

No. 9.

(No. 55.)

SIR,— Government House, Wellington, 30th September, 1897.

I have the honour to inform you that I opened the second session of the thirteenth Parliament of New Zealand on the 23rd September, 1897, and to enclose copies of the Speech that I read on that occasion.

2. I have also the honour to forward herewith copies of the Address in Reply presented to me by the honourable the Legislative Council.

I have, &c.,

The Right Hon. J. Chamberlain, M.P.,
Secretary of State for the Colonies.

RANFURLY.

No. 10.

(No. 57.)

SIR,— Government House, Wellington, 23rd October, 1897.

With reference to your despatch (New Zealand, No. 3), dated the 30th January, 1897, I have the honour to forward you a copy of Mr. Moss's despatch (No. 15, 1897), dated the 21st August, 1897, showing that the British Resident at Rarotonga, Cook Islands, has failed to establish a superior Court.

I have, &c.,

The Right Hon. J. Chamberlain, M.P.,
Secretary of State for the Colonies.

RANFURLY.

A.—2, 1898,
No. 1.

Enclosures.

SIR,—

Government House, Wellington, 8th July, 1897.

I have the honour to inform you that I have received a despatch from Mr. Chamberlain, the Secretary of State, referring to the case of Campbell, a United States negro, charged before a local Court at Aitutaki with attempting murder at Aitutaki, the particulars of which you are already acquainted with. He suggests for my consideration that, with a view to more effectual dealing with cases of this (Campbell's) kind, the Resident at Cook Islands should be instructed to endeavour to procure the passing of a measure providing that all cases, whether civil or criminal, to which a white man (meaning, popularly, a man other than a native of the Cook Group or other neighbouring islands) is a party should not be tried with local Courts, but that, without affecting the concurrent jurisdiction of the High Commissioner's Court, such cases might be heard in the Supreme Court of the islands under the presidency of the Resident himself.

I have conferred with Ministers here on this subject, and it is thought better, before deciding to give any instructions to you on the matter, to refer the matter to you for consideration, and for the expression of your opinion on the subject.

2. The Secretary of State encloses a copy of a despatch from the High Commissioner, the late Sir J. B. Thurston, in which it is pointed out that a trial in the Supreme Court of the Cook Group can be demanded by a foreigner, but that even that Court is not a satisfactory tribunal where a serious and difficult criminal charge has to be adjudicated upon.

Sir J. Thurston's despatch does not make the suggestion contained in the Secretary of State's despatch, but it seems written rather with the view of pointing out that serious criminal charges wherein the subject of a foreign State is concerned cannot be safely and satisfactorily dealt with by a local Court, and expresses regret that Campbell's case could not have been dealt with by Mr. Hunter, the Deputy Commissioner.

3. Will you therefore let me have your opinion on the subject with as little delay as possible.

I have, &c.,

Frederick Moss, Esq., British Resident, Rarotonga.

J. PRENDERGAST.

SIR,—

Cook Islands, British Residency, Rarotonga, 21st August, 1897.

I have the honour to acknowledge receipt on 10th August of your Excellency's despatch of 8th July, informing me of the wish of the Secretary of State for the Colonies as to the establishment of a higher Court in these islands, and asking my opinion on the subject.

A radical change in the administration of justice has become necessary, and the Federal Court Bill, reported in my despatch No. 7, of 22nd July, will have already placed your Excellency in possession of my ideas on the subject.

I have also written on the 10th August (No. 11, 1897), in anticipation of a possible visit to the other islands by H.M.S. "Goldfinch," and consequent absence when the mail left. I therein reported the rejection of the Bill, and the proceedings taken by me thereupon.

A conference was held by a committee of the Parliament with me on the 16th, which ended in a meeting of the Arikis being held on the 20th. I deemed it better not to attend the latter, as it appeared to me only a device for continued delay. In this opinion I am confirmed by the result, which is only a resolution to summon all the Arikis of the group, who form the legal Government if the Federation, to meet in Rarotonga at a date not fixed.