

Improper Purposes. (4.) For Electing the Au. (5.) For the Harbour. (6.) For Electing the Council. (7.) Amendment of the Dog-tax Law. (8.) Amendment to an old law, No. XI.

The Law to punish Rape.—I hope that ultimately this law will render unnecessary the present abominable system of punishment for fornication—a system destructive of all delicacy, modesty, or self-respect, and which carries into the open Police Court investigations which were no doubt originally intended to be carried on by the officials of the church. In fixing the age of consent, the Council were unanimous in making it fourteen, which seemed to me rather an extreme age for the country. They stated, to my surprise, that in their old heathen days the penalty for this offence was death. There being no gaol, it was now necessarily made pecuniary, as all other punishments are here.

The Law against Bribery was also gladly passed, and where they are able to pay regular salaries to the officials, the law will, I have no doubt, be effective.

The Law against Dynamite.—I found a strong objection to total prohibition, as the natives use dynamite for firing salutes at weddings, births, and funerals. They also use it occasionally for blasting purposes. It cannot, however, be used any longer to destroy the fish, which it was doing very rapidly.

The Au—really the Municipal body, which regulates local affairs—has hitherto been made up by a general scramble. To be a church member was the only and indispensable qualification. The Au will now be properly appointed, and need not necessarily be of church members, though the feeling in that respect has become too deeply rooted to be quickly changed. The *tangata ukuritu*, or common people, are also to be represented. I may observe that the well-recognised divisions here are the *arikis* (Kings or Queens), *mataiapos* (great landowners, owing certain well-defined duties to the *arikis*), *rangatiras* (tenants at will of the *arikis* or *mataiapos*), and the *tangata rikiriki*, usually called *ungas*, from the hermit crab, which lives in other fishes' shells. The *ungas* have no land, and had no rights, but have always been kindly treated; and, I should add, that amongst all the classes the best feeling prevails. The doings of these AUs have been a fruitful source of trouble, as the members not only made their own laws, but adjudged the fines for breaking them. This the District Judge will hereafter do.

Council.—The appointment of the British Resident rendered a reconstruction necessary, but to introduce the *Ungas* would have been too great and sudden an innovation. Their now recognised admission to the Au will, however, be a considerable step towards carrying out your Excellency's instructions to lose no opportunity of gradually developing representative institutions.

To carry out Law XI.—This requires explanation. Serious disputes had arisen between Tinomana and her Mataiapos, ending in the open secession of the latter in a solid body. I was besieged on both sides, and was assured by some of the old foreign residents that if Tinomana's authority was not maintained absolutely, the other *arikis* would soon be in the same position, and the country in confusion. Tinomana was clearly in the wrong, and her Mataiapos were forced to take up the position they had assumed. So I declined to interfere, but when they came to see me did the best in my power to give good counsel, confining myself to the assurance that if any disturbance of any kind took place I should interfere very quickly. When the Council met at Arorangi the question was brought before it by Tinomana. The law was looked into, and I pointed out to them that the chief defect was their trusting to the little District Court of Arorangi to deal with so heavy a matter. On this they at once passed the law which transfers such questions to a Court composed of the three District Judges, thus representing the whole of Rarotonga. The result was a very interesting scene. At the close of the Council tables and chairs were carried into the open air, and the Judges, sitting under a grand old tree, formally summoned the Mataiapos to appear before them. Twenty-four appeared, but with great firmness maintained their position. Tinomana spoke with considerable dignity and force, and they were evidently touched by her appeal, admitting that she had always been to them personally a kind and considerate ruler, that in this case their rights were touched, and they would not give way. Affairs did not look promising, but Tepou, the Chief Judge, calling for a Bible, read to them and to the assembled spectators the first eight verses of the 13th chapter of Romans. The Mataiapos succumbed. The reconciliation then effected has been celebrated by feasting, exceeding in cost the whole amount originally in dispute. A good precedent for the future settlement of similar disputes has, I hope been created.

I can scarcely describe to your Excellency the constant appeals that have been made to me by both natives and Europeans to interfere in disputes that were often of the most trivial character. They appear on both sides to have expected in the British Resident a benevolent despot, with the British navy at his back, and murmured loudly for some time at my refusal to interfere unless they first sought redress through the regular native Courts. I considered that, in taking this course, I was best carrying out your Excellency's instructions to advise the natives, and have made that the chief part of my duty. The natives took some little time to understand this position—so different to anything they had experienced or conceived. But I am certain that they fully comprehend it now, and that my influence among them is all the greater for not being continually and meddlesomely exercised.

I have, &c.,

FREDERICK J. MOSS, British Resident.

His Excellency the Earl of Onslow, G.C.M.G., Governor of New Zealand &c.

Enclosures.

THE following laws, passed by the Rarotonga Council on the 8th July, 1891, have been approved by me: No. 1, 1891, the Rape Law; No. 2, 1891, the Bribery Law; No. 4, 1891, the Law for Electing the Au; No. 5, 1891, the Law for regulating Harbours; No. 6, the Law for Constituting the Raro-