

SESS. II.—1891.
NEW ZEALAND.

FEDERATION AND ANNEXATION: PACIFIC ISLANDS.

(PROCEEDINGS OF THE BRITISH RESIDENT AT RAROTONGA, COOK GROUP.)

[In continuation of A.-3, Sess. II., 1891.]

Presented to both Houses of the General Assembly by Command of His Excellency.

No. 1.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 29th April, 1891.

I have the honour to acknowledge your Excellency's despatch of the 14th April, which I received yesterday by H.M.S. "Goldfinch." Her arrival is very opportune. I proceed round the islands in her to-day, and hope not to be absent more than a week or, at the furthest, ten days. At Mauke the natives are quarrelling over their land; their chief Ngamaru fears that they will come to fighting. But for the arrival of the "Goldfinch" I should have been unable to proceed there.

A.-1, 1891, Sess.
II., Enclosure to
No. 17.

I arrived here on the 20th, and on the 22nd delivered your Excellency's Proclamations to the *arikis* of Avarua, Arorangi, and Taketumu to be published in their respective districts. The *arikis* met at my temporary residence to-day to consider various questions, and the Proclamation was then formally read to them. Among others was a petition from a Mr. Engleke for remission of part of the fine levied upon him (\$150) for selling two bottles of lager beer to two of his German fellow-countrymen during their dinner-time. The purchasers had no permit, and in this the offence consisted. The fine was in strict accordance with the law, and the petition to the *arikis* equally so. The fine had been paid under protest, and on the understanding that its final settlement should be left to my decision on returning from Auckland.

I asked for a report from the Judge, Tepou, who had dealt with the case. The report was not forthcoming; but Tepou attended the meeting of the Council, who formally left it to me to decide. I did so with a full sense of the responsibility; but, after careful inquiry from Tepou as to the circumstances, I recommended, with his full concurrence, that a remission of \$100 should be made in each of the cases—Engleke, Nicholas, and Amenê—to which the Council assented accordingly.

In view of the long laxity in dealing with the old laws, of these being the first and only offences to the present time of any description against the new law, of the ready obedience shown to the Native Court, and of the offences of Nicholas and Amene having been committed during a public Chinese feast, I believe that justice and public policy alike rendered the remission advisable, and trust that it will meet with your Excellency's approval. Warning will be, at the same time, given that in future cases the full fine will be strictly enforced.

At the Council, and on various other occasions during a busy week, the Rev. J. Hutchin has kindly acted as interpreter. This interferes a good deal with his other duties, and an official interpreter attached to the Residency is very necessary. I shall meanwhile have to trespass on Mr. Hutchin, whose missionary, scholastic, and medical duties sufficiently occupy his time.

In accordance with your Excellency's directions, I shall endeavour to affect a union of the islands for general purposes, and, having now an opportunity of visiting them, hope for success. The proper working of the Protectorate without such a union will be very difficult, and probably impracticable.

The *arikis* have decided to defer the meeting of the Rarotonga Council, which was to have been on the 4th May, till my return.

A seal will be necessary, and I have the honour to ask that one may be sent. The crown, with the letters "C. I.," surrounded with the words "Protectorate of the Cook Islands," would, I think, be the most suitable.

I enclose for your Excellency's information—

No. 1. A notification that I had assumed the duties of the office, &c.

No. 2. A similar notification to the foreign residents specially.

1—A 3A.

The "Richmond" will leave while I am away, and I shall not be able to write further by her.
I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosure No. 1.

To the *Arikis*, Chiefs, and people of the Protectorate of the Cook Islands.

THE Proclamation of His Excellency the Earl of Onslow, Governor of New Zealand, has informed you of my appointment as British Resident for the Protectorate of the Cook Islands.

I have this day entered upon the duties of the position, and my office will be at Avarua, in the Island of Rarotonga.

You will continue to make your own laws, and to carry on your own government, but no new laws will be recognised by Her Majesty Queen Victoria until approved and signed by me as British Resident.

In the performance of this and the other important duties which now devolve upon me, my only object will be to aid you in governing justly and wisely for the promotion of your own welfare and the welfare of your children, and for the advance in civilisation and prosperity of your fertile and beautiful islands.

I ask you to place full confidence in me, and when you are in doubt or difficulty to listen to no tales, but to let me know frankly what your thoughts may be. My life has been spent in the work of government among my own people, and the experience thus gained will, I hope, enable me now to do good for you,

FREDERICK J. MOSS, British Resident.

Avarua, Rarotonga, 22nd April, 1891.

Enclosure No. 2.

Public Notification.

To the Foreign Residents in the Protectorate of the Cook Islands.

I HEREBY notify that I have this day assumed the duties of British Resident, and that my office will, for the present, be at the Residency in Avarua.

My instructions from His Excellency the Governor of New Zealand (dated 25th February) were published in Auckland on the 2nd March, and have, I find, been well circulated among you. Those who have not seen them may do so by calling at my office.

You will observe that the natives are to govern themselves, and that I am to advise and assist them in governing with justice and wisdom. It will be equally my duty to guard the just rights and interests of foreigners of all nationalities resident in the group.

No new laws will be valid unless approved and countersigned by the British Resident, but all which are now properly established will remain in force.

By permission of Mr. Exham, late Acting British Consul, the Post Office will continue at his office till permanent arrangements can be made by the Native Government. Mr. J. H. Garnier has also consented to act as temporary Postmaster.

I thank you for the cheerful and ready obedience paid to the Liquor Law of the 24th December, 1890. His Excellency the Governor and the people of New Zealand are watching with interest the operation of this law which I am glad to find has so far answered the most sanguine hopes of success. It is well that all should clearly understand that no modification of this law in the direction of licensed houses, for the sale of liquor to be drunk upon the premises, will, under any circumstances, be permitted.

I trust that the same willing obedience to the law may continue to characterise the foreign residents. It will be your best and most triumphant reply to those who have at various times so ignorantly misrepresented you in other countries.

FREDERICK J. MOSS, British Resident.

Avarua, Rarotonga, 22nd April, 1891.

No. 2.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 29th April, 1891.

I have the honour to inform your Excellency that I find universal agreement, on my arrival here, as to the excellent working of the liquor law passed on the 24th December last.

The sobriety of the island cannot be questioned, and the impartiality and effectiveness of Mr. Garnier's administration of the law have gained the confidence of the people. I have informed that gentleman of the thanks which your Excellency desired me to convey to him. I find that only four bottles of liquor of all kinds have been issued to natives since the law has been in force (15th January).

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

No. 3.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 9th May, 1891.

I returned in H.M.S. "Goldfinch" yesterday, after a successful trip round the Islands. Except at Aitutaki, the Proclamation was read at a public meeting of the chiefs and people. At Aitutaki I explained their position, and they were much pleased at finding themselves the subjects of the Queen. The other islanders were disposed at first to regard themselves as placed by the Protectorate in an inferior position, but are now satisfied.

At these meetings I submitted proposals also for the formation of a General Council for the Cook Islands (including Aitutaki) that would not interfere with each island in its specially local Government. Schools for learning English, hospitals, and preventing the introduction of disease, were the subjects that appeared to excite the chief interest in these proposals. In every case they were unanimously adopted, and a document signed, in which the chiefs and people undertook to send to Rarotonga a stated number of representatives, and, failing an opportunity to do so, authorised me to act for them and on their behalf. The schooner "Torea" left Rarotonga on her usual trading trip this morning; and I hope to see her back with the representatives before the end of this month. Meanwhile I am preparing laws for the Council's consideration. I hope to see it establish a regular public revenue, and some system in the future government of the Islands.

With reference to a seal, it would be advisable to have one for the "Cook Islands" instead of for the "Protectorate," as the Council and Government will be for the whole.

I send this by the "Linda Weber," and shall have the honour of reporting fully to your Excellency by the regular mail-steamer "Richmond," early in June.

The support given to me by the presence of Commander Kingsmill and his officers on these occasions, backed by their unvarying courtesy and kindness to the natives, has been very valuable. It would have been impossible without such support, and without the "Goldfinch," to have accomplished for some time what I hope may now be regarded as having been quickly done.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

No. 4.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Avarua, Rarotonga, 9th June, 1891.

I have the honour to inform your Excellency that the delegates (referred to in my last despatch, No. 8/91 of 9th May) arrived at Rarotonga by the schooner "Torea" on the 1st instant, accompanied by one of the *ariki*s from Mangaia and other chiefs of influence.

I enclose copy of the document signed by the chiefs of Mangaia on my visit in H.M.S. "Goldfinch." This will explain the scope and purpose of the present meeting, as the same paper was read at the other islands, and agreed to in the same way as at Mangaia.

I am glad to be able to inform your Excellency that all difficulty as to the organisation of a Government for the federated islands has been overcome; that a properly organised Legislature and Government are established, and that the only questions now are those of administration. The details I reserve for a separate despatch.

At the outset of the meeting local jealousy was strong. The Aitutaki delegates would have no one but the British Resident to preside, or to take the head of the Government. The Mangaian representatives sided with them; but I refused absolutely to allow myself to be placed in either position. The object being to teach the natives how to govern themselves, it was necessary at once to make them feel some sense of responsibility, and to make some attempt to sink the tribal jealousies that have so long distracted them.

In the end, Tepou o te Rangi, certainly the most competent man, was elected chairman of their Parliament, and the business proceeded well, the jealousies being rapidly softened by intercourse with each other, and by the kindly reception given to the strangers by the Rarotongans.

The greatest difficulty was in the formation of a Government, which, I had been assured on all sides, without exception, would be rendered by these tribal jealousies impossible. The only feasible plan seemed to me to make all the *ariki*s in the islands *ex officio* members of a Government. To this the Parliament agreed; but when it came to the election of one as a chief of the Government, and they found me determined not to allow them to put me in that position, they declined acting at all and referred it to the *ariki*s to decide for themselves.

The reference, I am glad to say, resulted in the election of Makea Takau, *ariki* of Avarua, who, by birth, character, and position, is well qualified to be the chief of the Government. Her residence being in Avarua, the British Resident will also be able to place himself in ready communication with Makea, and the work be much easier than if any other possible *ariki* had been elected. The most determined opponent to Makea was Pa, the *ariki* of Taketumu; but Pa has not only gracefully accepted the decision of the majority, but expressed her satisfaction at what she hopes is now the end of long estrangement, attributable, I believe, much more to tribal than to personal feeling.

I also enclose minutes of the first day's meeting. The law for "Regulating the future Government of the Islands" was ready for the delegates on their arrival, and they had therefore between two and three days for its consideration prior to the meeting. They then took two days for discussion, and will go back to their people able to explain its purport fully.

It is impossible yet to speak of ways and means, but I am satisfied that with careful administration this Federation will be stable, and conduce much to the progress in knowledge and to the prosperity of the people. I am arranging for the opening of the first English school, having, fortunately, a prospect of securing the services of a lady, a trained and certificated teacher, who arrived recently from San Francisco with her husband, his health compelling him to seek a milder climate. This lady has already a very good private school consisting of young children. The Government will be obliged to put up a rough native building for the school. The missionary native school is a large stone building 100ft. by 30ft., erected by the natives, but handed over by them to the London Missionary Society. I asked for half this large and little-used building, but the Missionary in charge, the Rev. W. Lawrence, did not consider that it could be granted without the consent of the directors in London. The long delay that this would cause might lead to difficulty, especially as the consent of the directors was by no means certain. It seemed to me preferable to have an inexpensive native building, which the chiefs are willing to put up at their own cost, and set the school for English at work as soon as possible. I had hoped at one time to see the school attached to the Mission; but the opinions of missionaries themselves vary as to the propriety or advantage of such teaching, and unless the London society makes it a fixed policy it will be better, in my opinion, to keep the religious and the secular teaching distinct.

In order to remove any doubt as to her position as chief of the Government, Makea has invited all the *ariki*s of the islands to meet at her residence to make final arrangements. She has also explained that the action taken by those in Rarotonga, in their absence, was at the strong solicitation of the British Resident, who declared it necessary that the Government should regard as urgent the bringing into immediate operation of the law for levying a duty on imports, and other minor measures under the consideration of the Parliament. When this meeting of the *ariki*s is held, the only ground of possible cavil as to the action of the Government without waiting for the other *ariki*s to meet in the first instance will have been removed.

The laws passed will perhaps be regarded as somewhat crude in form and imperfect in detail. If so, I beg of your Excellency to remember the difficulties of the position—that it was necessary to make them as short and simple as possible, and that I am without clerical assistance of any kind, without the means of printing, and only able, as a rule, to have translations made by an interpreter with a knowledge of English as imperfect as my own knowledge of Maori. The Rev. W. Hutchin is, unfortunately, leaving, and has been too busy to do anything. His successor, the Rev. W. Lawrence, kindly translated the first law, but excused himself from acting as interpreter at the Council, at which, however, Nicholas, a merchant, gave his services.

I have already informed your Excellency how timely was the arrival of H.M.S. "Goldfinch." She was fortunately delayed coaling in this harbour till the 21st May. During her stay she was visited by the people of each of the villages in turn. Lieutenant-Commander Kingsmill and his officers spared no pains to make their stay pleasant, and have done much to strengthen the feeling of loyalty to the Queen and attachment to the flag, which are marked traits in the people in these islands.

The Parliament will probably not finish its work before the 13th instant, for the members are doing their best to master the several subjects before them.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosure No. 1.

WHEREAS by Proclamation dated the 4th day of April, 1891, His Excellency the Earl of Onslow, G.C.M.G., Governor of New Zealand, has declared that a Protectorate is the form in which British authority will be exercised in the several islands of the Cook Group therein named: And whereas it is necessary for the proper conduct and efficient action of such government that the said Islands—reserving to themselves their present full management of local affairs—should be united for purposes common to all:

Be it hereby made known that we, the Kings and Chiefs of Mangaia present at this meeting, and properly authorised by the said meeting, agree to the formation of a Central Council in which Mangaia shall have a number of representatives (not less than three), equal to those by which the Island of Rarotonga shall be represented, on condition that out of any revenue raised by the said Council the sum of \$100 be paid yearly to each of the districts of Oneroa, Tamarua, and Ivirua, to be expended for such public purposes as their local Governments may lawfully decide; and that a further sum of \$30 be paid yearly to each of the representatives sent by Mangaia to the said Central Council: And be it further made known that if our representatives, or any of them, should not have arrived in Rarotonga at the date when the first Central Council is to be convened at the British Residency in that Island (as near as may be after the 23rd day of May next), we agree that the British Resident shall act for us on the occasion, and we undertake, if necessary, to ratify and confirm any action which he may take accordingly.

Witness our hands at Oneroa, in the Island of Mangaia, this 2nd day of May, 1891.

VAIPO (chief of Ivirua).

ATA KEIA (chief).

JOHN (*ariki*).

NOOROA (*ariki*).

NGARIU (chief).

TUROUA (chief).

GILLI ITI (chief).

AUTE (chief).

Signed in the presence of G. A. HARRIS, 2nd May, 1891.

NOTE.—The Rev. G. A. Harris, who signs as witness, interpreted the above at the meeting, and acted as interpreter throughout.

Enclosure No. 2.

THURSDAY, 4TH JUNE, 1891.

Minutes of Meeting of the Central Council, at the Schoolhouse, Avarua.

THE British Resident (Mr. F. J. Moss) took the chair at 10 a.m.

The following representatives were present:—

Rarotonga—Te Pou o te Rangi (Avarua), William Isaiah (Arorangi), Samuela (Taketumu).

Mangaia—Ngatama (Oneroa), Tangi (Ivirua), Oruruiti (Tamarua).

Atiu, Mitiaro, and Mauke—Ngamaru (Atiu), Tou (Mauke).

Aitutaki—John Mokoenga (Arutangi), Ngativaro (Peureu), Raka (Arutangi).

Mana (Mitiaro), absent. Daniela (of Oneroa) claimed that he should sit instead of Oruruiti, and had been sent to do so. Vaipo (Chief of Ivirua) and John (*ariki* of Mangaia) declared that Oruruiti was the right member, and that they would be responsible for his being so. Furthermore, as Oneroa was already represented, and Tamarua (to which settlement Oruruiti belonged) was not the Chairman decided that Oruruiti should be accepted as the member.

Daniel Makea was then elected to act as Clerk to the Council.

Mr. Moss then read the following address: "I have asked you, representing the people of the Cook Islands, to meet together here to consider how you can best work together so as to be strong and lift up to increased knowledge and prosperity the chiefs and people of the Cook Islands. It is the first time in your history that you have been thus brought together, and I earnestly hope that this meeting will lead to a good understanding among you, to the sinking of small jealousies, and to your laying a broad and strong foundation on which your children may continue to build long after you and I are gone. To do this a system of regular government must be established, and it must be based on two clear principles which I ask you, in your local Governments also, to bear constantly in mind. The first principle is that those who make the laws should be a body distinct from those who carry them out. The one will then be a check upon the other, and it will be better for both of them and for the people. The second principle is that those who carry out the laws—namely, the Government and its officers, must be regularly and properly appointed and personally answerable for what they do. I have drawn up a short law embodying these two principles. It is the first matter for your consideration. I hope you will find it good, but it will be for you to tell me frankly and fully what your thoughts about it may be. Then we shall work together, and make a good law for the future government of the whole of the Islands. Other laws will be submitted to you: to establish a Supreme Court, a post-office, and other things urgently required, as well as to obtain a revenue to carry them out. But the greatest of all is to establish schools, so that your children can be taught how to read English books, and thus learn all that has made the English people wise and strong. The missionaries brought Christianity to you, and they have given you, in your own tongue, the first and greatest of all books—the Bible. My desire is to help them in their good work, and they will, I feel sure, help me in mine. Then, by God's blessing, we shall together succeed in doing great and lasting benefit to you and to your children. I ask you now to appoint one of your own number as Chairman, and leave you to the full and free consideration of the law "for the Good Government of the Cook Islands," which I now lay before you.

The Aitutaki members proposed that the British Resident should keep the chair, and were supported by others. After considerable discussion—as Mr. Moss insisted on their putting one of their own number in the chair—Tepou o te Rangi was proposed by Ngamaru. No other member being proposed, the Chairman declared Tepou duly elected, and vacated in his favour.

The meeting being now properly constituted, prayers were offered by Ngamaru, and the business of the meeting began.

Law No. 1, "To provide for the Good Government of the Cook Islands," was read and considered section by section. Sections 1 to 6 were debated and passed, and the members adjourned at half-past 1 to dinner.

The meeting resumed at half-past 2 o'clock. Sections 7 to 12 were passed. Section 13, after considerable discussion, was postponed, the members being unanimously of opinion that the *ariki* should settle among themselves who was to be the Chief of the Government, and the name would then be inserted. Sections 14, 15, and 16 were also postponed, and the meeting adjourned at 4 p.m. till 10 next morning.

No. 5.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

British Residency, Rarotonga, 9th June, 1891.

I have the honour to enclose for your Excellency's information the following laws, passed by the Parliament of the Cook Islands, which is still in session: No. 1, "To provide for the good Government of the Cook Islands;" No. 2, "To levy an Import Duty;" No. 3, "Import Duty No. 2."

With reference to these laws, I beg to remark that No. 1 is the first attempt to separate the Legislature from the Executive in the governing system of these islands, and to make the Executive officers personally responsible for their actions. As an illustration of the system now in existence, I may state that in this one island, with a population not exceeding two thousand of all ages, I find that there are over one hundred persons acting as policemen—in other words, prying into other people's business instead of minding their own. This is, of course, a local-government affair, but I hope the practice will soon be of the past both in this and the other islands.

I found it difficult to express by Maori names the Legislature and Executive. The phrases are long and complex for such words as "Member of Parliament," "Legislature," and "Executive;" and it seemed to me best to make use of English words that carried their meaning with them, and

which I found the natives quickly adopted. Hence the words "Parliament," "Government," "Member," &c., which your Excellency will observe are used in both the Maori and English Acts.

All important matters are reserved for the approval of the British Resident, whose responsibility is thus unimpaired.

The position of Aitutaki being exceptional, I thought my approval should only be till Her Majesty's pleasure is made known so far as that island is concerned. To have delayed the approval would have imperilled the success of the federation altogether.

It is very difficult to get an interpreter with a sufficient knowledge of both English and Maori to make finished translations, but comparatively easy to find persons able to explain the English to Maori hearers. I therefore adopted the only course, in view of future difficulty in interpreting laws passed by the Parliament, and made the English version the binding one in all such cases. Laws made by this Parliament will chiefly affect foreign residents. Those made by the local Councils will chiefly concern the Maoris, and with them this course will not be practicable.

With reference to Laws Nos. 2 and 3, the first levies an import duty which, being uniform, can be collected without a Customs establishment by some one person. It is estimated to yield about \$4,500 a year; but, as the imports for this coffee season are nearly over, not more than \$3,500 can be relied upon for the current year.

Being desirous of seeing this law in full working order as soon as possible, I brought it into immediate operation. It seemed to me, however, fair that cargoes actually on the way should be exempted. Law No. 3 (Import Duty No. 2) was passed for that purpose. To avoid chances of litigation (such as occurred in a similar case against the Tahitian Government in the Supreme Court at Tahiti), the power to remit has been left to the discretion of the Government, and no attempt made to define strictly the conditions of such remission.

I am glad to say that the European traders—with these concessions—all express themselves satisfied, and no difficulty in collecting the duty need be anticipated.

The Government is declared by the Law No. 1 to consist of all the *ariki* in the islands. To call them together would have incurred damaging delay in the actual formation of the Government. Excepting one *ariki* at Mangaia and three at Aitutaki all were here, and I took it upon myself to request them to act at once as a Government, and leave final arrangements to a future meeting, when all the *ariki* could be assembled. This has accordingly been done.

The Parliament are now considering a Bill to establish a Supreme Court, which will take cognizance of breaches of the laws made by Parliament, of disputes between foreign residents, and similar cases. It will not interfere in the least with the Native local Courts already existing.

I thought of introducing a Bill to suppress the use of dynamite, which is fast destroying all the fish. The Natives use a great deal of this dynamite, often to the loss of a hand or limb, and it must be suppressed. But having no agencies in the other islands capable of enforcing the laws made here, and no prospect of such agencies for some time, any attempt to legislate for all would be premature, and do harm, by bringing the laws of Parliament into disregard and consequent contempt. I shall therefore bring up as few laws as possible, and leave the rest to be dealt with by the local Councils. That of Rarotonga will assemble as soon as the Parliament's work is done.

The only other law it is likely to consider, in addition to that for the establishment of a Supreme Court, will be one giving the necessary powers to Government to regulate harbours, establish a post office and schools, and carry out the laws which it has already made. It was impossible to include details in the Bills, and they will have to be carefully attended to by the Government.

I trust that the various measures taken will meet with your Excellency's approval.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosure.

No. 1.—A LAW TO PROVIDE FOR THE GOOD GOVERNMENT OF THE COOK ISLANDS.

(June, 1891.)

It is hereby enacted by the British Resident and the Representatives of the several islands of the Cook Group—namely, those islands that are included within the British Protectorate, and the Island of Aitutaki, now in Council assembled:

1. *Local Government.*—That each island shall continue to govern itself as much as possible, subject to the condition that all laws hereafter made by the local Government shall not be valid until formally approved by the British Resident for the time being, who shall also state the day when such law so approved shall come into operation.

2. *Parliament.*—That the Representatives of the several islands, duly elected, and now assembled in Council at Avarua, in the Island of Rarotonga, hereby constitute the first General Council of the Cook Islands, which shall hereafter be styled "the Parliament" of the Cook Islands.

3. That the Parliament shall be responsible for the peace, order, and good government of the Cook Islands, and by it shall be undertaken all good works which cannot be done by the people of any island separately.

4. That all laws made by the Parliament shall be expressed as made by the British Resident and the Parliament of the Cook Islands, and shall not be valid till formally approved by the British Resident, who shall also state the day when each of the said laws shall come into operation.

5. That, unless and until otherwise provided by Parliament, the number of Representative Districts and the number of members assigned to each shall continue as at present—namely, Rarotonga three members, Mangaia three members, Atiu, Mauke, and Mitiaro three members, and Aitutaki three members.

6. That in each of the said districts the people shall elect their members to the Parliament in such manner as the local laws of the district may direct.

7. That the Parliament shall meet at Avarua, in the Island of Rarotonga, at 10 a.m. on the 15th day of June in every year, and when the day falls on Sunday the day following shall be substituted.

8. That the Parliament shall at each yearly meeting elect one of its members to be Chairman for the year.

9. *The Government.*—That an Executive Council is hereby appointed to carry out the laws made by the Parliament, and to look after the well-being of the Islands when Parliament is not in session. That this Council shall be styled “the Government” of the Cook Islands.

10. That the Government may at any time call a special meeting of the Parliament, giving thirty days’ notice of such meeting. The notice to date from the date of publication.

11. That with the Government shall rest the power of reducing or remitting any penalties imposed under laws passed by the Parliament; but such power shall only be exercised with the approval of the British Resident.

12. That all *ariki*s of the Cook Islands shall be *ex-officio* members of the Government.

13. That Makea Takau is hereby appointed Chief of the Government, and is to administer it under the laws of the Parliament and subject to the approval of the British Resident. All letters or other public documents issued by the Government are to be signed by the said Makea Takau.

14. That any appointments to public office shall be expressed as made subject to the approval of Parliament, and shall be submitted for its consideration at the first opportunity.

15. *Fixed Appropriations.*—That out of any revenue raised by authority of the Parliament the sum of \$1,560 shall be appropriated yearly as follows: (a.) To each of the four Representative Districts, to be expended by the local Governments of such districts for public purposes, \$300; (b.) To each member of the Parliament for his personal use, \$30.

16. All laws made by the Parliament shall be in English and in Maori, and whenever doubts arise as to the meaning of the Maori the English version shall take effect.

17. *Additional Clauses.*—Whenever persons fined under any law of the Parliament neglect to pay or are unable to pay such fines, the Court shall substitute such labour with or without imprisonment, as it may deem most suitable.

18. The posting of laws or notices in any public place appointed by the Government shall be sufficient promulgation thereof.

TE Pou, Chairman of Parliament.

Approved for the Islands of the Protectorate.

FREDERICK J. MOSS, British Resident, 5th June, 1891.

Approved for Aitutaki until Her Majesty’s pleasure is made known.

FREDERICK J. MOSS, British Resident, 5th June, 1891.

This Act to come into immediate operation.

FREDERICK J. MOSS, British Resident, 5th June, 1891.

NO. 2.—TO LEVY AN IMPORT DUTY (June, 1891).

It is hereby enacted by the British Resident and the Parliament of the Cook Islands,—

1. That a duty of 5 per cent. on the original cost and charges till landed at the Cook Islands shall be levied on all goods, or movable property of any kind, imported into the Cook Islands: But the Government may remit such duty on—(a) Wearing apparel for the use of the owner; (b) articles imported for use or consumption by religious missions, or schools in connection with them, or any other schools that may be established hereafter.

2. The Government is hereby empowered, subject in all cases to the approval of the British Resident, to make all necessary regulations for giving effect to this law.

3. Any person evading payment of import duty, or infringing regulations made by the Government under this law, shall be liable to a fine not exceeding \$1,000, and the said regulations may provide for fines to that extent accordingly.

TE Pou,
Chairman of Parliament.

Approved, to go into operation forthwith.

FREDERICK J. MOSS, British Resident, 5th June, 1891.

NO. 3.—IMPORT DUTY NO. 2 (June, 1891).

It is hereby enacted by the British Resident and the Parliament of the Cook Islands,—

1. That the Government may remit the import duty on all goods afloat and actually on the voyage to the Cook Islands on or before the 5th day of June last past.

2. That the Government may remit the duty on empty packages, or the sawn timber, or staves, or other material ready to be put together to make such packages, provided that the said packages are intended to be used for the export of the produce of the Cook Islands.

TE Pou,
Chairman of Parliament.

Approved, to go into operation forthwith.

FREDERICK J. MOSS, British Resident, 8th June, 1891.

No. 6.

His Excellency the GOVERNOR to Mr. F. J. Moss.

SIR,—

Government House, Wellington, 25th June, 1891.

I have the honour to acknowledge the receipt of your two despatches dated the 9th June respecting the successful establishment of a Legislative Council and an Executive Council for the Cook Group.

Your action has my approval, and I doubt not will also have that of Her Majesty's Government, for the speedy and efficient manner in which you have carried out the instructions given you without apparently causing any friction between yourself and the natives and Europeans of the Group.

I shall address you further at a future date in respect to the peculiar position occupied by the inhabitants of the Island of Aitutaki as compared with those of the other Islands.

I have, &c.,

F. J. Moss, Esq., British Resident, Rarotonga.

ONSLow.

No. 7.

Mr. F. J. Moss to His Excellency the GOVERNOR.

(No. 11/91.)

MY LORD,—

British Residency, Rarotonga, 22nd July, 1891.

I have the honour to acknowledge receipt of your Excellency's despatch of the 25th June (received on the 12th July per "Richmond"), and to express my grateful appreciation of your approval of my action in carrying out under considerable difficulties your instructions respecting the federation of these Islands.

I am glad to state that the federation is now in full working order, with a properly-organised Legislature, Executive, and Supreme Court, as well as a permanent revenue, and all the modest staff of officials necessary to enable the Government to perform its duty. The laws are recognised and accepted by natives and foreign residents; and the Chief Judge of the Supreme Court (Tepou te Rangi) has adjudicated in several cases between foreign residents of different nationalities. One of these cases, between two British subjects, involved the payment of \$1,000, and another, between two American citizens, \$654. His decisions have been based on broad principles of equity, in the absence of statute law—on the "law of the mouth," as the natives term it—and have been accepted by all the parties concerned.

The first meeting of the *ariki*s of the Group (the Government) was held by Makea at her residence on the 17th instant. There were present seven *ariki*s (kings) and five *ariki*s (queens), being the rulers of all the islands excepting Mangaia. No such gathering has ever before been seen here, and the best feeling prevailed.

I enclose the minute of proceedings at the meeting. They were at one stage interrupted by the unexpected entrance of Vaipo, the old Mangaian Chief of Ivirua, who appealed to the assembled *ariki*s to protect him and seek to restore peace to Mangaia. Vaipo stated that the troubles at that island were worse than ever, and he was supported in this by a letter from King John to the same effect. It appears that he himself and King John had intended to be present at the *ariki*s' meeting, but were refused a canoe at Meroa to take them to the schooner "Nassau." He had got off two days later by the trader "Goldfinch," but only in the clothes in which he stood. By thus leaving he had put those who were watching him off their guard. The incident was somewhat dramatic, and as the old man pleaded earnestly there was considerable excitement. Some wished me to go down with them and arrest these quarrelsome chiefs, Others thought that men should be sent down to bring them up instead of running after them; but I was pleased to find them unanimous in telling me that they would do whatever I thought best. I advised them to go on with the work then in hand; that dealing properly with Mangaia required thought, and that we would meet and talk of that another day.

I shall keep this despatch open till the last moment in order that I may send your Excellency the latest information. My present idea is that the Government should appoint a Commission to proceed to Mangaia and there inquire into the causes that led to Mangaia not being represented at the great meeting. In this there would be no interference with the local government, and the susceptibilities of the Mangaia people could not be wounded. The *ariki*s meet to-morrow at Makeas to decide what shall be done. In any case I shall go myself, as the statements respecting Mangaia are so various, and the bitterness of the feeling is so intense, that it is not safe to leave it fermenting any longer. The Rev. George Augustus Harris is the resident missionary. Under him a most narrow and tyrannical system of church discipline has been established. No one, unless a member of the church, can hold office, and expulsion involved civil disability of the most complete kind. The expelled are known as *tutai auri*—dirt from the prisons—gaol-birds, would, perhaps, be the nearest synonym. Obviously this must all be changed, and permanently changed, if civil government is to be successfully established. Mr. Harris has been the absolute and unchecked ruler of Mangaia for the last twenty years. The natives are unanimous on one point, that he could have prevented these troubles had he seen fit to use his power to do so.

I now hear, also, for the first time, that it is contended the *ariki*s of Mangaia are not the proper representatives of the island in the Government, but that the chiefs are there supreme. I was always aware that the *ariki*s were weak in Mangaia as compared with the other islands, but this contention, and many others, can be investigated by the Commission that I hope to see at work. The whole facts will then be clearly known.

I have made arrangements to stay at the house of the King's brother, and shall thus be able to hold aloof from all parties. The "Torea," or some other trading vessel, will probably give an opportunity of getting to the island within a week or ten days, and I hope to be able to report to

your Excellency in my next despatch that these troublesome and somewhat dangerously bitter quarrels at Mangaia have been ended.

I have treated other troubles at Mangaia connected with Pearse's expulsion and the action taken by myself thereupon in a separate despatch herewith, and need only now say that I have no doubt the fine imposed upon them will be quickly paid. It is, I am assured, less than they expected to have been called upon to pay. Donald and Edenborough's claim was \$2,225, and they have been awarded \$1,040. Pearse claimed \$5,000, and will receive \$320. I may here also state that I have investigated Gill's claim of \$1,560, and informed him that I did not consider he had any claim at all, as his store was closed by the Mangaia's peaceably, and in accord with the custom of the islands. Gill has therefore withdrawn his claim, and, so far as these old matters are concerned, the troubles of Mangaia are at end.

The Rev. W. Lawrence has returned from Aitutaki with his family, and taken formal charge of the mission at Rarotonga till Mr. Hutchin's return. I am glad to say that, in his first sermon, he laid down to the native congregation, in a very clear manner, the relative positions of the church and the Government. Aitutaki itself being still under church government to a degree that the Rarotonga natives would not tolerate, Mr. Lawrence's views have given them great satisfaction, and, I need scarcely assure your Excellency, equal satisfaction to myself.

The liquor law continues satisfactory in its operation, and is accepted now on every side. An attempt was made to establish a club in which each member should have a cupboard to keep his own liquor, but none to be sold on the premises. This would have been a direct evasion of the liquor law, and, on my pointing this out, the attempt was abandoned. The club is now in existence, but no intoxicating liquor is kept on the premises.

The school building is not yet put up. The natives have all been busy with the Residency at Ngatipa, which will soon be ready for roofing. They say that they will then see to the school-house, which they promise me shall be put up before the end of this month. As the building is to be temporary only it will not take many days when they once begin, but they asked strongly not to be disturbed at the one building, or it would be difficult to get the people together again for some time.

I have been unable to obtain any reliable statistics as to the amount of fines imposed by the several local Courts. These fines are divided among the police and others as their pay for the work done. It will be very necessary to alter this system, but, as it has prevailed for the last sixty years, a year or two longer cannot hurt. The difficulty in paying regular salaries is that in that case the fines would probably fall off materially, and no local revenue be available to pay such salaries. This peculiar system is so closely interwoven with the habits and customs of the people that no sudden change would be permanent, and the subject will have to be approached gradually.

The import duty has begun to come in. About \$800 have been collected towards the \$4,000 which I have estimated for the year ending 30th June, 1892. The imports are not steady, and the amount collected this month cannot be regarded as anything like the average to be expected; but I think it probable that the \$4,000 may be exceeded.

The coffee crop is very fine, and the hills blaze with loaded orange trees, for the fruit of which there is no sufficient market. The population of this island might well be ten thousand instead of two thousand, but they must be small proprietors. The land is too limited in quantity and the labour too uncertain for any others. This will become an important question, but there is at present no information available as to the quantity and extent of land that could be settled. I am endeavouring to compile a roll of landowners—who are few—and to estimate the quantity held by each. A regular survey is much needed, but I fear the revenue will not for some time be able to afford the cost.

In conclusion, I have to express my regret that these Mangaian troubles will prevent my being able to get to New Zealand in August, as your Excellency wished. It would be impossible to leave till they are satisfactorily settled, in which I trust that your Excellency will concur.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosure.

MINUTE of PROCEEDINGS at a MEETING of the ARIKIS of the COOK ISLANDS (the Government) held at Makea's, Friday, 17th July, 1891, at 10 a.m.

Present: Makea, Tinomaua, Pa, Karika, Kainuku, *ariki* of Rarotonga. Ngamaru, Rongo Matane, Parua, *ariki* of Atiu, Mitiaro, and Mauke. Vaeruarangi Iripa, Tamatoa, Te Ura Kura Hama, Manarangi, *ariki* of Aitutaki.

Prayers by the Rev. W. Lawrence.

Te Pou te Rangi was elected as Chairman.

The following were considered and duly passed: (1) Regulations under the Import Duty Acts; (2) Regulations for the Shipping-master's Office; (3) Regulations for the Post Office; (4) Regulations to Prevent the Introduction of Disease; (5) Regulations for Public Schools.

Estimates of revenue and expenditure from 30th June, 1891, to 30th June, 1892, was submitted and passed.

Appropriation of \$2,890 authorised as the expenditure for the year ending 30th June, 1892.

The following appointments were made, subject to the approval of Parliament when it next meets: Collector of Revenue, Postmaster and Shipping-master, J. H. Garnier. Revenue Officers and Postmasters at the other islands: Atiu, Te Tupuariki; Mauke, Samuela; Mitiaro, Ngania; Aitutaki, Rota; Mangaia, deferred. Auditor, J. Scard; Schoolmistress, Mrs. Riddell; Assistant Schoolmistress, Miss Nicholas; Clerk to Government and Paymaster, Makea Daniela; Registrar of

Deeds (paid from fees), J. Seard. Te Pou te Rangī was appointed as first Chief Judge of the Supreme Court, the Parliament having referred this appointment to be filled by the Government. The offer of Donald and Edenborough, in their letter of 16th July (copy attached), to act as bankers for the Government, was accepted. Interest to be 8 per cent. instead of 10 per cent., as originally proposed.

Persons authorised to take declarations on oath, the Judges of all local Courts only.

The minutes of the meeting of *ariki*s then present at Rarotonga, held at the request of the British Resident on the 5th June, were read and confirmed.

Prayer by Maretu Orometua.

The Council adjourned at 6 p.m.

Sub-enclosure.

SIR,—

Rarotonga, 16th July, 1891.

We have the honour to communicate with you in reference to your proposal to appoint us bankers for the Cook Island Government.

Our proposals on the subject are as follows: (1.) That we would be willing to take charge of all moneys belonging to the Government, to pay all cheques that may be drawn on us by the paymaster in such manner as would meet your approval, and to keep correct accounts of same. (2.) That we would allow the Government an overdraft of \$500 without interest. (3.) That should the Government require further advances at any time, interest will be charged by us at the rate of 8 per cent. per annum. (4.) That this agreement should remain in force for twelve months, and then be subject to three months' notice on either side.

We remain, &c.,

F. J. Moss, Esq., British Resident.

DONALD AND EDENBOROUGH.

No. 8.

Mr. F. J. Moss to His Excellency the GOVERNOR (Supplementary to No. 11/91).

MY LORD,—

23rd July, 1891.

The "Richmond" being late, I have the opportunity of informing your Excellency that the meeting of the *ariki*s was held to-day at noon. The minutes of proceedings is enclosed. They confined the Commission to three at my request, but all will go if a vessel can be found to accommodate them. This is very unlikely.

The Commission is a visible sign that the Government exists, and is recognised by all the *ariki*s except apparently Mangaia. In that light it will do good, and the Mangaian who took so active a part in the formation of the federation, are not likely to object now

I have, &c.,

EREDERICK J. MOSS, British Resident.

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

Enclosure.

MINUTES of MEETING of the GOVERNMENT at Makea's, on Thursday, 23rd July, 1891, at noon

Prayers by Ngamaru.

Chairman: Ngamaru elected, to be assisted by Tepou.

Present: The following *ariki*s (11): Makea, Rao mana, Pa, Kainuku (of Rarotonga), Ngamaru, Rongo Matane, Parua (Atiu, Mitiaro, and Mauke), Vaeruarangi, Tamatoa, Te Ura Kura, Manarengi (Aitutaki), Vaipo, of Mangaia, Governor and Chief of Ivirua, was also present.

Resolved, That as Mangaia was not present at the meeting of the Government on Friday, the 17th July, it is desirable to find out the true reason why these *ariki*s did not attend. That a Commission be therefore appointed to proceed to Mangaia by the first opportunity, and make inquiry in order that the truth may be known. That the following shall form the Commission: Ngamaru (*ariki* of Atiu), Tepou te Rangī (Chief Judge of the Supreme Court of the Cook Islands), John Mokoenga (Aitutaki, Member of Parliament of the Cook Islands). That the Commission may take evidence on oath, and shall report to the Government on their return to Rarotonga.

Prayers by Maretu.

No. 9.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 22nd July, 1891.

Respecting the affairs of the Island of Mangaia, I have the honour to inform your Excellency that I took the opportunity of the return of the Mangaian members of the Parliament to their homes on the 10th June to send by one of them (Ngatama, the brother of King John) a letter to those who had been the leaders in Pearce's expulsion, informing them that I should now adjudicate in that matter, and inviting them to send some one to speak on their behalf. I had told them that this would be done when I met them at Mangaia, on the 2nd May, on H.M.S. "Goldfinch;" but that I should not go into it then, as I had come to speak of federation, and there would be no time for anything else.

On the 21st June I received from Ngatama a letter dated 19th June, informing me that the chief concerned would not listen to the letter nor come to Rarotonga. The old quarrels, suspended by the receipt of Sir John Thurston's letter in March, and the visit of H.M.S. "Goldfinch" in May, had broken out with new virulence, and I felt that prompt action was necessary.

Having already thoroughly investigated the case, I proceeded at once to judgment, taking care to award only amounts of which the justice could not be questioned. I enclose copies of the award and of a letter which I addressed to the chiefs in connection with it. To insure its delivery I sent both by a special messenger, Raia, the chief of the police here, and himself a

mataiapo of Aitutaki—a man with a fair knowledge of English, and in whom all dependence could be placed.

Your Excellency will observe that they were called upon to pay to Pearse four months' salary—\$320—instead of \$5,000 he had claimed for his abrupt expulsion from his house and business. Donald and Edenborough waived all claim for damages, and asked only the sums they had actually paid as wages to the two persons in charge of their store and goods during the period that the store was compulsorily closed. Their claim was thus reduced from \$2,225 to \$1,040. To Raia I paid \$30, and the whole sum was thus \$1,390.

As the chiefs were still obdurate, it was necessary to make them feel that they had done grievous wrong, and I therefore added a fine (for the outrage of one of Her Majesty's subjects) of \$1,000. At the same time I wrote to them that, if they showed repentance and paid the damage they had done to others, I would take upon myself the responsibility of freeing them from this penalty. I am aware that in doing this I exceeded my powers; but it was necessary that they should be assured on this point, and not be left in doubt as to what might be done hereafter. This, I trust, will be considered by your Excellency a sufficient justification.

I enclose a copy of the report made by Raia on his return. We had left Rarotonga on the 25th June, but did not get to Mangaia till the 13th July, having to go first to other islands in the "Nassau," a trading schooner, in which he took passage. Raia's report speaks for itself, and I only desire to draw your Excellency's notice to the promise voluntarily and generously made to him by Vaipo that he would take upon himself to pay a share of the fine, although entirely free of blame in the matter. He had, in fact, been expelled from the church, and is still an outcast; and on one occasion had been actually seized and put into handcuffs, when on a visit to Meroa, during the quarrel in which he had endeavoured to protect Pearse to the best of his power. Vaipo has repeated his promise here, but on condition that it be a help to restoring peace to his island and people.

With Raia came up Daniela as a delegate to endeavour to arrange with Donald and Edenborough and Pearse. He is one of the ruling party at Oneroa, and was himself an active participator in the whole affair; in fact, is charged by Vaipo and others with being the most active, and strongly supported by Mr. Harris, the resident missionary, as one in whom he places entire confidence. These statements will all be thoroughly investigated, as I shall probably be ten or twelve days in Mangaia, on the visit which I have informed your Excellency that I propose to make by the first opportunity.

Vaipo complains that he was debarred himself, and so also was King John, from coming in the "Nassau" by Daniela's party taking away the canoe in which he was to have gone on board. He made his appearance, however, in the *ariki's* Council on the 17th July, as I have stated in my despatch No. 11 herewith.

Daniela has been to see me, but I declined to intervene in any way. Having given my judgment, I told him that it now only rested with me to see it paid. All I required was a quittance to him from Donald and Edenborough and Pearse. How he arranged was now entirely his own affair. As Daniela is here, I have requested him to wait and go back to Mangaia with me. His evidence will be important in any inquiry, and if I lose sight of him it may be difficult to find him when required. He has expressed his readiness to wait till I can leave, and I will take care that he does so.

The Mangaian people are now free of Gill's claim, to which I have referred in despatch No. 11. They have only this to meet, and I am informed, and really believe, that they have got off easily. I shall be glad to find this the case, as my chief object—to finally settle these long and bitter internal disputes—will be more securely attained if no bitterness is left behind.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosure No. 1.

PUBLIC NOTIFICATION.

To Ngariu and Turoua, Governors of Tamarua; Rimatu, of Tamarua; Daniela, Pilot of Oneroa; Teao, Miringatangi, Ringi Ringi; Kaupa, of Oneroa. To you who were the leaders in the expulsian of Pearse on the 25th August last and to the Au of Mangaia.

TAKE NOTICE, that you have been adjudged by me to pay the following sums of money for your wrongful acts in expelling Pearse and for the damage done to Donald and Edenborough, who had in no way done you harm, and been established among you in business, with your sanction, for the previous eighteen months. The sums you have to pay are as follows:—

| | |
|--|---------|
| To Donald and Edenborough, for salary paid by them to Pearse from the 15th July to the 1st September, 1890, after the store was closed ... | \$120 |
| For the salary to J. Craig, from the 1st September to the 9th March, 1891—six months and nine days, at \$70 ... | 441 |
| For the salary paid to G. Brown, from the 15th July, 1890, to the 9th March, 1891—seven months and twenty-four days, at \$55 ... | 429 |
| To Pearse—four months' salary, at \$80 ... | 320 |
| For expenses incurred in reshipping empty casks, and freight thereon ... | 50 |
| And now for expenses in sending this notification to you by special messenger ... | 30 |
| | <hr/> |
| | \$1,390 |
| Fine for expelling a British subject ... | 1,000 |
| | <hr/> |
| | \$2,390 |

And I require you to pay the same at Rarotonga on or before the 20th July, to me, in my office in Avarua, or such farther penalties will be laid upon you as your contumacy may render advisable.

Given under my hand, at the British Residency, the 24th day of June, 1891.

FREDERICK J. MOSS, British Resident.

Enclosure No. 2.

British Residency, Rarotonga, 24th June, 1891.

To the Chiefs and People of Mangaia.

On the 10th June I sent a letter by Ngatama asking you to send to me at Rarotonga some one to speak for you, as I intended to adjudge what money should be paid to Pearse and to Donald and Edenborough for your putting Pearse by force off the island on the 25th August last, and for stopping Donald and Edenborough's business, of which he was in charge. I have waited in order to be sure that Ngatama had given my letter to you; and, having now heard from him that those to whom it was addressed refuse to come or to send any one to represent them, I proceed to give my judgment, and order that you shall pay the sums mentioned in the public notification sent with this letter, and which will be posted for public information in Mangaia.

The sum you are to pay is \$1,390 for damages sustained by Donald and Edenborough and Pearse. I have put these at the lowest sum, and you must pay it in full. I have added a fine of \$1,000 for laying hands upon and forcibly expelling one of Her Majesty's subjects. This fine is the lowest that the offence deserves. You knew Pearse was working for Donald and Edenborough, yet you never complained to them and never asked them to change him for another manager.

You acted throughout as if you could do as you pleased, and without the least consideration for others or for the loss and suffering you brought upon them. You tyrannically extorted many hundreds of dollars from your own people, which you called fines, for dealing at the store in Pearse's charge. You wickedly and cruelly put them out of the church and subjected them to disgrace and isolation as unworthy members, and this wicked thing you did for what your missionary could have told you was no sin against God or His laws. Your fine might well be much heavier, but I still believe that you were acting from ignorance and not from a bad heart; therefore I have made it as small as it could be made if a fine is to be inflicted at all.

And now I wish to give you still an opportunity of ending this trouble. You will remember how strongly I urged you on the 25th November last, when at Mangaia, to re-open the store at once. Donald and Edenborough and Pearse were both willing then, as they told you in my presence, to forego any claim at all. You were obstinate, and let me go to New Zealand without settling. I am again going to New Zealand on the 20th July. I cannot release you from one farthing of the compensation. That you must pay in full. But if, before I leave for New Zealand, you send up the money for the compensation (\$1,390), or, if you cannot do that, send some one to arrange with Donald and Edenborough to give you time for the payment, I will accept that as a proof of repentance for the wrong you have done, and will take upon myself the responsibility of relieving you of the fine of \$1,000. But you must clearly understand that if you continue to be foolish and obstinate you will be compelled to pay the full amount (\$2,390), and such further sum as your contumacy may render necessary. Enough.

From your friend,

FREDERICK J. MOSS, British Resident.

Enclosure No. 3.

RAEA'S REPORT OF HIS TRIP TO MANGAIA.

AITUTAKI was the first island we visited after leaving Rarotonga, and I found no trouble there. Left Aitutaki for Atiu, landed Mrs. Scard, and left the same day without communicating with the shore. Our next island was Mauke; it took us one day to get there from Atiu, and we found no trouble there. We remained four days at the island, and then went to Mitiaro; found no trouble there; stayed there for a day, then proceeded on to Mangaia. We had south-east and south-west winds all the way going across, and it took us twelve days to get there. I went ashore on the 14th July, and did nothing that day. I sent messengers for Ngariu of Tamarua and the Governors of Oneroa and I myself went for Vaipo, and told them to get ready for a meeting on the 15th July. I explained to Vaipo my mission. He accepted me and was very glad. He also told me that he would help those that were fined, and his people would also help them. He also said that "if he did not attend the meeting he would keep to his promise." I then returned to Oneroa. Next morning I waited for the Tamarua people, and about midday we had a meeting. The Governor of Tamarua and his people were there. We had prayers, and after that I explained to them my mission. Ngariu stood up and told me to stop, and told me that he was ruler of his own land and not Mr. Moss; the Mangaian Government is my Government. Miringatangi then stood up and said, "These are not Mr. Moss's fines, but Tiani and Vaipo's, and we will not agree to it." Then Ngariu called out, "Go and bring those people here and we will kill them." Again I explained to them, and they would not listen. I gave them the papers, but Ngariu objected, and Rakia threw them at me. I then said unto him, "My son, what did you do that for?" and he said, "Take your papers back." I again gave the papers to Tearo, but still they would not accept them, and Ngariu again called out, "Bring those people here that we may kill them." Tinaiti, one of the rangatiras, called out, "Tie them up." They tried to tie Ngatama, but did not succeed. Ngariu shouted out again, "Moss is not ruler of my land," and Ellacott, captain of the vessel, said to me, "That is enough, you told them your mission from Mr. Moss and they will not listen." We then came away, and they adjourned to Mr. Harris's, the missionary, to have their meeting. Through our coming away I did not know the result of it.

No. 10.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 22nd July, 1891.

I have the honour to inform your Excellency that the Parliament which was sitting when I last wrote, on the 9th June, continued steadily at work, and closed the following evening, the 10th June.

Only two Bills were passed in addition to those reported by me on the 9th June, and I enclose copies herewith: (1) Supreme Court Bill; (2) Empowering Bill. The first gave little trouble beyond that connected with the appointment of the Judge. This was settled by its being referred to the Government to take such action as they might think suitable. The Empowering Bill enables the Government to create the machinery to carry out the laws and to do other things which the Parliament will in future, but could not then, undertake—the appropriation of the revenue, for example, being one of them.

I abstained from bringing before this young Parliament any work that could be possibly avoided. The members thoroughly understood that which they had before them, and showed great interest in the work.

Your Excellency will observe that all moneys due to the Government at any time take precedence in case of difficulty, and are a first charge on any property held by a debtor in the country.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosures.

No. 4.—A LAW TO ESTABLISH A SUPREME COURT. (10th June, 1891).

It is hereby enacted by the British Resident and the Parliament of the Cook Islands,—

1. That there shall be a Supreme Court for the Cook Islands.
2. That the Court shall for the present consist of a Chief Judge, who shall be appointed by the Government, with the approval of the British Resident; and the Government may also appoint, with the approval of the British Resident, not more than two Associate Judges if it be found at any time advisable to do so.
3. That a Judge of the Supreme Court shall only be removed from office by a special law made for that purpose by the Parliament, and approved by the British Resident.
4. That the Government may suspend from office any Judge charged with misconduct as Judge, and may appoint some other person to act in his place till the meeting of Parliament next ensuing, but the salary of a Judge shall continue to be paid during his suspension.
5. The Supreme Court only shall take cognizance of all offences against laws made by Parliament or of charges of murder against either Maoris or foreigners. When cases arise between foreigners in any of the Cook Islands such cases may, on the demand of either party, be transferred from the local to the Supreme Court for trial.
6. The Court shall sit at Avarua on the third days of January, April, July, and October in each year, and when either of these days fall on Sunday the next day shall be substituted.
7. The Court may hold special sittings with the consent of the Government, due notice of the said sitting being given.
8. Any person disobeying a lawful order of the Court shall be adjudged guilty of contempt, and liable to such fine or substitute in labour, with or without imprisonment, as the Court may direct, subject to the powers of remission vested in the Government of the Islands.
9. Every Judge in taking office shall take an oath to act impartially and righteously in his office. The form of oath and the administration thereof to be settled by the Government.

Approved, to go into operation forthwith.

10th June, 1891.

FREDERICK J. MOSS, British Resident.

No. 5.—PROVISIONAL POWERS. (10th June, 1891.)

It is hereby enacted by the British Resident and the Parliament of the Cook Islands that until the 30th day of June, 1893, or until each or any of the subjects herein dealt with shall be provided for by separate law, if so provided for prior to the said 30th day of June, 1893, the Government of the Cook Islands is empowered (subject in all cases to the formal approval of their action by the British Resident) to make such provision in regard to the said subjects as may be found necessary.

1. *Bankers and Audit.*—To appoint any person or persons to act as bankers for the Government, for the safe custody of public money, and for the regular and proper disbursement of the same, as well as for the audit of all accounts connected with the public service.

2. *Appropriation.*—To appropriate the revenue to such public purposes as they may consider most desirable, but to lay a full account of all receipts and expenditure on the table at the opening of the Parliament in each year.

3. *Public Money a First Charge.*—To make all public moneys held by any person or persons a first charge on any property or goods owned by such person or persons within the Cook Islands.

4. *Prevention of Disease.*—To take such measures as may be necessary at any time to prevent the introduction of contagious or infectious diseases, or the spreading of the same if introduced, and to make regulations imposing penalties upon persons violating or disobeying such regulations under penalties not exceeding \$2,500.

5. *Schools.*—To establish a school or schools for the teaching of English to the Maori people, and for their progress in knowledge generally, and to make regulations, with penalties not exceeding \$20.

6. *Post Offices*.—To establish post offices and to make regulations for the same, with penalties not exceeding \$200.

7. *Harbours*.—To make regulations for the harbours, or for vessels frequenting any of the islands which may be without such harbours, and to impose penalties under such regulations to the amount of \$500.

8. *Registration of Deeds*.—To establish a registry of deeds and to make all necessary regulations relating thereto, with penalties not exceeding \$100.

9. *Marriages*.—To make regulations for the due registration of marriages and to license persons authorised by the Government to celebrate such marriages. In making such regulations the Government may impose penalties not exceeding \$500.

10. *Affidavits*.—To appoint persons authorised to take declarations in due form, either by oath or otherwise, as may be provided, and to impose penalties for wilfully making false declarations, such penalties not to exceed \$500.

11. *Buildings*.—To put up any buildings necessary for the public service, and to obtain, by purchase or otherwise, any land required for the same.

12. *Officers*.—To appoint such officers as may be necessary and to pay their salaries; but both the officer and the salary to be subject to the approval of Parliament.

Approved, to go into operation forthwith.

10th June, 1891.

FREDERICK J. MOSS, British Resident.

No. 11.

Mr. F. J. Moss to His Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 22nd July, 1891.

I have the honour to inform you that at the meeting of the *ariki's* Council (the Government) on the 17th instant, the following regulations (copies enclosed), and the estimates of revenue and expenditure, with the appropriations for the year (both of which are also enclosed), were duly passed: (1.) Regulations under the Import Duty Act. (2.) Regulations under the Empowering Act for the Shipping Master's Office. (3.) Regulations for the Post Office. (4.) Regulations for preventing the Introduction of Disease. (5.) Regulations for the Establishment of Public Schools. (6.) Estimate of Revenue and Expenditure, with appropriation attached.

The Import Duty Regulations do not, I think, require from me any comment, beyond stating that one object is to prevent the necessity of creating only a single port of entry. The duties are so small, and the penalty of evasion is so comparatively large, that it appears to me, as a matter of policy, better to risk some loss of revenue than to give a grievance to the other islands.

The estimate of revenue is only \$4,350. The data for an opinion are very imperfect, and it is not safe to rely upon more.

The expenditure has been kept down to the smallest point—smaller than would have been possible if there had not been gentlemen here willing to take the appointments as additions to incomes, and desiring, for the sake of the climate, to remain in the island. This applies also to the lady who is appointed schoolmistress. It would have been hopeless to get a trained teacher to come here for a much larger salary.

To the Judge of the Supreme Court only an honorary salary has been given. The Court is absolutely necessary to protect the revenue and to complete the Government. But its work is likely for the present to be very light. I have referred elsewhere to the satisfactory performance of his duties in the past by Te Pou te Rangi, who has been appointed the first Chief Judge.

Natives have been employed wherever practicable, but there are none educated sufficiently to fulfil, for example, the duties of postmaster, or others requiring more than merely clerical work. In a few years, with enlarged means of education, I hope to see this changed.

The firm of Donald and Edenborough having undertaken the banking business of the Government, a Treasury is unnecessary. The auditing will, I think, be efficiently done by the gentleman in whose hands that important duty is placed.

I have, &c.,

FREDERICK J. MOSS, British Resident.

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

Enclosures.

IMPORT DUTY ACTS Nos. 1 AND 2.

THE following regulations under the above Acts have been duly made by the Government of the Cook Islands, and are published for general information:—

REGULATIONS.

General.

1. It shall be the duty of the Collector of Revenues to collect all duties under the above Acts, to grant clearances to ships, to compile statistics of imports and exports, and to do all things necessary to ensure the due observance of these regulations. All complaints will be made in his name, and all prosecutions conducted by him before the Supreme Court at Avarua, in the Island of Rarotonga. The Collector's office will be also at Avarua.

2. Revenue officers at any of the other islands of the group will be under the direct control of the Collector.

3. The Collector will also grant bills of health where required by the master of any ship, and there is no reason for not granting the same. The bill of health will be in form provided in Schedule A, and the fee for the same \$3½.

4. Masters of sailing-ships will be held responsible for the due observance of these regulations, but to prevent delay with steamers the master of any such steamer may substitute the agent or agents of the ship, who will, in that case, assume the responsibility with him. The substitution must be in writing in the form provided in Schedule B.

5. Rarotonga will be the only island at which ships can enter or clear in the Cook Group.

6. Ships leaving Rarotonga to trade with the other islands of the group will not be required to pay duty at such islands if they take with them a certificate in form provided in Schedule C.

7. No spirituous liquors of any kind, arms, gunpowder, dynamite, or other explosives, shall be landed at any of the Cook Islands without a special permit from the Collector at Avarua to land the same. The permit to be in the form provided in Schedule D.

8. The clearance of a ship for any port or place outside of the Cook Group shall consist of the manifest of content (see Schedule E), and a certificate duly signed and sealed by the Collector in form provided in Schedule F.

Islands of the Group other than Rarotonga.

9. On arriving at any of the islands (except Rarotonga) from any place outside the Cook Group, the master will forthwith report his ship to the revenue officer at the island, and from day to day thereafter during his stay will give to that officer a statement in duplicate (Schedule G) of all sales effected by him during the day, and after deducting therefrom 25 per cent., shall pay the duty on the balance. The revenue officer will give a receipt for the duty in form provided in Schedule G.

10. No goods can be left for sale at any of the islands unless duty shall have been previously paid for them at Rarotonga.

11. If no goods shall have been sold the statement (Schedule G) above referred to will be filled in daily with the word "Nil," and signed by the master accordingly.

12. Any person infringing Regulations G, 10 and 11 (immediately preceding) shall be liable to a penalty not exceeding \$1,000, and any goods landed without payment of duty or report to the revenue officer may be seized and held at the disposal of the Government in Rarotonga.

Island of Rarotonga.

13. Every ship shall, within twenty-four hours after her arrival at Rarotonga, be reported by the master (or agent) to the Collector. The master or other person making the report shall exhibit to the Collector for his inspection the manifest of content, and shall leave with him a copy of the same. He shall also, if required, produce the bills of lading, or give any other information the Collector may consider necessary. Any person refusing or neglecting to comply with this regulation will be liable to a penalty of \$500. The manifest of content will be in the form provided in Schedule H.

14. No goods excepting those of a perishable nature shall be delivered from any vessel (excepting a steamship) to any consignee until a permit shall have been obtained from the Collector. (Schedule I.)

15. Within forty-eight hours after the arrival of a vessel, the consignee of any goods in such vessel shall pass an import entry. (Schedule J.)

16. In passing such import entry the consignee shall exhibit to the Collector for inspection the original invoice, and give any other information that the Collector may require.

17. If from any cause the invoice cannot be produced, the Collector will ascertain the valuation to his own satisfaction, and receive the duty thereon. If the valuation be disputed he will store the goods at the expense and risk of the consignee. In the case of perishable goods, they may be sold forthwith by public auction, but in other cases the goods may be stored at the expense and risk of the consignee till such time as he may be able to procure the invoices, but such time shall not exceed six months. They may then be sold by auction to pay the duty. Any balances over the duty and expenses on goods so sold will be at the disposal of the owner of the goods, or of some person appointed by him.

18. Goods for which the consignee cannot be discovered will be dealt with in the same way as those for which an invoice cannot be produced, excepting that they may be sold at the end of three instead of six months if the Collector should deem it advisable to do so.

19. Before taking on board any cargo for export, the master or his agent (except in the case of a steamship) shall make an entry outwards. (Schedule K.)

20. Every exporter of goods or produce as cargo shall, before the departure of the ship in which they are exported, pass an export entry. (Schedule L.)

21. Before the departure of a ship, the master shall clear his vessel in due form if bound for any port outside the Cook Islands. The manifest of content for such clearance shall be lodged by him in duplicate with the Collector, and shall be in the form provided in Schedules E and F.

22. When goods arrive in a damaged condition their value for duty may be stated apart from the original cost. If the Collector should not be satisfied with this estimate he will employ an expert to make the valuation, which shall be conclusive.

23. The valuation for duty shall be the original cost of the goods (where not damaged), the cost of the packages in which they are contained, and 10 per cent. added to cover charges. But it shall be at the discretion of the Collector to claim that the actual charges be added where the 10 per cent. is obviously and materially too small.

24. Any person infringing or disobeying any regulation in which no special penalty is named herein will be liable to a penalty not exceeding \$300.

11A. If there should be no revenue office at the island or islands at which the vessel may call, the master will make up the daily returns required in sections 9 and 11, and have them witnessed by the person to whom, or through whom, the sales, if any, have been effected. If no sales have been effected he will have the daily statement to that effect signed by himself and the

chief mate of his vessel.. The statements will be delivered by him, and duty, if any, paid to the revenue officer at the first island at which he may find this official established.

FORM A.

GOVERNMENT OF THE COOK ISLANDS.

Port of

Bill of Health.

To all to whom these presents shall come.

I, THE undersigned, being the officer appointed thereto by the Government of the Cook Islands, hereby make known that whereas the vessel called the , whose master is , is about to sail from the said port of on the day of , in the year of our Lord, , and from thence to , and other places beyond the seas, with persons on board, including the said master.

Now know ye that I, the said master, do hereby make it known to all men, and pledge my faith thereto, that at the time of my granting these presents, no pestilence, plague, cholera, nor any dangerous or contagious disorder exists in the above port or neighbourhood.

In testifying whereof I have hereunto set my name on the day and year aforesaid.

Given in the office of the Collector of Revenue at the Port of , on the day of , in the year of our Lord (Collector of Revenue.)

FORM B.

I, , master of the steamship , of , do hereby authorise , of , to act for me, and to perform all requirements of the regulations under the Import Duty Acts in my behalf, and I [or we] , the said agent [or agents], do hereby accept all responsibility that would otherwise devolve upon the master of the said steamship if in Rarotonga.

In presence of , Collector.

(Master.)

(Agent or Agents.)

FORM C.

THIS is to certify that the , of , was duly entered on the day of , that all duties have been paid upon her cargo, and that she is entitled to trade with any island of the Cook Group.

Rarotonga, day of

(Collector.)

FORM D.

is hereby authorised to land the following arms, ammunition, dynamite, or other explosives from the , at

Rarotonga,

(Collector.)

FORM E.

OUTWARDS FOREIGN.
Port of Rarotonga.

OUTWARDS MANIFEST of the , for , tons register,
of the Port of , a ship with men, of whom
are British and foreign, besides , a master and
passengers, consisting of males, females, adults;
(Agents). and male and female children.

| Marks and Numbers. | Number and Description of Packages and Contents. | Shippers. | Consignees. |
|--------------------|--|-----------|-------------|
| | | | |

| Number of Passengers. | Names of Crew. | List of Stores. |
|-----------------------|----------------|-----------------|
| | | |

I declare that the above-written manifest is a just report of the ship and of her lading, and that the particulars therein inserted are true to the best of my knowledge.

Declared before me this day of , in the presence of— (Master or Agent.)

(Collector.)

FORM F.

GOVERNMENT of the COOK ISLANDS.
Clearance of Vessel to a Foreign Port.

Port of Rarotonga.

THESE are to certify to all whom it may concern that _____, master of the _____ overdue, tons, navigated with _____ men bound for _____, having on board [cargo,] hath entered and cleared his said vessel according to law.

Given under my hand at my office in Rarotonga the _____ day of _____, one thousand eight hundred and ninety _____.

(L.S.)

(Collector of Customs.)

FORMS G.*

Goods sold or landed by me at _____, this _____ day of _____, namely:—

| | | | | |
|--|-----|-----|-----|----|
| Clothing, piece goods, and fancy goods, sold for | ... | ... | ... | \$ |
| Provisions (salted or preserved), sold for | ... | ... | ... | \$ |
| Hardwood and ironmongery, sold for | ... | ... | ... | \$ |
| Sugar, \$ _____; tea, \$ _____; biscuit or flour, \$ _____ | ... | ... | ... | \$ |
| Tobacco, \$ _____; other articles, \$ _____ | ... | ... | ... | \$ |

| | | | | | |
|-------|-----|-----|-----|-----|----|
| Total | ... | ... | ... | ... | \$ |
|-------|-----|-----|-----|-----|----|

Deduct 25 per cent. dutiable value, \$ _____.

I solemnly declare the above return to be correct. (Master or per agent.)

Amount of duty on above, \$ _____.

RECEIVED from _____, master of the _____, of _____, the sum of \$ _____, being duty on the above goods.

(Name of island.)

(Revenue officer.)

* In duplicate, to be altered for specification.

FORM H.

INWARDS REPORT.

Port of Rarotonga, _____ day of _____, MANIFEST of the _____, a _____ ship registered at _____, of _____ tons, with _____ passengers, _____ seamen, besides _____ a _____ man, master for the present voyage from _____ to _____ (Master or Agent.)

| Marks and Numbers. | Packages. | Contents and Quantity. | Consignee. | Value. |
|--------------------|-----------|------------------------|------------|--------|
| | | | | |
| | | | | |
| | | | | |

I declare that the above is a true report of the ship and her lading; and that bulk has not been broken nor goods delivered since her departure from _____ (or if he has called at any other island of the group on her way), except those upon which duty has been duly paid at _____, and _____, according to the Revenue Officer's receipts attached hereto.

In presence of _____, Collector. (Master or Agent.)

FORM I.

_____ is hereby authorised to load from the _____, of _____, now lying at _____, the following goods, prior to making entry for the same.

Dated this _____ day of _____ (Collector.)

FORM J.

IMPORT ENTRY.

Port of Rarotonga, _____ day of _____, 18 _____, Importer's name and address, _____, per _____, from _____.

| Marks and Numbers. | Packages. | Contents. | Free. | Dutiable. | Total. |
|--------------------|-----------|-----------|-------|-----------|--------|
| | | | | | |
| | | | | | |
| | | | | | |

I do hereby declare that the particulars contained in this entry are true and correctly stated to the best of my knowledge and belief.

In presence of _____, Collector.

(Importer or Agent.)

FORM K.

ENTRY OUTWARDS.

Port of Rarotonga, day of , 18 , Ship's name (nationality of),
 ship of , port of registry of , of , tons, master , bound
 to . (Master or Agent.)

FORM L.

EXPORT ENTRY.

Port of , day of . Exporter's name . Ship's name , of .
 Destination .

| Marks and Numbers. | Packages. | Contents and Quantity. | Value in Dollers. | |
|-----------------------|-----------|------------------------|-------------------|--------|
| | | | C. J. | Fines. |
| | | | | |

I declare that the quantity, description, and value of the goods mentioned in this entry are correctly stated, and that the total value thereof is \$.

In presence of , Collector.

(Exporter or Agent.)

REGULATIONS RESPECTING THE SHIPPING-MASTER.

THE following regulations have been made by the Government under the powers granted to them by the Provisional Powers Act, No. 5, 8th June, 1891, are published for general information :—

Shipping-master.

1. The duty of the Shipping-master will be to see that sailors are properly engaged before him, and that they understand the nature of the agreement made. To see also that all sailors are properly discharged, and are paid any balance of wages that may be due to them.

2. The Master of any ship calling at Rarotonga shall deliver to the Shipping-master, within forty-eight hours after her arrival, the agreement with the crew and the indentures or assignments of the apprentices on board. The Shipping-master will keep them during the ship's stay, and at a reasonable time before her departure will add a certificate stating that the documents were delivered to and returned by him, and the time at which the ship entered the port. He will then return them to the Master. The indorsements may be included in one statement, and signed by the Shipping-master once only.

3. The Shipping-master is to receive any complaints that the crew or others on board may desire to make as to the condition of the vessel, of the provisions or water, or of any breach of the articles of agreement. If in his opinion there is a *prima facie* case, the Shipping-master will give his certificate to that effect, and the complaints will then be heard before the Supreme Court at Avarua. If the complaint should be of a nature to prevent its coming within the jurisdiction of the Supreme Court, the Shipping-master will himself make inquiry and report to the Government in order that the circumstances may, if they think necessary, be reported by them to the Government of the country to which the ship may belong.

4. In delivering the articles of agreement on arrival, the master of the ship will also report any deaths or accidents that may have occurred among the crew or passengers, and the Shipping-master will, if he think necessary, inquire into the same, and report the result to the Government of the Cook Islands.

5. Whenever seamen are engaged for any ship within the Cook Islands, the sanction of the Shipping-master must be obtained before they are taken beyond the group. The agreement must be signed in his presence, and he will satisfy himself that the person signing thoroughly understands the agreement. He will then attest the signature, and state in the attestation that the agreement has been fully explained in his presence.

6. Alterations in existing agreements shall be made in presence of the Shipping-master, and attested by him.

7. When sailors are engaged the agreement with them must be signed and attested by the Shipping-master, who will satisfy himself that there is no valid objection to the person who is to be engaged making the proposed engagement.

8. No seaman nor apprentice shall be discharged at any island of the Cook Group without the formal sanction and certificate being first obtained from the Shipping-master.

9. In case of seamen being left by shipwreck or other casualty in any of the islands, the Shipping-master shall inquire into the circumstances and report to the Government without delay.

10. In cases of sickness among sailors, he shall see that the master of the vessel makes proper provision if they are to be left behind. The provision shall be for their maintenance, expenses, and passage back to the port at which the sailor was originally shipped.

11. The Shipping-master will see that any sailor entitled to a certificate on his discharge receives the same in due course. He will also see that all papers and property in possession of the captain are returned to the person so discharged.

MAKEA, Chief of the Government.

Approved.—FREDERICK J. MOSS, British Resident.

Scale of Fees.

| | | | |
|---|-----|-----|------|
| For shipping or discharging seamen, or for any alteration in agreement, or for certifying | £ | s. | d. |
| to a desertion, in each case | ... | ... | ... |
| For examining provisions or water (to be paid by person who proves to be in default) | ... | 0 | 2 0 |
| | | 0 | 10 0 |

REGULATIONS FOR THE POST OFFICE MADE BY VIRTUE OF THE LAW OF 10TH JUNE, 1891.

THE following regulations made by the Government under "The Provisional Powers Act, 1891," are published for general information:—

1. A Chief Postmaster will be appointed at Rarotonga, with postmasters in the other islands.
2. The Chief Postmaster will be responsible for the proper conduct of the department, and all other Postmasters will be under his direct control.
3. Every master of a sailing-vessel arriving in Rarotonga, or in in any of the other islands of the group, will take on board any mails that may be sent by the Postmaster of the island, and give a receipt for the same if required so to do.
4. Every master of a sailing-vessel leaving Rarotonga shall give to the Collector of Revenue not less than hours' notice of his intended departure, and the said Collector will not clear his vessel unless at the expiration of the time for which such notice shall have been given. The Collector on receiving such notice will at once send it to the Postmaster.
5. Any person violating these regulations or neglecting to comply with the same will be liable to a fine not exceeding \$200.
6. All complaints made under these regulations will be by the Postmaster and in his name.

MAKEA, Chief of the Government.

Approved.—FREDERICK J. MOSS, British Resident, 17th July, 1891.

PREVENTION OF THE INTRODUCTION OF DISEASE.

THE following regulations made by the Government under "The Provisional Powers Act, 1891," are published for general information:—

1. The Collector of Revenue will be the officer whose duty it will be to guard against the introduction of leprosy or other contagious or infectious disease.
2. No persons other than residents in the Cook Islands returning to their homes shall be landed at any of the islands, unless the vessel in which they arrive shall have been previously entered and cleared at Rarotonga, and any person infringing this regulation shall be liable to a penalty not exceeding \$1,000.
3. The Collector, if he see reason to do so, may, in any case where the passengers or crew come from a place known to be infested with leprosy or other contagious or infectious disease, prohibit their being landed at any of the islands until their case has been submitted to the Government, and its decision taken thereon. Any master of a vessel allowing such persons to land in violation of this regulation will be liable to a fine not exceeding \$500 dollars for every person so landed.
4. The decision of the Government in any cases referred by the Collector to them will be subject to the approval of the British Resident for the time being.

MAKEA, Chief of the Government.

Approved.—FREDERICK J. MOSS, British Resident, 17th July, 1891.

REGULATIONS FOR PUBLIC SCHOOLS.

THE following regulations, made by the Government under the Provisional Powers Act, 10th June, 1891, are published for general information:—

1. Schools shall be established in all the islands as opportunities offer. Their purpose shall be the teaching of the English language, and for general instruction in that tongue.
2. The district requiring the school shall provide a suitable building and a residence for the teacher or teachers where necessary.
3. No Maori shall be spoken during school-hours, except where necessary, on the part of the teacher.
4. The hours of attendance shall be from 8 to 10 in the morning for regular pupils, and an additional hour, if required, for the teaching of English to the students in the missionary schools.
5. The schools shall open with the Lord's Prayer, which may be either in Maori or English, at the discretion of the teacher.
6. The instruction shall be in reading, writing, and arithmetic, the teachers taking the opportunity of imparting with such instruction as much general information as possible.
7. The teaching shall be oral, as much as possible. No charge will be made to the pupils except for slates or material.
8. All children between five and thirteen will be admitted by the teacher. Beyond thirteen they will only be admitted on special order from the Government. No one can remain after attaining fifteen without special permission.
9. The head-teacher (when there is more than one) will be responsible for the efficiency of the school and its discipline, and any suitable punishment, other than corporeal, may be inflicted by such teacher for the maintenance of discipline and order in the school.
10. The head-teacher will keep the roll of attendance and insist on regularity in such attendance, taking such steps as may be found necessary to secure the same.
11. Any person disturbing the school during school hours will be liable to a fine not exceeding \$10.
12. The schools will be open daily except on Saturday and Sunday, and on such holy days as the Government may authorise.

ESTIMATES of REVENUE and EXPENDITURE for the GOVERNMENT of the COOK ISLANDS, 1st July, 1891, to 30th June, 1892.

Revenue.

| | | | | | | |
|-----------------|-----|-----|-----|-----|-----|----------------|
| Duty on imports | ... | ... | ... | ... | ... | \$4,000 |
| Postages | ... | ... | ... | ... | ... | 100 |
| Shipping fees | ... | ... | ... | ... | ... | 150 |
| Fees of Court | ... | ... | ... | ... | ... | 100 |
| | | | | | | <u>\$4,350</u> |

Expenditure.

| | | | | | | |
|---|-----|-----|-----|-----|---------|----------------|
| 1. Fixed payments— | | | | | | |
| Rarotonga | ... | ... | ... | ... | \$300 | |
| Mangaia... | ... | ... | ... | ... | 300 | |
| Atui, Mitiaro, Mauke | ... | ... | ... | ... | 300 | |
| Aitutaki | ... | ... | ... | ... | 300 | |
| Payment of members | ... | ... | ... | ... | 360 | |
| | | | | | <u></u> | \$1,560 |
| 2. Collection of revenue— | | | | | | |
| Collector, Rarotonga | ... | ... | ... | ... | 200 | |
| Revenue officers— | | | | | | |
| Mangaia | ... | ... | ... | ... | 20 | |
| Aitutaki | ... | ... | ... | ... | 20 | |
| Atui | ... | ... | ... | ... | 20 | |
| Mauke | ... | ... | ... | ... | 20 | |
| Mitearo | ... | ... | ... | ... | 20 | |
| | | | | | <u></u> | \$300 |
| 3. Supreme Court—Judge | ... | ... | ... | ... | 120 | |
| 4. Post Office— | | | | | | |
| Postmaster, Rarotonga | ... | ... | ... | ... | 100 | |
| Postmasters—Mangaia, Atui, and Aitutaki—three | | | | | | |
| @ \$10 | ... | ... | ... | ... | 30 | |
| | | | | | <u></u> | 130 |
| 5. Shipping-master | ... | ... | ... | ... | 80 | |
| 6. Paymaster and Clerk to Government | ... | ... | ... | ... | 100 | |
| 7. Public Schools— | | | | | | |
| Head-teacher, Rarotonga | ... | ... | ... | ... | 350 | |
| Assistant teacher | ... | ... | ... | ... | 150 | |
| Contingencies | ... | ... | ... | ... | 200 | |
| | | | | | <u></u> | 700 |
| 8. Auditor— | | | | | | 100 |
| 9. General contingencies .. | ... | ... | ... | ... | ... | 800 |
| | | | | | | <u>\$3,890</u> |
| Revenue— | ... | ... | ... | ... | ... | \$4,350 |
| Expenditure— | ... | ... | ... | ... | ... | <u>\$3,890</u> |
| Available balance | ... | ... | ... | ... | ... | <u>\$460</u> |

APPROPRIATION for the Year ending the 30th June, 1892.

| | | | | | | |
|--------------------------|-----|-----|-----|-----|-----|----------------|
| 1. Fixed payments | ... | ... | ... | ... | ... | \$1,560 |
| 2. Collection of revenue | ... | ... | ... | ... | ... | 300 |
| 3. Supreme Court | ... | ... | ... | ... | ... | 120 |
| 4. Post-office | ... | ... | ... | ... | ... | 130 |
| 5. Shipping-master | ... | ... | ... | ... | ... | 100 |
| 6. Paymaster | ... | ... | ... | ... | ... | 80 |
| 7. Auditor | ... | ... | ... | ... | ... | 80 |
| 8. Public schools | ... | ... | ... | ... | ... | 700 |
| 9. General contingencies | ... | ... | ... | ... | ... | 800 |
| | | | | | | <u>\$3,890</u> |

The above passed by the Government (under the Provisional Powers Act, 10th June, 1891) at a meeting held on the 17th July, 1891.

MAKEA, Chief of the Government.

Approved.—FREDERICK J. MOSS, British Resident, 18th July, 1891.

No. 12.

Mr. F. W. Moss to his Excellency the GOVERNOR.

MY LORD,—

Rarotonga, 22nd July, 1891

I have the honour to inform your Excellency that the Rarotonga Council met at Arorangi on the 8th July, when the following Bills—copies enclosed herewith—were passed: (1.) A Law to Punish the Crime of Rape. (2.) A Law to Punish Bribery. (3.) To prevent the use of Dynamite for

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-

tonga Council; No. 7, 1891, the Dog-tax Amendment; No. 8, 1891, Amendment of old Law No. 11. And are to go into operation forthwith.

No. 3, 1891, to Regulate the use of Dynamite, has been also approved by me, to come into operation on the 1st September, 1891.

9th July, 1891.

FREDERICK J. MOSS, British Resident.

No. 1, 1891.—A LAW TO PUNISH THE CRIME OF RAPE. (TRANSLATION.)

1. ANY man having carnal connection with a female by force or against her will, is guilty of rape, and shall be liable to a penalty not exceeding \$500, or hard labour for such time as the Judge may direct.

2. No female under the age of fourteen years shall be able to give her consent to such carnal connection, and no man plead such consent. If he have connection with any one under that age he shall be adjudged guilty of rape.

3. No one shall be convicted of rape on the testimony of the girl without corroborative evidence.

No. 2, 1891.—A LAW TO PREVENT BRIBERY. (TRANSLATION.)

1. WHOEVER offers a bribe to any one in public office to influence him thereby in the performance of his duty shall be adjudged guilty of a gross offence, and liable to a penalty not exceeding \$500. The penalty to be subject to the approval of the British Resident.

2. Any public officer to whom a bribe shall be offered, and who shall fail at once to report the same to the Government of his district, shall forfeit his office, and be declared ineligible to take part in public affairs for any period not exceeding five years, that the Court of the district, subject to the approval of the British Resident, shall decide.

No. 3, 1891.—TO PREVENT THE USE OF DYNAMITE FOR IMPROPER PURPOSES. (TRANSLATION.)

1. No dynamite shall be sold in Rarotonga except to persons obtaining a special permission to purchase the same from the Collector of Revenue.

2. Any person selling without such permission being first produced shall be liable to a fine not exceeding \$100.

3. No dynamite shall be used for the purpose of killing fish in the waters of Rarotonga. Any person so using it will be liable to a fine not exceeding \$50.

No. 4, 1891.—FOR ELECTING THE AU. [TRANSLATION.]

1. THERE shall be an Au in each of the districts of Avarua, Arorangi, and Taketumu, whose duty it will be to look after the roads and public works, and to maintain order in the district.

2. The Au shall consist of the *ariki* of the district with two members elected by the Mataiapos, two by the rangatiras, and two by the rest of the people. The first election shall take place on the passing of this law, and elections in all future years on the 1st June; if that be Sunday, the following day shall be the day of election.

3. When elected, their names shall be sent to the *ariki*, who will call them together at such time and as often as the said *ariki* may consider necessary.

4. The Au may impose penalties not exceeding \$20 for the breach of any law made by them, and approved by the British Resident.

5. The Au may *raui* cocoanuts or produce when they consider such *raui* for the public good, but it will not be valid unless approved by the British Resident, and its terms and duration made publicly known.

6. The Court of the district will enforce the laws made by the Au, and levy the penalties for their non-observance.

7. The Au is empowered to levy dues for vessels using the moorings and wharves in any harbour in its districts, and to appropriate the same to the *ariki* of the district. No new moorings shall be laid down nor wharves built without the written consent of the *ariki* being previously obtained.

No. 5, 1891.—HARBOURS. (TRANSLATION.)

1. THE pilot is not only to see vessels safely into the harbour; he and his crew are to assist them in mooring. The same when the vessel is leaving.

2. The pilot is to be vigilant, and delay vessels as little as possible.

3. The pilot is to be appointed by the *ariki* of the district, and under the *ariki's* control.

4. If either of the harbours is at any time required for the use of the vessels of war, or any mail steamer, or for any other reasonable purpose, the *ariki* of the district may order any of the trading vessels moored in that harbour to proceed to sea, and either anchor outside or in another harbour. Should the master of such vessel refuse or neglect to comply with the order within three hours after receiving the same he shall be liable to a penalty of any sum not exceeding \$50 for every day that he remains in port, always provided that the wind has been favourable for his leaving, and his vessel not disabled; and it is also further provided that the order of the *ariki* must be countersigned by the British Resident.

5. No ballast to be thrown into the harbour on the beach or near the entrance without the written consent of the *ariki*. Penalty, \$50.

6. The following is the scale of dues to be charged for the pilot: Scale of fees and harbour dues: Vessels under sixty tons, \$6; vessels exceeding sixty tons, 10 cents per ton.

No. 6, 1891.—LAW FOR THE FORMATION OF THE RAROTONGA COUNCIL. (TRANSLATION.)

WHEREAS all laws have now to be approved by the British Resident, and it is necessary to reform the Council according. Be it enacted,—

1. That the resolution of the 22nd December last is hereby rescinded.
2. That the Council shall consist of thirteen members—namely, the *ariki* of Rarotonga and Ngamaru, the *ariki* of Atui Mitiaro and Mauke (six), the Chief Judges of the three districts of Avarua, Arorangi, and Takitumu (three); to be elected by the Mataiapos of the said districts, one each (three); to be elected by the foreign residents, one. The representatives of the Mataiapos and of the foreign residents shall be elected yearly.
3. All laws shall be passed subject to the approval of the British Resident, who will also decide when they are to come into operation.
4. The Council at its meetings shall elect one of its own members to preside for the session.
5. The Council shall meet on the 3rd May in each year, but if that be Sunday the day following shall be the day of meeting.
6. Special meetings of the Council may be called by any two of the *ariki* sending an application to the British Resident, who shall call the meeting at such place and time as he may think most suitable.
7. The place at which ordinary meetings are to be held shall be decided from time to time by the Council.

No. 7, 1891.—LAW TO AMEND THE DOG-TAX. (TRANSLATION.)

LAW No. 26 of the 22nd December, 1890, hereby amended as follows: Any one refusing or neglecting to pay the tax within fourteen days of its being demanded, or seeking by falsehood to evade payment, shall be liable to a fine not exceeding three dollars in addition to the tax that may be due.

No. 8. 1891.—AMENDMENT TO LAW XI. (TRANSLATION.)

WHEREAS the above law provides for certain action to be taken in case of the man who exalts himself above his *ariki*, Mataiapo, rangatira, or elder brother; and whereas, although grave disputes between *ariki* and mataiapos and others occur, but no existing local Court is competent to adjudicate upon the same, it is hereby enacted that the execution of this law shall be left to the three Judges of Avarua, Arorangi, and Takituma respectively. They shall sit together, and any two shall be a quorum. They shall hear all such cases on the complaint of any *ariki*, and their decision shall be final

[Approximate Cost of Paper.—Preparation, nil printing (1,325 copies), £14 15s.]

By Authority: GEORGE DIDSBURY, Government Printer, Wellington.—1891.

Price 9d.]

