted, it is absolutely necessary that both sides should be put in a position that will insure truthfulness, and will put perverters of the truth within the grasp of the law. I, personally, am fully willing to give evidence and make statements on oath, and am willing that I should be adequately punished if found to have committed perjury or distorted facts for my own ends, and it seems reasonable that this should apply to both sides.

(2.) Your Honour has informed us that you have decided, as you have power to do, that while here you think that you will be able to get more and better evidence in private than in public. With your Honour's wide and long experience, your decision I may not dispute; but I would beg to again draw your Honour's attention to the fact that I consider that, as I have been attacked by several persons and called by sundry approbrious names, in speeches in the honourable House of Parliament, it is only fair that I should have a chance to refute these statements in public, so that garbled tales may not be spread abroad in these Islands and elsewhere. I have said my say so far in public, and I wish to continue to do so. Your Honour, I stand unafraid of the law, for I have been law-abiding in so far as one is able to disentangle the law in these Islands.

(3.) Your Honour has further told us that your authority to hold an investigation comes not from His Excellency the Governor, as we had expected, but from the Acting Prime Minister, and that your report will be sent to him. And your Honour can give us no assurance that this report will be made public. I, your Honour, am averse to having my own evidence or that of my witnesses transferred to the Minister of these Islands, even though he be Acting Prime Minister, for his verdict. That would be too much like asking a Minister to pass judgment on himself and his Department, and is not to be thought of for an instant. The Dilly, Dilly, come and be killed, idea does not appeal to me, your Honour.

I think I am justified in saying that my friends and myself are desirous of giving evidence *only* before an open inquiry, and if an inquiry were held by your Honour under warrant of His Excellency the Governor, with a certainty of the full publication of evidence and your Honour's report, we might possibly come forward. The gravity of the charges is too serious to allow of anything in the way of a hush-up—not by your Honour, be it understood, but by other persons.

I again repeat, we wish an open, unbiassed, and legal inquiry, with the evidence on oath, and as it does not seem to be in your Honour's power, at present, to afford us that, we must stand by the refusal we made on Saturday, and which I repeat, with all due deference now.

I have the honour, in conclusion, to inform your Honour that I shall now carry the matter, and those charges for which I am sponsor, into and before the honourable the House of Parliament in New Zealand.

His Honour the Chief Justice, Sir Robert Stout.

I have, &c.,

RUPERT V. HOSKING, D.D.S.

## E.

Mr. REYNOLDS to Sir ROBERT STOUT.

YOUR HONOUR,—

Tupapa, Rarotonga, 10th June, 1911.

Having duly considered the position as placed before Dr. Dawson, Mr. Hosking, and myself on Saturday, the 10th instant, by you, I beg to inform you that I have decided to refrain from proceeding with my complaints under the conditions laid down.

It has been stated in Parliament and in the Press that I am "hostile" to Captain J. E. Smith, but that I only hold a temporary position, and that he intends dispensing with my services as soon as convenient. The *Hansard* and papers with this statement arrived here on the 22nd December; on the 24th I receive my notice to leave, to take effect on the 31st December. No reason or explanation is advanced for this summary action. This itself leaves my character open to severe criticism.

During the time of my service under the Cook Islands Administration no complaints were made against myself or my work, so far as I know. The term "temporary" was never mentioned in connection with my position, either here or in New Zealand. I then affirm that, accepting the temporary conditions as being the truth, I was sent here under false representations deliberately, and allowed to remain under that impression for nine months. This itself is an injustice. I am dismissed, as I have already pointed out to three New Zealand officials, on the ground of "hostility" to the Resident Commissioner. No effort is made to prove or confront me with this accusation. The circumstances go to prove my contention that the hostility is on the Commissioner's side, not mine. I ask you to note the fact that it is not hostility to the Administration, but to one member of it, that is alleged. To be dismissed on the plaint of personal hostility is not a usual practice.

I did my work as Inspector of Police impartially and fairly, I sincerely believe. The European population have confidence in me, and the Maoris trusted and believed in me. I made a strong effort to become familiar with their language, which was in a degree successful. The Resident Commissioner has declared from the Bench on the 25th of January that he had never had fault to find with my work, and that he knows of nothing against me, and that I have a character, as far as he knows, that any man might be proud of. This was said on the occasion of my charging Dr. Story, then acting Medical Officer, with abusive language to myself, the dismissed Inspector. Then, under these circumstances it appears most inconsistent to dismiss me and fill the position again.

I wish your Honour to believe me when I say that I have every faith in your fairness and impartiality, and should be only too pleased to place my complaints before you if it were a public affair, but to place it before you privately to be dealt with by a Minister who has already said in effect that I have no redress would be useless. I refer to the Hon. J. Carroll. The *Dominion* newspaper, of Wellington, which voices our wishes, distinctly declared that we (and myself) would not lay our complaints before a private inquiry.

Whatever confidence I may once have had in the majority of the members of this Administration to whom my charges relate has been entirely destroyed by recent events. I beg to enclose you a copy of what I will term a testimony of confidence signed by all the European population of this island, with one exception, who were here at the time. Casual inquiries among any Maoris of rank or age who are not in fear of the Resident's displeasure and what it entails may go to prove my statements are not vain boasts.

His Honour the Chief Justice, Sir Robert Stout.

I have, &amp;c.,

W. REVELL REYNOLDS.

## F.

Mr. REYNOLDS to Sir ROBERT STOUT.

SIR,—

Tupapa, Rarotonga, 14th June, 1911.

I herewith beg to request that I may be permitted to withdraw my letter of 10th instant and may lay my case before you. The reason for this change of front on my part is that certain persons whose names appear upon the letter of confidence which was handed me in January last consider that it would be unwise of me to withhold the facts I have to lay before you, or any inquiry, and so postpone any satisfaction there may be to be gained for an indefinite period.

I now recognize that my complaints are chiefly departmental, and such being the case they can only be dealt with in private. Should your Honour permit my request, as I trust you will, I would ask you to acquaint me with the day and hour that would be satisfactory to yourself.

His Honour the Chief Justice, Sir Robert Stout.

I have, &amp;c.,

W. REVELL REYNOLDS.

## G.

Sir ROBERT STOUT to Mr. REYNOLDS

SIR,—

Rarotonga, 14th June, 1911.

I am in receipt of your letter of to-day. I shall have much pleasure in hearing your evidence to-morrow morning at 9 o'clock, if that hour will suit you.

W. R. Reynolds, Esq., Rarotonga.

I have, &amp;c.,

ROBERT STOUT.

## H.

Dr. DAWSON to Sir ROBERT STOUT.

YOUR HONOUR,—

Avarua, 13th June, 1911.

Regarding your verbal request for certain particulars of the three cases mentioned in my correspondence with the Resident Commissioner in the months of January, February, and March last, I beg respectfully to refer you to the last paragraph in my letter to you, dated 11th June.

I apologize to you for seeming to change my ground, but the fact is that on the spur of the moment I agreed to supply the particulars desired, and my hasty action in thus agreeing was simply a reflection of my earnest desire to see hospital matters put on a proper basis. I think you will agree with me that the giving of these particulars would stultify the terms of my letter. For another reason, I wish you to ascertain for yourself the present method of death registration and certifications, which is an absolute farce, and this I think can best be done by your making inquiries through departmental channels.

Sir Robert Stout.

I have, &amp;c.,

C. M. DAWSON.

## I.

Sir ROBERT STOUT to Dr. DAWSON.

SIR,—

Rarotonga, 14th June, 1911.

I am in receipt of your letter of the 13th instant. I understand from you that Tau was the man who died, and I am informed that he died on the 3rd February, 1911, and was buried on the 4th February; further, that he was dead when the Commissioner received your letter of the 3rd February stating that you had a person to admit to the Hospital suffering from ischiorectal abscess.

Dr. Dawson, Rarotonga.

I have, &amp;c.,

ROBERT STOUT.

## J.

Dr. DAWSON to Sir ROBERT STOUT.

YOUR HONOUR,—

Avarua, 14th June, 1911.

Tau was the man that died. He died on 3rd February, about midday. I was unaware of this till 3 p.m., when I went out to visit him. My letter to the Resident Commissioner was written early that morning, and I think should have been received by him before midday. The Resident Commissioner's reply was dated 8th February.

Sir Robert Stout.

I have, &amp;c.,

C. M. DAWSON.

## K.

NOTES OF MEETING WITH THE FEDERAL COUNCIL, 13TH JUNE, 1911:

*Captain Smith.*—These are the members of the Federal Council who have been asked here this afternoon to meet His Honour the Chief Justice of New Zealand. His Honour has very graciously consented to come down to the Cook Islands to hear what you may have to say upon your own affairs. Anything for the benefit of your people he will convey to the New Zealand Government. Any complaints that you may have to make with regard to the administration he will also go into and convey to the New Zealand Government. This is an opportunity probably that you never had in your lives before, and I wish you to avail yourselves of it most freely. Be not afraid of any person or of any one. Tell His Honour everything that you want to say freely and without the slightest reserve. In order that you may be able to express yourselves more freely I intend to ask His Honour to allow me to leave the room. Mr. Waldegrave, the Under-Secretary for Justice, will also listen to what you have to say.

*His Honour the Chief Justice.*—I wish to add one or two words to what the Commissioner has said. I should like to hear from you anything that you may like to say about the administration of government in Rarotonga and the Islands. I take a great interest in all things that concern the Islands. For three years I was all through New Zealand meeting the Maori people and hearing what they had to say and what they desired. I met them in all their pas and villages, and they came and openly told me just what they wanted, and I heard them, and we understood each other. If you have any suggestions to make about anything or any complaints to make I shall be very glad to hear them.

*Pa Ariki.*—I wish Paaro to speak.

*Paaro.*—Greetings to your Honour the Chief Justice of New Zealand! To Mr. Waldegrave, who has been sent here amongst us on Government matters, we extend greetings also. You have just asked us, if we have anything to complain of, to unreservedly tell you—that is, anything we have to say about the administration of government over these Islands. Now, we will tell you exactly what we say and know about the administration of government at the present time. The



administration is good. We have no complaint to make against it whatever. The Resident Commissioner who has been sent down here to be our guardian and adviser is helping us all that he can. He has been teaching us—the Arikis, Mataiapos, and all the people—to do those things which will benefit us. He has also visited us in each of our settlements and met all the people, and there told us that the best thing we can do is to plant so that we may get plenty of produce to ship away, and that this will be all for our own good. He told us that if we planted the land we would get a great deal of benefit from it, and that the land would prosper, and that in addition to that the people would prosper also. We know of no troubles or complaints. The only trouble we know of that has arisen on this island is some trouble caused by aliens to our island. It is what we call a work of shame. The Resident Commissioner knows all about it, and it has been reported to New Zealand. We have never had trouble like this before. It is only this last year that things like this have arisen. We know that the Resident Commissioner has placed a lot of these things before you. In regard to the administration of government on the island, we have no fault to find with it. There are other things that I would like to say, but I do not feel like saying them, but if you would like to hear them I will say them. We should like to have your advice on different methods by which we could benefit our Islands. Knowledge and the assistance from the whites will lead us to all those things that will be for our benefit and for the benefit of all the people. We are still living in darkness. We have not yet learned all those things that we should learn—that is, those things that will be of benefit to ourselves and to our people—and we are willing to be taught by those that know all these things. What I am driving at is that we want a Government school so that our people may gain knowledge. We are now British subjects, and we want British education. We want to try to be like the people of that great empire, Great Britain, who have learned and are wise. We are children and are living in darkness, and we want to be as wise as those under whose wing we are living. That is one thing that we know will be of great benefit to the island—that everybody may learn, and also learn to speak the English language, and anything else that may be learned in school. Some of us may wish to learn to be captains of ships, and also learn other professions. We also want technical education. We want to be blacksmiths and carriage-builders, and to learn different trades that will be useful to us, and we ask New Zealand to help us in this respect. As for anything that is evil, we want measures taken to stop these things and to prevent them from arising on the island. We want those things dealt out to us that will lead to all good and to our prosperity, and to the general good of the community. That is what I want to say, and I have now told you. Greetings to you!

*Taraare.*—Greetings to your Honour, and also to you all who are the mouthpieces of the New Zealand Government! We have all met together to-day. What Paaro has said is what we have to say. We are all of the same mind. That which he has said from the beginning to the end is my speech, and I can add nothing to it.

*Puri.*—Greetings to your Honour! Greetings to you, Mr. Waldegrave, and to you Te Heu Heu representing the New Zealand Government! This is a day of joy to us that we have now met face to face. We have heard what your Honour has had to say, in asking us if we have anything to say, to say it. Paaro has said practically all that has to be said by us. There is one particular part of his speech that I wish to indorse most heartily, and that is the part referring to the school. We want a school. Rarotonga is still living in darkness. If we were wise I think we should be all right; but by teaching we shall learn wisdom. That is one of our greatest desires—a school. We want that to come about. That is what I have to say. Greetings to you!

*Karika Ariki.*—Greetings to you, and to Mr. Waldegrave, and to Te Heu Heu! We are living on our island in peace. We have no trouble. There is no trouble amongst our own people. They are living quite peaceably, and our guardian the Resident Commissioner is good to us. We know of no trouble connected with him. The address made by Paaro states exactly what I think. That is what we want. That is all I have to say.

*Pa Ariki.*—Greetings to your Honour, and Mr. Waldegrave, and to all of you! May we all live! Now we are met together to-day, and that is through the great love of God who has enabled us to meet. You have asked us to tell you if we have any troubles or anything like that on the island, and I tell you we have none. This last year or two we have had no troubles. We are living in peace. We know of nothing wrong against this Resident Commissioner whom you have given to us to advise and guide us. Whatever we ask him to do he does it. He always listens to us. If we have anything to say we place our ideas before him, and he does exactly what we want. He is absolutely impartial. He does not favour one or the other, and therefore I say we are living in peace. I know of no trouble. That is all I have to say.

*Rangi Makea.*—Greetings to your Honour and all those with you! We know of no trouble with the Commissioner. What we do know is that he has been doing all the good he can since he has been here. Whatever work he has done has been good. We do not know of anything wrong that he has done so far. What the first speaker has said is what we think. We are all of the same opinion.

*Kainuku Ariki.*—Greetings to your Honour, and greetings also to Mr. Waldegrave, and to Te Heu Heu, who has come to represent the Maori portion of New Zealand: greetings to you all! I greet you again by the love of God. He has brought you over that great sea, and you have landed on our island and your coming brings peace. God in his great goodness watched over your safety during your journey across that great sea. You have told us what you want. You want us to tell you exactly what is in our minds. We had some complaints against the late Resident Commissioner, Colonel Gudgeon, but this Resident Commissioner is looking after us. He has had no trouble with us since he has been on the island. He has done all the good he could since he has been here. Any messages he has received from the Government he has always placed before us, and the works he has caused to be done are all good works. We are living at peace, and he is at peace with us. We know of no trouble between him and us.

This is what we have to say about our present Resident Commissioner. If he is good to us and treats us well we will be kind and true to him, but if he does not treat us rightly we ourselves will take what troubles we have before you in New Zealand. That is all I have to say.

*Tinomana Ariki.*—Greetings to your Honour, and greetings also to Mr. Waldegrave and to Te Heu Heu! I greet you in the name of God. You have come to our island to find out if there is any trouble existing in this island. That is good. You have heard what the other members of the Council have had to say, and all that they have said is good. You have heard what the Arikis have had to say, and what they have to say is also good. That is all I have to say to-day, so that you yourself and those who have come with you may listen to me. If you care to go further to find out whether we are living at peace in the whole of the Cook Islands I think you will find the answer the same all round. Nothing but good has arisen during the past few years, so that the people prosper—the Europeans as well as the Natives—the chiefs, the small people, and the widows. All the laws here are good. This Resident Commissioner who has been put over us is going slowly to find out all those things that are good for us, the people of this island, so that the chiefs may be benefited and that the law may be good. The law does not move swiftly, but it moves slowly. That is all I have to say.

*His Honour the Chief Justice.*—I thank you all for the kind greeting you have given to me and to Mr. Waldegrave, and also to Te Heu Heu, and also for the words you have spoken. I quite agree with you that schools must be established in the Islands. I, personally, take a great interest in education, and I know a great deal about schools. I am the head now in New Zealand of the New Zealand University, and I think that you ought to have schools that will teach your children to read English, and do sums, and to read properly, and to know something of the history of the world. The other most important thing in education is to teach your children how to do proper work. They ought to know all about plants and plant-life. They ought to know not only how to plant, but also how to keep the plants away from evil insects and other things that may injure them, and to know where to plant and when to plant and how to plant. If you all had the knowledge they have in some parts of the world—for example, about oranges—you could have far more and far finer oranges with perhaps less labour than now. Then, you are wasting a great deal of valuable matter in burning the dry covering of the coconut. That could all be utilized. It would give you a great income. I should like to see your children learning from books for half a day, and the other half of the day learning industrial things under the superintendence of proper teachers. Keeping them all the time in school and making them sing and do things like that is only half of education. They must be taught to do things. I have in my mind's eye a kind of school that would be most suitable for you. This school is in America. They teach the children for three hours in school proper, and for another two or three hours the children are out learning how to garden and to do other things. Some of them are learning how to be carpenters; some of them are learning how to be wheelwrights; and some of the bigger ones are learning how to be plumbers and to do every kind of work that they want. To learn to do things is just as necessary as to learn to know things. You can rely upon me to report to the Government that you desire schools, and they will be delighted to hear that, and they will help you. I hope to see some of the young Rarotongans trained so that they can be teachers, so that you will not have to bring in Europeans to help you. You will have to make a start, and once you have made a start you will be able to carry it on yourselves.

The other thing I am glad to hear is that you are pleased with your Resident Commissioner, and that you have no fault to find. I shall also convey that to the Government.

I am very pleased to have met you. It is a great honour to me to have met the chiefs of these beautiful islands. I was reading yesterday a book by a great missionary, whom you will remember—Wyatt Gill—and he said that Rarotonga was the most lovely of all the Pacific islands. I hope it will not only be the most beautiful island, but that it will be the best island in every way, and have the best people, and that they will be happy and prosperous and live long. I thank you for your great kindness and courtesy to me.

*Mr. Waldegrave.*—Members of the Federal Council of Rarotonga, I greet you again! I have listened to all you have said to His Honour the Chief Justice. I also agree with what His Honour has said as to schools being necessary. When I return to New Zealand I shall tell the Government that you want schools, and I shall urge the Government to assist you in getting schools. I am also glad to hear that you have no trouble with your Resident Commissioner. It has been a great pleasure to me to have visited Rarotonga and to have met you all. At 3 o'clock, outside, I shall read to you the messages that I spoke to you about the other day.

*Te Heu Heu Tukino* then addressed the Council in Maori, which was translated into Rarotongan by Mr. Savage, Government Interpreter.

## L.

REPORT OF MEETING HELD AT NGATANGIHA, RAROTONGA, 20TH JUNE, 1911.

*Vaiki.*—To your Honour the Chief Justice, Chief Justice for the Dominion of New Zealand and also for us, greetings to you! To you who represent the Governor, the Government, and the Department of Justice, greetings to you, and to your officers who have come with you! Greetings to you all! Also to Te Heuheu, Ariki, greetings to you! We also greet our Resident Commissioner and our doctor—greetings to you on this our meeting to-day! This is what the Arikis Pa and Kainuku have to say, and also all the Mataiapos and high chiefs and lesser chiefs and all the people. What they have to say to-day they will now place before you. We want to say a word

about our Resident Commissioner—that is, Captain Smith. We know he is a very fine man. He looks after us well, and he guides us thoroughly and wisely on all Government matters—that is, he performs his office under the power of His Majesty the King of all parts of the British Empire. We now tell you he is the man we want. We have told you that part, and now we have a question or two to ask with regard to those things that have happened during times past, before Captain Smith's time. The reason why we ask this is because certain troubles arose during Colonel Gudgeon's time. It is the question of the powers of the Arikis and Mataiapos. That was done away with then. We do not know whether this was the action of the Government or whether it was the action of Colonel Gudgeon. We want to know, Why was the honorarium given to the Arikis and Mataiapos done away with, and why were the Arikis' Courts done away with, and why was the Chief of the Council done away with, and why was the power of the Arikis and Mataiapos over the people done away with? We want to know what we have done to cause that. Why was that done, and why were these things taken away from us? We are living in peace. We recognize that the King of England is lord over all of us and that we are under his power. It is what Lord Ranfurly told us when he came here to hoist the British flag over these Islands. We are obeying those things that he told us then, and we have not in any way broken them. But we now say that these things are changed. It is not as it was told us on that day. That is why we ask these questions, so that you may know what we think. Another thing is about the Europeans on Rarotonga who are living with Native women, and who have begotten children and do not want to marry these women. What are we to do about these people? These are our thoughts which we place before you.

*Paaro.*—To your Honour the Chief Justice, greetings! To you, the representative of His Excellency the Governor, the Government of New Zealand and our Minister, greetings to you! Also to all those officers who have come with you, greetings to you all! Greetings also to Te Heuheu, Ariki! Greetings also to our Resident Commissioner, Captain Smith, and to our Medical Officer! Now we have met face to face to-day. These are the wishes of Pa Ariki and of Kainuku Ariki and all the chiefs and people of Takitumu. These that we shall place before you are our requests and wishes, and we want them placed before the New Zealand Government, and we think it right that we should ask these things, and we have written it, and if you want it read over we will do so. If it is better that it should be handed in as written we will hand it over.

*His Honour the Chief Justice.*—I have to thank you for expressing your wishes and desires on behalf of your people. We shall carefully consider your representations. The Government still recognizes the Arikis, because the Arikis are on the Council, and I am sure they are exceedingly desirous that the government of the island should be maintained, and that the care that the Arikis, Mataiapos, and all the other chiefs have had for the peace of this island should be ever remembered. I am sure both Mr. Waldegrave and myself recognize you have done all you could for the peace of the Islands. Speaking for myself, I have been delighted with my visit. We have met such a pleasant, kindly people, and I hope that you will always look upon me as your friend, and ask me for any assistance that I can in any way give. I hope that you will see schools established, and your people trained, and great improvements effected in their lives, and I hope you may ever remain strong, and that the race may prosper and be a lasting race. I thank you again for all your kindness and hospitality, and the love which I have seen you bear to us who are Europeans and strangers.

*Mr. Waldegrave.*—I greet you all again to-day. According to our promise we have come to visit you in your settlement, and we have heard what you have to say. It is right that you should tell us all that is in your hearts, so that the Government of New Zealand may be aware of what your wishes are. Your representations that have been made to-day will be laid before the Government, who I am sure will give them every consideration, and endeavour to do everything they can to further your interests. When we return to New Zealand we shall be able to tell the Government of your condition and the manner in which you are living, and the manner in which you are being governed. I am glad to hear what you have said of your Resident Commissioner, Captain Smith, who represents the Government of New Zealand in these Islands. I also wish to thank you for your kindness and hospitality to me while I have been here. I said to you the other day that we came as strangers and you had treated us as friends. I shall always remember you all when I go back to New Zealand, and anything I can do for you I shall be only too glad to do. Perhaps some day I shall come amongst you again and renew my old friendships. I thank you again.

## M.

MEMBERS of COUNCIL to Sir ROBERT STOUT.

[Translation.]

Rarotonga, 19th June, 1911.

To His Honour the Chief Justice, Sir Robert Stout, K.C.M.G.

GREETINGS to you! Since meeting you on Tuesday, the 13th instant, we have had time to consider many matters, and after due consideration we recognize that our Resident Commissioner has so much work to do pertaining to his office in generally administering affairs and conducting the commercial side of the Administration, and on that account cannot give the time and attention to Land Court work on this island and on the other islands of the Group, and the Northern Islands, as should be, for that work should not be neglected. We therefore suggest that a good Land Court Judge be appointed from the Land Court of New Zealand to go into these matters and

settle up all existing disputes, and to hear any land cases that may be brought before the Court. We are of opinion that a good Judge so appointed could deal with the Land Court work on all the islands in, say, from two to three years, or perhaps more, so that all these land troubles on the islands be settled.

We do not make the request out of want of confidence in our Resident Commissioner, Captain Smith, but in justice to him, for we recognize the great amount of work he has to do outside of Court work, and we trust that the New Zealand Government will favourably consider this, and, should a Judge be appointed, that he shall carry out his office under the Resident Commissioner.

Enough, O Chief Justice,

We remain, your humble servants,

PA ARIKI, of Takitumu (Member of Council).

MAKEA KARIKA ARIKI (Member of Council).

KAINUKU ARIKI (Member of Council).

RANGI MAKEA (representing Makea Ariki).

PHARAOH KOROPUAKA (Member of Council).

TINOMANA ARIKI (Member of Council).

TEARIKI PURI (Member of Council).

TEARIKI TARAARE (Member of Council).

## N.

### REPORT OF MEETING AT ARORANGI, RAROTONGA, 20TH JUNE, 1911.

LISTEN, O Chief Judge, listen you who represent the Government of New Zealand, and all who have come with you, listen! This is what we have to say. It is what we the Mataiapos and Rangatiras wish to say. It is also the wish of all the people and also of our Ariki. You have asked us to say what we wish to say and we have written it out, and we hand it over to you. Time will not allow us to read it. You can read it at leisure.

There is another thing we have to say, and that is that there is a feast prepared to you.

There is also something else we wish to place before you. We wish it taken and placed before the New Zealand Parliament. We also want our own Resident Commissioner to see it. It is about a public meeting-house. It has been our public meeting-house from the days of our forefathers. There is now trouble about it. We did not know that we had lost this house—we were unaware of it. It was a place agreed upon as a public meeting-house for all. It has been used for that purpose up to the present. Now we find out that the place is taken from us. We do not know how that came about. The reason why we say this is because it is our public meeting-house where all public meetings take place. It is the place where all the Arikis and chiefs meet to speak together. It was also used as a Courthouse during the time when we had Courts here. It has also been used as a Courthouse during our time. At present we do not know how we stand with regard to that house. We wish this matter placed before you. We place it before you, and we have also placed it before our Resident Commissioner that we may obtain possession of that place. It is a place always used to entertain visitors in. Any one of note who comes here we always entertain there. We want that house to be still used as a public place. That is what I have to say. Greetings to you in the name of God!

There is also something else. You have asked us to say whatever we have to say. I will just say a few words, but I shall hand this over in writing. The greatest trouble in Arorangi is about the election of Arikis. The Mataiapos here take part in it. We elected the Ariki we wanted, and put him in this house. Afterwards a certain man came and told us we had no right to do it—we did not recognize our Ariki. I feel sore over the whole thing. There was a lot said at that time, but we will leave it there, as there is no time to go into it any further.

*His Honour the Chief Justice.*—I greet the Ariki, Mataiapos, Rangatiras, and people of the district. I am glad to see so many pretty-looking young children amongst you. It is by the children that the race will be saved. I hope the children will be educated and live long, and maintain the Rarotongan race with all strength and happiness. Now, I first thank you very sincerely for the handsome presents you have made to us. I take them as a proof of your love to us. I had often heard you were a most kindly people. Since I have come amongst you I have seen many examples of your great kindness and hospitality. You have put into writing your requests to the Government of New Zealand. We shall read them carefully, and we shall bring them before the Government. I do not know what your troubles have been in the past. I do not know about the election of the Arikis and about the buildings of which the last speaker spoke. I have no doubt that anything that can be done to help you will be done by the Government. I am glad to see you have a love for your old places. You are a race that has to live in the past and that has also to live in the future. You have had a noble ancestry, but you must also have a noble future. You must so train your children that they will excel even their fathers. That is how the race gets on. You have a beautiful island, said to be the finest in the Pacific, and you have a fine race of people. You can produce everything necessary for your life. I am sure the people of New Zealand wish you well. They wish you to prosper and be happy. I hope that if we can be of any service to you we shall be able to help you. I again thank you for your kind reception and for your valuable presents.

*Mr. Waldegrave.*—Chiefs and people of Arorangi, greetings to you all! I have come here to-day with great pleasure to visit you at Arorangi, and to hear what you have to say. It is

right that we should meet here face to face and discuss matters of interest to you. When we go back to New Zealand we shall know of your desire, and we shall be able to explain to the Government of New Zealand what your wishes are. These papers you have given us to-day will be laid before the Government of New Zealand, and they will be carefully considered by that Government. With regard to the meeting-house and the election of Arikis, my word to you is that these things are fixed by the law. If any wrong has been done, then a way will be found to remedy it. I say to you therefore, hold fast by the law always. Now I shall not say anything more to-day. You have heard what His Honour the Chief Justice has said. I thank you very much for your reception, and also for the handsome presents you have given us, which we value very much as a mark of your affection. Greetings to you all!

## O.

ADDRESSES DELIVERED AT AVARUA ON THE 21ST JUNE, 1911.

*Taravae.*—Welcome to you all! Here are the Arikis, the Mātaiapos, the Rangatiras, and all the people: they welcome you on your visit to their place. Here also is something else. In that message which was given to us by you before the Government Buildings when you told us what you had to say, you told us to tell you anything we had to say. This is the day on which we shall say what we have to say. We wish to say it in your presence so that you may know. Greetings to you! [Written addresses handed in.]

*His Honour the Chief Justice.*—I greet the Arikis, Mataiapos, Rangatiras, and people of this district. I am pleased to see them here to-day, and I thank them for the warm welcome that they have given to me. I am glad to see that they have one custom that we have among our own people—namely, that they allow their women to occupy a high position in the community. We have had many queens in England, and you have had a queen in Rarotonga, and you have Arikis here to-day. You have Karika Ariki and Pa Ariki, and that shows you honour women as the English do, and you are aware that in New Zealand we allow women the same rights as men. They have great ability.

You have asked us about several things in your addresses. You ask about a Judge for the Court. That will receive careful consideration from us, and I have no doubt careful consideration from the Government. Of course, we cannot say anything, and as the matter has to be considered by the Government in New Zealand it would not be proper for us to say what we think until the whole matter has been considered properly; but I think I can say that any representation coming from the Natives will receive very careful consideration. Then you have asked about the powers of the Arikis and other Judges. Of course, our great chief is King. He is chief over us as he is chief over you, but we have recognized in the laws that have been passed that the Arikis and chiefs have certain rights. The Arikis have the majority in the Federal Council, and they have a majority in the Island Council. In fact, your Arikis have far more power than our Arikis have, and I hope the power of your Arikis will last long and that the Government will be properly administered by them. I am sure the Arikis will strive to better the health of their people, and I am sure, from their generous and kindly ways, that they will do what they can to help their own people. I am pleased to hear what you say about your Resident Commissioner, and that he has your sympathy, and that you have no fault to find with him. I am also pleased to hear you say that if you had fault to find with him you would not keep it back. I am also pleased to see the great strides that your island has made. You have many things that in some parts even of New Zealand they have not got. I am sure the great New Zealand chief Te Heu Heu, one of your brothers, will tell you that. You have got good roads, and I hope in time you will have something that will go even faster than a horse. If you go to Arorangi it will take you perhaps half an hour, but I hope soon you will be able to send messages in a second. You will be able to go into a room and speak to a man in Arorangi as if he were before you. That will be a very wonderful thing. I notice also that you have water at your settlements. Many of the Maori settlements in New Zealand have not good roads or water. You have been greatly blessed by Nature. The Maoris in New Zealand cannot send away thirteen thousand boxes of oranges as you did last week. I hope that in the future you will be strong and happy and prosperous. I again thank you for your greeting, and assure you all that your representations will be carefully considered.

*Mr. Waldegrave.*—Arikis, chiefs, and people, I greet you all. We have met here to-day to discuss the matters you wish to lay before the Government of New Zealand. It is right that we should thus meet here on your own ground and that we should speak freely to each other. The Government of New Zealand is your friend, and wishes you to become a strong and enlightened people. You have heard what His Honour the Chief Justice has said about the powers of the Arikis. I agree with what he has said, and therefore I shall say nothing more about that. Another request that has been made by you to-day and at various other times is with regard to a school. It is right that you should have a school. Without education you will never rise to the level of other nations. I will ask the Government to help you to have schools, perhaps one at a time. I am sure His Honour the Chief Justice will also support that request. You must be patient for a little time, and not expect everything to come at once. We have first to find a man who is suitable to teach you, not only to teach you English, but to teach those things to your children that will be useful to them. Then, when we have found a man we have to find the money to pay him. These are all matters for the consideration of the Government of New Zealand, and they will be laid before them on our return. Then, I am going to ask the Government to send you

another doctor from New Zealand to assist Dr. Perceval in the work he is doing amongst you. Health is the most important thing, and without health you cannot be strong and happy. Therefore you must pay attention to what the doctors tell you. That is another matter that will be dealt with on our return. I wish to speak about another matter. You know that Makea Ariki is gone. I understand that Rangi Makea will succeed her. That will, of course, be settled by law. You will all recollect that Makea Ariki was elected by the other Arikis to be chief of the Government. Now, His Honour the Chief Justice has told you that we all have one supreme chief, King George V, and there is now no necessity in any part of the British Empire for another supreme chief.

I wish to thank you for all your kindness and hospitality. It has been a great pleasure to me to come here and meet you all, and when I go back to New Zealand I shall not forget you. Every one has been very kind to us, all the Arikis, chiefs, and people. The officers of the Administration have also been very kind to us, and have assisted us in every way. Mr. Savage here has done a great deal of work for us in translating, and he has done his work to my entire satisfaction. I thank him also for the work he has done, and now I thank you again.

*Address by Natives.*—To your Honour the Chief Justice, to the representative of the Government, and also to your officers, and also to the two lawyers who have come with you: You have come here on a business matter. You have come here as Chief Justice to carry out the work of Chief Justice, and you have now finished your work. We are satisfied that everything has been done. Your children of this island have watched the work you have been doing, and it has put the fear of the law into them, and they now know what will happen to them if they offend against the law. What I have seen enables me to make this request. It is about liquor. Some time ago a man was killed by a lot of drunken people. He was a policeman. He was doing his work as a policeman, and was killed. There was also another European policeman assaulted by drunks, and another of our Native policemen was assaulted—Parau. It was all through drink. This drink is causing a lot of trouble among the Maoris. It is a great evil on this island. That is why I make this request to prohibit liquor altogether. We heard you say in church the other day that it was forty years since your doctor had prescribed any liquor for you, and I also recognize that to be perfectly true. That is why I ask you to make some laws to make drunkenness punishable on the island. We do not possess a population of a million. The population of the whole of the Cook Islands does not amount to ten thousand people, and we recognize that through drink we are dying out, and we ask our father to feel sorry for his children. We are living in peace and have no trouble whatever under the jurisdiction of His Majesty King George V. These are our requests, and we leave them to you to deal with.

*His Honour the Chief Justice.*—I return the greetings just addressed to me. In New Zealand I am known as one who wants drink done away with. I have never had a drop of liquor in my house, and I do not feel the need of it, and none of my people feel the need of it. My children are all strong teetotalers. My wife is now a leader in England, Scotland, and Ireland for temperance. One of my sons has for some years taken the platform in favour of doing away with all this. If I had my way there would be no liquor made at all. But I am not a lawgiver. I have only to interpret the laws that the people make. I shall do all that I can to urge that great care be taken of your people, so that they shall not suffer from intoxicating liquors, and if my recommendation can help you you shall have it. I hope you will train your children from the earliest years to look upon intoxicating liquor as poison. It has killed every Native race that has taken to it. It has slaughtered the Natives of America by hundreds and thousands. It is slaughtering our own white people. It is a fruitful source not only of disease and death, but also of crime. I recognize all that, and hope that you will all recognize it, and that the white people in this island will recognize it. I hope the white people will recognize that they have a duty to you as well as to themselves and their children, and their duty is to preserve your race, and if they recognized that duty they would not ask for any liquor to be imported into the island at all. I cannot say more than that my sympathy is with you in your crusade against this intoxicating poison. I hope your efforts will be successful.

## P.

ADDRESS HANDED IN AT ARORANGI, 20TH JUNE, 1911.

[Translation.]

Arorangi, Rarotonga, 18th June, 1911.

O SIR, greeting to you! We are pleased to meet you, because we know that you are the mouthpiece of the Government and the Parliament of New Zealand—also over the Cook Islands.

You have told the Arikis, the Mataiapos, and the Rangatiras, and all the people of Rarotonga to place their wishes and desires before you, and to do it publicly, so that you may convey those wishes and desires and place them before the Government of New Zealand, so that that Government may know what it is we want. Therefore we have drawn up in writing those things we desire you to know so as you can see what we want, as follows:—

1. We ask you and the Government of New Zealand and the Parliament of New Zealand, Has the power of the Arikis and other people of rank on this island been done away with—that is to say, that power we held from the period of our ancestors?

2. About the leases of land already executed for lands, the term of those leases are for ninety-nine years. We ask the Government to allow those leases to be reduced in this respect, that the

term be reduced to twenty-one years, because we have heard of the land laws of New Zealand made by the Parliament of New Zealand concerning the Maori lands in New Zealand, that the leases are there made for terms of from seven to fifty years with clauses providing for revaluation every seven years. This is what we think: that we should be paid for lands leased every half-year—that is, the man leasing from the Maori should pay the rent half-yearly, because the fruit-trees on those lands are producing all the year and every year. Considering this, we think that a revaluation should be made every five years. At it is we see that the lands already leased for ninety-nine years are the same as if they were lands that have been sold absolutely, and that we will never get repossession of them. We do not know for certain if the Parliament approved of this, or if it was the work of Colonel Gudgeon. We agreed to this kind of lease because we were ignorant and knew no better.

3. We have another request to make concerning the lands on the seaward side of the main road of the island—lands that have been surveyed and passed the Court. The Government prevents us from using these lands, and now this is what we tell to illustrate our meaning: A landowner was summoned before the Court because he cut down trees on his own land. There is another thing—that is, the lands in the mountains: they have not been surveyed. For other portions of our lands we have the Court orders and plans, but these lands in the mountains have been left out; therefore we want to know if these lands will be surveyed and heard before the Court at some future date.

4. We make petition that we be allowed an independent Parliament of our own for the Cook Islands.

5. We also petition for a teacher to be appointed to come and teach our children, so that our children may learn and gain knowledge so that they may be able to do the Government work and the work of the law that may be satisfactory to all.

6. We are looking at the present administration on the island. That administration is in one hand—in our Resident Commissioner's hands. That is too much for him to do, because he is our Resident Commissioner and is therefore the guardian of all the people of the Cook Islands. He also has the position and power of Chief Judge. Therefore we want that he have one position only—that of Resident Commissioner—because he is the best man for that position, and looks after us properly and carries out the administration of government well. Let it be this way: that he with the Council watch our welfare and see that justice is done by the Judge of the Courts. This is our wish, O Chief Judge.

7. There is another request: we want you, the Government, to appoint a Native doctor to attend to the sick.

From the PEOPLE OF ARORANGI.

Arorangi, 18th June, 1911.

To you the representative of His Excellency the Governor of New Zealand, also the Chief Justice, and to Te Heu Heu, Ariki, and to all those who came with you to our island of Rarotonga and who have come to visit us at our settlement at Arorangi this 20th day of June, greeting to you in the name of God!

We now place before you so that you may know what we want—because you told us to say what we wanted to say, to state those things that we desired: therefore we tell you, firstly—

1. The laws of our ancestors—that is, the laws of the Arikis and the chiefs—we desire that they be given back to us.

2. About leasing lands, we do not want leases made for a longer term than nine years.

3. We want a Parliament and members of Parliament our own absolutely.

4. We do not want our Native doctors (*tohungas*) debarred or done away with.

There remains more yet to be said, but we leave it at that.

From the MATAIAPOS OF ARORANGI.

*Approximate Cost of Paper.*—Preparation, not given; printing (1,500 copies), £12.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1911.

Price 6d ]

