

Territory. This enactment has been subsequently amended at divers times by the New Zealand Legislature. The main provisions for the administration of the Territory may be referred to. The administration of the Executive Government was entrusted to an Administrator, appointed by the Governor-General of New Zealand, who was in such administration to be under the control of the Minister of External Affairs. Provision was made for a High Court having civil and criminal jurisdiction, with a right of appeal from its decisions in certain cases to the Supreme Court of New Zealand. A Samoan Treasury was provided for the custody of the public revenues of Samoa; and the collection, expenditure, and control of the public revenues and the audit of accounts of the Treasury were to be in accordance with regulations to be made by the Governor-General in Council. The Administrator was charged with the duty of establishing and maintaining in Samoa such hospitals and other institutions as he might deem necessary for the public health, and all institutions so established were to be under the control of a Chief Medical Officer, to be appointed by the Minister of External Affairs. In addition to the power of legislation possessed by the New Zealand Parliament, there were two ways by which laws may be made for the Territory.

- (a) Under section 45 of the Samoa Act, 1921, which empowers the Governor-General in Council to make all such regulations as he thinks necessary for the peace, order, and good government of Samoa.

This enactment expressly confers upon the Governor-General authority by such regulations to impose tolls, rates, dues, fines, taxes, and other charges; and

- (b) Under section 46 (as amended by section 6 of the amending Act, 1923), which confers upon the Administrator, acting with the advice and consent of the Legislative Council of Western Samoa, power to make laws (to be known as Ordinances) for the peace, order, and good government of the Territory, not being repugnant to this Act or to regulations under this Act, or to any other Act of the Parliament of New Zealand or of the United Kingdom in force in the Territory, or to any regulations there in force.

This power it was declared should extend to the imposition of tolls, rates, dues, fees, fines, taxes, and other charges.

It is convenient to state the different Administrators of the Territory and the period during which they held office:—

Colonel Robert Logan, from the 29th August, 1914, to the 30th September, 1919.

Colonel Robert Ward Tate, from the 1st October, 1919, to 18th March, 1923.

Sir George Spafford Richardson, the present Administrator, from the 19th March, 1923.

We proceeded to Apia, and heard evidence and addresses from counsel during twenty-three days. Before concluding the sittings at Apia we sat at Fagamalo, in the Island of Savai'i, and heard the evidence of witnesses resident in that island called by the parties to the Commission. This sitting occupied two days. We also sat at Falealili and heard the evidence of witnesses resident on the south-coast of Upolu. This sitting occupied two days. Altogether 155 witnesses gave evidence before us—ninety called by the complainants, and sixty-five called on behalf of the Administration. Three of the witnesses for the complainants spoke on behalf of thirty-two, twelve, and thirty-two other Natives respectively, most of whom were actually present in Court and assented to the evidence, or were accounted for; and three witnesses for the Administration similarly spoke on behalf of thirty-two, thirty-one, and six Natives, who were present in Court or accounted for. We thus obtained the views of three hundred persons in all.

Mr. Baxter, with him Mr. Slipper, appeared as counsel for the organization known as the Mau and for the Citizens Committee, both of which will be presently referred to. Mr. Meredith, with him Mr. McCarthy and Mr. Klinkmueller, appeared on behalf of the Administration.