

which were to be chosen by the Village Committees of the district, to be members of the Council was the subject of criticism. We do not think that there is any substance in this criticism. There appears to be good reason for taking power to limit the number of chiefs entitled to sit in the District Council. As we have shown, the number of chiefs is so great that some limitation may be necessary to render the machinery practicable. As a fact the number of chiefs to be selected by the Village Committees has never in practice been restricted.

The regulation that the Faipule should preside at meetings of the District Council has been objected to as not being in accordance with Samoan custom, and as unduly enhancing the importance of the Faipule. It is probable that in early times there was no Chairman of the meetings of the District Council. Speakers probably addressed the meeting in accordance with their rank, or their interest in the subject under discussion. No decision at a Samoan meeting was arrived at by a majority—by show of hands or by counting for and against a question. Mr. Gurr (see page 181) explained that if unanimity could not be obtained at the meeting it would be adjourned, and negotiations ensued with the dissentients which usually resulted in securing their assent, probably under some kind of compromise. Under modern conditions Samoans have no doubt acquired a knowledge of the modern procedure at public meetings and its advantages. It is clear that they do now arrive at decisions by a majority.

We see no weight in the objection to the Faipule of the district presiding at meetings of the Council for his district. He is obviously the most knowledgeable and efficient person to do so; and the suggestion that his chairmanship *ex officio* is objectionable as being contrary to Samoan custom is, in our opinion, without foundation.

5. *Fono of Faipule*.—A Fono or meeting or council of Faipules was established whose functions have already been sufficiently stated. This Fono, according to Mr. Lewis, can be traced back to an assembly that was in existence in the consular period. The number of seats in the Fono occupied by Faipules now total thirty-four. The objection to the Fono of Faipules is that it is said that it is dominated by the Administrator.

6. *Plantation Inspectors*.—There are other paid district officers known as *pulefa'atoagas* or plantation inspectors. There is thus, as Mr. Lewis points out, a chain of procedure from Village Councils to District Councils, from District Councils to Fono of Faipules, and thence to the Legislative Council if an Ordinance is necessary, or to the Minister of External Affairs if an Order in Council is required.

The matters in this class investigated by us may be divided into main or principal complaints and subsidiary complaints. The main complaints may be thus stated:—

- (1) The system of Government permitted the rule of an absolute dictator, and caused officers of the Administration to think that they could carry out certain policies regardless of the customs and feelings of the people in Samoa.
- (2) That the Faipules were appointed by the present Administrator without consulting in any way the people of the district as to their appointment; or, in the words of Mr. Baxter's "charge," "That all Faipules are not qualified in accordance with existing Native usage and custom to represent their districts, for the reasons that they have not been selected according to Native custom and/or that they have received appointments for unlimited periods."
- (3) That the Faipules were guilty of misconduct in the performance of their duties, and interfered with the jurisdiction and duties of other Native officials (such as Native Magistrates (*Fa'amasinos*), Agricultural Inspectors (*pulefa'atoagas*), and village officials (*pulenu'us*)). See paragraph 12 of petition to Parliament.
- (4) That the imposition of the medical-tax was unjust.
- (5) That there has been improper and unnecessary interference with the ancient customs of the Samoans in relation to *malagas* or journeys for the presentation of Fine Mats and the individualization of family lands.