1900.

NEW ZEALAND.

PACIFIC ISLANDS.

PROCEEDINGS OF THE BRITISH RESIDENT, RAROTONGA.

[In continuation of Parliamentary Paper A.-3, 1899.]

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

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No. 1.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

Cook Islands: The Residency, Rarotonga, 13th June, 1899. I have the honour to inform you that during my recent visit to Mangaia an influential chief, Daniela Tangitoru, presented a piece of land of perhaps 5 acres to Her Majesty Queen

I explained to him that I had no authority to receive presents on behalf of Her Majesty, but that I would submit the matter to you for your decision. You will probably remember that Daniela was the only Mangaian chief at Rarotonga during your visit to that place.

I enclose two letters from him, with translations.

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

I have, &c., W. E. Gudgeon, Resident.

Enclosures.

[Translation.]

Mangaia, Oneroa, 17th May, 1899. HERE are the words, O mighty chief of all people. First, I know that you are the root of knowledge of all people. From the heart of an Aanau I, Tangitoru Daniela, give to you a piece of land called "Ariari," situated in the settlement of Oneroa, in the district of Keia.

1—A. 3.

No. 1.

No. 1.

No. 4.

[Translation.]

This is a letter to Lord Ranfurly. Greetings. Great was my delight when I listened to the words that flowed from your mouth. I was rejoiced to hear those words. You have also visited the Cook Islands, and have seen with your own eyes the ancestors of the New Zealand Maoris. This fact will ever be remembered by me, and your words will not fade, but remain as gold imperishable.

Mangaia, 17th May, 1899.

You have also visited to hear those words. You have also visited will not fade, but remain as gold imperishable.

Te Ariki in Oneroa and Atiu.

[Note.—The words that delighted Daniela were those used by your Lordship when referring to the migrations of the Maori people from these islands to New Zealand.

W. E. GUDGEON, Lieut-Colonel.]

No. 2.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Sir,—

With reference to your despatch (No. 21/99), dated the 13th June, 1899, regarding Daniela Tangitoru's gift of land to the Queen, I have the honour to inform you that I have forwarded to England his proposal, to await Her Majesty's commands on this subject. Will you please inform him accordingly.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 3.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

My Lord,— Cook Islands: British Residency, Rarotonga, 19th July, 1899.

With reference to the piece of land at Oneroa (Mangaia) which Daniela Tangitoro desires to present to Her Majesty the Queen, it appears to me that he has been actuated by two motives —namely, that some years ago Makea made a similar present of the land whereon the Residency is built; and, secondly, that he desires to have a piece of land whereon the British Resident can reside by right on any occasion that he may find it necessary to visit Mangaia.

Under these circumstances you may probably be able to accept the offer provisionally; but, if not, I would suggest that Daniela be told that, much as the offer is appreciated, it cannot be

accepted. 1 have, &c.

1 have, &c.,
W. E. Gudgeon,
British Resident.

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

No. 4.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

My Lord,— Cook Islands: British Residency, Rarotonga, 19th July, 1899.

After giving the matter due consideration, I have resolved to bring the Liquor Traffic Bill before the Parliament this session, in order that the principle of the Bill may be affirmed, leaving the power in the hands of the Government to bring the Act into force whenever they deem it

advisable to do so.

The Act as it now stands has only eleven clauses, including one against the illicit distillation of spirits or manufacture of intoxicating liquor, and may be said to be merely an administrative Act.

I regret that I cannot send you a copy of the Bill by this mail, as it is now in Mr. Goodwin's hands for translation, but by the August steamer I will forward it without fail.

I have, &c., W. E.

W. E. Gudgeon, British Resident.

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

No. 5.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Government House, Wellington, 7th August, 1899.

I have the honour to acknowledge receipt of your despatch of 19th July, 1899 (No. 29/99), informing me that you had decided to bring the Liquor Traffic Bill before this session of the Cook Islands Parliament.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 6.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Government House, Wellington, 7th August, 1899. I have the honour to inform you that, under Section III. (10) of the Pacific Order in Str.-Council, the power of deportation can be exercised by the Deputy Commissioner, after conviction of a crime, or in default of security for peace and good behaviour. The High Commissioner for the Western Pacific could, however, under the same section, issue an order prohibiting an indi-

vidual from residing in the Cook Islands.

You will thus see that the power of deportation does not rest with the Governor of New Zealand in any case, and I should be very sorry to see this power exercised unless it was essential for I have, &c.,

the public peace and welfare. Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 7.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

Government House, Wellington, 7th August, 1899. I have the honour to inform you that section 8 of the Pacific Order in Council, 1893, only SIR.provides for the appointment of a Judicial Commissioner for particular purposes and for a particular It is therefore at present impossible to grant you this Commission. The Secretary of State for the Colonies agrees with me as to the desirability of giving you these extra powers, and is causing steps to be taken for the requisite amendment of the Order in Council.

I shall therefore hope shortly to be able to inform you of it having received Her Majesty's

assent. I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 8.

His Excellency the Governor to Lieut-Colonel Gudgeon.

SIR,-

Government House, Wellington, 13th August, 1899.

I have the houour to acknowledge the receipt of your despatch (No. 28/99).

I should be glad if you would inform Daniela Tangitoro that I have received his offer to No. 3.

present a plot of land to Her Majesty the Queen.

This offer I have duly forwarded to London to learn Her Majesty's pleasure on the subject,

and, on receiving her reply, will write to you a further despatch containing the same.

I feel sure Her Majesty will highly appreciate the offer and the way in which it has been

I have, &c., made.

Lieut-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 9.

Lieut-Colonel Gudgeon to His Excellency the Governor.

My Lord,—
Cook Islands: British Residency, Rarotonga, 16th August, 1899.
I have the honour to enclose five copies of three of the Acts passed during the present session of the Cook Islands Legislature—namely, "The Import Duties Act 1898 Amendment Act, 1899"; "The 'Au' Empowering Act, 1899"; "The Public WorksRating Act, 1899."
The first, as your Lordship is aware, was passed in order to restrict the sale of liquor among alors of Empowers who would otherwise payors be solver, and who have hitherte taken the fullest

a class of Europeans who would otherwise never be sober, and who have hitherto taken the fullest

advantage of the fact that rum was only 1s. 10d. per bottle.

The second was passed at the instance of the chief men of Rarotonga in order to define the process of that local body known as the "Au," and it has met with such general approbation that it has been adopted by every island of the group.

The Public Works Rating Act is a necessary sequence of Act No. 2. Hitherto the work of making and maintaining roads and bridges has fallen entirely upon the Maori population; but this want of system can no longer be put up with. Ngamaru, Ariki, and the men of Avarua, have, at my suggestion, built two bridges and approaches at an expenditure of money and labour equal to at least £400; this they have done entirely out of their own pockets, and they are now building a still more expensive bridge over the Avatiu Creek. All these are necessary works, but it cannot be expected that the Maoris shall find both labour and material.

Other statutes passed by the Parliament have not yet been printed, and it is possible that I may not be able to forward them to your Lordship until the September steamer leaves here.

I have noticed that some inspired writers in the Auckland papers have prophesied that the people and Parliament of the Cook Islands would give me trouble over the abolition of the Island Councils. The contrary, has, however, been the case. The Parliament has now completed its labours for the financial year 1899–1900, and has passed so many useful statutes that I think it is the end of legislation for the next itself bears.

The laws of Mangaia and Aitutaki have been revised and codified, and, notwithstanding that I have eliminated many of the old missionary offences from the code, all of which were very dear to the Polynesian heart, the Parliament have passed these statutes with acclamation, and have expressed a hope that they will be adopted by the remaining islands of the group.

The statement of receipts and expenditure for the past year is in the hands of the printer, but I may say that at the end of the financial year 1898-99 there was a surplus in actual cash of rather more than £380. This surplus will be devoted to the payment of the first instalment due on the purchase of the Government Buildings.

In conclusion, I may say that I have had every reason to be satisfied with the conduct of public affairs both in the Government offices and the Parliament. As to the latter, there has been none of the waste of time or bickering which would seem to be inherent in legislative bodies.

I have, &c.,

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

W. E. Gudgeon, British Resident.

Enclosures.

No. 6, 1899.—The Import Duties Act 1898 Amendment Act, 1899.

Whereas by Order in Council No. 2, dated the twenty-second day of April, one thousand eight hundred and ninety-nine, it was resolved that the duty on proof spirits should be raised to twelve shillings per gallon, and that this measure should be brought before Parliament for its approval:

Be it enacted by the Parliament of Cook Islands:—
1. The Short Title of this Act shall be "The Import Duties Amendment Act, 1899."

2. From and after the passing of this Act all spirits imported shall pay a duty of twelve shillings per proof gallon. And any spirits in bond at the date of the passing of this Act, and which shall have been imported since the twenty-second of April, one thousand eight hundred and ninety-nine, shall be liable to pay the difference between the ten per cent. old duty and the twelve

shillings per gallon imposed by this Act.
3. The Chief of the Government may make such regulations for the guidance of the officers administering this Act as may be found necessary, and such regulations shall have the force

of law.

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Federal Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 2nd day of August, 1899.-W. E. Gudgeon, British Resident.

The Residency, 1st August, 1899.

No. 2, 1899.--An Act to Provide for the Institution of Local Government within the Islands of the Cook Group.

Whereas by Act No. 4, 1891, the Rarotonga Council, acting under the advice and with the consent of the British Resident, gave certain powers to local bodies called the "Au," within the districts of Avarua, Arorangi, and Takitumu: And whereas confusion has arisen from the want of

definition of the powers and duties of the Au aforesaid:

Be it enacted by the Parliament of the Cook Islands, with the consent of the British

Resident:

The Short Title of this Act shall be "The Au Empowering Act, 1899."
 Act No. 4, 1891, of the Rarotonga Council is hereby repealed.

3. There shall be a local body, hereafter to be called the "Au," in each of the following dis-

tricts: Avarua, Arorangi, and Takitumu.

4. The President of the Au in each district shall be the Ariki thereof: Provided always that if the Ariki shall decline to act, he or she may nominate some person for the approval of the Chief of the Federal Government, who, on approval, may cause the Ariki's nominee to be gazetted President of the Au of his district in the columns of the Cook Islands Gazette.

5. Each and every member of the Au shall hold office for the space of two years, and the election for the new Au shall be held on the first Monday in January in every second year, and the election shall be conducted in accordance with the ancient customs of the island in which this Act shall be brought into force: Provided always that no member of the Au shall be entitled to do any administrative act until he shall have been gazetted in the Cook Islands Gazette.

6. It shall be the duty of the President to arrange the business of the Au, and to fix the dates

on which it shall meet for the despatch of business.

7. The Au of each district shall be responsible for the maintenance and repair of all roads and

bridges within their boundaries, and shall construct new bridges when necessary.

8. In order to carry out the duties imposed by section 7 of this Act, the Au are hereby empowered to call out the whole or any part of the population of their district, whether Maori or European, to aid in the repairs or construction aforesaid: Provided always that those Europeans or foreigners who are liable to pay rates on their leaseholds under the provisions of "The Public Works Rating Act, 1899," shall be exempt from any roadwork whatsoever: Provided also that any European lawfully called upon to work on the roads may in lieu of such labour pay the sum of one dollar for each day's labour into the hands of the President of his district, but he shall not

be liable to pay more than five dollars in any one month nor more than eight dollars in any year.

9. Any Maori or European neglecting to attend the summons of the Au under section 8, or failing to pay the dollars per diem fixed by this Act, may be summoned before the Ariki's Court of

the district and sentenced to pay the dollars due, in addition to six shillings and sixpence costs of Court, and in default of payment may be sentenced to not exceeding fourteen days' hard labour on the public roads. The Ariki of the district shall recommend some building for the approval of the Chief of the Government and the British Resident, who may gazette the same a gaol for the purposes of this Act.

5

10. And whereas the ancient right of raui has, with the consent of the Arikis, devolved upon the Au of each district: Be it enacted that it shall be the duty of the Au to increase the power

of production of the land under their jurisdiction by-

(a.) Causing cocoanuts to be planted on waste lands;
(b.) Reporting to the Chief of the Government the names of all of those landowners who neglect their land;

(c.) Placing a ravi over the cocoanuts or other fruits of the island in order to prevent

undue waste of the said fruits;

(d.) Protecting the lands of the sick, infirm, or inferior members of the tribe from the depredations of others;

(e.) Arranging with the traders of Rarotonga or other places, either by tender or otherwise, with the view of obtaining uniformity of price for the producers.

12. In order to effect these objects the Au may, with the approval of the Rritish Resident, proclaim in the Cook Islands Gazette a raui over the whole or any part of their district: Provided that such Proclamation shall state plainly what thing it is that is to be protected, and also the duration of the raui: Provided also that it shall be necessary to obtain the concurrence of village authorities before outlying village lands are included in a rawi.

13. And whereas it has been found that certain Maoris have during the continuance of a raui plundered the fruit of other people, and sold the same secretly to European traders: enacted that any trader who shall purchase cocoanuts during the continuance of a raui shall give notice to the President of the Au of his district of such purchase. Any trader who shall fail to give notice of such purchase shall be liable to a fine of not exceeding twenty shillings.

14. Any trader may be called upon to explain the possession of a large quantity of cocoanuts if the Au have reason to believe that they have been stolen; to this end the Au shall report the

matter to the British Resident, who may demand an explanation if required.

15. Every trader shall keep a book in which he shall enter the name of each person of whom

he has purchased produce, as also the description and quantity of produce so purchased.

16. The Au shall have authority to impound or destroy all wandering horses, pigs, goats, sheep, or horned cattle, and may fine the owners in any sum of not less than one dollar in accordance with the amount of damage done by the animal. If the owner refuses or neglects to pay the fine he may be summarily dealt with by the Arikis' Court, and in lieu of payment may be sentenced to not exceeding ten days' hard labour.

17. It shall be the special duty of the Au to see that the waste lands of their district are

beneficially occupied, and to encourage the planting of cocoanuts thereon.

18. The British Resident may, in the interests of trade, modify or refuse to sanction any act of the Au which, in his opinion, may be in restraint of trade, and therefore against the interests of both the Maoris and the foreign inhabitants of this group.

19. Any person may appeal to the High Court to compel the Au to perform the duties imposed upon them by this Act, and the President of the Au may in like manner seek the aid of the High

Court in order to carry out the duties imposed upon him.

20. The Au shall have power to impose an annual dog-tax of not exceeding five shillings for each dog, and shall register the name of each owner and the amounts of the tax paid by him. It shall be the duty of the Native Judges to see that this tax is properly collected.

21. Any island within the Federation, or any district of an island, may adopt this Act by Proclamation in the Cook Islands Gazette, and may bring it into force within the island or district named in such Proclamation: Provided always that the consent of the local Government of the island shall be first obtained, and the boundaries of any district clearly defined in the Proclamation.

Passed.

Te Ariki TAPU RANGI, Chairman to Cook Islands Parliament. MAKEA, Ariki,

Approved.

Chief of the Federal Parliament. Approved. To come into operation on the 2nd day of August, 1899.-W. E. Gudgeon. British Resident.

The Residency, 1st August, 1899.

No. 1, 1899 .- An Act to provide for the Rating of Land in the Occupation of Foreigners.

Whereas it is expedient that all foreign residents who are in occupation of land within the Island of Rarotonga, whether held by leasehold or by gift, should contribute towards the construction of roads and bridges and the maintenance thereof:

Be it enacted by the Parliament of the Cook Islands, with the consent of the British Resi-

dent:-

1. The Short Title of this Act shall be "The Public Works Rating Act, 1899."

2. The Chief of the Federal Government, with the concurrence of the British Resident, may in each financial year impose a rate not exceeding one shilling in the pound on the rental value of all

leaseholds, or lands held under other tenures: But the assessment shall not in any instance render the owner liable to pay a less sum than ten shillings in each year.

3. It shall be the duty of the Clerk of Parliament to prepare a roll of the ratepayers of this island, showing the rental value of the property in occupation of each person: Provided always that no Maori inhabitant of the Cook Group shall be liable to be rated under this Act.

4. The assessment roll shall, when completed, be open to the inspection of the pablic in the Post Office, Avarua, and any objection to the assessment shall be in writing and addressed to the

Registrar of the High Court. All objections shall be heard and decided in the High Court.

5. All objections shall be lodged within fourteen days after the roll of assessment has been lodged in the Post Office for inspection, due notice of which fact will be given in the Cook Islands

Gazette.

6. After the assessment roll shall have been approved by the Chief Judge of the High Court, it shall be the duty of the British Resident to fix a day on or after which the assessment shall be payable to the Federal Treasurer.

7. All money payable under this Act shall be placed to a fund to be called "The Public Works Fund," and shall be expended under the authority of the British Resident, and in the improvement

of roads, bridges, and public works only.

8. The payment of rates may be enforced by the High Court by fine or imprisonment.

Te Ariki TAPU RANGI, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 2nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 1st August, 1899.

No. 10.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

Rarotonga, 6th September, 1899.

I have the honour to forward, for your information, four statutes passed during the last sitting of the Cook Islands Parliament, viz: The Sale of Spirituous Liquor Act, the Marriage and

Divorce Act, the Land Act, and the Statute of Mangaia.

Under the circumstances of the case, I thought it advisable to have the first-named statute passed by the Parliament with the proviso that it should only come into force by Proclamation. The Parliament were anxious that the measure should be considered by them; and under the

present condition it can only come into force with your Lordship's approval.

The Marriage and Divorce Act will need but little comment from me, since the Act is for the

most part the result of suggestions made to me by the ministers of the London Missionary Society.

The Land Act of 1899 is a measure that is absolutely necessary for the welfare of the European settlers within the group. I may say that in the present state of the leases it is very difficult to ascertain whether a man has leased 1 acre or 20. Further, there is no provision in the leases to provide for transfer, therefore the overlord takes the fullest advantage of his rights, and will in many instances not allow a property to pass to an assignee or creditor if it so happens that he is friendly with the lessee. In one case it has been ascertained that in the European part of the lease the right to remove buildings at the end of the term has been reserved to the lessee, whereas in the Maori counterpart the buildings become the property of the lessor. It is for these

and other reasons of a similar nature that I have passed the Land Act of 1899.

The Statute of Mangaia codifies and amends the old laws of that island, and has been

unanimously adopted by every island of the group as most suitable to their requirements.

It has been very pleasing to me to find that all the Maoris of the Cook Islands, whether in or out of Parliament, are delighted with the legislation of the past session.

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

I have, &c., W. E. Gudgeon, British Resident.

Enclosures.

No. 5, 1899.—Sale of Spirituous Liquor Act, 1899.

WHEREAS it is essential to the welfare of the natives of the Cook Islands that the sale of intoxicating liquor should be entirely in the hands of the Federal Government: And whereas it is also in the interests of all foreigners that drunkenness should be prevented, and the evils of the liquor traffic minimised:

Be it enacted by the Parliament of the Cook Islands, with the consent of the British Resident:

 The Short Title of this Act shall be "The Sale of Spirituous Liquor Act, 1899."
 From and after the date on which this Act shall become law, the importation of beer, wine, and spirituous liquor shall, so far as private enterprise is concerned, cease absolutely; but the Collector of Customs may, with the approval of the Chief of the Government, import such wine, beer, or spirits as may be necessary to carry out the provisions of this Act.

Any person who shall infringe the provisions of this section shall be liable, on conviction, to a

fine not exceeding one hundred pounds sterling.

3. Immediately after the date on which this Act shall come into operation the Collector of Customs may take possession of all the intoxicating liquor on the Island of Rarotonga, and may pay such compensation to the owners thereof as shall be arranged between the said owners on the one part and the Collector of Customs, acting for aud on behalf of the Federal Government: Provided always that any person being in possession of liquor as aforesaid may re-export all or any of the liquor if they object to the compensation offered: Provided also that the Collector of Customs may refuse to take over any liquor which in his opinion is unsaleable.

4. This Act shall be brought into operation by Proclamation in the Cook Islands Gazette. Such Proclamation shall be signed by the Chief of the Government, and shall name the day on which the Act shall come into force, and thereupon every Act dealing with the liquor question, whether such Act be a Federal statute or an Act of the Rarotonga Council, shall be deemed to be

repealed.

5. In order to give due effect to this Act the Chief of the Government may issue regulations and do all things necessary to guard the interests of the people of the Cook Islands, and shall report to the Federal Parliament the steps taken and the profits made in each year.

6. The Chief of the Government shall proclaim some place in the vicinity of the wharf as a public bar, and may appoint a man of good character to sell beer, spirits, wine, or other intoxicating drinks on behalf of the Government.

7. It shall not be lawful to sell or give spirits to any Maori except by written order of the surgeon or honorary surgeon of the Cook Islands Hospital. Any person infringing the provisions of this section shall be liable to a fine not exceeding twenty pounds sterling: Provided always that the Maori inhabitants of the Cook Islands may be allowed a limited quantity of beer or wine each day, such limit to be defined by regulation.

8. All offences under this Act may be punished by imprisonment with hard labour in default of payment of fine; and all penalties under this Act shall be recovered in the High Court.

9. A prohibition order may be granted by the High Court against any person, whether Maori

or foreigner, upon cause being shown.

10. The Chief Judge of the High Court may order a portion of any penalty recovered under this Act to be disposed of in such manner as the interests of the Federation may demand.

11. Any person who shall distill or manufacture any intoxicating drink other than orange beer shall be liable to a fine of not exceeding one hundred pounds, or, in default, twelve months with hard labour.

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into force on a day to be fixed by the Chief of the Federal Government. W. E. Gudgeon, British Resident.

The Residency, 1st August, 1899.

No. 3, 1899.—MARRIAGE AND DIVORCE ACT, 1899.

Whereas it is desirable that there thall be one uniform law throughout the Federation of the Cook Islands in order to regulate marriage and divorce.

BE it enacted by the Parliament of the Cook Islands, with the consent of the British

Resident:

1. The Short Title of this Act shall be "The Marriage and Divorce Act, 1899."

- 2. Every minister of religion who proposes to act under this statute shall register his name, the religious denomination to which he belongs, and his place of abode, and no person who is not so registered shall be legally capable of performing the marriage ceremony within the limits of this Federation.
- 3. Public notice shall be given in church of the intention of each couple to marry, and not less than three clear days shall intervene between such notice and the performance of the ceremony.

4. Except with the consent of parents or guardians, no man shall be capable of entering into the bonds of matrimony unless he shall be of the full age of twenty-one years, and no

woman under the age of eighteen years.

- 5. Persons who shall desire to be married by a minister registered under this Act shall make a declaration to the following effect: That they are of legal age; that they knew of no legal objection to their marriage; that they are entering into the bonds of matrimony of their own free will and consent; and, if under age, that they have obtained the consent of parents or guardians.
- 6. No objection to a marriage shall be valid except that of the parents if alive, or, in the case of their death, that of the nearest of kin or guardian who may have taken care of the child: Provided always that in the case of an adopted child whose parents are dead the Metua Angi shall take the place of the deceased parents.

7. No woman shall be legally capable of entering into the bonds of matrimony unless she shall

have obtained the age of fifteen years.

8. Persons of the native race who have immigrated from islands outside the Federation, and who allege that that they have been married in other places, and desire to have such marriage recognised within this group, may make a declaration before a European minister of

any religious body detailing the circumstances of their marriage. The declaration shall briefly state where the persons in question were married, and by whom, also where they intend to reside, and shall contain a clause to the effect that they know of no legal reason why the aforesaid marriage should not be recognised. This declaration shall be forwarded to the Registrar of the High Court at Rarotonga, together with any recommendation the minister taking the declaration shall see fit to make. If the circumstances of the case as detailed are satisfactory, the High Court may order that the marriage shall be held to be good and legal within the limits of the Cook Islands.

9. Any person who shall make a false declaration under the foregoing section may, on conviction, be fined a sum not exceeding three pounds, or, in default of payment, not more than one month's imprisonment with hard labour.

10. The decision of the High Court shall be gazetted in each case heard under section 8, and

a fee of five shillings shall in each instance accompany the declaration. 11. Any man who has been living apart from his wife, or any wife who has been living apart from her husband, for a period of three years, may apply to the High Court for a divorce, and if he or she can show that the circumstances of the case are such that they are entitled to relief the Court will grant a divorce.

12. Any act of adultery committed by either husband or wife shall entitle the aggrieved and

innocent party to apply to the High Court for a divorce.

13. Continuous acts of cruelty shall entitle a wife to obtain a divorce.

14. A fee of twenty shillings shall be payable for a decree of divorce, and in no case shall the costs of such a suit exceed twenty-six shillings and sixpence.

15. It shall be the duty of each minister of religion registered under this Act to keep a complete record of the births, and marriages of his congregation.

No fee shall be charged for any such entry, but any parent failing to register the birth of a child within one month from the date thereof, and the nearest relative of any deceased failing to register the death within the same period, shall be liable to a fine of five shillings, which may be recovered before the district or Ariki's Court.

Passed.

Te Ariki TAPU RANGI, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 2nd day of August, 1899.-W. E. Gudgeon, British Resident.

The Residency, 1st August, 1899.

No. 4, 1899.—An Act to secure Uniformity in Leases and Security of Tenure to Foreign Lessees within the Island of Rarotonga.

BE IT ENACTED by the Federal Parliament at Rarotonga, with the consent of the British Resident:

1. The Short Title of this Act shall be "The Land Act, 1899."

2. There shall be a Land Board for the Island of Rarotonga, hereafter to be called "the Board," which shall be composed of the British Resident and the five Arikis; and this Board shall meet at such times and places as shall hereafter be notified in the Cook Islands Gazette: Provided always that if the land of any Mataiapo shall be the subject of an inquiry, such Mataiapo shall be entitled for the time being to a seat on the Board.

3. It shall be the duty of the Board to inquire into the nature and conditions of each lease

brought before it in order that the rights of the native population may be conserved.

4. No lease shall be registered that has not the approval of the British Resident and at least

three of the Arikis noted thereon.

5. In all leases, whether to Maoris or foreigners, the Board, having due regard to the nature of the soil, may impose such conditions as to the number of cocoanut or other trees to be planted as they shall consider necessary in the interests of the island; and they may add clauses to the lease in order to prevent the wholesale destruction of valuable food-producing trees, and to preserve shade trees by the side of public roads.

6. No lease shall be registered until after fourteen days' notice has been given in the Ioi

Karanga newspaper of the intention of the lessee to apply to the Board to confirm his lease; one

insertion of such notice shall be sufficient.

7. All investigations of title and all the deliberations of the Board shall be held in open Court. The assent of the Board shall not be given unless the applicant can show that the outer boundaries of the land have been cut and marked out and assented to by the lessor and his neighbours on each

9. No land shall be leased to a foreigner which is in the beneficial occupation of a native of Rarotonga, nor shall the Board confirm a lease when it is shown that Maoris have been ejected from the land in order that it might be leased. The rights of the people who have occupied the

soil of this island for twenty generations must be preserved.

- 9. When the Board has noticed its assent upon the instrument of lease, the land shall be surveyed at the expense of the lessee; the survey shall follow the boundaries given before the Board and described in the lease, and a plan of such survey shall be deposited with the Registrar of Deeds.
 - 10. The lease shall in every instance set forth the following essentials:—
 - (a.) The period for which the land has been leased.

(b.) The names of the lessees and lessors.

(c.) The rent payable quarterly, half-yearly, or yearly in English money.
(d.) The boundaries of the land, and a plan of the land, shall be indorsed on the deed.

(e.) No lease to be assigned except by consent of lessor and Board.

11. The lease shall in every instance be deemed to convey to the lessee, his heirs, administrators, and assigns, the right and title to occupy the said land during the period named in the lease,

provided always that the remaining covenants of the lease are duly carried out.

12. Where the words "heirs, administrators, executors, or assigns" have been omitted from the lease, the lessor shall be deemed to have a right to object to any transfer of the lease, unless it

be shown that the transferee is of good character and likely to make a good settler.

13. Where a lease shall have been executed and registered before the coming into operation of this Act, and no survey shall have been made of the land so leased, the lessee shall, with the least possible delay, cause a survey to be made of the land, and a plan thereof signed by the surveyor deposited in the Registry of Deeds.

14. When the said plan has been deposited as aforesaid, any matter requiring amendment in the lease may be amended by the Board after the lessee has given the fourteen days' notice

required by this Act.

15. The Board may order the lease to be re-registered in its amended form.

16. And whereas it is questionable whether, under the land customs of Rarotonga, any man or woman has more than a life-interest in the land: Be it enacted that it shall not be lawful to pay more than one year's rent in advance, or to pay a lump sum of money for the lease, or to do any action that would defeat the rights of the lawful successors of the lessor.

17. And whereas it is not desirable that land should be leased to foreigners who are not of

good character: the Board may, before confirming any lease, require the lessee to produce certificates of character from some well known and respectable colonist either of New Zealand or Australia. The Board may also accept approved certificates of character from other places, or

reject them without giving reasons.

18. And whereas a large portion of the best land in the Island of Rarotonga is not in the beneficial occupation of any person, and such land does not in any way add to the wealth or revenue of the island: And whereas there are a large number of persons of the Maori race in this island who have no land-rights, and who will never become producers unless fixity of tenure is given to them: It shall therefore be the duty of the Board to consider the means whereby land on perpetual lease may be secured to all of the deserving members of the native-born Rarotongans.

19. No Maori or foreigner shall have power to close any watercourse, or old path; these are deemed to be the property of the people, and may be closed only on the written permission of the Board: Any infraction of this clause may be punished by a fine not exceeding five pounds, and all complaints under this section shall be heard by the High Court.

20. No land seaward of the road called the Purumu, and situated between the Avarua and the

Avatiu Creeks, shall be leased to any one, whether Maori or European.
21. Any person failing to obey any order or direction contained in this Act other than in section nineteen shall be liable to a fine not exceeding three pounds. All fines and penalties under this Act shall be recoverable before the High Court.

22. The Board shall make such regulations for the administration of this Act as may be found

to be necessary, and these regulations shall have the force of law.

23. The provisions of this Act may be adopted by any island of the Cook Group by petition to the Chief of the Federal Government, who shall gazette what clauses shall apply to each island.

Passed.

Te Ariki TAPU RANGI, Chairman of Cook Islands Parliament.

Approved.

MAKEA, Ariki, Chief of Federal Government.

Approved. To come into operation on the 2nd day of August, 1899.—W. E. Gudgeon British Resident.

The Residency, 1st August, 1899.

STATUTE OF MANGAIA, 1899.

WHEREAS by Order in Council dated the 22nd day of April, 1899, Lieut.-Colonel W. E. Gudgeon, British Resident, was authorised to revise the laws of Mangaia and other Islands for the approval of the Federal Parliament:

Be it enacted by the Federal Parliament of the Cook Islands, with the consent of the British Resident:

The Short Title of this Act shall be "The Statute of Mangaia, 1899."

2. From and after the passing of this Act it shall not be lawful to prosecute any person for any one of the following acts:-

(a.) Consulting a sorcerer;

(b.) Being pregnant as an unmarried woman;

(c.) Card-playing; (d.) Placing one's arm round a woman, even though the offender have no torch in the other hand;

Trading with an European without permission;

(f.) Tattooing or being tattooed;

(g.) Going from one village to another on the Sabbath;
 (h.) Taking an unmarried woman inland;

(i.) Crying over a dead woman, even though not related to her.

2—A. 3.

Offences against the Person.

3. Any man committing adultery with a married woman may, on conviction, be fined not exceeding a hundred dollars, and in default of payment may be sentenced to not more than two months' hard labour on the public roads: Provided always that the Judge, in his discretion, may

sentence the offender to sixty days' hard labour without the option of a fine.

4. No person shall be punished for an act of fornication with an unmarried woman above the age of fifteen years; but any man carnally knowing any girl under the age of fifteen years and above the age of twelve years shall be liable to a fine of not more than ten dollars. Any man carnally knowing or attempting to know any girl under the age of twelve years shall be guilty of a

misdemeanour, and shall be committed for trial before the High Court.

5. Any person who shall have carnal connection with a female by force or against her will, and any one who shall attempt to have such connection by force, shall be guilty of a misdemeanour, and shall be committed for trial before the High Court. No female under the age of twelve years shall be capable of giving her consent to such carnal connection, and no man shall plead such consent: Provided always that no one shall be convicted of the crime of rape on the unsupported testimony of the girl.

6. Any person convicted of the crime of incest may be fined not exceeding twenty dollars, and in addition to such fine may be sentenced to not exceeding two months hard labour on the

public roads.

7. Any person convicted of slandering his neighbour may be fined not exceeding ten dollars.

8. Any person bearing false witness in the District Courts of Mangaia with intent to injure any man or woman may be fined not exceeding twenty dollars, and in addition to such fine may be sentenced to not exceeding thirty days' hard labour on the public roads.

9. Whosever shall assault any police officer or member of the Government with his fists shall be liable to a fine of not exceeding ten dollars, and whosoever shall use a stick in an assault under this section shall be liable to be fined not exceeding twenty dollars.

10. Whosoever shall assault any man, woman, or child other than those mentioned in section 9 may, if the assault be committed with the fists, be fined not exceeding five dollars, and if with a stick not exceeding twelve dollars.

11. Any person committing a violent assault with an axe or other weapon dangerous to life

shall be committed for trial before the High Court.

12. Whosoever shall use insulting language to another, calculated to cause a breach of the peace, shall, on conviction, be liable to a fine of not exceeding five dollars.

Offences against Property.

13. Any persons stealing pigs, food, or other small articles of property may be ordered to pay the value thereof to the owner, and, in addition, may be sentenced to pay a fine of not more than ten dollars: Provided always that where the property can be returned intact to the owner no money shall be paid to him as compensation.

14. Every person owning pig, horse, horned cattle, or goat is liable for all damage done by those animals, and may be summoned before the District Judge to answer for damage done.

The Judge may, in his discretion, authorise the injured person to destroy the trespassing

animal upon any repetition of the offence.

15. Any person maliciously burning down the house or outbuildings of another, or attempting to do so, may be fined not exceeding fifty dollars, or, in lieu thereof, may be sentenced to a term of two months' imprisonment.

16. Any one setting fire to the bush or scrub of the island may be fined not exceeding fifty dollars, or, at the discretion of the Judge, may be sentenced to two months' hard labour.

17. Any person taking the horse of another without leave and using the said horse for his own

work shall be liable to a fine of not exceeding ten dollars. 18. Any one wounding any bird or animal the property of another shall be liable to a fine of

not more than ten dollars. 19. Any one illegally in possession of lost property may be deemed to have stolen it, and shall be liable, on conviction, to a fine not exceeding seven dollars, and shall be ordered to deliver up

the lost goods forthwith. A person shall be held to be illegally in possession of lost property who cannot prove that he

has taken steps to ascertain the owner thereof.

Miscellaneous.

20. Any man deserting his wife and children for another woman shall be amenable to the law, and at the discretion of the Judge may be ordered to contribute weekly in money or produce towards their support: Provided always that in every case where a wife is deserted by her husband for another woman, or a wife deserts her husband for another man, the injured person may claim to be divorced by the High Court.

21. In all cases where the ownership of land is the matter of dispute, or a question of boundary has arisen, the Judge shall visit the land and there take the evidence of the old people of the district in order that the dispute may be decided with justice to all parties: always that either party may claim to have the case reheard before the Chief Judge of the High

Court and two Assessors, one of whom shall be chosen by each of the parties to the suit,

22. Whereas the introduction of spirituous or intoxicating liquor has always been contrary to the laws of Mangaia. Any person who shall import wine, spirits, or beer into the Island of Mangaia, except for medicinal purposes on the order of the Resident Surgeon of the Cook Islands Hospital, shall be liable on conviction to a fine of not exceeding fifty dollars. Any person who shall sell or give intoxicating liquor to any person residing within the Island of Mangaia shall be liable on conviction to a fine of not exceeding forty dollars: Provided always that no man shall be punished by reason of his having purchased or consumed intoxicating drink on board of any vessel in the offing.

23. Any person landing on the Island of Mangaia under the influence of liquor may be fined not exceeding ten dollars.

24. Any one assisting to manufacture orange beer or other liquor of an intoxicating nature

shall be liable to a fine of not exceeding ten dollars.

Any one found with orange beer or other locally-made intoxicating liquor in his posession shall

be liable to a fine of not exceeding seven dollars.

- 25. It shall not be lawful to import dynamite into the Island of Mangaia except on a permit recommended by a District Judge and approved by the Chief of the Federal Government. Any offender against this section shall, on conviction, be liable to a fine of not exceeding one hundred
- 26. Any one using dynamite to kill fish in the waters of Mangaia shall be liable, on conviction, to a fine of not exceeding fifty dollars.

27. Whereas it is expedient to prevent the spread of disease among the Maoris of the Cook

Islands: It is hereby enacted:

(a.) The pilot boat shall be the first to communicate with any vessel arriving from places

outside of the Federation.

(b.) It shall be the duty of the captain to inform the pilot or boarding officer whether there is any disease on board of his ship, and if there be such disease the captain shall hoist the yellow flag, and shall prevent all communication with the shore until he has received authority to land in writing under the hand of the District Judge. Any offence against this section shall render the offender liable to a fine of not exceeding one hundred dollars.

28. It shall be the duty of the district Au to protect the wild birds within the limits of his

jurisdiction, and the Au may fine any one found destroying them a sum not exceeding five dollars,

and may recover the fine before the district Court.

- 29. Any one who shall offer a bribe to a public officer shall, on conviction, be liable to a fine of not exceeding fifty dollars, or, at the discretion of the Judge, may be awarded one month's hard labour on the public roads.
- 30. Any public officer failing to report the offer of a bribe to him in his official capacity shall be deemed to have received the same, and shall thenceforth be held to be ineligible to occupy any public position. Any public officer receiving a bribe may be tried before the High Court and receive such punishment as shall meet the offence.

31. Any Judge who shall in any way abuse his office, or exceed the jurisdiction given to him by this or any other Act, shall be reported to the Chief Judge of the High Court, who shall

inquire into and punish the offence.

- 32. Any policeman or officer of any Court who shall behave harshly or oppressively in the performance of his duties, or who shall force his way into any house against the will of the owner or owners, may be summoned as an ordinary offender before the district Court, and on conviction
- shall be liable to a penalty of not more than ten dollars.

 33. Any one who shall attempt to terrify or torture any person into confessing an offence that may or may not have have been committed, or into giving evidence against others, shall be guilty of an offence against the Federation, and shall be committed to trial before the High Court.

Any such offence shall be punishable by a fine of not exceeding sixty dollars, or, at the dis-

cretion of the Judge, by two months' hard labour on the public roads.

34. In default of the payment of any fine mentioned in this Act, the offender may be ordered to do one day's hard labour on the public roads for each dollar of his fine remaining unpaid.

Administration of the Law.

- 35. The Judge shall hear all cases in open Court, and shall keep a record of each case and of their decisions.
- 36. Before any Judge shall hear a charge he shall satisfy himself that the accused has been properly summoned to appear, that the charge has been explained to him, and that the accused has had the necessary opportunity to call witnesses for his defence. The accused must in every instance be allowed to cross-examine the witnesses who have given evidence against him.

37. All the laws of Mangaia, whether of ancient date or made by the so-called Council, ar

hereby repealed, except such as are embodied in this statute.

38. Either of the parties to a suit heard and determined in the local Courts in Mangaia may

- appeal to the High Court against the decision of the Judge.

 39. Notice of appeal shall be served on the Judge who heard the case within one month of the date of the decision appealed against, and a fee of ten shillings shall be payable to the High Court for the hearing of each appeal.
- 40. And whereas the manufacture of bush beer has been productive of much crime: Any man who shall beat his wife while under the influence of liquor may be fined not exceeding fifty dollars, and in default sixty days' hard labour.

41. Any policeman who shall seize the clothing of any woman or man in payment of a fine shall be guilty of an offence, and, on conviction, may be fined not exceeding six dollars.

42. Any person found drunk or disorderly in the settlement will, on conviction, be fined not exceeding ten dollars, or in default ten days' hard labour.

Passed.

Te Ariki TAPU RANGI, Chairman to Cook Islands Parliament. Makea, Ariki,

Approved.

Chief of the Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

No. 11.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

12

Rarotonga, 7th September, 1899. My Lord. I have the honour to acknowledge the receipt of your despatch (No. 298/99) as to your Lordship's recommendation that I should be appointed Judicial Commissioner for the islands of the Cook Islands Federation. There can, I think, be no doubt that such an appointment would be in the interest of peace and good order within this group; but I am happy to say that, though a section of the foreign element remain as hostile as ever to everything done by the Federal Government, yet there is a very great improvement even in the attitude of the worst classes of foreigners, who are slowly but surely leaving these islands, so soon as they commit offences likely to bring them under the jurisdiction of the High Court.

I have, &c., W. E. Gudgeon, British Resident.

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

No. 12.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

My Lord,—

British Residency, Rarotonga, 11th September, 1899.

I have the honour to forward herewith, for your information, the statement of receipts and expenditure of the Federal Government for the year ending 30th June, 1899, which shows that we have an actual surplus in coin of £399 0s. 11d. This is a very satisfactory result, and a complete answer to those busybodies who prophesied that the revenue would not meet the extra salaries granted by the Parliament of 1898 and approved by me.

Your Lordship will observe that the revenue is itemised and shown for nine months only: that is, for the period during which it has been administered by the present officers of the Government. For the three previous months it is shown under the head of cash received from bankers, £194 3s. 3d.; and the reason for this arrangement is that it was found difficult to itemise the sum in question under its proper headings, and therefore it has been dealt with as a lump sum.

I have, &c.,

W. E. GUDGEON, British Resident.

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

Enclosures. STATEMENT of REVENUE ACCOUNT for the Financial Year ending 30th June, 1899.

Date.	Accounts.	Amou	ınts.		
30th June, 1899	Shipping fees	£ s. 6	274 209 6 71 194 63	6 19 13 6 3 13	2 (11 2

Frederick Goodwin, Paymaster.

Examined and found correct—A. von Hoff, Auditor. Rarotonga, 30th June, 1899.

No. 7.

STATEMENT OF EXPENDITURE for the Financial Year ending 30th June, 1899.

Vote.	Service.	Voted.	Expended.	Unexpended.
1	Fixed appropriations— Payment of members Subsidies to local Councils—	£ s. d. 54 0 0	£ s. d.	£ s. d. 45 0 0
	Atiu, Mitiaro, and Mauke Aitutaki Mangaia	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$		
	Rarotonga	45 0 0		
$_2$	Collection of revenue—	234 0 0	189 0 0	45 0 0
	Collector, Rarotonga " Aitutaki Revenue Officer, Mangaia	30 0 0 50 0 0 6 0 0		
	" Atiu " Mitiaro	$\begin{array}{cccccccccccccccccccccccccccccccccccc$		
	" Mauke " Manuae	3 0 0 3 0 0		
		98 0 0	81 8 4	16 11 8
$\frac{3}{4}$	High Court	210 0 0	16 7 5	193 12 7
*	Chief Postmaster, Rarotonga Postmaster, Atiu Mangaia Aitutaki	15 0 0 1 10 0 1 10 0 1 10 0		
2	Postman, Atiu	$\begin{array}{cccccccccccccccccccccccccccccccccccc$		
	" Aluquan	31 10 0	31 7 6	0 2 6
5	Shipping-master Paymaster, and Clerk to Parliament	12 0 0 30 0 0	11 18 0 30 0 0	0 2 0
7 8	Auditor Expenses, Chief of the Government	15 0 0 50 0 0	10 12 6 50 0 0	4 7 6
9 10	Interpreter Medical officer	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	$\begin{bmatrix} 84 & 12 & 5 \\ 232 & 10 & 0 \end{bmatrix}$	17 10 0
11 12	Government boat Printing books and laws for Federal Parliament	22 0 0 50 0 0	22 0 0 50 0 0	
13 14 15	Passages of members Expenses of Parliament Maintenance of children at Tereora School	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	 11 5 0
16 17 18	Subsidies in aid of Arikis' Courts and police Public Health and Quarantine Officer Subsidy for distributing <i>Ioi Karanga</i> paper, Cook Group	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	57 0 0 10 0 0
19 20	Ground-rent, Ĥospital Subsidy, Britannia Wharf and sheds	$\begin{array}{c cccc} 7 & 10 & 0 \\ 25 & 0 & 0 \\ 2 & 10 & 0 \end{array}$	7 10 0 2 10 0	25 0 0
$\begin{array}{c} 21 \\ 22 \end{array}$	Unauthorised expenditure	200 0 0	199 7 2	0 12 10
		1,056 10 0		•••
	Act No. 4, 1892, £120	£1,630 0 0	1,283 8 4 119 4 1	381 4 1 0 15 11
	Cash account— Cash on hand 30th June, £ s. d. 1899, as per cash-book 374 5 2		£1,402 12 5	£382 0 0
·	Cash on hand, Bank of Australasia 24 15 9			•
,	£399 O 11			

FREDERICK GOODWIN, Paymaster.

Examined and found correct.—A. v. Hoff, Auditor. Rarotonga, 30th June, 1899.

STATEMENT OF EXPENDITURE for the Financial Year ending 30th June, 1899.

Vote.	Service.	Voted.	Expended.	Unexpended.
. 1	Fixed appropriations— Arikis. Mataiapos.			
	£ s. d. £ s. d. Makea, 35 0 0 Avarua, 15 0 0 Tinomana, 17 10 0 Arorangi, 15 0 0 Pa, 17 10 0 Takitumu, 15 0 0	£ s. d. 50 0 0 32 10 0 32 10 0	£ s. đ.	£ s. ć
		115 0 0	113 15 0	1 5
2	Judges, Arikis' Courts— Avarua Arorangi Takitumu	46 0 0 23 0 0 23 0 0		
3	Police—	92 0 0	92 0 0	•••
J	Avarua	40 0 0 30 0 0 30 0 0		
4	Clerk to Arikis' Courts—	100 0 0	100 0 0	•••
	Avarua Arorangi Takitumu	20 0 0 11 10 0 11 10 0		
5	Clerk, Paymaster, and Interpreter to Rarotonga	43 0 0	43 0 0	•••
6 7 8 9	Council Subsidy, Chief of the Rarotonga Government Expenses of Council Licensing officer Printing laws, &c Unauthorised expenditure for 1897–98 and 1898–99	55 0 0 15 0 0 56 0 0 93 0 0 15 0 0	55 0 0 15 0 0 44 13 9 70 12 6 15 0 0	11 6 3 22 7 6 244 6 3
$\begin{array}{c} 11 \\ 12 \end{array}$	Auditor	8 0 0 2 0 0	$\begin{bmatrix} 8 & 0 & 0 \\ 2 & 0 & 0 \end{bmatrix}$	
		694 0 0		•••
-	Cash account— Cash on hand, 30th June, 1899, as per cash-book, £10 0s. 6d.	1,044 0 0	764 15 0	279 5 (

FREDERICK GOODWIN, Paymaster.

Examined and found correct.—A. v. Hoff, Auditor. Rarotonga, 30th June, 1899.

STATEMENT OF REVENUE ACCOUNT for the Financial Year ending 30th June, 1899.

Date.		A	ecounts.						Amo	u nt s.	
				0.1. T	4000				£	s.	đ
30th June, 1899	By Liquor fees, from		.1898, to 3	Oth June	, 1899			• • •	213	14	2
	Education rates—	•				£	S.	d.			
	Avarua	•••	•••		• • •	49	2	6			
	Arorangi	•••	• • •		• • •	25	13	3			
mar experience of	Takitumu		•••			21	7	9			
								أ	96	3	6
	Dog-tax-							-			
	Avarua					18	2	6			
	Arorangi	•••	•••			5		9			
	Takitumu	•••	•••	•••	•••		$1\overset{\circ}{5}$	5			
	Takitumu	• • •	•••	•••	•••				30	6	8
	Arikis' Courts—									U	
	Court-fees an	d fines,	Avarua			76	6	9	l		
			Arorangi	•••		21	2	4	ł		
	",	,	Takitumu			54	0	0	1		
	"								151	9	1
	Donald and Eden	horough_	_Cash from	n banker	s				281	7	1
•	Road-tax—Takitu		Cubii IIOI						1	$\dot{15}$	Ō
	Troau-uax Lakiuu	ши	••••	. • • •	• • •			•••			
									£774	15	•
	1										_

Frederick Goodwin, Paymaster.

No. 13.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

Rarotonga, 14th September, 1899.

I have the honour to forward herewith five copies of the following Acts of the Cook My Lord,

Islands Legislature: The Constitution Act 1891 Amendment Act, the Cook Islands Currency Act, the Offenders Punishment Act, the Mauke Arms Act, the Statute of Aitutaki, and the Christmas Day Act.

The second Act on this list was passed at the earnest request of the Parliament; but before it is brought into force I wish to consult the merchants of this island, especially Mr. Percy Brown,

who is now at Aitutaki.

The Statute of Aitutaki contained that of Mangaia, and also some provisions necessary to meet

the case by a European Magistrate.

The Christmas Day Act was designed to change the time to that of Tahiti and all other civilised places east of the 180th degree of longitude: it is a measure that has been strongly opposed by the Maoris on previous occasions. I have, &c.

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

W. E. GUDGEON, British Resident.

Enclosures.

No. 11, 1899.—An Act to Amend the Constitution Act of 1891.

BE IT ENACTED by the Federal Parliament, with the approval of the British Resident:—
1. The Short Title of this Act shall be "The Constitution Act 1891 Amendment Act, 1899."
2. Section one of "The Constitution Act, 1891," (hereafter to be called "the Act") is hereby repealed, and in lieu thereof it is enacted that each island shall continue to govern itself in purely local affairs; but the administration of the law in each island shall be under the control of the Federal Government.

3. The Federal Parliament shall alone have power to make laws within the limits of the

Federation.

4. All laws passed by the Parliament shall be expressed as made by the Federal Parliament of the Cook Islands with the approval of the British Resident. No law shall be valid until so approved, and a day fixed on which each Act shall come into operation.

5. Each electoral district shall return a member of Parliament, and the election shall be held in accordance with regulations hereafter to be issued by the British Resident and Chief of the

Federal Government.

6. The Parliament snall meet in Avarua at ten a.m. on the first day of August in each year: Provided always that when the first of August shall fall on a Sunday the Parliament shall meet on the day following.

7. The Parliament of the Cook Islands as at present constituted shall be the Parliament up to the thirty-first day of December, 1902, and thereafter the members elected at each general

election shall be deemed to have been elected for a term of three years.

8. At the first meeting of Parliament held after each general election it shall be the duty of the members to elect a Chairman, who shall retain office during the period for which the said Parliament has been elected: Provided always that nothing herein contained shall be deemed to deprive the Parliament of the right to remove their Chairman from his position should they consider it necessary to do so.

9. Members of Parliament shall be elected by native-born adults of the Maori population.

No foreigner shall be eligible to vote at such elections.

10. Foreigners shall not be eligible for election as members of the Cook Islands Parliament, excepting only the member for Arorangi, who has already been elected.

11. The half-caste children of Maori mothers born within the Cook Islands Federation shall be eligible for election, and may sit as members of the Cook Islands Parliament.

12. No person shall be eligible for election as a member of the Cook Islands Parliament who shall have been adjudicated a bankrupt; and any one who shall become bankrupt after election shall forthwith resign his seat or be removed therefrom.

All laws passed by the Parliament shall be printed in both English and Maori.
 Tinomana, Ariki, is hereby appointed Vice-President of the Federal Government.

15. Section seventeen of the Act is hereby amended by striking out the words "Supreme Court," and substituting the following: "High Court of the Cook Islands."

16. The following sections of the Act are hereby repealed, namely: One, four, six, seven,

eight, fifteen, and sixteen.

Passed.

Te Ariki TAPU RANGI, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

No. 8, 1899.—An Act to Establish a British Currency.

BE IT ENACTED by the Parliament of the Cook Islands, with the consent of the British Resident:—
1. The Short Title of this Act shall be "The Cook Islands Currency Act, 1899."

2. From and after the date on which this Act shall come into force the value of a Chili dollar as a legal tender within the Cook Islands shall be one shilling and sixpence.

3. The Chili dollar shall cease to be a legal tender within the limits of this Federation on the

first day of March, one thousand nine hundred.

4. The British Resident and the Chief of the Government are hereby empowered to make such regulations and do all acts necessary to give effect to the clauses of this Act.

5. The Chief of the Government shall bring this Act into force by Proclamation in the Cook Islands Gazette, and shall fix the day on which this law shall take effect within the Federation of the Cook Islands.

Passed.

Te Ariki Tapu Rangi, Chairman to the Cook Islands Parliament.

Approved.

MAKEA, Ariki, Chief of the Federal Government.

Approved.—W. E. Gudgeon, British Resident. The Residency, 22nd August, 1899.

No. 9, 1899.—An Act to provide for the Punishment of Offenders.

BE IT ENACTED by the Parliament of the Cook Islands, with the consent of the British Resident:

1. The Short Title of this Act shall be "The Offenders' Punishment Act, 1899."

2. Except as hereinafter mentioned, no person charged with an offence before the High Court shall be liable to any greater punishment than that defined for such offence under the following Acts of the New Zealand Legislature, which are hereby adopted as the Criminal Law of the Cook Islands Federation:-

(a.) "The Criminal Code Act, 1893."

(b.) "The Summary Jurisdiction Act, 1894."

3. And whereas by Act No. 3 of the session of 1892 it was provided that offenders against the laws of the Federation might be banished to the Island of Takutea: And whereas this Act has been inoperative by reason of the fact that Takutea is uninhabited, and otherwise unsuitable for the purpose of a penal settlement, Act No. 3 is hereby repealed.

4. The Island of Manuae is by this Act declared to be a penal settlement, and, with the consent of the owners thereof, or their resident agent at Rarotonga, prisoners may be deported to that island, and may there serve a term of imprisonment with hard labour for any period not exceeding three years, under such regulations as to diet and hours of labour as may hereafter be made.

5. Any person convicted of an offence and sentenced to imprisonment on the Island of Manuae shall be guilty of an offence against the laws of the Federation if he shall do any of the following

acts:-

(a.) Escape or attempt to escape from custody;
(b.) Refuse to perform the hard labour to which he has been sentenced;

On conviction may be sentenced to a further term of imprisonment with hard labour for any

period not exceeding three months.

6. Any European or foreigner found living among the native population of these islands and having no visible means of support may be deemed to be a vagrant, and on conviction before the High Court may be sentenced to a term of imprisonment for any period not exceeding three months.

7. Any person who shall spread idle or malicious reports with intent to disturb the minds of the native inhabitants and the peace of the Cook Islands may on conviction be sentenced to a term

of imprisonment with hard labour for any period not exceeding three months.

8. And whereas the Federal Government of the Cook Islands is, by reason of its poverty, unable to maintain an expensive prison establishment: Any European or foreign offender convicted under sections six and seven of this Act, or under any section of "The Criminal Code Act, 1893," may, subject to the approval of His Excellency the Governor of New Zealand, be ordered to leave these islands, and, failing to comply with such order, may be deported to any place from whence he had emigrated to these islands.

9. "The Arikis' Courts Act, 1896," is hereby repealed, and in lieu thereof it is enacted that, if any person refuse or neglect to obey the judgment of an Ariki's Court, the Judge of that Court may remit the case to the Chief Judge of the High Court, who shall confirm or vary the original

judgment, as the circumstances of the case may require.

10. Either of the parties to a suit in an Ariki's Court may, within one month after the decision has been given, demand that the case be reheard by the High Court: and any Maori may bring a suit, whether civil or criminal, before the High Court, notwithstanding that such case has not been heard before the Ariki's Court of his or her district.

11. And whereas an efficient hospital and medical staff has been provided in Rarotonga at the expense of the Federal Government, which same is open to all the inhabitants of the Cook Islands free of charge. And whereas, also, several deaths have recently occurred in this island by reason of the fact that certain tohungas pretend to have a medical skill and knowledge that they do not possess: It is hereby enacted that any one not duly qualified as a medical man who may attend a sick Maori on the Island of Rarotonga shall be legally responsible for any injury done to

17 A.—3.

the said sick person by the treatment prescribed, and may be proceeded against for malpractice, either criminally or civilly, in the High Court: Provided always that no offender against this section shall be fined more than one hundred pounds, or receive a sentence of more than twelve months' imprisonment with hard labour.

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

No. 7, 1899.—An Act to prevent the Sale of Arms within the Island of Mauke. WHEREAS it has been necessary in the past to deprive the people of Mauke of their firearms in order to prevent bloodshed;

Be it enacted by the Parliament of the Cook Islands, with the consent of the British Resi-

dent:

1. The Short Title of this Act shall be "The Mauke Arms Act, 1899."

2. From and after the passing of this Act it shall not be lawful to import firearms into the Island of Mauke. Any person infringing the provisions of this section shall be guilty of an offence, and, on conviction, shall be liable to a penalty of not exceeding five pounds, or, in default, two months' imprisonment with hard labour.

3. Any person who shall sell firearms to any person living on the Island of Mauke shall be guilty of an offence, and, on conviction, shall be liable to a penalty of five pounds for each weapon

sold, or, in default of payment, two months' imprisonment with hard labour.

4. Any resident on the Island of Mauke who shall purchase firearms shall be liable to a penalty of not exceeding two pounds for each offence, or, in default of payment, may be sentenced to not more than three weeks' hard labour.

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Parliament.

Approved.

MAKEA, Ariki, Chief of Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

STATUTE OF AITUTAKI, 1899.

Whereas by Order in Council dated the 22nd day of April, 1899, Lieut.-Colonel W. E. Gudgeon, British Resident, was authorised to revise the laws of Mangaia and other Islands for the approval of the Federal Parliament:

Be it enacted by the Federal Parliament of the Cook Islands, with the consent of the British Resident:

1. The Short Title of this Act shall be "The Statute of Aitutaki, 1899."

2. From and after the passing of this Act it shall not be lawful to prosecute any person for any one of the following acts:-

(a.) Consulting a sorcerer.(b.) Being pregnant as an unmarried woman.

(c.) Card-playing.
(d.) Placing one's arm round a woman, even though the offender have no torch in the other hand.

Trading with an European without permission.

(f.) Tattooing or being tattooed.

(g.) Going from one village to another on the Sabbath.

(h.) Taking an unmarried woman inland.

(i.) Crying over a dead woman, even though not related to her.

Offences against the Person.

3. Any man committing adultery with a married woman may, on conviction, be fined not exceeding one hundred dollars, and, in default of payment, may be sentenced to not more than two months' hard labour on the public roads: Provided always that the Judge, in his discretion may sentence the offender to sixty days' hard labour without the option of a fine.

4. No person shall be punished for an act of fornication with an unmarried woman above the age of fourteen years. But any man carnally knowing any girl under the age of fifteen years, and above the age of twelve years, shall be liable to a fine of not more than ten dollars. Any man carnally knowing or attempting to know any girl under the age of twelve years shall be guilty of a misdemeanour, and shall be committed for trial before the High Court.

5. Any person who shall have carnal connection with a female by force or against her will,

and any one who shall attempt to have such connection by force, shall be guilty of a misdemeanour, and shall be committed for trial before the High Court. No female under the age

3—A. 3.

of twelve years shall be capable of giving her consent to such carnal connection, and no man shall plead such consent: Provided always that no one shall be convicted of the crime of rape on the unsupported testimony of the girl.

6. Any person convicted of the crime of incest may be fined not exceeding twenty dollars, and in addition to such fine may be sentenced to not exceeding two months' hard labour on the public

roads.

Any person convicted of slandering his neighbour may be fined not exceeding ten dollars.

8. Any person bearing false witness in the district Courts of Aitutaki, with intent to injure any man or woman, may be fined not exceeding twenty dollars, and, in addition to such fine, may be sentenced to not exceeding thirty days' hard labour on the public roads.

9. Whosoever shall assault any police officer or member of the Government with his fists shall be liable to a fine of not exceeding ten dollars, and whosoever shall use a stick in an assault under

this section shall be liable to be fined not exceeding twenty dollars.

- 10. Whosoever shall assault any man, woman, or child, other than those mentioned in section 9, may, if the assault be committed with the fists, be fined not exceeding five dollars, and if with a stick, not exceeding twelve dollars.
- 11. Any person committing a violent assault with an axe or other weapon dangerous to life shall be committed for trial before the High Court.

 13. Whosoever shall use insulting language to another, calculated to cause a breach of the peace, shall on conviction be liable to a fine of not exceeding five dollars.

13. And whereas the manufacture of bush beer has been productive of much crime: Any man who shall beat his wife while under the influence of liquor may be fined not exceeding fifty dollars, and in default sixty days' hard labour.

Offences against Property.

14. Any persons stealing pigs, food, or other small articles of property, may be ordered to pay the value thereof to the owner, and, in addition, may be sentenced to pay a fine of not more than ten dollars: Provided always that where the property can be returned intact to the owner no money shall be paid to him as compensation.

15. Every person owning pig, horse, horned cattle, or goat, is liable for all damage done by

those animals, and may be summoned before the district Judge to answer for damage done.

The Judge may, in his discretion, authorise the injured person to destroy the trespassing animal upon any repetition of the offence.

16. Any person who shall find a dog destroying or hunting his pigs or poultry may legally shoot or kill the offending animal.

17. Any person maliciously burning down the house or outbuildings of another, or attempting to do so, may be fined not exceeding fifty dollars, or in lieu thereof may be sentenced to a term of two months' imprisonment.

18. Any one setting fire to the bush or scrub of the island may be fined not exceeding fifty dollars, or, at the discretion of the Judge, may be sentenced to two months' hard labour.

19. Any person taking the horse of another without leave, and using the said horse for his

own work, shall be liable to a fine of not exceeding ten dollars. 20. Any one wounding any bird or animal, the property of another, shall be liable to a fine

of not more than ten dollars. 21. Any one illegally in possession of lost property may be deemed to have stolen it, and shall be liable, on conviction, to a fine not exceeding seven dollars, and shall be ordered to deliver up the lost goods forthwith.

A person shall be held to be illegally in possession of lost property who cannot prove that he

has taken steps to ascertain the owner thereof.

Miscellaneous.

22. Any man deserting his wife and children for another woman shall be amenable to the law. and, at the discretion of the Judge, may be ordered to contribute weekly in money or produce towards their support: Provided always that in every case where a wife is deserted by her husband for another woman, or a wife deserts her husband for another man, the injured person may claim to be divorced by the High Court.

23. Any person who shall sell or give intoxicating liquor to any person residing within the Island of Aitutaki shall be liable, on conviction, to a fine of not exceeding forty dollars: Provided always that no man shall be punished by reason of his having purchased or consumed intoxicating drink on board of any vessel in the offing.

24. Any person landing on the Island of Aitutaki under the influence of liquor may be fined not

exceeding ten dollars.

25. Any man caught manufacturing or drinking bush beer may be fined not more than fifteen dollars or fourteen days' hard labour.

26. Any person found drunk or disorderly in a settlement will, on conviction, be fined not exceeding ten dollars, or, in default, ten days' hard labour.

- 27. It shall not be lawful to import dynamite into the Island of Aitutaki except on a permit recommended by a district Judge, and approved by the Chief of the Federal Government. Any offender against this section shall, on conviction, be liable to a fine of not exceeding one hundred dollars.
- 28. Any one using dynamite to kill fish in the waters of Aitutaki shall be liable, on conviction, to a fine of not exceeding fifty dollars.
- 29. Whereas it is expedient to prevent the spread of disease among the Maoris of the Cook Islands: It is hereby enacted,-

(a.) The pilot-boat shall be the first to communicate with any vessel arriving from places outside of the Federation.

(b.) It shall be the duty of the captain to satisfy the pilot or boarding officer that he has conformed to the first regulation under "The Public Health and Quarantine Act, 1898"; should the pilot or boarding officer not be satisfied, he shall report the matter forthwith to the Resident Magistrate, who may prohibit all communications of the captain cation between ship and shore. Any offence against this section shall render this offender liable to fine not exceeding ten pounds.

30. It shall be the duty of the district Au to protect the wild birds within the limits of his jurisdiction, and the Au may fine any one destroying them a sum not exceeding five dollars, and

may recover the fine before the district Court.

31. Any one who shall offer a bribe to a public officer shall, on conviction, be liable to a fine of not exceeding fifty dollars, or, at the discretion of the Judge, may be awarded one month's hard

labour on the public roads.

32. Any public officer failing to report the offer of a bribe to him in his official capacity shall be deemed to have received the same, and shall thenceforth be held to be ineligible to occupy any public position. Any public officer receiving a bribe may be tried before the High Court, and receive such punishment as shall meet the offence.

33. Any Judge who shall in any way abuse his office, or exceed the jurisdiction given to him by this or any other Act, shall be reported to the Chief Judge of the High Court, who shall

inquire into and punish the offence.

34. Any policeman or officer of any Court who shall behave harshly or oppressively in the performance of his duties, or who shall force his way into any house against the will of the owner or owners, may be summoned as an ordinary offender before the district Court, and, on conviction, shall be liable to a penalty of not more than ten dollars.

35. Any policeman who shall seize the clothing of any woman or man in payment of a fine

shall be guilty of an offence, and, on conviction, may be fined not exceeding six dollars.

36. Any one who shall attempt to terrify or torture any person into confessing an offence that may or may not have been committed, or into giving evidence against others, shall be guilty of an offence against the Federation, and shall be committed to trial before the High Court. Any such offence shall be punishable by a fine of not exceeding sixty dollars, or, at the discretion of the Judge, by two months' hard labour on the public roads.

37. In default of the payment of any fine mentioned in this Act the offender may be ordered

to do one day's hard labour on the public roads for each dollar of his fine remaining unpaid.

Administration of the Law.

Whereas the administration of the law in the Island of Aitutaki has been unsatisfactory, and it is imperative that the laws under which the Council and Judges act should be ascertained and printed without further delay:
38. There shall be a European Chief Magistrate, three native Judges, and eight policemen,

for the Island of Aitutaki, all of whom shall be paid out of Federal revenue.

39. The three Judges and eight policemen shall be elected by the adult population of Aitutaki; but the British Resident shall appoint the European Chief Magistrate, whose duty it shall be to instruct the native Judges and police in their duties, and explain the laws to the people of Aitutaki.

40. The British Resident shall make regulations for the election of Judges and members of the Island Council, hereafter to be called the Au. Such regulations shall determine the date on which elections should be held, the period during which Judges and members of the Au shall hold

office, and the procedure during election.
41. A native Judge shall only sit and act judicially within the district for which he has been elected: Provided always that the European Magistrate may authorise any Judge to sit out of

the district for which he may have been elected.

42. No Court shall be legally constituted, or have mana to hear and determine cases, unless the European Magistrate shall be present; but, in the event of that officer being absent from any cause, the British Resident may authorise the two native Judges to sit together, and hear and decide all cases brought before them.

43. All fees and fines received by the Court shall be Federal revenue, and shall be paid to the

Treasurer at Rarotonga with the least possible delay.

44. Notwithstanding the provisions of section three of "The High Court Act, 1898," the Chief of the Government may appoint a third Judge, who shall reside at Aitutaki, and shall sit with the Chief Judge whensoever the High Court shall open at Aitutaki.

45. Either of the parties to a suit heard or determined in the local Courts of Aitutaki may

- appeal to the High Court against the decision of the Chief Magistrate.

 46. The Judge shall hear all cases in open Court, and shall keep a record of each case and of their decisions.
- 47. Before any Judge shall hear a charge he shall satisfy himself that the accused has been properly summoned to appear, that the charge has been explained to him, and that the accused has had the necessary opportunity to call witnesses for his defence. The accused must in every instance be allowed to cross-examine the witnesses who have given evidence against him.

48. All the laws of Aitutaki, whether of ancient date or made by the so-called Council, are

hereby repealed, except such as are embodied in this statute.

- 49. Notice of appeal shall be served on the Chief Magistrate within one month from the date of the decision appealed against, and a fee of ten shillings shall in each case be deposited with the notice aforesaid.
 - 50. There shall be a Court within the Island of Aitutaki to decide all questions of boundary,

or ownership of land. And whereas there has in the past been much dissatisfaction with the decisions of the native Judges, who, it is alleged, have been influenced by their relationship to one or other of the parties to the suit: Every dispute as to the boundaries or ownership of land shall be heard by the European Magistrate and two Assessors, one of whom shall be nominated by each of the parties to the suit.

51. Notices of appeal against decisions given in the Land Court shall be served in the manner

provided by section forty-nine of this Act.

52. From and after the passing of this Act it shall not be lawful for any policeman to prosecute

any person for adultery.
53. The Au of Aitutaki may impose a dox-tax annually, which shall not exceed five shillings per dog, and, with the approval of the British Resident, may impose local taxes in order to carry public works.

54. The Au shall notify the European Magistrate that a dox-tax has been imposed, and it

shall then be the duty of that officer to see that the tax is collected impartially.

55. And whereas, in order to preserve the breadfruit trees, horses have not hitherto been allowed on Aitutaki: It is hereby enacted that the Au shall have power to prevent the introduction of any animal that may destroy the food-supply of the Island.

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of the Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.—W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

No. 10, 1899.—Christmas Day Act, 1899.

An Act to regulate the Calendar, and assimilate the days of the week and months to those of other countries east of the 180th degree of longitude:

Be it enacted by the Parliament of the Cook Islands, with the approval of the British

 The Short Title of this Act shall be the "The Christmas Day Act, 1899."
 The twenty-fifth and twenty-sixth of December of the New Zealand calendar shall be observed as the Christmas Day within the Islands of the Cook Group, and shall be treated as one day, and be called the twenty-fifth day of December, 1899. It shall further be held that the day following the twenty-fifth shall be Tuesday, the twenty-sixth day of December.

3. It shall not be lawful for any one to follow his or her calling or ordinary employment, or do any work for profit or reward, on the Sabbath day as fixed by this Act: Provided always that work of an urgent nature, such as the loading or unloading of vessels, shall not be deemed to be

prohibited by this section.

4. Any offence under this Act may be punished by a fine of not exceeding ten shillings, or, in default, not exceeding three days' hard labour on the public roads.

Passed.

Te Ariki Tapu Rangi,

Chairman to Cook Islands Parliament.

Approved.

Makea, Ariki, Chief of Federal Government.

Approved. To come into operation on the 22nd day of August, 1899.-W. E. Gudgeon, British Resident.

The Residency, 22nd August, 1899.

No. 14.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

Rarotonga, 14th September, 1899. My Lord,-I have the honour to forward, for your information, the Appropriation Act for the present Your Lordship will observe that it provides for an expenditure of £2,284, as against £1,402

actually expended last year out of the Federal revenue.

This large increase can be accounted for in the following manner: £350 voted to pay the first instalment of money due on Government offices and land; £118, salaries of Judges, police, and Clerks of Court, paid last year by the Rarotonga Council; £50, salary of Magistrate, Aitutaki; £42, increase of honorarium to members, who have hitherto been out of pocket by their trip to Rarotonga; £148, salaries of Customs Officer and Government Interpreter, paid in previous years by Rarotonga Council.

The Appropriation Act for the present year shows the whole expenditure of the Federal Government, which has not been the case in past years, owing to the fact that Federal services have been paid out of Rarotonga Council funds.

I have, &c., s, owm₅ I have, &c., W. E. Gudgeon, Britis

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

British Resident.

Enclosures.

Appropriation Act, 1899-1900.—Estimated Expenditure for Year 1899-1900.

IT is hereby enacted by the Parliament of the Cook Islands, approved by the Chief of the Federal Government and the British Resident:—

1. That the expenditure for the public service for the year ending the 30th June, 1900, shall not exceed the sums stated in Schedule A of this Act, amounting in all to £2,284 sterling.

2. That every account against the Government shall be certified by the British Resident and approved by the Chief of the Government. The certificate shall state that the services therein named have been performed, and shall name the vote to which that account shall be charged.

3. No money shall be paid except on vouchers signed by the Paymaster and countersigned by the British Resident.

the British Resident.

SCHEDULE A.

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Atiu, Mitiaro, and Mauke	0		••	•••		• • •	• • •	• •			• • •		
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•	0	350		• • •			nd land	es a	t offic	nment	on Govern	First payment	4
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€2,284	0	1,284	£2										

No. 9.

No. 12.

No. 13.

No. 14.

ESTIMATED REVENUE for the Year ending 30th June, 1900.

					£	s.	d.
By Cash balance on ha	and, $1st$	July, 1899)	 	409	1	5
Import duties		•••	•••	 	1,000	0	0
Post Office				 	300	0	0
Trade license				 	250	0	0
High Court				 	185	0	0
Arikis' Courts		•••		 	100	0	0
Liquor-tax		•••	•••	 	70	0	0
•							
					£2 314	7	5

Passed.

Te Ariki Tapu Rangi, Chairman to Cook Islands Parliament.

Approved.

MAKEA, Ariki, Chief of the Federal Government.

Approved.—W. E. Gudgeon, British Resident. The Residency, 22nd August, 1899.

No. 15.

His Excellency the GOVERNOR to Lieut.-Colonel GUDGEON.

Government House, Wellington, 18th September, 1899.

I have the honour to acknowledge the receipt of your despatch (No. 36/99) of the 16th August, enclosing three Acts, passed by the Cook Islands Parliament, which have received your sanction.

I am pleased to hear that the revenue and expenditure of the Group for the past year show such a satisfactory surplus.

I have, &c.,

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

RANFURLY.

No. 16.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Government House, Wellington, 6th October, 1899.

I have the honour to acknowledge receipt of your despatch (No. 42/99) of the 11th September, 1899.

The statement of receipts and expenditure of the Federal Government seem to be most satisfactory. I venture to hope that the revenue of the present year may enable the Federation to carry out many of the much-needed improvements that are proposed.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c., RANFURLY.

No. 17.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Sir.—

Government House, Wellington, 6th October, 1899.

I have the honour to acknowledge receipt of your despatch of the 14th September (No. 44/99), enclosing Acts passed by the Cook Islands Legislature.

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c., RANFURLY.

No. 18.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Government House, Wellington, 6th October, 1899.

I have the honour to acknowledge the receipt of your despatch (No. 43/99) of the 14th September, 1899, enclosing "The Appropriation Act, 1899–1900."

Lieut.-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c., RANFURLY.

No. 19.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

My Lord,—

Rarotonga, 10th October, 1899.

I have the honour to inform you that I returned on the 8th instant to Rarotonga, after visiting the Islands of Mangaia and Aitutaki. This I was enabled to do by the courtesy of the London Missionary Society, who allowed me to take advantage of the fact that their steamer, the "John Williams," was about to visit the islands.

23 A.—3.

At the Island of Aitutaki I held a local-option poll, in order to settle the question as to whether the people of that place really did require the introduction and sale of wine and beer. The result of the poll was conclusive, inasmuch that 237 voted for total prohibition as against 115 for wine and beer.

At Mangaia Mr. Goodwin acted as Returning Officer at the election of a member for the Federal Parliament, and I may say that this is the first occasion on which any real election has I have, &c., W. E. Gudgeon, taken place in these islands.

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

British Resident.

No. 20.

His Excellency the Governor to Lieut.-Colonel Gudgeon.

Government House, Wellington, 16th December, 1899. No. 1. Sir.— I have the honour to inform you that I have received Her Majesty's wishes, through the Secretary of State for the Colonies, as to the offer made by Daniela Tangitoru, a chief of Mangaia. I am directed by Her Majesty to express her appreciation of the loyal spirit which has prompted this gift of land, which Her Majesty will have pleasure in accepting.

Lieut-Colonel Gudgeon, British Resident, Rarotonga.

I have, &c., RANFURLY.

No. 21.

Lieut.-Colonel Gudgeon to His Excellency the Governor.

The Residency, Rarotonga, 4th January, 1900. I have the honour to forward, for your information, a report on the trade of the Cook Islands for the year ending the 31st December, 1899. I have, &c.,

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

W. E. GUDGEON, British Resident.

Enclosure.

REPORT ON THE TRADE PROSPECTS AND SOCIAL CONDITION OF THE COOK ISLANDS.

I HAVE to report that the trade prospects of this group show signs of improvement. During my late visit to the outlying islands of the Federation I found it necessary to comment in strong terms on the fact that at least two-thirds of the area of the group was practically unproductive, by reason of the fact that the owners of the soil had neglected to plant the coral formation with cocoanuts, and had done comparatively little to improve even the most fertile lands. I also pointed out that in the event of a hurricane many of the old cocoanut-trees would be destroyed, and therefore they would have absolutely no export for the ensuing eight or ten years, since they had no young trees planted to take the place of those that would be destroyed. I cannot say that I expected that any good result would follow my remarks, inasmuch as the Cook Islanders are too easy-going to take into consideration prospective privations or benefits. But I am now in a position to report that my view of the situation has impressed the native owners of the soil to this extent: that they are planting both cocoanuts and bananas in very large quantities, and therefore there is a prospect that at no very distant date the trade of these islands with New Zealand will be very largely increased, for there is no reason why the export should not be fivefold the present quantity.

I regret that I have to report that the coffee-crop of last year, which at one period bade fair to be abundant, has proved almost a failure. Late in the season the trees were attacked by the Ceylon leaf-blight, which it would seem was introduced by a Mr. Dodge, who, about the year 1896, imported several hundred coffee-plants to this island. The result has been that Rarotonga is not likely to appear as an exporter of coffee for many years to come, since the whole of the old trees have been killed right out. Fortunately, this blight has not reached the Islands of Mangaia or Aitutaki, but this is of small moment as compared with Rarotonga, since the last-named island has always exported ten times the weight of coffee produced by the two former. The failure of this important item of export has made it imperative that copra should as much as possible take

its place, and therefore that cocoanut planting should be encouraged.

There is at present every prospect of a very large orange-crop, and I confidently anticipate that the amount available for export will be at least twice that of last year. This is a position that might easily be maintained or exceeded, if the native owners could only be brought to see the necessity for pruning, and artificial manures. At the present moment the natural impression on the mind of any stranger would be that orange-trees were grown in Rarotonga not so much for

their fruit as for timber purposes.

It is a matter for regret that we have a very indifferent class of foreign settlers on the Island of Rarotonga—men from whom Maoris can learn nothing useful. Of those who have leased land only one man has attempted to improve his property. Others have come here having but little experience of the mysteries of tropical agriculture, but none the less firmly convinced that they could teach the Maoris how to manage their lands. In the case of these men the result has been disastrous, for, having cleared off the shade trees, they now find that they cannot grow either coffee or oranges satisfactorily. This is an unfortunate result; but it need not have occurred, and I am still of opinion that a man with a small capital could make something more than a living out of 20 acres of fair Rarotonga land, provided always that he was not above learning the methods

employed by the inhabitants of the island.

The worst class among the foreign element are, however, the dissipated adventurers and tives from other countries. These men are not only of no benefit to the Federation, but they fugitives from other countries. are also a source of anxiety and expense. At the present moment we have a man who was lately manager for the firm of Donald and Edenborough under detention as a dangerous lunatic, with the result that all the charges incidental to his detention fall upon the Federal Government. evil will not, I fear, end with this man, for the habits of other residents justify the belief that at no distant date they also will become a charge on the Federation. In this climate a man cannot drink with impunity. I need hardly say that the presence of such men as I have described is not calculated to raise the European in the eyes of the Maori. I must, however, exclude the Germans from this class, for they, as a rule, are industrious, sober men, who attend to their own affairs and give no trouble to the Government under whom they live.

Under present conditions the only islands of the group that are favourably situated for the purposes of trade are Rarotonga and Aitutaki, for they alone are frequently visited by the Union Company's steamer, probably for the reason that these two islands have good boat-passages through the reef, whereas the fertile islands of Mauke, Atiu, and Mangaia have no boat-passages, and are completely out of the ordinary course of trade. Indeed, it may be said that they are at the mercy of the Union Company. This fact has been lately demonstrated in a case heard before the High Court of the Cook Islands, in which it was proved that the company had promised to call at Mangaia for certain cargo, and had thereby induced a merchant to supply a hundred tons, mostly fruit, a very large proportion of which they left on the beach to rot, for the simple reason that after promising to take the cargo they simply neglected to reserve space for the same on board the "Ovalau." Under such circumstances, the only industry left to the three islands is the production of copra, for the only trading schooners now belonging to the group are those owned by Maoris, and they, altogether apart from the uncertainty of the winds, cannot be relied on. I am informed that the firm of Donald and Edenborough are about to employ an oil-engine schooner in the inter-island trade, but this vessel will naturally be used in the interests of the firm, which is equivalent to saying that it will be used against the interests of the inhabitants of the group.

The possible remedy for this unfortunate state of affairs is that the traders and Maoris shall combine to purchase a large oil-engine schooner, that shall not only pay regular visits to the outlying islands, but shall also take occasional cargoes to New Zealand, and, as it is clearly the duty of the Federal Government to see that each island has an opportunity of disposing of its

produce in the best possible market, such a schooner might be subsidised.

In an Act passed by the Federal Parliament during last session, an attempt has been made to meet the difficulties attendant on the Chili currency. The Act enacts that, from and after the date on which it shall come into force, the Chili dollar shall be worth only 1s. 6d., and that it shall cease to be a legal tender after the 1st March, 1900. As, however, the Parliament did not provide the means by which the trade of the country could be carried on, the Act had not been put into force, for it was felt that the possible effect would be to drive the trade to Tahiti, where the Chili dollar is readily accepted. There really was no reason why this Act should have been passed, since the Maoris have the matter entirely in their own hands. If they insist upon payment for their produce in British coin they will receive it, and in this way the Chili dollar may be properly excluded. I venture to say that this course will be adopted.

Since my last report certain improvements have been introduced into the law relating to leases of land to foreigners. Every lease must now pass the Board of Arikis, under the presidency of the British Resident, in order that the terms thereof may be ascertained to be equitable to both parties, and, above all, to prevent complications of title arising after the lessee had expended money on the property. To this end it is required that the land shall be surveyed before the lease is finally passed by the Board. This measure cannot fail to have a good effect, since the title is now assured by the Board, and the Government interpreter guarantees that the English translation is in accordance with the Maori deed, an essential that has not always been the case The Government is fortunate in having a highly-qualified surveyor resident on the

island

The only liability attached to a lease is that under the Rating Act of 1899, whereby land in the possession of foreigners is subject to an annual rate of not exceeding 1s. in the pound on the rental value. All money derived from this source is under the special care of the Resident, whose

duty it is to see that the funds are expended in the purchase of material for bridges, &c.

During the past year the old laws of the group have been reduced into form and printed, the result being that there is now practically one law for the whole Federation, excepting only in the matter of the sale of spirituous liquors. Absolute prohibition is now the law in Mauke, Mitiaro, Atiu, Mangaia, and Aitutaki; but at the last-named island this salutary rule was not secured without a struggle, for the Aitutakiana, who have always been the most dissipated and troublesome men of the group, were resolved to legalise the sale of liquor on that island, and might have succeeded but for the aid given by the resident missionary, Mr. Lawrence. As it was, a local-option

poll was held, and a majority secured against any form of liquor being sold on the island.

In Rarotonga the Maoris are now prohibited from obtaining intoxicating drinks, but Europeans have still the right to purchase a quantity not exceeding three bottles of spirits per week. The late increase in the duty on spirits, from 10 per cent. ad valorem to 12s. per proof gallon, has, however, limited the consumption, by increasing the price nearly 2s. per bottle.

Concerning the health of the native population of the group, I can only say that it has

A.—3.

improved since the hospital at Rarotonga has been established under the Drs. Craig, both of whom are able men and up to date in their profession. Unfortunately, we have no statistical data on which we can rely, except from Aitutaki, where the native population are notoriously diseased. For some years the ministers of the London Missionary Society kept an almost perfect record of the births, deaths, and marriages in each island; but, for some reason unexplained, the late Resident placed the registration of these matters in the hands of the Arikis, who naturally began to charge fees, with the very unsatisfactory result that the people avoided registration whenever it was possible to do so, and therefore it is that there is no reliable record except from Aitutaki, which, as I have said, cannot be accepted as a fair instance of the general health of this group.

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RECORD OF BIRTHS, DEATHS, AND MARRIAGES IN THE ISLAND OF AITUTAKI FOR THE PAST FOURTEEN YEARS, the Population being 990 in 1886.

	_	7 - 1		т.					
Year.]	Births.	Deaths.	Marriages.	
1886				• • •	•••	40	42	18	
1887						33	61	17	
1888				•••		35	46	7	
1889	•••	• • •	• • • •			28	41	6	
1890						33	52	20	
1891		•••			• • • •	21	33	8	
1892		• • •				31	28	14	
1893			•••			36	31	16	
1894			•••			29	18	27	
1895						24	32	6	
1896						27	23	18	
1897	•••	•••	•••	•••	•••	27	$\overline{27}$	13	tor.
1898	•••				•••	33	$\overline{35}$	17	4
1899	•••		•••		•••	24	30	7	
						421	499	194	

By this table it will be seen that in fourteen years the deaths exceeded the births by seventy-eight, and during the same period the number of children baptised was only 336, or eighty-five less than the actual births. In other words, eighty-five infants died, mostly from tetanus, before they were old enough to be baptised.

I submit Tables I to IV, in which the shipping trade and revenues of the Cook Islands are set forth:—

Table I.—Return of Shipping for the Port of Rarotonga for the Year ending 31st December, 1899.

					Inw	ards.							Outw	ards.			
· · · · · · · · · · · · · · · · · · ·		Sailing. Steam		eam.	eam. Men-of-war.		r	otal.	Sa	iling.	St	team.	Men-	of-war.	Total.		
		No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons
British American		1 3	287 402		19,491	1	2,575	30	19,778 402		287 402		18,724	1	2,575	3	19,58 40
French Native	••	5 37	219 1,829	••	••	••	::	5 37	219 1,829		$\frac{219}{1,997}$	•••	•••	•••	••	5 38	1,99
Totals 1898		46	2,737	28	19,491	1	2,575	75	22,228	47	2,905	27	18,724	1	2,575	75	22,20

TABLE II.—EXPORTS.

This table sets forth in detail the exports from the Cook Islands for the year ending the 31st December, 1899. The value of the produce in question for the past eight years has been as follows:—

•	•			(Cook Islands.	Foreign.	Total Value.
Year.					Value. £	Value. £	£
1892					15,394	4,943	20,337
1893		• • • •			18,703	905	19,668
1984					18,937	1,728	20,665
1895		•••			19,084	1,054	20,138
1896					15,486	1,333	16,819
1897					21,751	2,381	24,132
1898			•••		11,209	1,408	12,617
1899					11,199	3,020	14,219

The decrease in the exports for the past two years is due solely to partial failure in the orange- and coffee-crops, which are the staple articles of produce in these islands.

TABLE III.—IMPORTS.

In this table the imports into the Cook Islands, whether from New Zealand, Tahiti, or other places, are set forth. The following is a summary of Table III. for the past eight years:—

Year.			nports from ew Zealand.	Imports from Tahiti.	Imports from Other Places.	Total.
1892			10,998	$\overset{\pounds}{5,251}$	£ 	$^{£}_{16,249}$
1893	•••		10,200	9,084	•••	19,284
1894	•••	•••	13,152	9,283	***	22,435
1895	•••	•••	16,861	6,408	•••	23,269
1896	•••		17,167	5,911	•••	23,068
1897	• • • •	• • • •	22,455	4,406	•••	26,861
1898		•••	15,332	2,323	•••	18,155
1899	•••		9,768	2,330	1,457	13,555

The Federal revenue is given in Table IV., for the year ending the 30th June, 1899. The following is a summary of the receipts and expenditure for the past seven years:—

	Year.					$\mathbf{Revenue}$		Expen	ditu	re.
	1681.			•		£ s.	d.	£	s.	d.
	1892 – 93	•••			• • •	825 - 9	4	933	19	8
	1893 – 94	• • •				1,246 7	1	860	17	4
	1894 - 95					1,287 1	. 4	1,376	8	9
	1895 – 96	•••	• • •			1,428 17	8	1,441	0	8
	1896 – 97					1,230 2	9	1,654	0	3
	1897 – 98				• • •	1,379 10	0	1,439	9	5
-	1898 – 99	•••		•••	•••	1,801 13	4	1,402	12	5

The estimated revenue for the year ending 30th June, 1900, including a surplus from the last financial year of £409 1s. 5d., is £2,314 1s. 5d. During the same period it is estimated that £2,284 will be expended. Of this sum, £350 will be paid in liquidation of a debt due on the Federal Buildings, Rarotonga. The increase in the expenditure is otherwise due to the fact that the Judges and police of Rarotonga were paid last year out of the local Council funds, but as this governing body has been abolished, these officers have become a charge on the Federal revenue.

Table II.—Exports from the Cook Islands for the Year ending 31st December, 1899.

	!	To Nev	v Zealan		To	Tahiti.		Total.				
		Quantity.	Value.			Quantity.	Value.		Quantity.	Va		
Produce of Cook Islands- Pineapples, No. Limejuice, gals. Copra, tons Dried bananas, lb. Coffee, lb Oranges, No. Bananas, bunches Cocoanuts, No. Limes, No. Mangoes, No. Cotton, bales Barbadines, cases Other fruits Goods re-exported Total		74,024 32,643 682 678 60,742 3,223,543 18,914 32,071 19,400 4,720 3,296 101	611 5,539 5 1,104 1,769 717 31 14 48 16	0 10 15 17 1 10 10	d. 7 5 0 2 10 0 4 0 8 1 4 10 3 2 8	 1\frac{3}{4} 38,853 	£ s 8 1 714 10 722 11	0	678	\$321 611 5,547 5 1,819 1,769 717 31 14 4 48 16 11 604 11,549	17 1 10 10 13	d. 7 5 0 2 10 0 4 0 8 1 4 10 3 2 - 8
Produce from other Islan Copra, tons Pearl-shell, lb. Fungus, lb Niue hats Total	nds 	69 26 4 11,933 2,085	670 2,256 124 104 3,154	0 0 6 5	0 0 0 0					670 2,256 124 104 3,154	0 0 6 5	0 0 0 0 0

TABLE III.—IMPORTS into the COOK ISLANDS or the Year ending 31st December, 1899.

Description.	Imported from New Zealand.	Imported from Tahiti.	Imported from other Places.	Total Imports.			
Drapery	572 6 2 1,491 19 10 720 2 6 1,146 9 3 1,122 19 0 699 4 0 207 16 5 1,041 4 6 58 1 1 71 6 11 57 7 3 7 9 9 294 5 6 70 2 0 2 0 0	£ s. d. 313 16 11 83 3 8 231 5 5 225 19 2 747 18 11 15 14 6 125 10 7 34 10 1 189 12 3 4 3 7 35 2 1 7 7 4 0 2 0 315 2 8	£ s. d. 75 5 4 724 19 2 120 14 2 23 16 9 63 18 5 69 9 11 37 2 9 5 3 10 53 17 10 18 9 6 6 2 8 36 0 0 232 3 5	£ s. d. 1,666 7 10 1,380 9 0 1,843 19 5 970 8 5 1,958 6 7 1,208 3 5 861 17 4 247 10 4 1,284 14 7 76 10 6 92 9 4 7 9 9 294 5 6 83 12 0 2 0 0 115 12 0 1,385 10 7			

Table IV.—Revenue of the Federal Government of the Cook Islands for the Year ending 30th June, 1899, with Comparative Statement of Revenue for previous Six Years.

Year.		Import Duties.			Postal Revenue.			High Court and Arikis' Court.			Trade Licenses.			Miscellaneous.			Total.		
		£	s.	d.	£	в.	d.	£	s.	d.	£	s.	đ.	£	s.	d.	£	s.	d.
1892-93		563	6	5	245	5	9							16	17	2	815	9	4
1893-94		943	10	5	278	2	3							24	14	5	1,246	7	1
1894-95		1,048	2	9	228	0	1	l			ł			10	18	6	1,287	1	4
1895-96		1,288	19	9	120	8	5							19	9	6	1,428	17	1
1896-97		925	19	8	120	5	3							188	17	0	1.230	2	9
1897-98		1,128	8	5	179	16	2							13	15	0	1.321	19	7
1898-99	•••	947	$1\overline{2}$	9	274	6	8	77	9	11	209	19	4	291	14	8	1,801	13	4

Note.—Up to the year 1894-95 the import duty was 5 per cent., and for the following three years 6 per cent. In 1898-99 it was raised to 10 per cent.

Approximate Cost of Paper.—Preparation, not given; printing (1,375 copies), £17 14s.

By Authority: John Mackay, Government Printer, Wellington.—1900.

Price 9d.

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