

Enclosure 3 in No. 42.

The RESIDENT COMMISSIONER, Rarotonga, to the MINISTER IN CHARGE, Cook Islands Administration, Wellington.

SIR,—

Cook Islands Administration, Rarotonga, 16th March, 1915.

I have the honour to acknowledge yours of the 9th ultimo [not printed]. I attach hereto all correspondence connected with this case.

The facts are all set out very clearly in Mr. Stevenson's letter "A" of the 13th instant, and from it you will see that the "Maitai's" time had not expired when she came to anchor and commenced to load cargo.

I particularly wish to emphasize that I alone was responsible in the matter, Mr. Stevenson merely acting under my instructions, and that even had the mails been held after 2 p.m. Mr. Stevenson is entirely blameless.

The shippers had on the wharf awaiting shipment by the "Maitai" 250 tons of fruit, valued at £1,500, which must all otherwise have rotted and become a total loss (or have been made into "bush beer"); so that there were very cogent reasons, both financial and moral, for wishing to get it on board.

I most respectfully request that you will kindly bring before the notice of the Under-Secretaries for the General Post Office and the Customs the fact that Mr. Stevenson was not responsible for any delay of the "Maitai"; if such occurred it was due to my instructions to him to hold the mails and clearance pending further notice from me.

By the ruling of Mr. J. C. Williamson the question of whether or not fruit is carried by the mail-boats is entirely dependent on the whim of the captain in charge of the mail-boat, and the shippers must take their chance, as pointed out in Mr. Stevenson's letter "B."

I have, &c.,

H. W. NORTHCROFT,

Resident Commissioner.

The Minister in Charge, Cook Islands Administration, Wellington.

Sub-enclosure 1 to Enclosure 3 in No. 42.

(A.)

The COLLECTOR OF CUSTOMS, Rarotonga, to the RESIDENT COMMISSIONER, Rarotonga.

SIR,—

Rarotonga, Cook Islands, 13th March, 1915.

With reference to the letter from the Hon. the Minister *in re* the delay of the "Maitai" on the 7th October last, I should like to point out that I was not responsible for any delay which occurred on that occasion, for I took my instructions from you.

As far as I can gather and recollect the facts are as follows: The vessel arrived off the anchorage on the 6th October at 8 a.m., but as the sea was too rough it did not anchor till 3 p.m. Soon afterwards the anchor began to drag and the vessel put to sea. Next morning, 7th October, the sea had moderated slightly, but was deemed too rough for work, although every hour the sea was going down. At 11.30 a.m. the captain sent a message ashore to the local manager for the Union Company to the effect that he wished the mails and clearance, as there was no chance of working, and that no good would result by waiting until 2 p.m., the time in which his thirty hours allowed by contract would expire. I met you coming on the wharf, and told you what was about to happen, and remarked that his thirty hours' grace was not up until 2 p.m. You replied to the effect that I was not to give up his papers before that. I then gave your message to Mr. Morrison. By this time the shippers were interviewing you about delaying the vessel, and I think you sent a letter off to the captain pointing out that the sea was moderating and that there was a chance of working.

We went to lunch at 12 o'clock, and you were back shortly after 1 p.m. By that time the captain's answer to your letter had come ashore through Mr. Morrison. It stated that he would not stay. You then said, "Do not give up the papers until I tell you." You were drafting a letter to the Minister on the subject, and were anxious that it should go in the mail-bag. While Mr. Savage was preparing this letter the vessel came along to the anchorage, dropped her anchor, and working cargo was started at 1.30 p.m.

The vessel left for New Zealand with all the fruit aboard at midnight.

I have, &c.,

W. J. STEVENSON,

Collector of Customs.

The Resident Commissioner, Rarotonga.

Sub-enclosure 2 to Enclosure 3 in No. 42.

(B.)

The COLLECTOR OF CUSTOMS, Rarotonga, to the RESIDENT COMMISSIONER, Rarotonga.

(Memorandum.)

Rarotonga, Cook Islands, 13th March, 1915.

It is rather interesting from the Hon. Minister's letter *in re* delay of the "Maitai" to know that after the expiry of nine hours the Administration has no jurisdiction over the detaining of the vessel. Shippers may put anything up to ten thousand cases of fruit on the wharf, and run the