

initiated by Messrs. Leefe and Moulton, for finding an asylum for the small remnant in Fiji, was taken (see my despatch of the 11th March, 1887): about ninety men, women, and children were brought to these islands in two schooners, and I have provided them with homes. This occurrence forms, I think somewhat unreasonably, the ground of two of Mr. Moulton's charges—the first two of charge 6 of the second series. The so-called “banishment” of these people was really their voluntary withdrawal in order to avoid joining the Free Church.

60. In speaking of the unfair laws that had been passed during 1885, I omitted to mention an Order in Council that shortly followed them, to the effect that, where two churches of different denominations existed within 600yds. of one another in the same town, the regulation of their times of worship should rest with the local Government authority. This order, considering the part taken by the Government and by the chiefs, was unfair; and an instance of the working of the rule, quoted by Mr. Moulton, will show this. The Wesleyans greatly affect what are known as “Watch-night” services—that is, the watching on the night of the 31st December for the coming of the new year. In 1886–87 the enforcement of this order practically deprived the Wesleyans of these services.

61. Since the setting-up of the Free Church the King has demanded from the Wesleyans the return to him of a piece of ground, held from him apparently on sufferance, close to the large Wesleyan church in Nukualofa; and on it proposes to build a large Free church. This would bring the Wesleyan church within the operation of the above-quoted Order in Council. I received, however, before leaving, a letter from Mr. Baker, assuring me that in this case the Order in Council would not be put in force; and I have received the same assurance in a letter under the King's hand, to which I have already referred, and to which I shall again refer further on.

62. I have alluded, in paragraph 11, to a concession made by the King, as conveyed to me by Mr. Baker, that the Tubou Wesleyan College would be allowed to be reopened under certain restrictions. The closing of this college, which closely followed on the attempt on Mr. Baker's life, was a very arbitrary act. The King and Mr. Baker had apparently long regarded this institution with jealousy, as a rival to the Government College established some years before. I have referred, in paragraph 38, to the enrolment of a large number of the students in the militia, and I may add that neither from the Government nor from the Roman Catholic College were students at this time enrolled. I have also spoken of the severe, and, in two cases, of the utterly illegal, punishment inflicted on such of these students as declined to take the militia oath which was tendered to them. After the attack upon him Mr. Baker appears to have thought, and to have made the King think, that this college was a focus of rebellion. I gave him during the inquiry every opportunity of making and proving this charge; but he did not avail himself of it, and ended by declaring that he did not now believe that either the Wesleyans as a body, or the Tubou collegians as a body, had plotted against him or the King. The college, however, was broken up by the King's order, and, up to the time of my leaving Tonga, had not been reconstituted. I hope, however, that the promise made to me, to which I have alluded, will be faithfully kept.

63. Having thus sketched out for your information the sequence of events during these troubles, I proceed to give you my conclusions therefrom; and I begin by saying that the Constitution of Tonga, of which I annex a copy, has, in the course of these events, been utterly set aside, and the King's will substituted therefor. The theory of freedom of worship, so clearly laid down therein (section 5), has been practically a dead-letter from the moment the King determined to support the Free Church; and the provision for the establishment of martial law, which (I think, somewhat cumbrously) requires the assent of the Legislature, was also ignored. The fact seems to be that neither the King, Mr. Baker, nor any one else gave one thought to the Constitution during the excitement consequent upon the attack upon the Premier. The statement of the King having declared that war existed at Mua after he had received Tugi's message is, in my opinion, an after-thought. Neither the Cabinet, the Privy Council, nor the Legislature was consulted then or thereafter. The King, acting on Mr. Baker's advice, is alone responsible for all that followed, and, although there is no direct proof that either of them encouraged the chiefs in their acts of lawlessness, there is also no direct proof that they exerted themselves to repress them. As to the opinion of the chiefs with reference to the carrying-out of the will of the King, without regarding the law of the land, I would refer you to the evidence of Lajike (No. 103) and of Haloholo (No. 96).

64. The chiefs, moreover, appear to consider that their power over their retainers is not limited by law. Lavaka (No. 90) says he “held a *fono* against Government orders, because it was amongst his own people.” Tubouleva (No. 81) obeys Lavaka, although he knows Government had forbidden him to hold a *fono*. Haloholo (No. 96) understands he can “do what he likes with his own people.” If his people disobey him he takes the matter into his own hands. Lavulo (No. 98) says, “Chiefs take matters into their own hands.” Paula Vehala (No. 127) says, “It is true that the people are free and have a Constitution, but if the people are disobedient the chiefs deal with them” (justifying the thrashing of people for refusing to be Free Church).

65. On one point I think there can be no difference of opinion, and that is on the absolute loyalty of all the people, without distinction of rank or creed, to King George Tubou. The very people who disobeyed him in the matter of the Free Church would, I believe, die for him if he were in danger. If a conspiracy existed in the end of 1886—and I am inclined to believe that one did exist—it was directed against Mr. Baker and his Government, and not against the King.

66. Of the general dislike felt by the King, the chiefs, and the majority of the people for the rule exercised over their Church by the New South Wales Conference, there was a good deal of evidence. I think that this dislike has been growing for years. It is founded, to a great extent, on ignorance of actual facts, has been fostered by the chiefs, who saw in it what they considered to be a dangerous interference with their own authority, and also, and chiefly, is attributable to the dilatory action on the part of the Conference to adequately meet the real grievances that for so many years existed.

67. There can also be little doubt that the difficulty of drawing any real distinction between